



Serving the Public. Serving the Profession.

BOARD OF GOVERNORS

April 17, 2021

New Orleans, LA

*** MINUTES ***

President Alainna R. Mire called the meeting to order at 9:06 a.m., Saturday, April 17, 2021, at The Roosevelt Hotel New Orleans. Business was conducted in accordance with the agenda below.

Agenda Item 1. Roll Call

Ms. Larsen called roll and advised that the following members, who constituted a quorum, were present:

President, Alainna R. Mire
President-Elect, H. Minor Pipes III
Secretary, Patrick A. Talley, Jr.
Treasurer, John E. "Eddie" McAuliffe, Jr.
Immediate Past President, Robert A. Kutcher
Chair, Young Lawyers Division, Carrie L. Jones (by phone)
First Board District Representative, Lawrence J. Centola
First Board District Representative, Scott L. Sternberg
Second Board District Representative, Erin O. Braud
Third Board District Representative, Dwazendra J. Smith
Fifth Board District Representative, Kelly M. Rabalais
Fifth Board District Representative, Adrian G. Nadeau
Sixth Board District Representative, Edward L. Tarpley, Jr.
Seventh Board District Representative, Paul L. Hurd
Eighth Board District Representative, Lauren B. McKnight
At-Large Member, Lynn Luker (by phone)
At-Large Member, Tina L. Suggs
At-Large Member, Adrejia Boutté Swafford
From the Louisiana State Law Institute, Zelda W. Tucker (by phone)
House of Delegates Committee on Liaison Chair, Sandra K. Cosby
House of Delegates Committee on Liaison Member, Ann S. Siddall
House of Delegates Committee on Liaison Member, D. Skylar Rosenbloom (by phone)

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Also present were:

President-Elect Designee, Stephen I. Dwyer
Secretary-Elect, C.A. “Hap” Martin III
Richard Lemmler, LSBA Legislation Committee Staff Liaison
Larry Murray, LSBA Lobbyist
Darrel Papillion, Legislation Committee Chair
Executive Director, Loretta Larsen, CAE
Associate Executive Director, Cheri Cotogno Grodsky
Communications Director, Kelly Wells Ponder
Information Technology Director, Ashley Cambre
Director of Member Outreach and Diversity, Tricia R. Pierre (by phone)
Executive Assistant, Jennifer France

Absent were:

Fourth Board District Representative, Todd S. Clemons
From the Faculty of Loyola University College of Law, Monica Hof Wallace
From the Faculty of Southern University Law Center, Donald W. North

Agenda Item 2. Consent Calendar

- a. **Approval of Minutes** – Consideration of approval of minutes of January 22 and 23, 2021 meetings.
- b. **Louisiana Center for Law and Civic Education** – Periodic report from the LCLCE, as required by the April 2010 cooperative endeavor agreement.

Upon motion by Mr. Kutcher and second by Mr. McAuliffe, the Board unanimously approved the Consent Calendar without discussion or debate.

Agenda Item 3. Amendments to FY 2020/2021 Budget – John E. McAuliffe, Jr.

Mr. McAuliffe reviewed the proposed amendments to the FY 2020/2021 budget as recommended by the Budget Committee. He noted that the amendments resulted in a \$40,000 positive impact to the budget. Upon motion by Mr. Pipes and second by Mr. Kutcher, the Board unanimously approved the amendments as recommended by the Budget Committee.

Agenda Item 4. Ratification of At-Large Appointment – H. Minor Pipes III

Mr. Pipes asked for ratification of Blake R. David as his at-large appointment to the Board of Governors for a three-year term which begins at the close of the 2021 Annual Meeting and ends at the close of the 2024 Annual Meeting. The Board at its January 22 meeting gave Mr. Pipes the authority to make the appointment. Upon motion by Mr. Kutcher and second by Mr. Talley, the Board unanimously ratified Mr. David’s appointment.

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Agenda Item 5. Audit Committee Report and Recommendations – John E. McAuliffe, Jr.

- a. Combined audit for FYs ending June 2019 and June 2020

Mr. McAuliffe referred Board members to the audit and his report to the Board, noting that the LSBA once again had a clean audit and that the Association's internal controls were good. He added that there were some timing issues which had been addressed with staff to the satisfaction of the Audit Committee.

- b. CPA Selection and Retention Policy

Mr. McAuliffe reported that the Audit Committee voted unanimously to recommend to the Board of Governors amendment to the LSBA's CPA Firm Retention Policy. He advised that industry changes coupled with sufficient internal controls now make rotation of audit firms unnecessary. He said the committee was recommending that the requirement to change audit firms at least every five years be removed from the policy. After a brief discussion and upon motion by Mr. Kutcher and second by Mr. Pipes, the Board voted unanimously to accept the Audit Committee's recommendation.

**Agenda Item 6. Ratification of Pro Bono Awards and Children's Law Awards Vote –
Alainna R. Mire**

Ms. Mire asked for ratification of the March 22 email vote regarding recipients of Pro Bono Awards and Children's Law Awards. Upon motion by Mr. Kutcher and second by Mr. McAuliffe, the Board voted unanimously to ratify the email vote.

Agenda Item 7. Committee on Bar Admissions – Alainna R. Mire

Ms. Mire asked the Board to consider the appointment of Scott L. Sternberg as Examiner for the Constitutional Law section of the Louisiana Bar Exam, to replace Sharon Diggs-Miller. Upon motion by Mr. Kutcher and second by Mr. McAuliffe, the Board unanimously approved recommending the appointment to the Louisiana Supreme Court, with Mr. Sternberg abstaining.

Agenda Item 8. Client Assistance Fund Rules of Procedure – Cheri Cotogno Grodsky

Ms. Grodsky asked the Board to consider the amendment to the Client Assistance Fund Rules of Procedure which would increase from \$25,000 to \$50,000 the loss paid to any one applicant, which change would be effective for applications filed on or after January 1, 2021. Upon motion by Mr. Kutcher and second by Mr. Talley, the Board unanimously approved the amendment.

**Agenda Item 9. Catherine D. Kimball Award for the Administration of Justice –
Alainna R. Mire**

Ms. Mire asked the Board to consider the nominees for the Catherine D. Kimball Award. Upon motion by Mr. Talley and second by Mr. Kutcher, the Board voted unanimously to present the award to the Hon. Anthony J. Marabella (ret.).

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Agenda Item 10. Transition Into Practice Program – Cheri Cotogno Grodsky and Barry H. Grodsky

Ms. Mire recognized Committee on the Profession Chair Barry H. Grodsky, who provided the Board with an overview of the Transition Into Practice (TIP) Program. He advised that the Court had made the program mandatory for 2020 Qualified Candidates and asked the Board to consider recommending to the Supreme Court that the program be made mandatory for all new admittees. Ms. Mire reported that the Executive Committee voted unanimously to recommend to the Board that it support the mandatory TIP Program. Upon motion by Mr. Talley and second by Mr. Kutcher, the Board voted unanimously to make the recommendation to the Supreme Court.

Agenda Item 11. Judges and Lawyers Assistance Program – H. Minor Pipes III

a. Appointment of 2021/2022 Board of Directors

Mr. Pipes advised that in accordance with JLAP Bylaws, the LSBA Board of Governors was charged with making appointments to the JLAP Board of Directors. After taking into account the recommendations of the JLAP Board and the LSBA Executive Committee, and upon motion by Mr. Sternberg and second by Mr. McAuliffe, the Board voted unanimously to make the following appointments:

- Judge Director 2021-2024 – Hon. Jay C. Zainey;
- LSBA Member Director 2021-2024 – Reappointment of Dian Tooley-Knoblett;
and
- Treasurer – Stephen I. Dwyer, by virtue of his position as LSBA President-Elect.

b. Executive Director announcement

Mr. Pipes reported that Angela White-Bazile, JD, PhD had been named JLAP Executive Director

c. Mandatory reporting to LSBA

Mr. Pipes advised that JLAP had timely provided the required reporting and that the final quarterly payment for FY 2020/2021 was being released.

Agenda Item 12. Legislation Committee Recommendations – Alainna R. Mire and Darrel J. Papillion

Ms. Mire gave an overview of the Legislation Committee's activities during the 2021 Regular Session and introduced Legislation Committee Chair Darrel J. Papillion. Mr. Papillion noted that the Executive Committee had reviewed the Legislation Committee's recommendations and was recommending to the Board that several be moved to No Position. He noted that the Board's movement of a committee position to "no position" required a 75 percent super majority. He reviewed the recommendations as set forth below:

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Bill	Legislation Committee Recommendation	Executive Committee Recommendation
HB 55	Oppose	Oppose
HB 84	Support	Support
HB 100	Support	Support
HB 106	Oppose	Oppose
HB 140	Oppose	No Position
HB 216	Oppose	Oppose
HB 228	Oppose	No Position
HB 238	Oppose	No Position
HB 282	Support	No Position
HB 290	Oppose	No Position
HB 328	Oppose	Oppose
HB 382	Support	No Position
HB 425	Oppose	No Position
HB 507	Support	Support
HB 584	Support	Support
HB 586	Oppose	Oppose
HB 605	Oppose	Oppose
SB 66	Oppose	No Position
SB 83	Oppose	No Position
SB 163	Oppose	No Position
SB 186	Oppose	Oppose

Mr. Kutcher moved that the Board adopt the recommendations of the Executive Committee, which motion was seconded by Mr. McAuliffe. At Mr. Sternberg's request, Mr. Pipes went into greater detail regarding the Executive Committee's recommendations. Mr. Sternberg then asked that the Board take no position on HB 216, but continue to monitor it. The Board unanimously adopted the Executive Committee's recommendations, with the exception of HB 216, which it moved to No Position.

Information/Discussion Items

Agenda Item 13. Annual Meeting/Summer School for Lawyers and Judges – Alainna R. Mire

Ms. Mire directed Board members to the registration list, noting that numbers were tracking favorably to recent years. She added that there will be a virtual option for the CLE sessions held in the Magnolia Ballroom and encouraged Board members to attend the meeting.

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Agenda Item 14. Strategic Plan Update – Alainna R. Mire

Ms. Mire referred members to the written report noting that even with COVID, the LSBA staff and volunteers have continued to move the plan forward.

Reports

Agenda Item 15. Report of the President – Alainna R. Mire

- a. BOG Meeting** – Ms. Mire asked members to mark their calendars for the final Board meeting scheduled for Wednesday, June 9 in conjunction with the Annual Meeting/Summer School.
- b. Other Matters** – Ms. Mire extended her gratitude to all Board members for their service to date.

Agenda Item 16. Report of the President-Elect – H. Minor Pipes III

- a. 2021/2022 Board of Governors/YLD Council Orientation** – Mr. Pipes reminded continuing Board members that the Orientation will be held April 29 through May 1.
- b. Other** – Mr. Pipes gave an overview of 21/22 Board meeting, noting that the fall meeting will be held in Lafayette and the Spring meeting will be held in Covington.

Agenda Item 17. Report of the Treasurer – John E. McAuliffe, Jr.

Mr. McAuliffe waived his report.

Agenda Item 18. Report of the Secretary – Patrick A. Talley, Jr.

Mr. Talley reported that it was his honor to serve as editor of the *Louisiana Bar Journal* and thanked the Board for their support.

Agenda Item 19. Report of the Immediate Past President – Robert A. Kutcher

Mr. Kutcher waived his report.

Agenda Item 20. Report of the Young Lawyers Division Chair – Carrie LeBlanc Jones

Ms. Jones reported that the YLD virtually held the 2021 Richard N. Ware IV State High School Mock Trial Competition on March 20, and that Caddo Magnet High School won the competition. She noted the YLD will host a virtual Barristers for Boards CLE and nonprofit meet and greet on April 20, with more than 100 young lawyers already registered. She added that the YLD Conference will be held May 14 in New Orleans and will feature six hours of CLE credit and presentation of awards.

Agenda Item 21. Report of the Executive Director – Loretta Larsen

Ms. Larsen waived her report.

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Agenda Item 22. Report of the Associate Executive Director – Cheri Cotogno Grodsky
Ms. Grodsky waived her report.

Agenda Item 23. Staff Reports
Ms. Mire referred members to Mr. Mollere's comprehensive written report on the ATJ Program.

Agenda Item 24. Other Matters

a. Committee on Diversity in the Legal Profession Awards Recommendations

Ms. Pierre reported that the Committee on Diversity's recommendation for the 2021 Chief Justice Bernette Joshua Johnson Trailblazer Award is Hon. Kern A. Reese of Orleans Parish Civil District Court, and its recommendation for the Guardian of Diversity Award is Tulane University Law Center in New Orleans. Upon motion by Mr. Kutcher and second by Ms. McKnight, the Board unanimously approved the recommendations.

b. Outreach Committee Award Recommendation

Ms. Pierre reported that the Outreach Committee was recommending Henry "Hank" C. Perret, Jr. of Lafayette for the 2021 Leah Hipple McKay Award for Outstanding Volunteerism. Upon motion by Mr. Kutcher and second by Ms. McKnight, the Board unanimously approved the recommendation.

c. Member Outreach and Diversity Department Update


Ms. Pierre directed members to the MODD update and CLE schedule.

At 9:56 a.m., Mr. Kutcher moved that the Board go into Executive Session, which motion was seconded by Mr. Sternberg. The Executive Session began at 9:57 a.m. and ended at 10:06 a.m.

Adjourn

There being no further business, the meeting was adjourned at 10:06 a.m.

Respectfully Submitted:



Patrick A. Talley, Jr.
Secretary

**APPROVED BY BOARD OF GOVERNORS
JUNE 9, 2021
DESTIN, FL**