

**MINUTES OF THE HOUSE OF DELEGATES
OF THE LOUISIANA STATE BAR ASSOCIATION
January 12, 2008**

The House of Delegates was convened at 9:15 a.m. on Saturday, January 12, 2008, in the La Nouvelle Orleans and Bienville Ballrooms at the Hotel Monteleone in New Orleans.

I. Certification of Quorum by the Secretary.

After reviewing the delegate check-in roster, Secretary Mark A. Cunningham determined that a quorum was present. A copy of the attendance roster is attached as an addendum to these Minutes. President S. Guy deLaup declared the meeting to be in session.

II. Recognition of Deceased Members of the House of Delegates.

President deLaup requested a moment of silence in memory of Past President Robert G. Pugh.

III. Reports of Standing Committees of the House.

No oral reports were given; all reports that were in writing were submitted.

IV. Reports of Officers, Board of Governors, Standing Committees and Sections of the Louisiana State Bar Association.

No oral reports were given; all reports that were in writing were submitted.

V. Reports of Special Committees of the Louisiana State Bar Association.

1. Bar Governance Committee
Larry Feldman, Jr., Chair, deferred the committee report, noting that President deLaup would present the findings of the House of Delegates survey under Old Business.

VI. Presentation

Mr. H. Thomas Wells, Jr., President-Elect of the American Bar Association, spoke on the importance of maintaining and safeguarding the Rule of Law.

VII. Approval of the Minutes of the June 7, 2007 meeting of the House of Delegates.

The following motion was made:

“BE IT RESOLVED, that the minutes of the June 7, 2007 meeting of the House of Delegates are approved.”

House of Delegates Minutes
January 12, 2008
Page 2

The motion was seconded and unanimously approved.

VIII. Old Business.

President deLaup reviewed the results of the House of Delegates survey conducted during the fall of 2007.

VIX. New Business.

- 1. Election from the 20th through 40th Judicial Districts and Orleans Parish of a chairperson and two (2) members of the House of Delegates to the Liaison Committee of the House. Those elected will serve one-year terms (June 2008 through June 2009) and the chairperson will serve as an ex-officio member of the Board of Governors and shall have the same rights and privileges of all other members of the Board, including the right to vote.**

The following motion was made by Mickey S. deLaup:

“BE IT RESOLVED, that Robert A. Kutcher of the 24th Judicial District serve as chair of the Liaison Committee of the House of Delegates.”

The motion was seconded. Nominations were closed and Robert A. Kutcher of the 24th Judicial District was declared elected as Chair of the Liaison Committee to the House of Delegates.

The following motion was made:

“BE IT RESOLVED, that Mary C. Devereux of the 22nd Judicial District serve as a member of the Liaison Committee of the House of Delegates.”

The motion was seconded. The following motion was made:

“BE IT RESOLVED, that Timothy E. Pujol of the 23rd Judicial District serve as a member of the Liaison Committee of the House of Delegates.”

The motion was seconded. The following motion was made:

“BE IT RESOLVED, that George B. Recile of the 24th Judicial District serve as a member of the Liaison Committee of the House of Delegates.”

The motion was seconded. A vote was taken and Ms. Devereux of the 22nd Judicial District and Mr. Pujol of the 23rd Judicial District were elected to serve as members of the Liaison Committee of the House of Delegates.

2. Resolution from Access to Justice Committee regarding the development, implementation and coordination of assistance programs for self-represented litigants.

The following motion was made by Sheral C. Kellar:

“BE IT RESOLVED, that the resolution from the Access to Justice Committee regarding the development, implementation and coordination of assistance programs for self-represented litigants, a copy of which is attached, be adopted.”

The motion was seconded and adopted.

3. Resolution from Bar Governance Committee proposing a restatement, in its entirety, of the Articles of Incorporation of the Louisiana State Bar Association.

The following motion was made:

“BE IT RESOLVED, that the resolution from the Bar Governance Committee proposing a restatement, in its entirety, of the Articles of Incorporation of the Louisiana State Bar Association, a copy of which is attached, be adopted.”

The motion was seconded and adopted unanimously.

4. Resolution from Bar Governance Committee proposing amendments to Articles IX and X of the Bylaws of the Louisiana State Bar Association.

The following motion was made by Larry Feldman, Jr.:

“BE IT RESOLVED, that the resolution from the Bar Governance Committee proposing amendments to Articles IX and X of the Bylaws of the Louisiana State Bar Association, a copy of which is attached, be adopted.”

The motion was seconded. Ms. Triche offered a motion to amend language in Article X, Section 2(e) so that, as amended, the section would read, “Any action other than as recommended by the Legislation Committee shall require approval

of seventy-five percent (75%) of the participating Board members.” The amendment was seconded. Following considerable discussion, a voice vote was taken and the amendment was adopted. Mr. Riggs then moved that Article X, Section 2(e) be amended to read, “Any action other than as recommended by the Legislation Committee shall require approval of a simple majority of the participating Board members.” The motion did not receive a second. A delegate then moved that the vote on the amended resolution be conducted by roll call. The motion was supported by at least ten members and it was adopted. The roll call vote was conducted and the resolution was adopted by a vote of 128 in favor and 54 against. A copy of the roll call is attached to these minutes.

5. Resolution from Committee on Diversity recommending adoption of a Diversity Statement for the Louisiana State Bar Association.

The following motion was made by Wayne J. Lee:

“BE IT RESOLVED, that the resolution from the Committee on Diversity recommending adoption of a Diversity Statement for the Louisiana State Bar Association, a copy of which is attached, be adopted.”

The motion was seconded and unanimously adopted.

6. Resolution from the Government and Public Law Section proposing a restatement, in its entirety, of the Bylaws of the Section.

The following motion was made by Richard L. McGimsey:

“BE IT RESOLVED, that the resolution from the Government and Public Law Section proposing a restatement, in its entirety, of the Bylaws of the Section, a copy of which is attached, be adopted.”

The motion was seconded and unanimously adopted.

7. Resolution from Solo and Small Firms Section proposing a restatement, in its entirety, of the Bylaws of the Section.

The following motion was made by Faun Fenderson:

“BE IT RESOLVED, that the resolution from the Solo and Small Firms Section proposing a restatement, in its entirety, of the Bylaws of the Section, a copy of which is attached, be adopted.”

The motion was seconded and unanimously adopted.

- 8. Resolution from 1st Judicial District Delegate Richard M. John requiring all meetings of the LSBA House of Delegates to be held in the geographic confines of the State of Louisiana.**

The following motion was made by Richard M. John:

“BE IT RESOLVED, that the resolution from 1st Judicial District Delegate Richard M. John requiring all meetings of the LSBA House of Delegates to be held in the geographic confines of the State of Louisiana, a copy of which is attached, be adopted.”

The motion was seconded. Following discussion, Mr. Riggs moved to table the resolution and refer it to the Board of Governors for its consideration or to appoint a subcommittee to consider alternative methods for delegates to attend House meetings that are held out of state. The motion was seconded. A vote was taken and the motion to table was defeated by a vote of 87 in favor of the motion and 97 against. Discussion continued and a vote was taken on the original motion. The motion was defeated.

- 9. Resolution from member Ariel K. DiGiulio proposing creation of the Animal Law Section and adoption of bylaws of same.**

The following motion was made by Betty Raglin:

“BE IT RESOLVED, that the resolution from member Ariel K. DiGiulio proposing creation of the Animal Law Section and adoption of bylaws of same, a copy of which is attached, be adopted.”

The motion was seconded. Ms. Raglin then requested the House grant Ms. DiGiulio the floor to address the merits of the resolution. The request was granted. Following Ms. DiGiulio’s remarks a vote was taken and the motion was adopted.

- 10. Resolution from 22nd Judicial District Delegate Elizabeth A. Alston urging the House of Delegates to recommend to the Supreme Court of Louisiana amendment of Rule 4.4(b) of the Rules of Professional Conduct.**

Ms. Alston withdrew the resolution from consideration.

- 11. Resolution from 19th Judicial District Delegate B. Scott Andrews proposing amendment of Article VIII, Section 4, of the Articles of Incorporation of the Louisiana State Bar Association regarding House of Delegates attendance.**

The following motion was made by B. Scott Andrews:

“BE IT RESOLVED, that the resolution from 19th Judicial District Delegate B. Scott Andrews proposing amendment of Article VIII, Section 4, of the Articles of Incorporation of the Louisiana State Bar Association regarding House of Delegates attendance, a copy of which is attached, be adopted.”

The motion was seconded and adopted.

There being no further business to discuss, the meeting was adjourned at 11:10 a.m.

Respectfully Submitted:

Mark A. Cunningham, Secretary

Date

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
Y	Abaunza	Donald	R		By proxy to Joseph I. Giarrusso III
Y	Adams	Glenn	B		
Y	Aguillard	H	K		
N	Alston	Elizabeth	A		
	Anderson	J	Thomas		
	Anderson	John	K		
Y	Andrews	Brandon	S		
N	Arceneaux	Richard	M		
	Arsenault (S)	Richard	J		
Y	Ates (S)	J.	Robert		
Y	Barnatt	Theresa	A		
Y	Barousse	Homer	E	Jr	
Y	Barrios	Mary	H		
Y	Baumgartner	Adrianne	L		
N	Beal	James	E		
Y	Becker	Richard	L		
N	Becnel	Daniel	E	Jr	
	Begue (S)	Brian	M		
Y	Belleau	Ashley	L		
Y	Benjamin	Jack	C	Jr	
	Billiot	Michael	J		
Y	Blaize	Marci	L		
Y	Blanchard	John	Z	Jr	

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
	Blewer	Edwin	L	Jr	
Y	Block	Matthew	F		
Y	Bookter	Claude	W	Jr	By proxy to John Herzog
	Bopp	Eric	A		
	Bourque	Charles	C	Jr	
	Bowling	Mark			
Y	Braud	Stephen	C		
	Braun	Andrew	A		
Y	Breeden	Patrick	D		
	Brown	Dana	B		
Y	Broyles	Stephen	E		
N	Bruno	Frank	S		
N	Bryan	Douglas	L		
Y	Buchler	Conrad	A		
Y	Burkenstock (S)	Susan			
N	Burns	Erik	L		
Y	Burns	Robert	J	Jr	
N	Burns	Roberta	L		
Y	Bussey	Robert	L		
	Butler (S)	Patrick	J.		
Y	Cahill	Elwood	F	Jr	
N	Caluda	Robert	J		
Y	Cangelosi	Celia	R		

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
	Casey	Billy	R		
	Casey	Thomas	A	Jr	
N	Cavell	Daniel	A		
Y	Cazayoux	Donald	J	Jr	
Y	Cerullo	Thomas	C		
Y	Clement	Leslie	J	Jr	
N	Cole	Dean	A		
Y	Coleman	Lauren	G		
Y	Coody	Brian	L		
N	Couvillion	Matthew	J		
	Crain	William	J		
N	Curet	Adolph	B	III	
	Curet	Douglas	T		
Y	Dartez	Shannon	S		
Y	Davis	John	Q		
Y	deLaup	Mickey	S		
	DeMent	Jeffrey	L		
	Derr	Jacque	D		
Y	Devereux	Mary	C		
N	Duplantis	Eric	P		
N	Dysart	Daniel	L		
Y	Eason	Richard	B	II	
	Elfert	Dennis	J		

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
N	Elliott	Charles	D		
N	Exnicios	Richard	M		
Y	Exnicios (S)	Valerie	P		
	Faircloth	Jimmy	R	Jr	
Y	Fenderson (S)	Fawn			
Y	Ferachi	Michael	D		
Y	Fertitta	Frank	A		By proxy to William Burris
	Fewell	Richard	L	Jr	
Y	Foil	Franklin	J		By proxy to James E. Boren
N	Fontenot	Elvin	C	Jr	
Y	Fontenot	Marcus	L		By proxy to Shytishia Flugence
N	Foreman	L	P		
Y	Fornias	Vincent	P		
Y	Forrester	William	R	Jr	
Y	Fortson	James	L	Jr	
Y	Foster	Darryl	J		
Y	Frazier	John	M		
	Fritz	Lawrence	J		
Y	Gainsburgh	Judith	A		
Y	Gallagher (S)	Richard	Thomas		
Y	Garcia	Kurt	C		
Y	Garvey	Geralyn	P		
Y	Gaudin	Todd	E		By proxy to Charlotte Andrews

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
Y	Gayle	Thomas	J		
Y	Gravois	Jude	G		
	Gregorio	Sam	N		By proxy to Donald R. Miller
N	Griffith	Steven	F	Sr.	
Y	Guerry (S)	David	L		
N	Gulotta	James	C	Jr	
Y	Hamilton	John	C		
Y	Hamilton	Orlando	N	Jr	
Y	Hamilton (S)	Regina	N		By proxy to Richard McGimsey
	Hawkins	Tara	B		
Y	Hayes	C	K		
	Hebert (S)	Larry			
Y	Hernandez (S)	John	A.		
Y	Herrera	Esteban		Jr	By proxy to Alejandro Perkins
N	Hesse	Michael	O		
Y	Hill	Matthew	J	Jr	
Y	Hill	W	J	III	
Y	Holmes	Michael	B		
Y	Holthaus	Craig	F		
N	Honeycutt	D	B		
Y	Hoychick	John		Jr	By proxy to Theo J. Coenen III
N	Hughes	Michael	L		
N	Hunter	Philip	G		

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
N	Jackson	Patrick	R		
Y	Jalenak	Jay	M	Jr	
Y	Jewell	John	W		
N	John	Richard	M		
	Judice	Margaret	E		
	Kelly	J.	Don	Jr	
	Kelly	Keenan	K		
	Kincade	Charles	L		
Y	Kutcher	Robert	A		
	LaCour (S)	Louis	C	Jr	
	Lea	Paul	A	Jr	
Y	LeBlanc	Jessie	M		
	LeBlanc (S)	Michele			
Y	Lee	Andrew	R		
N	Lee	John	J	Jr	
Y	Leefe	David	W		
N	Lehman	Robert	C		
Y	Lenard	Brian	D		
Y	Lilly	Roy	M	Jr	
Y	Little	Winfield	E	Jr	
Y	Lorenzi	Thomas	L		
	Manthey (S)	Tristan	E		
Y	Maragos	Timothy	A		

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
Y	Marino	Joseph	A	III	
	Marionneau	Robert	M	Jr	
	McCain	Audrey	A		
	McCallum	Deanna	D		
Y	McClelland	James	R		
	McIntyre (S)	Alexander			
N	McKay	Dan	B	Jr	
Y	McKay	Michael	W		
Y	McMahon	Robert	A	Jr	
N	McNary	James	K		
N	McNulty	Marsha			
N	Miller	Gregory	A		
Y	Mitchell (S)	Kiana			By proxy to Heske Hillard
N	Mixon	James	E		
Y	Molloy	Kevin	R		
	Moore (S)	Charles	R		
	Morrison	Corinne	A		
Y	Mouledoux	Andre	J		
	Murray	Arthur	M		
Y	Musser	John	H	IV	
	Newell	Daniel	W		
Y	Oelkers	Joseph	R	III	
	Ogg	Ramsey	L		

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
N	Olivier	Francis	A	III	
N	Olivier	John	L		
N	O'Regan	William	D	III	
Y	Ott	Carolyn	F		
	Page (S)	J	Marshall	III	
Y	Papillion	Darrel	J		
	Patron (S)	David	L		
N	Peters	James	C		
Y	Petersen	Glen	R		
N	Petrucelli	Mary	B		
N	Pharis	Fred	A		
Y	Picard (S)	Nancy			
Y	Pierre	Tricia	R		
Y	Pipes	Henry	M	III	
	Plummer	Robert	E		
Y	Poirrier	Michael	J		
	Politz	Nyle	A		
	Provosty	Shelley	Hammond		
Y	Pucheu	Jacque	B	Jr	
N	Pugh	Robert	M		
N	Pujol	Timothy	E		
	Purvis	Virgil	R		By proxy to John Reeves
Y	Quirk	Brian	P		

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
Y	Raglin	Betty	A		
N	Rankin	Alex	W		
N	Raspanti	Roy	A		
N	Raymond	Robert	L		
Y	Recile	George	B		
Y	Reed	Andrew			
	Rees	Daniel	A		
Y	Reeves-Floyd	Patricia	P		
Y	Riggs	Jeffrey	A		
N	Salvaggio	William	J		
Y	Scandurro	Dominick		Jr	
	Schexnayder	Thomas	F		
Y	Schott	Judy	C		By proxy to Johanna Averill
Y	Schott	Louis	G		
	Scott	Susan	D		
	Seastrunk	Ronald	K		
N	Shacklette	Ross	E		
Y	Shaw	Danny	G		
Y	Shea	Joseph	L	Jr	
Y	Sher	Karen	B		
Y	Sherry	Mettery	I	Jr	
	Shreves (S)	H.	Bruce		
N	Siddall	Ann	S		

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
Y	Simon	Kathleen	E		
Y	Simon	Lawrence	P	Jr	
Y	Skinner	Michael	D		
N	Slattery	John	B	Jr	
Y	Smith	Francis	A	Jr	
Y	Smith	Kenneth	C	Jr	
N	Smith	Leroy		Jr	
Y	Staines	Anthony	J		
Y	Stassi	John	A	II	
Y	Steib	Raymond	S	Jr	
Y	Stern (S)	Lynne	R		
	Stevens	Dennis	R		
N	Storms	Tyler	G		
	Street	Daniel	R		
N	Stricks	Richard	B		
Y	Swift	John	G		
	Szwak	David	A		
N	Tabary	Paul	A	III	
	Talley	Patrick	A	Jr	
	Tate	Kelly	P		
Y	Thomas	David	A		
Y	Torian	Robert	E		
N	Tramontana	Juan	A		

2007-2008 House of Delegates

Roll Call Vote on Legislation Initiatives ♦ January 12, 2008

X	Last Name	First Name	MI	Suff	Proxy
Y	Triche	Jane	M		
	Walsh (S)	Michael			
Y	Warshauer	Irving	J		
	Watson	Linda	K		
Y	Wegmann	Edward	D		
Y	Whitehead	Charles	R	Jr	
Y	Whitehead	Jack	K	Jr	By proxy to Preston Castille
Y	Willard	Walter	I		
Y	Williams	Conrad	S	III	
Y	Williams	Phyllis	M		
	Williams (S)	John	R		
Y	Wittmann	Phillip	A		
	Wolleson	Patrick	S		
Y	Yancey	Stephen	R		
	Zentner	Thomas	G	Jr	
	Zeringue	Nicholas	J		