

**LOUISIANA STATE BAR ASSOCIATION
BOARD OF GOVERNORS
JUNE 13, 2003**

*** M I N U T E S ***

President Wayne J. Lee called to order the meeting of the Board of Governors of the Louisiana State Bar Association at 1 p.m., Friday, June 13, 2003, in Sandestin, Florida. Business was conducted in accordance with the agenda below.

Agenda Item 1. Roll Call.

Present were:

President, Wayne J. Lee
President-Elect, Michael W. McKay
Secretary, James R. McClelland
Treasurer, Frank X. Neuner, Jr.
Immediate Past President, Larry Feldman, Jr.
Chair, Young Lawyers Section, Monique L. Svenson
First Board District Representative, Elizabeth Haecker Ryan
First Board District Representative, Darryl J. Foster
Second Board District Representative, S. Guy deLaup
Third Board District Representative, Shannon Seiler Dartez
Fourth Board District Representative, Winfield E. Little, Jr.
Fifth Board District Representative, E. Wade Shows
Seventh Board District Representative, Richard L. Fewell, Jr.
Eighth Board District Representative, Edwin L. Blewer, Jr.
At-Large Member, Preston J. Castille, Jr.
At-Large Member, Sheral C. Kellar
At-Large Member, Pamela W. Carter
From the Faculty of Loyola University School of Law, Kathryn V. Lorio
From the Faculty of Southern University Law Center, Donald W. North
From the Louisiana State Law Institute, James A. Gray II
House of Delegates Committee on Liaison Chair, Andrew Reed
House of Delegates Committee on Liaison Member, John S. Coulter
House of Delegates Committee on Liaison Member, Timothy A. Maragos

Also present were:

Executive Director, Loretta L. Topey
Access to Justice Director, Monte T. Mollere
Communications Director, Michele C. Norris
Member Services Director, Judith W. Dugar
Practice Assistance Counsel, Cheri Cotogno Grodsky
Executive Assistant, Ramona K. Meyers
Group Insurance Committee Member, Elizabeth Erny Foote

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Absent were:
Sixth Board District Representative, William M. Ford

Consent Calendar

The following items were included on the Consent Calendar and moved for approval without discussion and/or debate and unanimously approved.

2. Bank Resolutions.
Resolutions were prepared covering all accounts of the Association and were distributed for signature to those members of the Board authorized to countersign checks written on the accounts.
3. Presidential Authority.
Under the Charter, the President, with the consent of the Board of Governors, may make committee appointments and create committees. The Board granted Mr. Lee the right to make such appointments as required during his term of office and also to create such special committees and/or task forces he deems necessary and proper.
4. Election Procedures.
Approved the election schedule and election procedures to be used during the 2003-04 election process.

Agenda Item 5. Consideration of Any Item(s) Removed from Consent Calendar.

No items were removed from the Consent Calendar for further discussion/debate.

Agenda Item 6. Group Insurance Committee.

Ms. Foote presented the report of the Group Insurance Committee and the Board unanimously approved the recommended 8.5% across the board increase.

Ms. Foote then presented the recommendation of the Legal Malpractice Insurance Committee of a 3.2% overall increase, with individual firm increases to be determined by area of practice. No firm will receive an increase in excess of 10%. The recommendation was unanimously approved by the Board.

Agenda Item 7. House of Delegates.

The Board unanimously approved all actions taken by the House of Delegates at its meeting on Thursday, June 12, 2003.

Agenda Item 8. Conflict of Interest Statement.

The Board unanimously adopted the Conflict of Interest Statement, which was signed by all Board members in attendance and will become an addendum to the official minutes. Mr. Shows disclosed to the Board that he had been appointed to serve on the Louisiana Bar Foundation's Board of Directors.

Agenda Item 9. Budget Committee Election.

Mr. deLaup was unanimously elected by the Board to serve as its representative to the Budget Committee for the 2003-04 fiscal year.

Agenda Item 10. Consideration of CPA Firm Policy.

The Board unanimously approved the following internal operating policy recommended by the Budget Committee relative to the hiring of a CPA firm to conduct the Association's annual audit: "It is the policy of the Louisiana State Bar Association to contract with the CPA firms selected to audit the organization for an initial period not to exceed three years. This contract may be renewed for an additional two-year term, for a total engagement period not to exceed five consecutive years."

Agenda Item 11. Consideration of 2003/2004 Budget.

Mr. Neuner presented an overview of the proposed budget as submitted and moved its approval by the Board. The motion was seconded and unanimously approved.

Agenda Item 12. Proposed Computer Use Policy for Employees.

Ms. Topey presented a proposed amendment to the LSBA employee policies to include e-mail and internet use policies. The Board unanimously approved the employee computer use policy as submitted and it will become part of the employee policy handbook.

Agenda Item 13. Revised Strategic Plan.

Mr. Lee informed the Board that the purpose of revising the Strategic Plan, which was proposed by the Strategic Planning Committee and approved by the Board of Governors, is not to change the concept of the plan but to add Goal #8 and the corresponding language. A motion was made by Mr. McKay to revise the Strategic Plan as submitted. The motion was seconded and unanimously approved.

Agenda Item 14. Board of Legal Specialization Recommendations.

The Board voted unanimously to recommend to the Supreme Court the following appointments:

- a. Reappointment of Andre J. Buisson (Lake Charles) for an additional three-year term.
- b. Reappointment of Armand L. Roos (Shreveport) for an additional three-year term.
- c. Appointment of Russell J. Cremaldi (Franklin) for a three-year term, to succeed Cary W. Vercher (Morgan City), whose term expires June 30, 2003.

Agenda Item 15. Executive Director Performance Evaluation.

The Board went into Executive Session to discuss the executive director's performance. Following the session, Mr. Lee indicated to Ms. Topey that in the future all Board members would be polled for input on the executive director's performance. Further, Ms. Topey was asked to gather names of consultants who work in the area of employee evaluations in order to review the LSBA's practices and make suggestions. Mr. Shows and Mr. deLaup will report these findings to the Board.

Agenda Item 16. Report of the President.

- a. Leadership LSBA 2003-04 Class.
President Lee informed the Board that he has been receiving recommendations for the 2003-04 class and stated that he would form a committee to review the recommendations and invite the class to the August meeting of the Board. He asked the Board to forward any recommendations they may have directly to him at his office.
- b. Committee Appointments.
President Lee reported that he had made personal contact with half the committee chairs and will present a status report on additional appointments at the August meeting of the Board.
- c. Other Matters.
President Lee reported on his plans to appoint a committee to draft guidelines for Board submission of amicus briefs and operation guidelines similar to the House of Delegates Rules and Procedures.

He further indicated that he would ask the Bar Governance Committee to conduct a comprehensive review of the Articles of Incorporation and Bylaws and to propose appropriate revisions.

President Lee also suggested the Board consider a census of the LSBA

membership. The staff was asked to determine whether other bars have conducted similar surveys and, if so, the mechanisms and/or consultants which were used in the process. Messrs. Gray and Maragos agreed to review the materials as compiled by the staff and report back to the Board on this matter.

Agenda Item 17. Report of the President-Elect.

Mr. McKay made no report.

Agenda Item 18. Report of the Treasurer.

- a. Bar Center.
Mr. Neuner referred the Board to a report prepared by Marta-Ann Schnabel outlining the efforts made by the Board during the 2002-03 year. He then informed the Board that the Louisiana Bar Foundation has not received its appraisal of the Bar Center, therefore, the LSBA is not in a position to propose an offer on the purchase of the building.
- b. Investments.
Mr. Neuner reported that the investment committee is continuing its work on the development of a new investment policy and the hiring of an investment company. The committee began accepting proposals then decided to expand the process and is now analyzing all proposals. He indicated that a report with recommendations would be presented at the August Board meeting.
- c. Approval of merger of Annual Meeting Account into General Fund for FY 2003/04 and forward.
The Board unanimously approved Mr. Neuner's motion to merge the Annual Meeting Account into the LSBA General Account at the close of FY 2003-04.

Agenda Item 19. Report of the Secretary.

Mr. McClelland reported that the June issue of the *Journal* has been mailed and that the transition from Ms. Schnabel to himself was going smoothly. The *Journal* has committed to run pictures of the committee chairs in an upcoming issue and Mr. McClelland noted that the previous two issues of the *Journal* have contained controversial topics that have generated debate and exchanges of ideas through letters to the editor. He encouraged members of the Board to address any comments, complaints and questions to his attention.

Agenda Item 20. Report of the Immediate Past President.

Mr. Feldman made no report.

Agenda Item 21. Report of the Young Lawyers Section Chair.

Ms. Svenson reviewed the YLS projects for the upcoming year and provided a copy of the current project committees and chairs.

Agenda Item 22. Report of the Executive Director.

Ms. Topey informed the Board that the staff is ready to assist the Board and is looking forward to the new year.

Agenda Item 23. Other Matters.

- a. Request from Family Courts Committee to hold September 2003 Program in New Orleans.
The Board reviewed a request from the Family Courts Committee to host a program to heighten awareness for and increase support for a unified Family Court System for the State of Louisiana. Because the establishment of a unified system would require the support of non-legal agencies and entities, the program will be open to all interested attorneys as well as social workers, psychologists and educators. To increase participation by all groups, the committee would like to propose a nominal registration fee of \$25, with anticipated attendance of 85. While the committee is contacting the ABA in hopes of having the program approved as an ABA pilot program that could result in some financial and program assistance, there could be an impact on the LSBA budget as well. The Board unanimously approved the further development of the program with a more direct proposal provided to the Board at its August meeting.
- b. Law School Professionalism Programs.
President Lee encouraged the Board to volunteer to participate in the Association's annual Law School Professionalism programs scheduled for each of the state's law schools at the beginning of the fall term.
- c. Date of Next Meeting.
The next meeting of the Board of Governors will be held Saturday, August 23, at The Ritz-Carlton New Orleans. Additional information on this meeting will be sent to Board members in July.

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Agenda Item 24. Adjournment.

There being no further business to discuss, the meeting was adjourned at 2:25 p.m.

Respectfully Submitted:

James R. McClelland
Secretary

Date