

**MINUTES OF THE HOUSE OF DELEGATES  
OF THE LOUISIANA STATE BAR ASSOCIATION  
JUNE 8, 2000**

The House of Delegates meeting was convened at 9:05 a.m. on Thursday, June 8, 2000, at Sandestin Golf and Beach Resort in Destin, Florida.

**I. Roll Call by the Secretary.**

After reviewing the delegate sign-in roster, Secretary Elizabeth Haecker Ryan determined that a quorum was present. A copy of the attendance roster is attached as an addendum to these Minutes. President Robert E. Guillory, Jr. declared the meeting to be in session and stated that Mr. James R. McClelland of Franklin would be serving as Parliamentarian.

President Guillory informed the members of the House that a request had been received to consider Resolution 8 under New Business out of order. Therefore, Resolution 8 became Resolution 5 and subsequent resolutions were renumbered accordingly.

**II. Presentation for approval of the minutes of the last meeting of the House.**

The following motion was made by Mr. Joseph A. Conino:

“BE IT RESOLVED, that the minutes of the January 22, 2000 meeting of the House of Delegates are approved.”

The motion was seconded and passed unanimously.

**III. Report 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.**

Hon. Ginger Berrigan, chair, presented a brief report on the activities of the Committee on Post-Conviction Representation.

**VI. Reports of Special Committees of the House of Delegates.**

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

**VII. New Business.**

**1. Election of a member from the House of Delegates to serve on the Budget Committee.**

The following motion was made:

“BE IT RESOLVED, that Michael J. Poirrier of Pierre Part be elected as a member from the House of Delegates to serve on the Louisiana State Bar Association’s Budget Committee.”

The motion was seconded and carried unanimously.

**2. Election of a chairperson and two (2) members of the House of Delegates to the Liaison Committee of the House. The Chairperson shall serve a one-year term 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.**

President Guillory informed the House that nominations would be taken for the position of Chair of the Liaison Committee of the House of Delegates. The following motion was made:

“BE IT RESOLVED, that Wayne J. Lee of New Orleans serve as Chair of the Liaison Committee to the House of Delegates.”

The motion was seconded and carried unanimously.

The following motions were then made to fill remaining positions on the Committee:

“BE IT RESOLVED, that Brian P. Quirk of New Orleans serve as a member of the Liaison Committee to the House of Delegates.”

“BE IT RESOLVED, that Robert C. Thomas of Natchitoches serve as a member of the Liaison Committee to the House of Delegates.”

The motions were seconded and carried unanimously.

3. **Election of three (3) members of the House of Delegates to the special advisory committee to authorize the President to speak on behalf of the Association. This committee was created by resolution adopted by the House on November 13, 1971. The committee is composed of the President, President-Elect, Secretary, Treasurer, the Chairperson of the Public Relations Committee, and three (3) members designated from the membership of the House of Delegates by the House of Delegates.**

The following motion was made:

“BE IT RESOLVED, that Walter I. Willard of New Orleans, Michael J. Rice of New Orleans and Gerald Patrick Webre, Jr. of Metairie, be elected to serve as the House of Delegates representatives on the Special Advisory Committee to the President.”

The motion was seconded and carried unanimously.

4. **Election of a member of the House of Delegates to serve, without vote, on the Committee on Continuing Legal Education (Mandatory CLE).**

The following motion was made:

“BE IT RESOLVED, that Gerald T. Arbour of Baton Rouge be elected to serve on the Committee on Continuing Legal Education.”

The motion was seconded and carried unanimously.

5. **Resolution from the Public Access and Consumer Protection Committee proposing amendments to Rule 5.5 of the Rules of Professional Conduct, which amendments address the unauthorized practice of law.**

The following motion was made by Mr. Steven G. Durio:

“BE IT RESOLVED, that the resolution to amend Rule 5.5 of the Rules of Professional Conduct be approved, a copy of which is attached.

The motion was seconded and a vote was taken. A division of the House for a vote count was called. The motion was approved by a vote of 97 in favor and 38 against.

6. **Resolution from Supreme Court Committee on Permanent Disbarment which recommends amendments to the Rules for Lawyer Disciplinary Enforcement to provide for permanent disbarment and related changes.**

The following motion was made by Mr. John G. Swift:

“BE IT RESOLVED, that the resolution regarding amendments to the Rules for Lawyer Disciplinary Enforcement to provide for permanent disbarment and related changes be approved, a copy of which is attached.”

The motion was seconded. Discussion followed and Mr. Charles McCowan offered the following motion to amend:

“BE IT RESOLVED, that Section 10, A(1) of the Rules for Lawyer Disciplinary Enforcement be amended to read ‘disbarment with or without prejudice’.”

The motion to amend was seconded and approved. Vote was then taken on the amended motion with a request for a division of the House. The motion was approved by a vote of 75 in favor and 56 against.

7. **Resolution from Court Rules Committee requesting that the House of Delegates: (1) reaffirm its support for the adoption and implementation of rules for the district courts of Louisiana which are uniform to the extent practicable; (2) supports the adoption and implementation of the proposed court rules; (3) urges the Judicial Council of the Supreme Court to recommend adoption and implementation of the proposed rules to the Supreme Court of Louisiana ; and (4) urges the Supreme Court of Louisiana to adopt and implement the proposed court rules.**

Ms. Susie Morgan made the following motion:

“BE IT RESOLVED, that the resolution requesting the House of Delegates to reaffirm its support for the adoption and implementation of rules for the district courts of Louisiana which are uniform to the extent practicable; supports the adoption and implementation of the proposed court rules; urges the Judicial Council of the Supreme Court to recommend adoption and implementation of the

proposed rules to the Supreme Court of Louisiana; and urges the Supreme Court of Louisiana to adopt and implement the proposed court rules be approved, a copy of which is attached."

The motion was seconded and approved.

- 8. Resolution from the Bar Governance Committee proposing amendments to the Articles of Incorporation which would: (1) establish and formalize a rotation for LSBA officers; (2) redistrict the state into three large Board of Governors' districts as opposed to the current eight districts; (3) increase the size of the Board of Governors by five members; (4) increase the size of the Nominating Committee and add at-large positions to the Nominating Committee; and (5) involve the House of Delegates in the nomination of officers.**

The following motion was made by Committee Chair Ann S. Siddall:

"BE IT RESOLVED, that the resolution to amend Article VI, Article VII and Article VIII be approved, a copy of which is attached."

The motion was seconded. Mr. Jim Ortego then offered the following motion to amend:

"BE IT RESOLVED, that Article VII, Section 1, be amended by deleting from District 3B the Parishes of Acadia, Iberia, St. Martin, St. Mary and Vermilion and adding them to District 3A."

The motion to amend was seconded and a vote taken. The amendment was defeated. The following motion was made by Mr. Phillip A. Wittmann:

"BE IT RESOLVED, that the resolution submitted by the Bar Governance Committee be tabled."

The motion was seconded . A vote was then taken with a request for division of the House. The motion to table was approved by a vote of 66 in favor and 48 against.

9. **Resolution from Board Certified Tax Attorney Michael J. Rice III proposing amendments to Rule 7.4 of the Rules of Professional Conduct, which amendments address communications regarding fields of practice.**

Mr. Michael J. Rice III made the following motion:

"BE IT RESOLVED, that the resolution proposing amendments to Rule 7.4 of the Rules of Professional Conduct addressing communications regarding fields of practice be approved, a copy of which is attached."

The motion was seconded. Following discussion, the following motion was made by Mr. R. Loren Kleinpeter:

"BE IT RESOLVED, that the resolution proposing amendments to Rule 7.4 of the Rules of Professional Conduct be tabled."

The motion was seconded and adopted.

10. **Resolution from Clement Story III seeking to amend the Code of Civil Procedure to allow that any and all pleadings before any and all courts of the State of Louisiana be on letter size paper and in 11 point type, on pages not exceeding 8 1/2" by 11", with double spacing between each line of type of text, with consecutive sheets attached at the left margin.**

Mr. Clement Story III made the following motion:

"BE IT RESOLVED, that the resolution amending the Code of Civil Procedure regarding the submission of pleadings be approved, a copy of which is attached."

The motion was seconded. A vote was taken with a request for division of the House. The motion was adopted by a vote of 54 in favor and 53 against.

11. **Resolution from the Lawyer Advertising Advisory Service Committee proposing amendments to Rule 7.2 of the Rules of Professional Conduct, which amendments address electronic communication to potential clients.**

The following motion was made by Mr. Stephen R. Yancey:

“BE IT RESOLVED, that the resolution to amend Rule 7.2 of the Rules of Professional Conduct regarding electronic communications to potential clients be approved, a copy of which is attached.”

The motion was seconded and carried unanimously.

**12. Resolution from the Committee to Evaluate the Implementation of Family Courts seeking support of the House of Delegates for the concept of unified family courts in Louisiana.**

Ms. Kelly Sanford made the following motion:

“BE IT RESOLVED, that the resolution seeking House of Delegates support for the concept of unified family courts in Louisiana be approved, a copy of which is attached.”

The motion was seconded and carried unanimously.

**13. Resolution from the Insurance, Negligence, Compensation and Admiralty Law Section to amend the section's bylaws.**

Mr. Darryl J. Foster made the following motion:

“BE IT RESOLVED, that the resolution amending the Insurance, Negligence, Compensation and Admiralty Law Section's bylaws be approved, a copy of which is attached.”

The motion was seconded and a friendly amendment to correct a misspelling in Article II, Section 2, was accepted by Mr. Foster. The motion was approved.

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There being no further business before the House, President Guillory declared the meeting adjourned at 11:35 a.m.

Respectfully Submitted:

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Elizabeth Haecker Ryan  
Secretary

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Date