

**LOUISIANA STATE BAR ASSOCIATION  
BOARD OF GOVERNORS TELEPHONE CONFERENCE  
SEPTEMBER 6, 2005**

**MINUTES**

President Frank X. Neuner, Jr. called to order the telephone conference meeting of the Board of Governors of the Louisiana State Bar Association at 5:30 p.m., Tuesday, September 6, 2005. Business was conducted in accordance with the agenda below.

**Agenda Item 1.      Roll Call.**

Participating were:

President, Frank X. Neuner, Jr.

President-Elect, Marta-Ann Schnabel

Secretary, E. Wade Shows

Treasurer, Kim M. Boyle

Chair, Young Lawyers Section, Dona Kay Renegar

First Board District Representative, Patricia A. Krebs

Fourth Board District Representative, James R. Nieset

Fifth Board District Representative, Celia R. Cangelosi

Seventh Board District Representative, Richard L. Fewell, Jr.

Eighth Board District Representative, Edwin L. Blewer, Jr.

At-Large Member, Shannan L. Hicks

From the Louisiana State Law Institute, Joseph W. Mengis

From the Faculty of LSU Paul M. Hebert Law Center, John M. Church

House of Delegates Committee on Liaison Chair, James E. Boren

House of Delegates Committee on Liaison Member, Timothy A. Maragos

Also participating were:

Executive Director, Loretta Larsen

Access to Justice Director, Monte T. Mollere

Practice Assistance Counsel, William N. King

Ethics Advisory Counsel, Richard P. Lemmler, Jr.

Program Attorney for Texas Lawyers Care, Laura Tansey

Absent were:

Immediate Past President, Michael W. McKay

First Board District Representative, Ronald J. Sholes

Second Board District Representative, Joseph A. Conino

Third Board District Representative, Steven G. Durio

Sixth Board District Representative, William M. Ford

At-Large Member, Pamela W. Carter

At-Large Member, Paul Hartley Clayton

From the Faculty of Tulane University Law School, Raymond T. Diamond

House of Delegates Liaison Committee Member, Andrew Reed

**Agenda Item 2.      Report of the President.**

- a.    Louisiana Bar Center.  
President Neuner reported that, with the help of Justice Kimball, he and three members of the LSBA staff were able to enter New Orleans to retrieve the servers, some computers and other pertinent materials from the Louisiana Bar Center. He reported that damage to the Bar Center is minimal, consisting of broken windows on the fourth floor and in one stairwell.
- b.    [www.LSBA.org](http://www.LSBA.org).  
President Neuner informed the Board that the LSBA web site was online Thursday, September 2. Web Administrator Darin Trittel created a password protected area for displaced members to update their contact information and established an area where orders from the Supreme Court and other state courts are posted and will be updated as information is received. Further, a message board was created where attorneys can post requests for assistance, offers of assistance, job opportunities, etc.
- c.    Member Communications.  
President Neuner informed the Board that the LSBA would continue to communicate to the membership via email as most displaced attorneys are able to access their email addresses. The electronic newsletter, LouisianaBarToday, was sent today updating the membership on the disaster relief efforts.
- d.    Hurricane Katrina Legal Assistance Hotline.  
President Neuner informed the Board that the Baton Rouge Bar Association has made available to the LSBA one of its conference rooms where LSBA staff members are administering a legal assistance hotline.
- e.    State Bar of Texas.  
President Neuner informed the Board that the State Bar of Texas sent five of their staff members to assist the LSBA in developing relief assistance and the establishing the LSBA temporary offices.

**Agenda Item 3.      Emergency/Disaster Training Sessions.**

Mr. King informed the Board that the LSBA, in conjunction with the local bar associations, scheduled a series of Emergency/Disaster Training Sessions for volunteer lawyers wishing to provide legal assistance to victims of Hurricane Katrina. He stated that CLE credit would be requested for those attending the sessions. Local bars are responsible for informing their members of the times and locations of the sessions. Mr. King stated that the Lafayette Parish Bar Association is assisting in binding the FEMA disaster assistance materials that will be distributed at each session. Sessions scheduled are:

- ◆      Baton Rouge – September 8

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- ◆ Lafayette – September 9
- ◆ Lake Charles – September 9
- ◆ Shreveport – September 13
- ◆ Alexandria – September 13
- ◆ Monroe – September 15

Mr. Maragos stated that currently the list of volunteer attorneys is limited and asked each Board member to encourage attorneys in their areas to volunteer. He stated that the a volunteer sign up form was being finalized and would be ready for distribution and posting on web sites by Wednesday, September 7. Mr. Maragos anticipated that more attorneys would volunteer following the emergency/disaster training sessions. Mr. Maragos further reported that a consumer edition of the FEMA manual was in the developmental stages and that staff was working on a flier to be distributed at the evacuation relief centers to let the victims know about the availability of free legal assistance.

**Agenda Item 4. LSBA Legal Assistance Coordination.**

Mr. Mollere reported on the various organizations and individuals offering assistance to victims of Hurricane Katrina. He and Ms. Tansey recommended to the Board that the LSBA convene a summit of the legal community for the purpose of leveraging resources, to ensure no duplication of work and create a clearinghouse through which individuals and organizations could exchange information and support each other. Beth Ostheimer, Director of the California Children's Legal Defense Fund, has agreed to facilitate the organizational meeting and conduct training sessions for attorneys willing to assist victims. Mr. Church moved that the LSBA convene a summit of the legal community with Beth Ostheimer as facilitator. The motion was seconded and unanimously approved.

Mr. Mollere informed the Board that Texas Rio Grand Legal Aid had developed a case tracking system following the Del Rio flood and might be willing to share the module with the LSBA. He stated that he would contact the Rio Grand Legal Aid and report his findings to the executive director.

**Agenda Item 5. Emergency Suspension of Prescription, Peremption and Other Legal Deadlines.**

President Neuner informed the Board that the LSBA, Louisiana Trial Lawyers Association and the Louisiana Association of Defense Counsel jointly requested Governor Blanco to suspend all deadlines regarding legal proceedings suspension of prescription, peremption and other legal deadlines at least until September 25, as allowed by the Louisiana Constitution. A motion was made, seconded and unanimously adopted to support the proposed Executive Order.

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**Agenda Item 6. Federal Courts.**

President Neuner informed the Board that he appointed Larry Feldman, Jr. and Susie Morgan to draft a proposal for the federal court system whereby a special master would be appointed to handle legal issues pertaining to the hurricane. He stated that he would forward the proposal to the Board once it was developed.

**Agenda Item 7. CLC Technology.**

Ms. Larsen presented a proposal from CLC Technology to provide to LSBA members with software that would facilitate communication and document access for displaced firms with members operating from multiple locations. The software would be available free for one year. A motion was made, seconded and unanimously approved to accept the proposal.

**Agenda Item 8. Staff Issues.**

Ms. Larsen provided a brief report on the location and disposition of the LSBA staff. She stated that she would develop and present to the Board an operational proposal and also recommended that the LSBA continue to pay all employees through the end of September. The motion was made by Ms. Boyle, seconded and unanimously approved.

**Agenda Item 9. Disaster Related Counseling**

Mr. Blewer reported that Bill Leary, LAP Executive Director, was establishing a hotline to provide disaster related counseling for displaced attorneys and their staffs. Once the hotline information is available it will be forwarded to the LSBA for posting on the web site.

**Agenda Item 10. Criminal Justice System.**

Mr. Boren presented a report on the current status of the criminal justice system, including the evacuation of 8,000 inmates to 10 or 12 prisons around the state. He stated that he was working with the attorney general to get access to prisoners whose attorneys were displaced by the storm. Currently the Department of Corrections is allowing access only to the attorneys of record. It was suggested that law students might be used to visit the prisons if sufficient local attorneys are unable to make visits. Mr. Neuner stated that he would discuss with the Supreme Court giving law students the authority to visit prisoners.

Mr. Boren reminded the Board that the Indigent Defense System depends on traffic court fees for its funding and asked the Bar to keep the IDS in mind when state and/or federal funds are discussed.

It was suggested that the LSBA put a posting on its web site for criminal defense attorneys to check in.

**Agenda Item 11. Hurricane Katrina Legal Community Relief Fund.**

Mr. Neuner informed the Board that the LSBA established the Hurricane Katrina Legal Community Relief Fund to help rebuild south Louisiana's legal infrastructure so that lawyers can provide needed legal services to their clients and restore their damaged offices and records. The Baton Rouge Bar Foundation is administering the fund until such time that the Louisiana Bar Foundation is prepared to handle this. Michael H. Rubin, a former LSBA president from Baton Rouge, has agreed to chair the Hurricane Katrina Legal Community Relief Fund Committee.

**Agenda Item 12. Hurricane Katrina Disaster Task Force**

President Neuner asked the Board to approve the appointment of a Hurricane Katrina Disaster Task Force to consist of some Board member and other attorneys not directly impacted by the storm. Mr. Nieset volunteered to chair the committee and President Neuner indicated that he would appoint additional members in the immediate future.

**Agenda Item 13. Eastern District Court.**

President Neuner received information from Judge Berrigan that federal legislation was pending to allow the U.S. District Court for the Eastern District of Louisiana to sit out of district and rule. The Board gave the president authority to evaluate the legislation and act on behalf of the LSBA.

**Agenda Item 14. Attorney Dues.**

Ms. Larsen informed the Board that the LSBA had advised members on LSBA.org that no one would be certified ineligible for nonpayment of LSBA dues on September 6. Further, she indicated that at some point the Board would need to determine the date when members would be certified ineligible for nonpayment and advise them of this information. In addition, she indicated that the LSBA would need to coordinate this effort with the Louisiana Supreme Court due to the LSBA's collection of the disciplinary assessment and attorney registration statement. The Board authorized the president to act on its behalf once this issue is resolved with the Court, and to post the information on the LSBA web site.

**Agenda Item 15. Online CLE.**

The Board authorized the staff to attempt to expand the LSBA's online CLE offerings in order to assist members in obtaining CLE credit. The Board further acknowledged that the issue of MCLE compliance would have to be addressed with the Supreme Court at the appropriate time.

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**Agenda Item 16. Law Office Management Assistance.**

Ms. Larsen informed the Board that she requested information from the New Jersey and Florida bars on issues pertaining to office recovery following a disaster. It was suggested that the LSBA consider providing free seminars on these issues once members are allowed back into the affected areas.

There being no further business, the meeting was adjourned at 7 p.m.

Submitted by:

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E. Wade Shows  
Secretary

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Date