

Bar Briefs

January 2019

Louisiana State Bar Association

Vol. 34, No. 1

House of Delegates discusses resolutions, elects committee members at Jan. 19 meeting

The Louisiana State Bar Association's (LSBA) House of Delegates considered eight resolutions and elected three committee members at its Jan. 19 meeting in Baton Rouge. One resolution was withdrawn prior to the meeting.

The House:

► Tabled a resolution from the Criminal Justice Committee asking the LSBA to adopt several recommendations regarding bail and pretrial detention.

► Voted against, by a vote of 86-76, a resolution from R. Bradley Lewis, 22nd Judicial District, directing the LSBA to conduct a membership survey on the location of the Annual Meeting and explore Louisiana locations where the meeting could be held.

► Approved a resolution from David A. Szwak, Consumer Protection Law Section, and Vercell F. Fiffie, 40th Judicial District, asking the House of Delegates to recommend to the Louisiana Supreme Court that it discontinue the use of consumer

credit reports in the bar admissions character and fitness process and by the Office of Disciplinary Counsel.

► Approved a resolution from the Louisiana Board of Legal Specialization to amend Estate Planning and Administration Standards regarding basic requirements.

► Approved a resolution from the Louisiana Board of Legal Specialization to amend Estate Planning and Administration Standards regarding continuing legal education programs.

► Approved a resolution from the Louisiana Board of Legal Specialization to amend Family Law Standards to add additional topics of limited importance which may be included on the exam.

► Approved a resolution from the Louisiana Board of Legal Specialization to amend Tax Law Standards regarding basic requirements.

► Approved a resolution from the Louisiana Board of Legal Specialization

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LSBA members certified elected for leadership positions; one runoff needed

More Louisiana State Bar Association (LSBA) members were certified elected for leadership positions following the close of first-round voting on Dec. 17.

A runoff election is needed to fill the LSBA Board of Governors' Fifth District seat. Runoff balloting (online only) will begin Jan. 14 and continue through Feb. 11.

Listed below are candidates who have been **Certified Elected** for their races and the **Runoff Race**.

Certified Elected

Board of Governors

► First Board District: Lawrence J. Centola III.

► Fourth Board District: Todd S. Clemens.

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Interested in an appointed LSBA House of Delegates position? Respond ASAP

Several Louisiana State Bar Association (LSBA) House of Delegates seats received no qualifiers by the Oct. 22, 2018, qualifying deadline and will be filled by presidential appointment. Members interested in being considered for appointment to these positions should email LSBA Executive Assistant Jen France at jen.france@lsba.org as soon as possible. Available positions are listed below.

LSBA House of Delegates (June 2019-June 2021 term)

- ▶ 23rd Judicial District (Ascension, Assumption and St. James): 1 appointment pending.
- ▶ 27th Judicial District (St. Landry): 1 appointment pending.
- ▶ 29th Judicial District (St. Charles): 1 appointment pending.
- ▶ 30th Judicial District (Vernon): 2 appointments pending.

- ▶ 32nd Judicial District (Terrebonne): 2 appointments pending.
- ▶ 35th Judicial District (Grant): 1 appointment pending.
- ▶ 36th Judicial District (Beauregard): 2 appointments pending.
- ▶ 37th Judicial District (Caldwell): 1 appointment pending.
- ▶ 39th Judicial District (Red River): 1 appointment pending.
- ▶ 42nd Judicial District (DeSoto): 1 appointment pending.

LSBA House of Delegates (to complete June 2018-June 2020 term)

- ▶ 2nd Judicial District (Bienville, Claiborne and Jackson): 2 appointments pending.
- ▶ 6th Judicial District (East Carroll, Madison and Tensas): 1 appointment pending. 📧

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to amend Appellate Practice Standards regarding basic requirements.

Withdrawn prior to the meeting was the resolution from the Board of Governors that the LSBA recommend to the Louisiana Supreme Court amendments to Rule XIX, Section 24 (E)(3), to clarify the Judges and Lawyers Assistance Program's (JLAP) role in lawyer discipline cases, and support JLAP's duties, programming and mission

in the realm of monitoring lawyers in disciplinary cases.

- In other business, the House elected:
- ▶ Ann S. Siddall (7th Judicial District) to serve a three-year term on the House of Delegates Liaison Committee (2019-22);
 - ▶ Shayna Beevers Morvant (24th Judicial District) as chair of the House Liaison Committee for the 2019-20 term; and
 - ▶ Jack K. Whitehead, Jr. (19th Judicial District) to serve on the Budget Committee for the 2019-21 term. 📧

Bar Briefs

LSBA President
Barry H. Grodsky

Executive Director
Loretta Larsen, CAE

Communications Director
Kelly Wells Ponder

Editor/Publications
Darlene M. LaBranche

Communications Coordinator
Barbara D. Baldwin

Communications Assistant
Krystal L. Bellanger Rodriguez

Advertising
Krystal L. Bellanger Rodriguez
(504)619-0131

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601 St. Charles Ave.
New Orleans, La. 70130-3404
(504)566-1600 • (800)421-LSBA
Fax: (504)566-0930
dlabranche@lsba.org
Web site: LSBA.org

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Nominating Committee

- ▶ District 1A: Lawrence J. Centola III, D. Skylar Rosenbloom, Patrick A. Talley, Jr. and Phillip A. Wittmann.
- ▶ District 2B: Shayna Beevers Morvant and Raymond S. Steib.
- ▶ District 3A: Blake R. David.
- ▶ District 3D: Joseph L. (Larry) Shea, Jr.

Young Lawyers Division Council

- ▶ First District: Kristen D. Amond.
- ▶ Fifth District: Rachal D. Cox.

Runoff Race

Board of Governors (three-year term) Fifth Board District (1 position)

- Kelly M. Rabalais
- Jack K. Whitehead, Jr.

For more information on the election procedures and the schedule, go to: www.lsba.org/goto/elections. 📧

LASC approves amendments to District Court Rules

Following a 30-day public comment period, the Louisiana Supreme Court approved the Fall 2018 District Court Rules amendments. Review the amendments on the Supreme Court's website at: www.lasc.org. 📧

U.S. District Court-Eastern District adopts amendments to Local Civil Rules

The U.S. District Court for the Eastern District of Louisiana has adopted amendments to the USDC EDLA Local Civil Rules and the EDLA Rules for Lawyer Disciplinary Enforcement and Rules for Disability Inactive Status. Review the amendments online at: www.laed.uscourts.gov. 📧

Reminder: Reporting deadline is Jan. 31 for CLE credits

All Louisiana State Bar Association (LSBA) members should have earned their continuing legal education credits by Dec. 31, 2018. These credits must be reported no later than Jan. 31, 2019, or late penalties will apply.


The annual requirement for attorneys is 12.5 hours, including 1 hour each of ethics and professionalism credit.

Attorneys admitted in 2017 are also required to earn a total of 12.5 hours, but must have 8 hours of ethics, professionalism or law office management credits included within that total. Hours earned in the calendar years 2017 and 2018 are counted together for this initial compliance period.

In-house counsel admitted to practice under LASC 12, Section 14, must earn 12.5 hours annually, including 1 hour of ethics and 1 hour of professionalism,

and must follow the same reporting requirements as all other attorneys. They do not qualify for the MCLE exemption.


The form for attorneys who do qualify for an exemption from the requirements is available online. Attorneys may mail, fax or email the exemption to the MCLE Department, and it is recommended that attorneys keep any confirmation documentation related to that exemption on file in their offices. Attorneys who were impacted by this past year's severe weather events will again have the option to claim a disaster exemption. Exemption forms must be reported by Jan. 31, 2019.

Information regarding attorney requirements can be found online at: www.lsba.org/MCLE. Click "MCLE" on the header for information on the calendar, rules, forms and transcript information. 

LSBA Section membership: Renew or sign up by April 15

The 2019-20 membership application for the Louisiana State Bar Association's (LSBA) 30 sections will be mailed in mid-February. Members are encouraged to sign up for the sections by returning the application and payment by April 15 to: Section Membership, Louisiana State Bar Association, 601 St. Charles Ave., New Orleans, LA 70130-3404.

The Section application and brochure also will be available online by mid-February at: www.lsba.org/BarGovernance/Sections.aspx. Members needing an additional copy should follow the link to download and print the application or brochure. Note: Members should select the correct application based on the fiscal year in which they would like to join.

For more information, contact the Membership Department, (504)566-1600, (800)421-5722, or email processing@lsba.org. 

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Third hearing scheduled for comments on LBLS Employment Law Standards, Labor Law Standards

The Louisiana Board of Legal Specialization (LBLS) will hold a third public hearing beginning at 5 p.m. Tuesday, Feb. 12, at the Lafayette Bar Association, 2607 Johnston St., Lafayette, to provide a forum for Bar members to comment on the LBLS Employment Law Standards and Labor Law Standards.

The resolutions of two members of the Louisiana State Bar Association (LSBA) House of Delegates (HOD) to suspend the LBLS's Employment Law Standards and Labor Law Standards were approved by the LSBA HOD and the Board of Governors (BOG) at the Jan. 20, 2018, meeting. Both the Employment Law Standards and the Labor Law Standards had been approved by the HOD and BOG a year earlier at the Jan. 21, 2017, meeting without any opposition.

The HOD and BOG have now requested that the LBLS conduct further study on both the Employment Law Standards and Labor Law Standards, including whether a majority

of affected practitioners support the standards and whether concerns over discriminatory effects and unfair competitive advantages can be adequately addressed.

The LBLS has already held two public hearings. The first public hearing was Aug. 16, 2018, in New Orleans. LBLS Chair Carl J. Servat III presided over the meeting and board member William R. Corbett attended. The LBLS thanks LSBA President Barry H. Grodsky for his attendance and participation in the hearing and the interested members of the Bar who attended and voiced their opinions.


The second public hearing was Oct. 3, 2018, in Baton Rouge. LBLS board member William R. Corbett presided over this meeting. The LBLS thanks 2019-20 LSBA President-Elect Alainna R. Mire for her attendance and participation in the hearing, as well as the interested members of the Bar who attended and voiced their opinions.

The purpose of the public hearings is to

determine whether the LBLS Employment Law Standards and Labor Law Standards need to be revised based upon the Resolutions passed on Jan. 20, 2018. LSBA members also may submit comments concerning the LBLS Employment Law Standards and Labor Law Standards to Mary Ann Wegmann by email, maryann.wegmann@lsba.org, or by letter addressed to LBLS, 601 St. Charles Ave., New Orleans, LA 70130.

The Standards may be reviewed on the LBLS website at: <https://www.lascmcle.org/specialization/index.aspx>.

In order to receive input on the Employment Law Standards and Labor Law Standards from interested members of the Bar throughout the state, the LBLS plans to hold one additional hearing in Shreveport in early 2019.

For more information, email Mary Ann Wegmann or visit the LBLS website at: <https://www.lascmcle.org/specialization/index.aspx>. 

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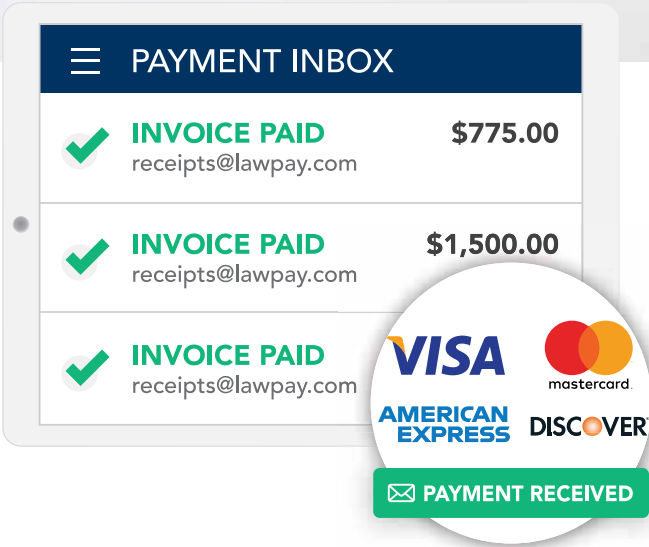
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Committee Preferences: Get Involved in Your Bar!

Committee assignment requests are now being accepted for the 2019-20 Bar year. Louisiana State Bar Association (LSBA) President-Elect Robert A. Kutcher will make all committee appointments. Widespread participation is encouraged in all Bar programs and activities. Appointments to committees are not guaranteed, but every effort will be made to accommodate members' interests. When making selections, members should consider the time commitment associated with committee assignments and their availability to participate. Also, members are asked to list experience relevant to service on the chosen committees. The deadline for committee assignment requests is Monday, April 15. The current committees are listed below.

Access to Justice Committee

The committee works to ensure that every Louisiana citizen has access to competent civil legal representation by promoting and supporting a broad-based and effective justice community through collaboration between the Louisiana State Bar Association, the Louisiana Bar Foundation, Louisiana law schools, private practitioners, local bar associations, pro bono programs and legal aid providers.

Committee on Alcohol and Drug Abuse

The committee protects the public by assisting, on a confidential basis, lawyers and judges who have alcohol, drug, gambling and other addictions. The committee works with the Judges and Lawyers Assistance Program, Inc. to counsel, conduct interventions and locate treatment facilities for impaired lawyers, and to monitor recovering attorneys and attorneys referred by the Louisiana Attorney Disciplinary Board or Office of Disciplinary Counsel.

Bar Governance Committee

The committee ensures effective and equitable governance of the association by conducting an ongoing evaluation of relevant procedures and making recommendations to the House of Delegates regarding warranted amendments to the association's Articles of Incorporation and/or Bylaws.

Children's Law Committee

The committee provides a forum for attorneys and judges working with children to promote improvements and changes in the legal system to benefit children, parents and the professionals who serve these families.

Client Assistance Fund Committee

The committee protects the public and maintains the integrity of the legal profession by reimbursing, to the extent deemed appropriate, losses caused by the dishonest conduct of any licensed Louisiana lawyer practicing in the state.

Community Action Committee

The committee serves as a catalyst statewide for lawyer community involvement through charitable and other public service projects.

Continuing Legal Education Program Committee

The committee fulfills the Louisiana Supreme Court mandate of making quality and diverse continuing legal education opportunities available at an affordable price to LSBA members.

Criminal Justice Committee

The committee develops programs and methods which allow the Bar to work with the courts, other branches of government and the public to ensure that the constitutionally mandated right to counsel is afforded to all who appear before the courts.

Diversity Committee

The committee assesses the level of racial, ethnic, national origin, religion, gender, age, sexual orientation and disability diversity within all components of the legal profession in Louisiana, identifies barriers to the attainment of full and meaningful representation and participation in the legal profession by persons of diverse backgrounds, and proposes programs and methods to effectively remove barriers and achieve greater diversity.

Ethics Advisory Service Committee

The committee encourages ethical lawyer conduct by supporting the LSBA's Ethics Counsel in his/her provision of informal, non-binding ethics opinions to members of the Bar.

Legal Malpractice Insurance Committee

The committee ensures the most favorable rates, coverage and service for Louisiana lawyers insured under the Bar-endorsed legal malpractice plan by overseeing the relationship between the LSBA, its carrier and its third-party administrator, and considers on an ongoing basis the feasibility and advisability of forming a captive malpractice carrier.

Legal Services for Persons with Disabilities Committee

The committee provides members of the bench, Bar and general public with a greater understanding of the legal needs and rights of persons with disabilities, and helps persons with disabilities meet their legal needs and understand their rights and resources.

Legislation Committee

The committee informs the membership of legislation or proposed legislation of interest to the legal profession; assists the state Legislature by providing information on substantive and procedural developments in the law; disseminates information to the membership; identifies resources available to the Legislature; provides other appropriate non-partisan assistance; and advocates for the legal profession and the public on issues affecting the profession, the administration of justice and the delivery of legal services.

Continued next page

**Louisiana State Bar Association
2019-20 Committee
Preference Form**

**Medical/Legal
Interprofessional
Committee**

The committee works with the joint committee of the Louisiana State Medical Society to promote collegiality between members of the legal and medical professions by receiving and making recommendations on complaints relative to physician/lawyer relationships and/or problems.

Outreach Committee

The committee develops and implements sustained outreach to local and specialty bars throughout the state and increases awareness of the member services and benefits provided by the LSBA. The committee encourages member participation in all aspects of the LSBA and facilitates participation through the use of technology and other feasible alternatives.

**Practice Assistance and
Improvement Committee**

The committee serves the Bar and the public in furtherance of the association's goals of prevention and correction of lawyer misconduct and assistance to victims of lawyer misconduct by evaluating, developing and providing effective alternatives to discipline programs for minor offenses, educational and practice assistance programs, and programs to resolve minor complaints and lawyer/client disputes.

**Committee on the
Profession**

The committee encourages lawyers to exercise the highest standards of integrity, ethics and professionalism in their conduct; examines systemic issues in the legal system arising out of the lawyer's relationship and duties to his/her clients, other lawyers, the courts, the judicial system and the public good; provides the impetus and means to positively impact those relationships and duties; improves access to the legal system; and improves the quality of life and work/life balance for lawyers.

**Rules of Professional
Conduct Committee**

The committee monitors and evaluates developments in legal ethics and, when appropriate, recommends changes to the Louisiana Rules of Professional Conduct; acts as liaison to the Louisiana Supreme Court on matters concerning the Rules of Professional Conduct; reviews issues of legal ethics and makes recommendations to the LSBA House of Delegates regarding modifications to the existing ethical rules; oversees the work of the Ethics Advisory Service and its Advertising Committee, Publications Subcommittee and other subcommittees; and promotes the highest professional standards of ethics in the practice of law.

**Transitioning Lawyers
Committee**

The committee safeguards the public by educating members of the legal profession about age-related disabilities. The committee also helps attorneys suffering from impairments that prevent them from practicing law competently to transition out of the practice of law with dignity.

**Unauthorized Practice of
Law Committee**

The committee protects the public from incompetent or fraudulent activities by those who are unauthorized to practice law or who are otherwise misleading those in need of legal services.

Indicate below your committee preference(s). If you are interested in more than one committee, list in 1-2-3 preference order. On this form or on a separate sheet, list experience relevant to service on your chosen committee(s).

Print or Type

- Access to Justice
- Alcohol and Drug Abuse
- Bar Governance
- Children's Law
- Client Assistance Fund
- Community Action
- Continuing Legal Education Program
- Criminal Justice
- Diversity
- Ethics Advisory Service
- Legal Malpractice Insurance
- Legal Services for Persons with Disabilities
- Legislation
- Medical/Legal Interprofessional
- Outreach
- Practice Assistance and Improvement Committee on the Profession
- Rules of Professional Conduct
- Transitioning Lawyers
- Unauthorized Practice of Law

Response Deadline: April 15, 2019

Mail, email or fax your completed form to:

**Christine A. Richard, Program
Coordinator/Marketing & Sections
Louisiana State Bar Association
601 St. Charles Ave.
New Orleans, LA 70130-3404
Fax (504)566-0930
Email: crichard@lsba.org**

LSBA Bar Roll Number _____
Name _____
Address _____
City/State/Zip _____
Telephone _____
Fax _____
Email Address _____
List (on separate sheet) experience relevant to service on the chosen committee(s).

LBSL accepting requests for certification applications

The Louisiana Board of Legal Specialization (LBSL) is accepting applications for certification in four specialties — appellate practice, estate planning and administration, family law and tax law — through Feb. 28, 2019. The LBSL is accepting applications for certification in the new specialty of health law through March 31, 2019. The LBSL will accept applications for business bankruptcy law and consumer bankruptcy law certification through Sept. 30, 2019.

In accordance with the Plan of Legal Specialization, a Louisiana State Bar Association member in good standing who has been engaged in the practice of law on a full-time basis for a minimum of five years may apply for certification. Further requirements are that, each year, a minimum percentage of the attorney’s practice must be devoted to the area of certification sought, and the attorney must pass a written examination to demonstrate sufficient

knowledge, skills and proficiency in the area for which certification is sought and provide five favorable references. Peer review is used to determine that an applicant has achieved recognition as having a level of competence indicating proficient performance handling the usual matters in the specialty field. Refer to the LBSL standards for the applicable specialty for a detailed description of the requirements: <https://www.lascmcle.org/specialization/index.aspx>.

In addition to the above, applicants must meet a minimum CLE requirement for the year in which application is made and the examination is administered:

- ▶ Appellate Practice — 18 hours of approved appellate practice law.
- ▶ Estate Planning and Administration Law — 18 hours of approved estate planning law.
- ▶ Family Law — 18 hours of approved family law.
- ▶ Health Law — 15 hours of approved health law.

▶ Tax Law — 18 hours of approved tax law.

▶ Bankruptcy Law — CLE is regulated by the American Board of Certification, the testing agency.

With regard to applications for business bankruptcy law and consumer bankruptcy law certification, although the written test(s) is administered by the American Board of Certification, attorneys should apply for approval of the LBSL simultaneously with the testing agency to avoid delay of board certification by the LBSL. Information concerning the American Board of Certification will be provided with the application form(s) and can be viewed online at: www.abworld.org.

Anyone interested in applying for certification should contact LBSL Specialization Director Mary Ann Wegmann, email maryann.wegmann@lsba.org, or call (504)619-0128. For more information, go to the LBSL website link listed above. 📄

SOLACE: Support of Lawyers/Legal Personnel — All Concern Encouraged

The Louisiana State Bar Association/Louisiana Bar Foundation’s Community Action Committee supports the SOLACE program. Through the program, the state’s legal community is able to reach out in small, but meaningful and compassionate ways to judges, lawyers, court personnel, paralegals, legal secretaries and their families who experience a death or catastrophic illness, sickness or injury, or other catastrophic event. For assistance, contact a coordinator.

Area	Coordinator	Contact Info	Cell	Email Address
Alexandria Area	Richard J. Arsenault	(318)487-9874	Cell (318)452-5700	rarsenault@nbalawfirm.com
Baton Rouge Area	Ann K. Gregorie	(225)214-5563		ann@brba.org
Covington/ Mandeville Area	Suzanne E. Bayle	(504)524-3781		sebayle@bellsouth.net
Denham Springs Area	Mary E. Heck Barrios	(225)664-9508		mary@barrioslaw.com
Houma/Thibodaux Area	Danna Schwab	(985)868-1342		dschwab@theschwablawfirm.com
Jefferson Parish Area	Pat M. Franz	(504)455-1986		patfranz@bellsouth.net
Lafayette Area	Josette Gossen	(337)237-4700		director@lafayettebar.org
Lake Charles Area	Melissa St. Mary	(337)942-1900		melissa@pitrelawfirm.com
Monroe Area	John C. Roa	(318)387-2422		roa@hhsclaw.com
Natchitoches Area	Peyton Cunningham, Jr.	(318)352-6314	Cell (318)332-7294	peytonc1@suddenlink.net
New Orleans Area	Helena N. Henderson	(504)525-7453		hhenderson@neworleansbar.org
Opelousas/Ville Platte/	John L. Olivier	(337)662-5242 (337)232-0874	(337)942-9836	johnolivier@centurytel.net
River Parishes Area	Judge Jude G. Gravois	(225)265-3923 (225)265-9828	Cell (225)270-7705	judegravois@bellsouth.net
Shreveport Area	Dana M. Southern	(318)222-3643		dsouthern@shreveportbar.com

For more information, go to: www.lsba.org/goto/solace.

LBSLS 2019 Annual Dues notices mailed

All qualified Louisiana Board of Legal Specialization (LBSLS) specialists have been mailed dues notices. The completed original dues notice, together with proof of professional liability insurance and the appropriate fee, should be mailed

or delivered to the LBSLS office, 601 St. Charles Ave., New Orleans, LA 70130, no later than Feb. 28, 2019, to avoid a penalty assessment. For more information, contact LBSLS Specialization Director Mary Ann Wegmann, (504)619-0128, email maryann.wegmann@lsba.org.

CLE compliance reporting for board-certified specialists due by Jan. 31

In accordance with the requirements of the Louisiana Board of Legal Specialization (LBSLS), as set forth in the individual Specialty Standards for each field of legal specialization, board-certified attorneys were required to meet their minimum specialization CLE hours by Dec. 31, 2018. All attendance information must be delivered to the Mandatory Continuing Legal Education Department no later than Jan. 31, 2019. Failure to earn and/or timely report specialization CLE hours will result in a penalty assessment.

For more information, contact LBSLS Specialization Director Mary Ann Wegmann, (504)619-0128 or email maryann.wegmann@lsba.org.

LBF announces 2018 Gala honorees

The Louisiana Bar Foundation (LBF) will celebrate the 33rd Annual Fellows Gala on Friday, April 5, honoring Distinguished Jurist D. Milton Moore III; Distinguished Attorney H. Bruce Shreves; Distinguished Professor Thomas C. Galligan, Jr.; and Calogero Justice Award recipient Kendall Vick Public Law Foundation. The gala is the LBF's largest annual fundraiser and will take place at the Hyatt Regency New Orleans, 601 Loyola Ave. More than 400 attendees, including judges, attorneys and law professors from across the state, are

expected to attend.

Discounted rooms are available Thursday, April 4, and Friday, April 5, at \$244 a night. To make a reservation, call the Hyatt at 1(888)421-1442 and reference "Louisiana Bar Foundation" or go to <https://book.passkey.com/go/labargala2019>. Reservations must be made before Friday, March 15.

For more information on sponsorships and tickets, go to: www.raisingthebar.org/gala. Or contact Danielle J. Marshall at (504)561-1046 or email danielle@raisingthebar.org.

Annual LBF Fellows Membership Meeting set for April 5

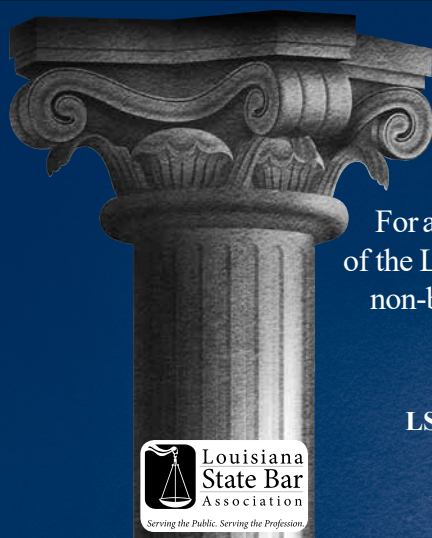
The Louisiana Bar Foundation (LBF) Annual Fellows Membership Meeting will begin at noon on Friday, April 5, at the Hyatt Regency New Orleans, 601 Loyola Ave. This luncheon meeting is an opportunity for Fellows to be updated on LBF activities and to elect new board members. The President's Award will be

presented and recognition will be given to the 2018 Distinguished Honorees and the Calogero Justice Award recipient.

All LBF Fellows in good standing will receive an official meeting notice with the board slate and a committee selection form in early March. For more information, contact Laura Sewell at (504)561-1046 or email laura@raisingthebar.org.

2019 Judicial Interest Rate is 6%

Pursuant to authority granted by La. R.S. 13:4202(B)(1), as amended by Acts 2001, No. 841, the Louisiana Commissioner of Financial Institutions has determined that the judicial rate of interest for calendar year 2019 will be 6.0 percent per annum. Access the Louisiana Judicial Interest Calculator at: www.lsba.org/Members/JudicialInterestRate.aspx.



Ethics Advisory Service

www.lsba.org/goto/ethicsadvisory

For assistance with dilemmas and decisions involving legal ethics, take full advantage of the LSBA's Ethics Advisory Service, offering - at no charge - confidential, informal, non-binding advice and opinions regarding a member's own prospective conduct.

Eric K. Barefield, Ethics Counsel

LSBA Ethics Advisory Service, 601 St. Charles Ave., New Orleans, LA 70130-3404
(504)566-1600, ext. 122 • (504)619-0122 • toll-free: (800)421-5722, ext. 122

Fax: (504)598-6753

E-mail: ebarefield@lsba.org



2019-20 Kids' Chance application process open through Feb. 18

The Louisiana Bar Foundation (LBF) Kids' Chance Scholarship Program applications for the 2019-20 school year are available online at: www.LAKidsChance.org. The deadline to apply is Feb. 18, 2019.

The program provides scholarships to the children of Louisiana workers who have been killed or permanently and totally disabled in an accident compensable under a state or federal Workers' Compensation Act or law.

The basic eligibility requirements include:

- ▶ Must be a dependent of a worker killed or permanently and totally disabled in an accident compensable under a state or federal Workers' Compensation Act or law.

- ▶ Must be a Louisiana resident between the ages of 16 and 25.

- ▶ Must maintain a "C" average or higher.

- ▶ Must demonstrate substantial financial need.

- ▶ Must be pursuing a primary college or university degree (bachelor or associate) or vocational education and training (certificate or license) from an accredited Louisiana university, community, technical or vocational college and/or state-approved proprietary school. An exception may be made for attendance at an accredited out-of-state institution for extraordinary reasons.

In November 2018, the LBF hosted a Kids' Chance awareness event at Urban South Brewery in New Orleans. Jacob Landry, the owner of the brewery, was one of the first recipients of a Kids' Chance



The Louisiana Bar Foundation (LBF) presented checks in September 2018 to some of the Kids' Chance Scholarship Program recipients for the 2018-19 school year. The checks were distributed before the Louisiana Workers' Compensation Corp. (LWCC) golf tournament in Baton Rouge. All proceeds from the tournament were donated to LBF Kids' Chance Scholarship Program. From left, LWCC Vice President Paul Buffone, Derek Trouard, Tyler Byrd, Kids' Chance Committee co-chair Matthew R. Richards, Hallie Rodgers, Will Klentzman, Quentin LeBlanc, LBF President W. Michael Street and Kids' Chance Committee co-chair Sherry A. Watters.



In November 2018, the Louisiana Bar Foundation hosted a Kids' Chance awareness event at Urban South Brewery in New Orleans. Jacob Landry, founder of the brewery, gave a tour of the facility. He was one of the first recipients of a Kids' Chance scholarship in Louisiana.

scholarship in Louisiana. More than 35 attendees were present to celebrate the program's successes. For more information on the LBF Kids' Chance Program, go to the web link above. 📄



Attending the Kids' Chance event at the Urban South Brewery were, from left, Jacob Landry, former Kids' Chance scholarship recipient; Taylor C. Stone, Louisiana Bar Foundation (LBF) Kids' Chance Committee member; Molly Cvitanovic, former scholarship recipient and current LBF Kids' Chance Committee member; Katelyn Kerner, current Kids' Chance scholarship recipient; Sherry A. Watters, Kids' Chance Committee co-chair; Laura M. Borchert, Kids' Chance Committee member; and Hon. Nancy A. Konrad, Kids' Chance Committee member.

LBF seeking nominations for 2019 Boisfontaine Award

The Louisiana Bar Foundation (LBF) is seeking nominations for the 2019 Curtis R. Boisfontaine Trial Advocacy Award.

Nominations should include the nominee's name, contact information, a brief written statement on the background of the nominee, as well as reasons why the nominee is proposed as the award recipient. Nominations should be forwarded by Monday, Feb. 11, to Communications Director Dennette Young, Louisiana Bar Foundation, Ste. 1000, 1615 Poydras St., New Orleans, LA 70112, or emailed to dennette@raisingthebar.org.

The award will be presented at the Louisiana State Bar Association's Annual

Meeting in Destin, Fla. in June. The recipient will receive a plaque and \$1,000 will be donated in his/her name to a non-profit, law-related program or association providing services in Louisiana.

This trial advocacy award was established through an endowment to the Louisiana Bar Foundation in memory of Curtis R. Boisfontaine, who served as president of the Louisiana State Bar Association and the Louisiana Association of Defense Counsel. The award is given to a Louisiana attorney who exhibits longstanding devotion to and excellence in trial practice and upholds the standards of ethics and consideration for the court, litigants and all counsel. 📄

IRS sets 2019 mileage rate for business purposes

The Internal Revenue Service has set the 2019 mileage rate for business purposes at 58 cents per mile. This rate became effective Jan. 1. 📄

Online LSBA CLE programs always available

Online CLE with the Louisiana State Bar Association can be completed any time of day or night and from the comfort of home or vacation spot. Members may earn up to 4 hours of electronically assisted CLE. For more information and to register, go to: <https://lsba.inreachce.com/>. 📄



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For more info, call (504)619-0153, or to register online or via mail-in form, visit www.lsba.org/goto/SoloConf

Focus on *Access to Justice*

For more information, visit www.lsba.org/atj.

Attorneys host pro bono clinic for LA.FreeLegalAnswers.org

Entergy welcomed attorney volunteers from its legal department and attorneys from the firm Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., to host the first pro bono clinic for questions submitted to LA.FreeLegalAnswers.org, Louisiana's online pro bono program. LA.FreeLegalAnswers.org allows low-income Louisianians to ask civil legal questions which are then answered by attorney volunteers.

The Dec. 3 clinic began with a presentation explaining access to justice issues —Louisiana's high poverty rate, the lack of resources for Louisiana's civil legal aid network, and how pro bono volunteerism can assist with the dire legal needs of those unable to afford an attorney. Afterwards, the attorneys began answering questions submitted to the website. By the end of the clinic, all of the online questions had been answered.

Attorneys wanting more information on registering as a volunteer on the website, or firms seeking to host a similar event, should contact Rachael Mills, (504)619-0104 or email rachael.mills@lsba.org.



Entergy Executive Vice President Marcus V. Brown welcomed attorney volunteers from Entergy's legal department and attorneys from Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., to the first pro bono clinic for LA.FreeLegalAnswers.org.

Online nominations open for 2019 Awards

The online nomination process is open for the Louisiana State Bar Association's (LSBA) 2019 Pro Bono and Children's Law Awards, presented by the Access to Justice Committee. Nominations must be received by 4:30 p.m. Friday, Feb. 22.

Awards recognize outstanding achievement in several categories — the Children's Law Award, the Law Student Award, the Friend of Pro Bono Award, the Pro Bono Publico Award, the Career Public Interest Award, the [LA.FreeLegalAnswers](http://LA.FreeLegalAnswers.org) Award and the David A. Hamilton Lifetime Achievement Award. Also, attorneys who have provided more than 100 hours of volunteer services are recognized with the LSBA Century Club Award. Award recipients will be honored at a May 21 reception hosted by the Louisiana Supreme Court.

For more information on the award categories and submission information, go to: www.lsba.org/ProBono/ProBonoAwards.aspx. Once there, log in as an LSBA member or guest. For assistance, email Joanna Laidler at joanna.laidler@lsba.org.



GROW YOUR BUSINESS: JOIN THE MODEST MEANS ONLINE LEGAL DIRECTORY TODAY

The Modest Means Online Legal Directory connects attorneys offering affordable legal services with moderate-income families who do not qualify for free legal aid, yet can afford to pay for legal services at a reduced rate.

The Directory is open to all active Louisiana attorneys in good standing who offer reduced-fee legal services to people falling at or below 400% of the Federal Poverty Line. Many attorneys already offer reduced fees by way of a sliding scale based on the client's income, flat fees, or limited scope representation.

FIND OUT MORE! CONTACT Amy Duncan, LSBA Access to Justice Training & Projects Counsel, at amy.duncan@lsba.org with any questions. Or for more information online, visit www.lsba.org/ATJCommission/ModestMeans.aspx



VOLUNTEERS NEEDED

LA.FreeLegalAnswers.org



**A FREE ONLINE
FORUM FOR CIVIL
LEGAL QUESTIONS**

Fulfill your pro bono obligation of 50 hours without ever leaving your office or seeing a client. *LA.FreeLegalAnswers.org* offers attorneys a quick, easy way to help low-income, elderly, and disabled Louisiana residents.

LA.FreeLegalAnswers.org allows volunteers to:

- Log in whenever/wherever
- Choose the question you answer and respond anonymously
- Receive training and access to resources
- Be covered by malpractice insurance

To volunteer contact Rachael Mills, ATJ Projects Counsel by emailing rachael.mills@lsba.org or calling 504.619.0104.

FOR MORE INFORMATION, VISIT
WWW.LSBA.ORG/ATJ
OR CALL (504)619-0104

Louisiana State
Bar Association
Access to Justice

Louisiana
State Bar
Association
Serving the Public. Serving the Profession.

Focus on Diversity

For more information on items in this section, visit www.lsba.org/diversity.

Nomination procedures listed, forms online for Trailblazer Award, Guardian of Diversity Award

The Louisiana State Bar Association's (LSBA) Member Outreach and Diversity Department has announced the nomination periods and procedures for the Trailblazer Award and the Guardian of Diversity Award. Nomination deadlines are Feb. 28, 2019, for both awards.

For more information on awards and to access nomination forms, go online: www.lsba.org/Members/Awards.aspx. Click on "Diversity and Inclusion Awards." Or email the Member Outreach and Diversity Department at diversity@lsba.org.

LSBA Chief Justice Bernette Joshua Johnson Trailblazer Award

The LSBA Chief Justice Bernette Joshua Johnson Trailblazer Award was established in 2016. It combined two previous diversity awards — the Trailblazer Award (established in 2013) and the Human Rights Award (established in 2010). The Chief Justice Bernette Joshua Johnson Trailblazer Award is awarded by the Association annually in June at the LSBA's Annual Meeting.

The nomination period runs from October through February.

This award recognizes individual attorneys and judges who champion the ideals set forth by Chief Justice Bernette Joshua Johnson, the first African-American chief justice of the Louisiana Supreme

Court, who has always exhibited an unwavering commitment to enhancing diversity and inclusion in the legal profession.

Nominees must be admitted to practice in Louisiana. Judges must have been elected or appointed to a state or federal court in Louisiana; the lawyer or judge can be on active or inactive status and from any practice setting; and the lawyer or judge cannot be a current member of the LSBA's Committee on Diversity in the Legal Profession.

The Chief Justice Bernette Joshua Johnson Trailblazer Award recipient should demonstrate a unique blend of experience, skills and accomplishments which translate into successful diversity and inclusion efforts which include, but are not limited to, the following:

- ▶ supporting and encouraging attorneys who are members of an unrepresented group within the legal profession to reach their career and personal potential;
- ▶ ensuring opportunities for the advancement of diverse people through mentoring efforts and diversity outreach;
- ▶ commitment to addressing issues of equality, fairness and injustice in the legal profession; and
- ▶ participation in community service activities which promote and broaden the diversity pipeline to the legal profession.

Guardian of Diversity Award

The Guardian of Diversity Award, established in 2013, recognizes non-profit groups, local and specialty bar associations, and public interest organizations that implement and advance diversity programs to promote and support diversity in the legal community. It is presented at the LSBA's Annual Meeting.

The nomination period is October through February.

Nominees can be bar associations, courts, law firms/departments, or community organizations (including non-profits and public interest organizations).

Recipients should demonstrate the following diversity and inclusion efforts:

- ▶ creating and implementing innovative strategies to promote and advance the concept and spirit of diversity and inclusion in society;
- ▶ making a significant impact on diversity issues in the legal profession;
- ▶ enhancing access and equality in employment, economic and educational opportunities;
- ▶ advocating and promoting an understanding and awareness of diversity;
- ▶ dedication to improving and bridging the relationship between diverse groups; and
- ▶ proven commitment to creating a culture of diversity and inclusion. 📖




Civil Rights Étouffée
A FEDERAL BAR ASSOCIATION CIVIL RIGHTS CLE
New Orleans Jazz and Heritage Foundation
Friday, February 15, 2019 • New Orleans

THROUGH THE LENS...



The Loyola University New Orleans College of Law Black Law Students Association hosted an August 2018 reception to welcome alumni, professionals and first-year law students. Attending, from left, Eliana Green, 3L; Bria Saunders, 1L; and Elizabeth Griffin, 3L.



Loyola University New Orleans College of Law Dean Madeleine M. Landrieu, second from left, attended the August 2018 reception hosted by the Black Law Students Association. From left, Jamia Love, 2L; Dean Landrieu; Anna Hoiberg, 1L, center back; Malika Howard, 2L, center front; and Trinity Goines, 2L.



Black History Month CLE Seminar “The Disproportionate Impact of Non-Unanimous Juries”

Hosted by the LSBA Diversity Committee’s Pipeline to Diversity and Outreach Subcommittee

February 21, 2019

Adams and Reese, LLP, Ste. 1900,
450 Laurel St., Baton Rouge

Civil Rights Etouffee

Hosted by the Federal Bar Association (FBA) Civil Rights Law Section, FBA New Orleans Chapter, FBA SDNY Chapter and the Louisiana State Bar Association’s Diversity Committee

February 15, 2019

New Orleans Jazz and Heritage
Foundation, 1205 North Rampart St.,
New Orleans

For more information on all Member Outreach and Diversity Department events, go to:
www.lsba.org/diversity.

Sponsor deadline extended to Feb. 4

Sponsorship opportunities are still available for the 12th annual Conclave on Diversity in the Legal Profession, scheduled for March 8 at the Sheraton New Orleans Hotel, 500 Canal St. The sponsorship deadline has been extended to Feb. 4. Learn more about sponsorships online at: www.lsba.org/goto/conclave.

**STRIDES IN
DIVERSITY**

SAVE THE DATE! MARCH 8, 2019

**12TH ANNUAL CONCLAVE ON DIVERSITY
IN THE LEGAL PROFESSION**

**Opening
Doors for the
NEXT
GENERATION**

Join the LSBA in cooperation with the Louisiana Supreme Court for the 12th annual Conclave on Diversity in the Legal Profession on March 8, 2019 at the Sheraton New Orleans Hotel, 500 Canal Street.

CONCLAVE HIGHLIGHTS

Luncheon Keynote Speaker:

Dima Ghawi

Dima Ghawi LLC, Baton Rouge, LA

Diversity and Inclusion Workshop Presenter:

Dr. Katrice Albert

Executive VP of Inclusion and Human Resources,
NCAA, Indianapolis, IN

Excellence in Diversity Reception

Breakout Session One – Immigration
Breakout Session Two – Best Practices

Plenary Session One – Labor and Employment
Plenary Session Two – Trending Legal Issues

Reserve your spot and register before February 8, 2019 for a discounted rate, visit

WWW.LSBA.ORG/GOTO/CONCLAVE

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Standard classified advertising in our regular typeface and format may now be placed in "Bar Briefs" and on the LSBA Web site, *LSBA.org*. All requests for classified notices must be submitted in writing and are subject to approval. Copy must be typewritten and payment must accompany request. Our low rates for placement in both are as follows:

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Any questions? Contact
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LSBA Member Services

The mission of the Louisiana State Bar Association (LSBA) is to assist and serve its members in the practice of law. The LSBA offers many worthwhile programs and services designed to complement your career, the legal profession and the community.

In the past several years, the legal profession has experienced many changes. The LSBA has kept up with those changes by maturing in structure and stature and becoming more diverse and competitive.

Find out more about upcoming events, your membership and many other topics by visiting the LSBA website.



Serving the Public. Serving the Profession.

**For more
information,
visit www.lsba.org**