

# AFTER THE STORM

## Professionalism . . . and Other Stories

*Hurricanes Katrina and Rita, in a one-two punch within a month's time, affected most of Louisiana's legal community, either directly or indirectly. Whether you were a victim or a victor, the rescued or a rescuer, the aftermath of these two storms will be a benchmark for years to come.*

*The Louisiana State Bar Association (LSBA) continues to solicit "storm" stories from our members. We have heard of tremendous stories of civility and professionalism, of members opening their offices and hearts to more than 8,000 displaced members. We have received stories from members who actively participated in the job of search-and-rescue, whether through military channels or on their own. Requests for assistance through the SOLACE (Support of Lawyers/Legal Personnel, All Concern Encouraged) network have been answered at lightning-speed, with some members initially needing the assistance later offering to assist others in appropriate fashion once able to do so. Some members have told us of specific hurricane-related cases they have handled thus far, whether generated through the Call Center, a disaster recovery center or obtained on their own.*

*We also have heard from members with less-than-positive accounts . . . the lack of professionalism and charges of constitutional rights violations. These stories will have their place in future publications.*

*The LSBA is still soliciting "storm" stories of all types . . . professionalism-related, outcomes of cases generated through the Call Center or via disaster recovery centers or shelters, incidences of rescue/recovery, and other topics uniquely your own. E-mail your stories and contact information to [dlabranche@lsba.org](mailto:dlabranche@lsba.org). Photos illustrating your story also are being accepted.*

*See pages 291-295 for a sampling of your stories. . . .*



Lt. Col. Patrick Robert Bossetta meets President George W. Bush.

## Service to Community and Country

Here is a hurricane story that exemplifies the essence of true professionalism and selfless service to this community and our country.

My brother, Lt. Col. Patrick Robert Bossetta, had to abandon his law practice to serve active duty for 12 months in Iraq this past year. He was only home a few months, and still on active duty, when Katrina hit. He commands the helicopter unit of the National Guard at Jackson Barracks, which was destroyed.

His unit began flying rescue/recovery on a 24-hour basis as soon as it became safe. They pulled thousands of people from floodwaters and rooftops, enduring being fired upon, endangering their own safety, and having to leave their families to fend for themselves. He flew countless hours dropping sandbags on the levee breaches. He was honored to fly President Bush for his survey of our city, along with (New Orleans) Mayor Ray Nagin and a host of politicians and celebrities who also viewed the destruction.

He is still on active duty and has not been able to address the destruction of his own properties in the city, take care of his family, or return to his law practice. When "Court TV" aired a documentary featuring Pat's unit on the "Heroes of Katrina," Patrick stepped back and let his unit shine in the spotlight. He is humble, a brilliant leader, adored by his unit, and just a spectacular individual.

As a veteran of two wars, he opined that the destruction of New Orleans was worse than Iraq. He is exhausted, thin and has had no downtime to recoup from the combat he experienced in Iraq. He (and his unit) are totally selfless. They are really true heroes and he is the essence of true professionalism in any field he enters. He is still on active duty and still serving us.

**Barbara Bossetta  
Mandeville, La.**

## A Case of Child Custody

I have been a member of the Louisiana Bar since 1991 but have never practiced in Louisiana. I joined the Air Force JAG Corps after graduating from Loyola in 1991. I met and married my husband in the JAG Corps. After my husband's retirement, my family settled in Tallahassee, Fla. We have recently opened a small law office with a general practice.

On the Friday after Katrina hit, I got a client in who needed an attorney in Tallahassee who was licensed to practice in both Florida and Louisiana. With the magic of Internet searches, my name popped up. She had been divorced in Jefferson Parish. She and her ex-husband had a split custody arrangement that rotated the two children between the two households every other week. Since the ex-spouses lived about a mile apart in the same school district, this situation had worked out well. On the Sunday night before the hurricane hit, the parents were supposed to change custody back to the mother. However, the father of the children refused and evacuated first to Mississippi, then to North Carolina, while the mother, my client, evacuated to Florida.

When my client came in on the Friday after the hurricane, she had not been able to contact her children. The father refused to either discuss the situation or relinquish custody. As you can imagine, she was frantic. Of course, she had not thought to bring copies of her divorce and custody paperwork when she left the city. I agreed to help her out, thinking this could probably be solved by a phone call or a letter by someone who was not personally and emotionally involved. I accepted a few hundred dollars as a retainer thinking I would end up refunding most of it back to her when this matter was settled with about an hour's worth of work. In the father's defense, I could see that in the extraordinary circumstances of this natural disaster he was just a dad trying to keep his children safe.

I was wrong. This matter consumed

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almost a solid full week and was frustrated at every turn. The basic problem was jurisdiction. Under the Uniformed Child Custody Jurisdiction Enforcement Act, Louisiana was the home state of the children and the only state with authority to act on an enforcement action. The only way another state (either Florida or North Carolina) could step in and assume jurisdiction was if the children had lived in that state for at least six months prior to the action, or if the home state (Louisiana) had relinquished jurisdiction. I drafted a motion arguing that Louisiana had, in effect, relinquished jurisdiction because of necessity. The courts in Jefferson and Orleans parishes and the Louisiana Supreme Court were closed for at least the next month. Courts in other parishes said they would not take these cases. We needed a court order and we could not get one because the Jefferson court was closed and neither Florida nor North Carolina could act because the children had not lived there for the past six months.

I spent hours on research, drafting motions, trying to contact her Louisiana attorney, phone calls to other parishes, e-mailing the president of the Louisiana State Bar Association, consulting with CLE lecturers in Florida family law, in discussions with judicial assistants in both Louisiana and in Leon County, Florida, e-mailing former classmates with a family law practice in Louisiana, talking to and faxing documents to the sheriff and the city attorney in Sylva County in North Carolina, and many calls and messages to the father. Everyone was very helpful, but we just could not get around the jurisdictional issue.

In the end, we were able to work this out with the father once things calmed down. Florida had agreed to take all Katrina displaced school children without shot or school records, so the father agreed to allow them to enroll near Tallahassee. Later, my client and her ex-husband returned as quickly as possible to their homes in Louisiana. I did not use any of my dusty knowledge of Louisiana law, but I was able to use my knowledge

of the Louisiana legal system and contacts within the state. I can still say that I have never actually practiced in Louisiana. I did not ask for more than the original retainer and was just happy to see a good resolution. By the time I averaged out my time, I earned less than \$11.50 per hour for our fledgling little firm. However, the experience and education were invaluable. It was a rewarding victory.

**Mary Alice David**  
**Major, United States**  
**Air Force Reserve**  
**Tallahassee, Fla.**

## In the Trenches ... and the Boats

I spent days living on the second floor of my neighbor's home on Napoleon Avenue (in New Orleans) with 8 1/2 feet of water on my doorstep. I was blessed to have two good friends stay with me who recognized the needs of our neighbors and accepted the dangers and perils of being a volunteer during a time of mass tragedy, compounded by confusion, poor planning and an inconceivable response. Their names are Beaux Whalen and Paul Gonzales and I am eternally grateful for their company, encouragement and ideas.

Beaux, Paul and I spent four days in boats going from house to house in the immediate flooded areas around my home. We started at daylight and drove our boats home at sunset. We were able to rescue over 100 neighbors, but we had to leave thousands behind. We focused on areas where no other water-based rescue operations were taking place and we could not travel more than one block without hearing the cries for help, people beating from the inside of attics and the pleas for supplies. These people were confused, scared, dehydrated, hungry, tired, elderly, disabled, people needing oxygen, needing dialysis.

The wealthier neighbors kept tabs on which neighbors were staying. They also had communication equipment and plenty of essential supplies. The poorer neighbors were not as organized. They had water for only a day or two. There were



16 people to some houses. The poor continue to suffer the most. They have no idea how to swim and many are taught that playing with a pit bull would be safer than going into the water for fear of drowning. So they have stayed in their houses, baking, dying.

We had a radio at night to keep us "informed." Our local news radio station, WWL, failed miserably. They were not broadcasting where the drop-off stations were. They were not informing the locals stuck in the water of the best escape routes. While we heard screams at night and banging on rooftops from trapped survivors, WWL was entertaining political debate discussing fault, blame and rebuilding New Orleans. Why weren't they discussing volunteer efforts and relief? Still today, where is their leadership?

I don't think (this article) is an appropriate time to share the sad realities of what I've seen in New Orleans.

I am very grateful to be alive and I am deeply troubled and saddened that I left. I never met one aggressive person. I was never intimidated. I felt no threat of violence, other than the mass hype being proliferated by the media. The reports of the media caused me and many other volunteers to leave the city in fear of our

lives. Maybe this was good, I just don't know.

I am in Morgan City and I can mobilize over 100 people who will be happy to participate in saving lives TODAY. They are local fishermen and sportsmen who have boats and are willing to go into the city with me, but we cannot get clearance. No response from the mayor's office. No response from the federal agencies I have contacted. My friends in Morgan City report that over 400 volunteer fishermen from the St. Martin, St. Mary and Lafayette area have been turned around and told they could not go into the City of New Orleans because it was "too dangerous" or for some other reason. I have been sending a video and details of this disaster to news agencies around the country. I am hoping that someone can get through to the "brass." My fear is that it is all too little and too late.

For all of my friends who live in other cities around our country, please don't let this happen to you. Make sure your mayor has a plan. Make sure your governor has a plan. You don't want to be walking around your home town FIVE DAYS AFTER a national emergency wondering why you, as a private citizen, can still see hundreds of people trapped, dying slowly, with no hope of survival.

The day I can return to New Orleans, I will. I will help clean the streets, remove the debris and rebuild my city according to the historical codes that are in place. I will help the displaced and assist in relief efforts. The spirit of New Orleans will not be broken. Our natives are strong, generous and carry the same passion for the Crescent City that I have shared with you all. . . .

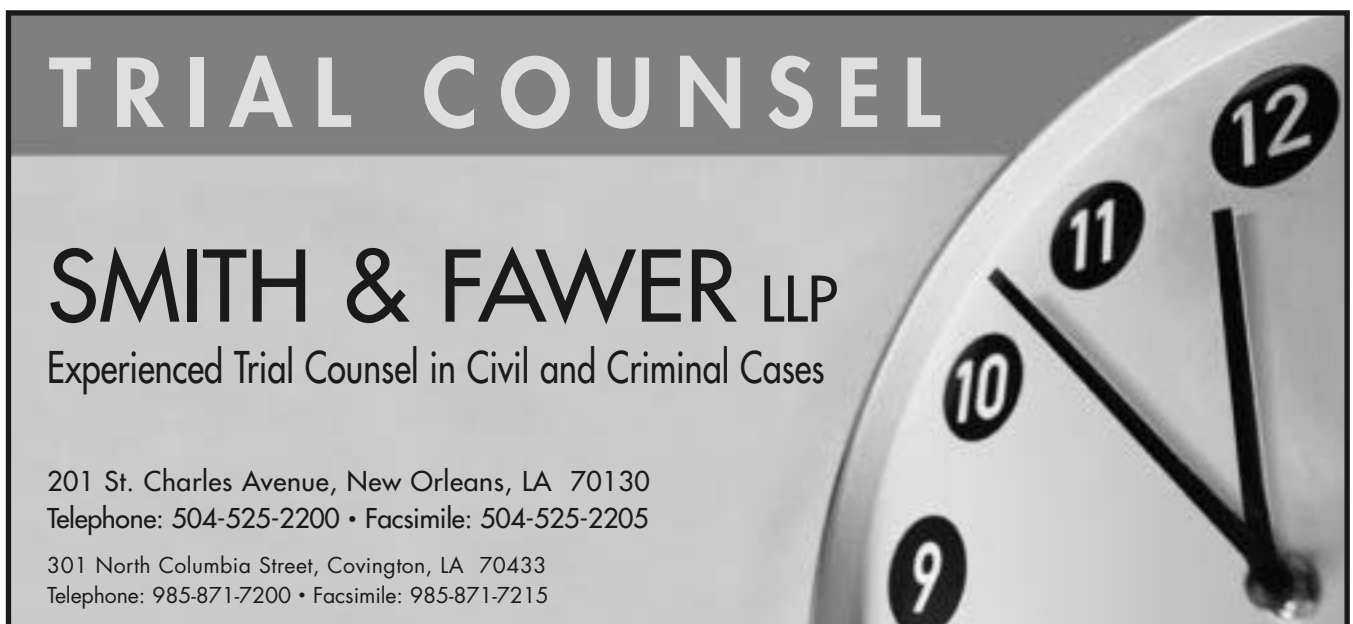
**Mark Morice**  
New Orleans, La.

### Help in Continuing a Hearing

Nothing real big, but it was big for me. I had evacuated from New Orleans to Arkansas, and there was a hearing that I randomly found out about, much less received official notice of, in a case I was defending. My opposing attorney, Kent Payne of Baton Rouge, not only was gracious enough to call me about the hearing that I was about to miss, but also drafted and filed MY motion to continue it, due to the fact that I was five hours away from the site of the hearing. The case is *Weatherford v. Favaro* and it is still pending.

**Nahum D. Laventhal**  
Metairie, La.

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# AFTER THE STORM

## Contempt of Court?

After Hurricane Katrina had passed, I decided to assist the Plaquemines Parish Sheriff's Office with its search-and-rescue operations. Although we came across many unbelievable sights and interesting stories from the places and people we saw, one was notable.

On day three or four, we traveled by boat in the Mississippi River from Belle Chasse to Venice and then around the west bank area up to West Pointe a la Hache. In route, we picked up two people from the Mississippi River levee in the area of Diamond and 20 or so from vessels in the Empire area. The two on the levee were hesitant in leaving since they had set a camp on top of the levee (sheets tied to poles over a mattress, canned goods from a local store, fishing poles, etc.). It looked like a scene from the television show "Survivor." Their location on the levee was next to the temporary courthouse in Diamond (fire destroyed the original one in Pointe a la Hache in 2002).

During the process of gathering their belongings and getting them aboard our boat, they recognized me from working as an assistant district attorney. They quickly pointed out that they had an upcoming court date for Sept. 6 and that they did not want to be held in contempt of court. I was to tell the judge they were present and ready for court. Since the temporary courthouse in Diamond was destroyed by Hurricane Katrina, and still under water then, and realizing that it

would be quite awhile before we could have any trials again, I told them they could hold me and the judge in contempt of court because we would not be there.

*Charles Ballay is the first assistant district attorney for Plaquemines Parish and a director in the law firm of Ballay, Braud & Colon in Belle Chasse.*

**Charles J. Ballay**  
Belle Chasse, La.

## Insurance Coverage Problem Avoided

My parents-in-law, the Carpenters, in their 80s, lived near the New Orleans Lakefront in the Lake Vista Subdivision. As Katrina approached, my wife Christel (their daughter) implored them to leave New Orleans to get out of harm's way, at least to Baton Rouge where her brother lives. They refused as late as Saturday night, Aug. 27, after the contraflow out of New Orleans had begun. Sunday morning, Aug. 28, we went to 9 a.m. Mass. When we got home, my wife called her parents on the phone, telling them that if they did not leave immediately, she would call the Louisiana State Police to pull them out involuntarily. We have a friend who is a state trooper who coincidentally was at the Louisiana Superdome at the time . . . The threat of being forced out of their home by the police finally convinced her parents to pack up and leave. They packed clothes for just a couple of days, put their cat in a travel cage, and left in their car with \$600 cash and a credit card, leaving their

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checkbook and prescription medicines behind, obviously thinking they would be home in a couple of days. It took them eight hours to get to Baton Rouge, exhausted. My father-in-law had been through two major surgeries and radiation treatment for cancer earlier in the year and was weakened from that.

When Tuesday, Aug. 30 arrived and the news of the flooding of the city began spreading, their hopes of returning home were scuttled. Even worse, I was informed by my wife that her father had in early August decided not to renew his flood insurance policy which he had been paying premiums on for more than 40 years since they moved to Lake Vista from Maryland in 1963. They believed they had lost all their possessions including their home with no hope of compensation.

I implored my wife's brother in Baton Rouge, with whom her parents were staying, to contact State Farm, with whom they had their homeowner's insurance and through whom they purchased their flood insurance policy, and send in the check for renewal of the flood insurance policy. I wasn't sure what grace period existed under the policy, but had told my wife's folks that maybe they were within the grace period and could possibly still be covered. Her brother sent the premium check to State Farm, the policy was reinstated retroactive to Aug. 9, and the flood insurance claim was paid in full for the loss of their home and possessions. They were grossly underinsured, but still the recovery was substantial and far better than nothing. The money came in handy, as my father-in-law fell in Baton Rouge roughly a month after Katrina, broke his hip and underwent surgery to repair it. We had him transferred to Lafayette General Hospital's rehab unit where he stayed for three weeks, while we brought my mother-in-law to stay with us in Lafayette while he was rehabbing. We got them into a fine nursing home here just a mile from our home, and they are back together again and are grateful to be alive and together. My wife is relieved that her parents did not stay in New Orleans as

## Volunteering to Help

I would like to volunteer to help at the disaster centers for a few hours each week. I am living in Marrero, now. I am available for centers in West Jefferson and Plaquemines only because I have limited transportation resources at this point. I would gladly help with bankruptcies, if I can get access to DSL. (I have Internet access now because a neighbor lets me use her land line. I cannot get a land line in Marrero until Feb. 1, 2006.)

I was living in Buras in lower Plaquemines Parish. That is my office you see next to the fallen water tower in Buras. . . . Because I actually believed that I would be back the next day, I left Buras in the wee hours of Aug. 29 with only my pets, my toothbrush and the clothing on my back. I finally got back down there last week, and there is nothing left. . . .

Once I obtain either a suit and dress shoes or information on any nearby clothing stores that might be open, I will begin working at the relief centers. I know it will do me a lot of good to get back into the swing of things by working at the relief centers.

**Jeanne O'Boyle  
Marrero, La.**

they clearly would have been trapped in their home that took in roughly five feet of salt water for three weeks, and they were in no physical condition to attempt to crawl out onto their roof to be rescued. They would have perished if they had not finally heeded my wife's begging them to leave. My wife can now see them every day and is so grateful to be able to do so. The money they recovered from their flood insurance claim is being used to supplement my father-in-law's federal pension to cover the cost of the nursing home for them. If I had not been part of their family and had not been a lawyer, I doubt they would have thought to seek reinstatement of the flood insurance coverage and would have been left with a total loss. I really didn't do much except to rely on my experience as an attorney to let them know that they still might have coverage, and they did! So a bit of good came from what otherwise was a catastrophe for my wife's family.

**Frank W. Dawkins  
Lafayette, La.**

## Office Space and Equipment Offered

During the first two weeks following Katrina, three major law firms offered to

provide our entire firm, at no charge, with office space and related equipment for as long as we were unable to return to our New Orleans office. These firms were Vinson & Elkins, L.L.P., Houston office; Arnold & Porter, L.L.P., Washington, D.C. office; and Sidley Austin Brown & Wood, L.L.P., Dallas office.

Such unselfish offers of assistance from firms in other cities was not only very heartwarming to our band of refugees, but represents, to me, the highest ideals of professionalism by those firms. We were fortunate enough to have found space in Baton Rouge, but will never forget how those firms extended offers of refuge during the dark days of uncertainty that followed the storm.

**Louis Y. Fishman  
New Orleans, La.**

## Law Books and Other Resources Donated

Jon Claitor of Claitor's Law Books in Baton Rouge, in the weeks after Katrina, donated more than \$150,000 of 2005 Green Books and other resources to a regional ministry dedicated to assisting hurricane victims avoid eviction and insurance claim denial.

**Douglas D. Brown  
Hammond, La.**

# AFTER THE STORM

## Local/Specialty Bars, Others Step Up

### **Baton Rouge Bar Assists in Mobilizing Initial Legal Assistance Hotline**

Within three days of Hurricane Katrina's strike on Louisiana, a Legal Assistance Hotline was up and running, thanks to the quick mobilization efforts of the Baton Rouge Bar Association staff, particularly Executive Director Ann Scarle and Greg Bodin.

The hotline remained at the Baton Rouge Bar Association's offices until Oct. 14 when the Call Center was moved to the campus of Louisiana State University's (LSU) Paul M. Hebert Law Center to allow for more phone lines.

Since Oct. 14, the Call Center, a joint project of the Louisiana State Bar Association, the Louisiana Bar Foundation, the American Bar Association's Young Lawyers Division and the Federal Emergency Management Agency (FEMA), has fielded more than 4,700 calls. The service, offered free to the public, will remain active at least through February, and possibly longer if funding allows and needs dictate.

Hundreds of attorneys have provided countless hours of free legal advice to hurricane survivors through the Call Center. The free legal assistance is available Monday through Saturday, from 8 a.m. to 8 p.m., by calling 1-800-310-7029.

More than 500 Louisiana attorneys participated in disaster relief training to be better able to assist survivors at the hotline, at shelters and at more than 30 Federal Emergency Management Agency (FEMA) Disaster Recovery Centers currently operating statewide.

About 80 law students from LSU Law Center, Loyola University Law School

and Southern University Law Center were trained to handle the intake of phone calls, and attorneys statewide have volunteered to answer the subsequent legal inquiries, either in person at the Call Center or by agreeing to take the referrals.

Call Center volunteers report that about 70 percent of the callers are requesting information on landlord/tenant and homeowner issues, followed closely by questions on insurance, family law, FEMA, employment and property issues. The Call Center program handles only non-fee-generating cases. In cases where attorneys will receive fees, Call Center personnel refer individuals to local lawyer referral services. Volunteers also refer individuals to appropriate local, state or national agencies for further assistance.

"The Call Center has received thousands of queries and answered many hurricane victims' legal questions," said LSBA President Frank X. Neuner, Jr. of Lafayette. "We owe a debt of gratitude to the Baton Rouge Bar Association for taking on the hotline project when no one else could. I also thank Elizabeth Foote, whose determination and attention to detail has made the Call Center a reality," he added.

### **Lafayette Parish Bar, Lafayette Legal Community Respond to Disaster Needs**

Lafayette's legal community, with the help of the Lafayette Parish Bar Association (LPBA), came together quickly to help those affected by Hurricanes Katrina and Rita by providing pro bono legal services to storm survivors and assisting displaced attorneys in need.

Once the basic survival needs of food, water and shelter were satisfied, many





**Richard Broussard, along with the Lafayette Parish Bar Association, set up a volunteer center in Vermilion Parish to assist the victims of Hurricane Rita in filling out FEMA applications.**

Hurricane Katrina and Rita survivors discovered they were facing any number of legal problems on the way to rebuilding their lives. Members of the LPBA are helping to meet those legal needs by offering free, short-term, emergency-related legal assistance to hurricane survivors.

“LPBA members are committed to donating their time and expertise to assist the displaced citizens of Louisiana,” said LPBA President Joseph R. Oelkers III. “Being able to provide legal services on a pro bono basis is one way LPBA members can help victims get on the road to recovery,” he said.

To prepare volunteers for these services, the LPBA conducted a disaster training seminar with Louisiana State Bar Association (LSBA) President Frank X. Neuner, Jr., representatives from the Federal Emergency Management Agency (FEMA), the Red Cross, the LSBA Young Lawyers Section and others to provide attorneys with an overview of FEMA, knowledge on how the legal community can provide services to disaster victims and frequently asked questions during disaster relief. Susan Simon gave an overview of the LSBA disaster training manual to assist attorneys in helping survivors.

Contributions were collected for the LSBA/Louisiana Bar Foundation Disaster Relief Fund to help rebuild the New Orleans area legal infrastructure so lawyers may provide needed legal services to citizens and restore damaged offices and records.

The LPBA Young Lawyers Section recruited attorneys and partnered with FEMA to set up a booth at a Disaster Recovery Center. The section also aided the relief efforts by holding a successful School Uniform and Supply Drive for all of the displaced students in Lafayette Parish.

As an additional resource, the LPBA added a link to its Web site, [www.lafayettebar.org](http://www.lafayettebar.org), to provide members and the public with the most up-to-date information regarding the Louisiana court system, the LSBA and additional relief efforts.



**Louisiana State Bar Association President Frank X. Neuner, Jr. explained to the Lafayette Parish Bar Association members what the LSBA has done in response to the disasters and how to volunteer.**



**New Orleans attorney Bobby Delise spoke at the Lafayette Parish Bar Association’s disaster training seminar about his experiences in the aftermath of Hurricane Katrina.**



**Tony Credeur, executive director of the Acadiana Chapter of the Red Cross, described what he needed from lawyers willing to volunteer their services. He spoke at the Lafayette disaster training seminar.**

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# AFTER THE STORM

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## New Orleans Bar Association Opens Internet Café

The New Orleans Bar Association has opened the Internet Café to address the needs of displaced attorneys. The café has Internet access, offers free office space with the use of computers and copy machines and provides hot coffee. Designed to meet the needs of attorneys who find themselves temporarily displaced due to Hurricane Katrina, this service, located in the New Orleans Central Business District, is open to all New Orleans attorneys and provides office space where attorneys can meet with clients and hold depositions.

## Kean Miller Contributes to Baton Rouge Area Foundation's Katrina Fund

Kean Miller Hawthorne D'Armond McCowan & Jarman, L.L.P., contributed \$20,000 to the Baton Rouge Area Foundation and its Hurricane Katrina Displaced Residents Fund.

"Baton Rouge is our home. We work here, we live here, and we have been fortunate to work in partnership with the Baton Rouge Area Foundation for more than 20 years," said Gary A. Bezet, managing partner of the 106-lawyer firm. "We are confident that the Baton Rouge Area Foundation is helping those who have lost so much, and who now also call Baton Rouge home," Bezet said.

The contribution assisted the Baton Rouge Area Foundation in helping those displaced by Hurricane Katrina who are now living and working in the Greater Baton Rouge area.

"This generous contribution comes at an important time for our Hurricane Katrina Displaced Residents Fund. With so many worthwhile national organizations providing critical human services and raising funds, it is easy to overlook what is happening in our own backyard. We appreciate this important community gift from our friends at Kean Miller, and we encourage others in the Baton Rouge business community to respond to Kean Miller's philanthropic example," said John Davies, president and CEO of the

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## NOBA Hosts "Welcome Home New Orleans" Social



The New Orleans Bar Association (NOBA) hosted a "Welcome Home New Orleans" social on Oct. 27 to welcome attorneys and members of the judiciary on their return to the city. More than 130 people attended the event. From left, Judge Terri Flemming Love, Judge Jay C. Zainey, Rachel Piercey and former NOBA President John Pearce.

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Baton Rouge Area Foundation.

The Hurricane Katrina Displaced Residents Fund benefits those individuals evacuated to Baton Rouge from the hurricane-impacted areas in Greater New Orleans, who are now unable to return for what may be an extended period. Evacuees are facing numerous challenges related to housing, food, education, health care and basic survival necessities. This fund is supporting those entities and programs in the Baton Rouge area that are endeavoring to meet these critical needs, as well as addressing the impact this influx of residents is having on the Baton Rouge area.

### **Shreveport Bar Foundation Contributes to Katrina Relief Efforts**

The Shreveport Bar Foundation, the charitable arm of the Shreveport Bar Association (SBA), made several contributions to agencies requesting financial assistance in the aftermath of Hurricane Katrina. These contributions were made possible through donations from association members to the SBA Katrina Disaster Relief Fund, established shortly after the storm.

The Foundation contributed \$10,000 to the Shreveport-Bossier Rescue Mission, an agency providing rent-free housing for displaced victims of the hurricane; \$5,000 was donated to the Northwest Louisiana Food Bank to purchase supplies and food products for evacuees; another \$5,000 was donated to the Northwest Louisiana Interfaith Pharmacy, Inc. to be used to purchase medicine and medical supplies for evacuees; \$5,000 is being donated to the Northwest Chapter of the American Red Cross to help with their relief efforts; and another \$2,038 was contributed to purchase computers for use at the Hirsch Coliseum evacuee shelter in Shreveport.

In two months, SBA members contributed more than \$32,500 to the Katrina Disaster Relief Fund and are committed to continue this fund-raising effort as long as there is a need. SBA President

### **Southwest Louisiana Bar Association President Discusses Aftermath of 2 Storms**

“About 5,000 Hurricane Katrina evacuees were housed at the Lake Charles Civic Center and Burton Coliseum. We were involved as a bar association providing pro bono legal advice almost immediately. . . .

“The day the levee broke in New Orleans or the next day at the latest, I received a call from Randy Fuerst, a local attorney, asking me as president of the local bar what the bar association was going to do to help with the problem at the Civic Center. . . .

“On that first day, Randy, mostly on his own but with some help from the bar association, raised money to buy supplies, blankets, etc., for the evacuees. Later, Randy also was very helpful with the pro bono services we provided at the shelters, which became known as the Katrina Legal Project.

“Jim Ortego runs our local pro bono program and reduced-fee legal service corporation, Southwest Louisiana Legal Services Corporation. I met with Jim and our mayor, Randy Roach, during the week of Katrina and told him I would work with the state bar and put something together to provide legal services to the evacuees at the shelters. Randy demanded that we do something NOW, and, after the Thursday meeting, the next Monday we began manning tables at both shelters on a daily basis. I was later told by Susan Simon that we were the first bar association in the state to have something up and running with a presence in the shelters.

“A lot of credit goes to Jim Ortego and his group. We manned the tables and his group kept track of the forms and disposition of the cases. . . . We are also serviced in this area by Acadiana Legal Services Corporation in Lafayette and the Lake Charles office is headed by Jennifer Robinson. . . .

“Between the two storms, Susan Simon, Celia Cangelosi and others from the state bar came to Lake Charles to hold a training seminar. I was quite proud of the fact that we had more than 100 lawyers, paralegals and support staff attend the session on that Friday afternoon. (We have only 400 members of our local bar). . . .

“The Katrina Legal Project came to an abrupt end when Hurricane Rita approached and all the Katrina evacuees were evacuated from Lake Charles, most never to return. . . . Rita was a different situation than Katrina. We had plenty of damage in Lake Charles, but no evacuees. The existing legal structure, both private and the legal service corporations, are handling everything within their setups. . . . There are many lawyers in Lake Charles who are offering assistance through the Legal Assistance Call Center Hotline and, despite their own problems of dealing with Rita, they are providing pro bono services for storm survivors.”

**Jeffrey M. Cole  
President, Southwest Louisiana Bar Association**

Tommy Johnson urged all association members to not forget about the disaster relief effort, even though media attention is beginning to decline.

“This is going to be a long-term process of rebuilding for the victims of this devastating natural disaster and we want them and the community to know that we are committed to help both now and in the future,” Johnson said.

If you would like to donate to this disaster relief fund, forward your tax-deductible contribution payable to “Shreveport Bar Foundation” (with the notation *Katrina Disaster Relief Fund*), c/o Shreveport Bar Foundation, P.O. Box 2122, Shreveport, LA 71166-2122.

For more information about the SBA’s Disaster Relief Fund, contact the Shreveport Bar Association office at (318)222-3643 or log on to the SBA Web site at [www.shreveportbar.com](http://www.shreveportbar.com).

### **Katrina Disaster is Focus of Joint Dinner**

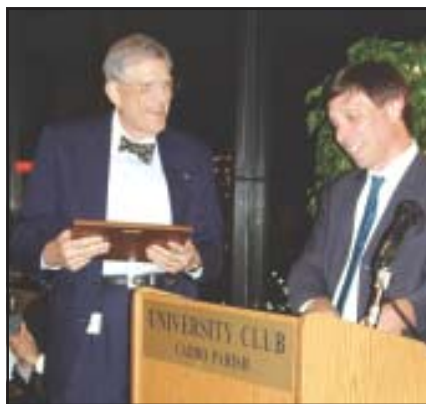
The tragedy of Hurricane Katrina, and its effects on the legal community and the courts, was the focus of a Sept. 19 dinner for the Bar Association of the 5th Federal Circuit, the Harry V. Booth and Henry A. Politz Inn of Court and the Shreveport Bar Foundation (SBF). The theme of the dinner was “Hopes and Impediments.”

Following dinner, guests were welcomed by Judge Stephen V. Callaway, president of the Inn of Court, who noted that, while the Inn and the SBF had jointly held annual dinners in the past, this was the first time that the federal bar association had participated. Ben Politz, program chair for the Inn, then provided an explanation of the role of the Inn of Court in the legal community and an outline of the upcoming goals of the Inn. Roy S. Payne, SBF president, recognized SBF fellows and annual members and informed guests of the work of the SBF with the Hurricane Katrina Relief Fund and other charitable activities.

A special presentation was made by Larry Pettiette to Judge Tom Stagg, a founder of the Booth/Politz Inn of Court.



**Fifth Circuit Court of Appeal Judges Carl Stewart, left, and Jacques Weiner described effects of Hurricane Katrina on the court.**



**Judge Tom Stagg received an award from Larry Pettiette for being a founder of the Harry V. Booth and Henry A. Politz Inn of Court.**

Judge Carl Stewart and Judge Jacques Weiner described the effects that Hurricane Katrina was having on the operations of the United States 5th Circuit Court.

The evening closed with remarks from Reid Brau, executive director of the Northwest Chapter of the Red Cross, one of the recipients of the Shreveport Bar Foundation’s Katrina Disaster Relief Fund.

### **Martinet Society, NBA, Southern Law Center Offer Legal Information Seminars**

The Louis A. Martinet Legal Society,

in conjunction with the National Bar Association and Southern University Law Center, offered the second in a series of legal information seminars on Nov. 14 to people affected by Hurricanes Katrina and Rita. More than 200 people from the New Orleans area attended the seminar at True Light Baptist Church in Baton Rouge.

The purpose of the seminar was to help hurricane survivors identify their legal needs, then equip them with basic legal information and resources. The first phase of the seminar included four brief presentations by panelists on topics ranging from the Louisiana legislative special session to insurance, tax, bankruptcy and consumer law-related issues. The second phase was formatted as a question-and-answer session.

Several people were instrumental in developing and presenting the seminar, including Chancellor Freddie Pitcher, Jr., Prof. John Pierre, Prof. Donald North, Prof. Evelyn Wilson and Rachel Emanuel, all with Southern University Law Center; Louisiana State Rep. Cheryl Gray and the Louisiana Legislative Black Caucus; Preston J. Castille, Jr., Jason Decuir and Todd Manuel, all with Taylor, Porter, Brooks & Phillips; Shelton Dennis Blunt, Phelps Dunbar; Deidre Robert, assistant East Baton Rouge Parish attorney; and Charles Hansberry, assistant Louisiana attorney general.





## Red Mass in December Focuses on Healing and Renewal of New Orleans

The St. Thomas More Catholic Lawyers Association sponsored a Red Mass for the healing and renewal of New Orleans on Dec. 1 at St. Louis Cathedral in New Orleans. Archbishop Alfred Hughes was the celebrant and homilist. The Mass also marked the reopening of several courts in the New Orleans area, including the Louisiana Supreme Court.

Members of the judiciary joined a walking procession from the Louisiana Supreme Court on Royal Street to the cathedral. Following the Mass, the St. Thomas More Catholic Lawyers Association hosted a reception at the Supreme Court.



**Louisiana Supreme Court Justice Bernette J. Johnson greeted Archbishop Alfred Hughes following the Red Mass on Dec. 1. Photo courtesy of Frank Methe/Clarion Herald.**



**Members of the judiciary formed a procession to the Red Mass from the Louisiana Supreme Court Building on Royal Street.**



**Louisiana Supreme Court justices and many others attended the Dec. 1 Red Mass. Photo by Peggy Cotogno/New Orleans Bar Association.**

# AFTER THE STORM

# Thank You!

## More Than \$400,000 Received in Donations to LSBA/LBF Disaster Relief Fund

Hurricanes Katrina and Rita dealt major blows to Louisiana and its citizens. As those harrowing days unfolded after the storms, the true toll became painfully illuminated. Property (personal and business) was destroyed. The lives and livelihoods of untold numbers of people were disrupted, some temporarily, some permanently. Most horrifying, the death count rose daily as the waters receded.

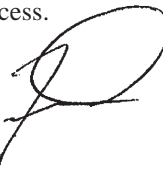
Louisiana's justice system was not immune to the havoc and destruction caused by the hurricanes. More than 8,000 Louisiana attorneys – nearly half of the membership of the Louisiana State Bar Association – were displaced and unable to offer even basic legal services. With courthouses closed in the affected areas, judges and court staff scrambled to find temporary office space. Many attorneys' offices were flooded, with records either damaged or destroyed. Continued communication between attorneys and their clients became urgent, a need quickly met using the Louisiana State Bar Association's Web site as the conduit.

It is often in the darkest moment that the brightest light shines. This bright light came from our legal colleagues across the country, and the assistance came quickly and deeply and in many forms. Law firms, attorneys and law-related organizations nationwide donated to the Louisiana State Bar Association/Louisiana Bar Foundation's Disaster Relief Fund. (*See donors list on pages 303-311.*) Because of the generosity of our colleagues, we have been able to award grants from this Fund to assist our attorneys in rebuilding their practices. More grants will be awarded as funds permit.

To date, 577 grants of \$500 and 57 grants of \$1,000 have been given to deserving attorneys whose lives and practices have been disrupted. Additionally, a \$25,000 grant has been made to the New Orleans Bar Foundation to assist it in setting up an "Internet café" at its office and five workstations and offices have been fully equipped at the Louisiana Bar Center in New Orleans for use by attorneys.

In this giving season, on behalf of the Louisiana State Bar Association, I wish to send our deepest gratitude to our legal colleagues, both for the monetary donations and countless offers of professional services.

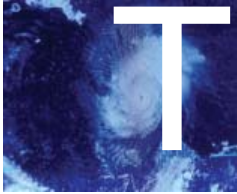
The hurricanes caused major damage to our state but they did not, and will not, destroy the resiliency and courage of Louisiana's citizens. Although many problems remain, I am confident our state will come through these challenges stronger than ever. I am especially proud and grateful of the role our legal colleagues nationwide have played in our rebuilding process.



Frank X. Neuner, Jr.  
President, Louisiana State Bar Association

# LSBA/LBF Disaster Relief Fund Donors

(As of Dec. 16, 2005)



The Louisiana State Bar Association/Louisiana Bar Foundation Disaster Relief Fund was established shortly after Hurricanes Katrina and Rita devastated parts of southern Louisiana. Donations to the Fund, aimed at assisting attorneys whose

offices and practices were damaged or destroyed by the storms, have been distributed in the form of grants to individual attorneys and to associations offering work space for displaced attorneys. The response from law firms, attorneys and law-related organizations nationwide has been overwhelming. As of Dec. 16, more than \$440,000 has been received. We offer our gratitude to the following donors who offered their help in our time of greatest need.

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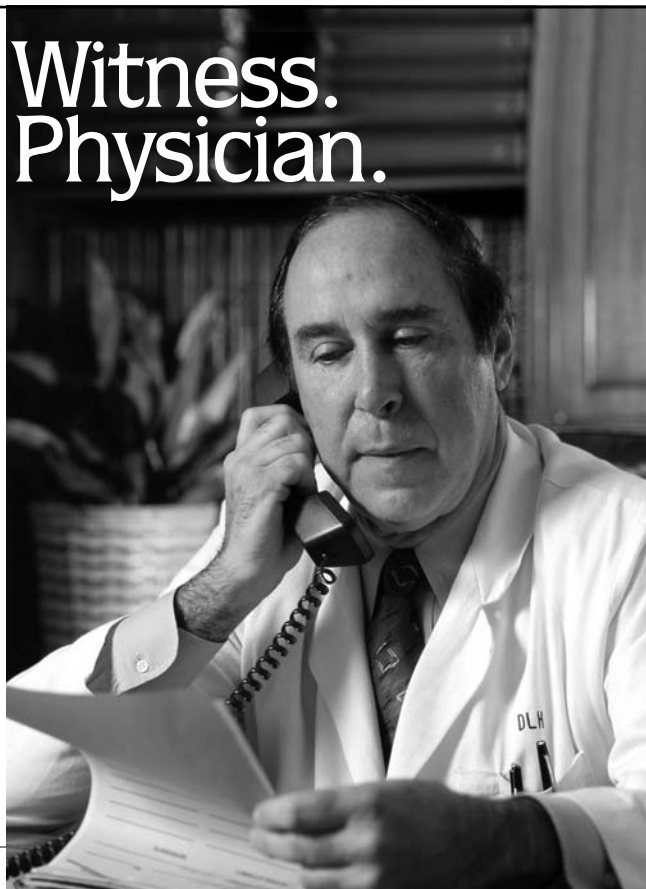
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# After the Storm:

## The Collaborative Effort Among LSBA, Gilsbar, CNA and New York Life

In the wake of Hurricane Katrina, many Louisiana State Bar Association (LSBA) members across south Louisiana have been temporarily or permanently displaced and all of our lives have been changed forever. It's easy to dwell on the disaster and the challenges that we will have to overcome, but let's take a few moments to reflect on the good and positive activities that resulted from Katrina. As always, we hope you enjoy and reap the benefits of being an LSBA member . . . but in the wake of Hurricane Katrina, we hope you value your membership more than ever.

### Valued Partners

The LSBA works hard to partner with companies that support our organization, our mission and our work. The LSBA has a long-standing relationship (more than 45 years) with Gilsbar, Inc. Gilsbar is the endorsed agent of insurance programs and services for LSBA members. The company partners with selected carriers to bring members quality personal and professional coverage. In the days and weeks after the storm, as you faced the loss of homes, vehicles and businesses, Gilsbar and its partner carriers were working behind the scenes to help relieve some of your stress.

Immediately following the storm, CNA and Gilsbar issued an automatic renewal of all qualified professional liability policies in order to extend continuous coverage to its members. This generous extension provided an opportunity for insureds to take care of their personal tragedy without the additional headache of worrying about renewing their professional liability insurance policies. CNA extended premium due dates for those insureds who needed it most.

CNA also made a \$10,000 contribution to the LSBA/Louisiana Bar Foundation Disaster Relief Fund. About \$5,000 of the donation was to provide business center assistance for displaced attorneys and the other portion provided grants for attorneys.

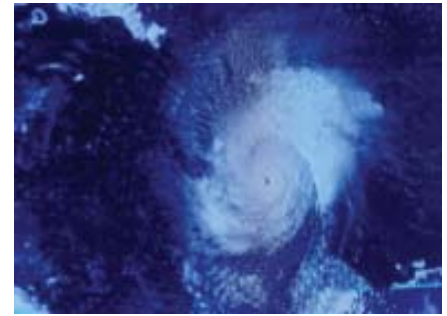
For members with an LSBA-sponsored medical, life, disability or business overhead expense insurance plan, New York Life Insurance Co. and Gilsbar extended grace periods for due dates by an additional 60 days. They also provided assurance to members that there would be no lapse in coverage for members and/or their families during this time.

### The Story Behind the Seminar

Since early summer, the LSBA and Gilsbar had been planning to host a fall CLE seminar. The seminar was interrupted by Katrina, but, through the collaboration of the LSBA, Gilsbar's Loss Prevention Counsel and CNA, the seminar, "*Rebuilding Your Practice After Disaster Strikes*," was born. With only weeks to reorganize, regroup and reschedule, the new, more pertinent seminar was developed and delivered.

The seminar brought together speakers from across the country who lived through their own disaster experiences, including an attorney from Texas who survived a killer tornado and Steven Krane, New York Bar president during 9/11. All speakers donated their time and, through their powerful testimonies and experiences, Louisiana attorneys received a glimpse of hope in the dark days following Katrina.

With more than 80 attorneys in attendance, the seminar was a success. The



same line-up of speakers presented similar seminars in New Orleans on Jan. 12 and in Lake Charles on Jan. 13.

### Benefits of LSBA-Sponsored Insurance Plans

The long-standing relationship between Gilsbar and the LSBA is proof of the quality of insurance services provided to LSBA members through the years. The LSBA insurance committee works closely with Gilsbar to develop plans that suit the needs of individual members while providing exclusive member benefits. Membership representation through insurance committees assures that the best interest of association members remains in the forefront of all decisions.

Advising the LSBA Legal Malpractice Insurance Committee on all areas relating to legal malpractice, Gilsbar funds and manages the Loss Prevention Program, including the LSBA Office of Loss Prevention. This program is available to assist LSBA members in the prevention of legal malpractice and the improvement of office practices and procedures.

### Our Commitment to the Future

We know the past few months have been taxing on your time, energy, family and practice. In the months and years to come, the LSBA, Gilsbar, CNA and New York Life are committed to the success of Louisiana and its legal profession. We look forward to continuing to provide outstanding member services and partnerships that will benefit you, your family and your business.