



By Michael A. Patterson

## The BP Oil Spill: Here We Go Again

A number of months ago, former Louisiana State Bar Association (LSBA) President Judge Beth Foote gave me some good advice. She told me that I would be smart to have some topics for my President's Messages ahead of time because it would be hard to meet the deadlines if I didn't have something in mind. I had intended my first message to be on one of those topics; however, as is so often the case, recent events have changed all that.

On Tuesday, April 20, I took a flight to Washington, D.C. to participate, along with LSBA President Kim Boyle and Access to Justice Director Monte Mollere, in the annual ABA Day program in support of Legal Service Corporations. Each state's leadership calls upon members of its congressional delegation to encourage the support of adequate funding for Legal Service Corporations.

As we were waiting in the reception area of our first appointment there on Wednesday morning, April 21, there was a television on a news network that was showing live shots of the Deepwater Horizon rig on fire. This was my first awareness that this had occurred. Throughout the day as we moved from office to office, I watched the disaster unfold. I learned that 11 men were killed in the initial explosion. I did not learn until my return to Louisiana that one of those killed was Gordon Jones, son of LSBA member Keith Jones and brother of LSBA member Chris Jones. The rig continued to burn and finally sank on April 22. Oil has been leaking from the wellhead since.

As I began to write this column, the spill was in day 68. Tropical Storm Alex was in the Gulf of Mexico. It eventually became a hurricane, one of the earliest in

a number of years. The experts say we will have an active storm season. It is not yet five years since Hurricane Katrina inflicted its damage on our state and now this oil spill threatens not only Louisiana but all of the Gulf Coast states. I wonder, "Are we ever going to get a break?"

I am struck by the similarity between the disasters of Katrina and this oil spill, both largely man-made.

In response to Katrina, under the leadership of LSBA President Frank Neuner, the Bar provided coordination and assistance to the public, desperate for help. The Bar also took a leading role in helping those members of our profession whose offices and files were destroyed along with their practices.

In preparing to write this column, I reread Frank's December 2005 message. He said some things which were true then which are equally true now. "Funding for Access to Justice initiatives and civil pro bono needs . . . continues to be a serious issue in our state."

For a number of years, the LSBA has successfully lobbied the Legislature to provide additional funding to our Louisiana-based Legal Service Corporations. Last year, funding to assist Legal Service Corporations was cut from the state budget. In this year of billion-dollar deficits, the LSBA was concerned that funding would not be forthcoming again. I am delighted to report that funding for Legal Service Corporations, though at a substantially reduced level, was included in the final budget signed by the Governor. The hard work of President Kim Boyle and our lobbyist, Larry Murray, was instrumental in this effort.

We got through Katrina because lawyers are problem solvers. Lawyers provided

untold hours of pro bono, served on various boards established to rebuild our state and provided other kinds of help to get our state moving again.

The magnitude of the current disaster is not yet known, but I am certain that, as in Katrina, lawyers will be leading the way to help our state and region recover, to help our citizens address their claims, and to help put our way of life back on the path to recovery.

This disaster, as tragic as it is, is also an opportunity for lawyers to demonstrate yet again that we as a profession are prepared to step up and get things done. We must be prepared to give our time and our talents to our citizens in a time of crisis in their lives.

But, as in Katrina, we must be aware that there are those that, in the wake of this disaster, will attempt to circumvent the Rules of Professional Conduct. I am proud to say that a resolution by the Board of Governors urging support for the Rules of Professional Conduct was submitted to the House of Delegates at its Annual Meeting in Destin, Fla., and passed unanimously.

I have been in frequent contact with Bar leadership in our neighboring states, sharing information and trying to coordinate efforts where we can on issues of mutual interest and concern. That effort will continue as long as necessary.

In short, lawyers will do what we always do — we will serve the public and the profession.