

**RESOLUTION PROPOSED BY THE
TRANSITIONING LAWYERS COMMITTEE
OF THE LOUISIANA STATE BAR ASSOCIATION**

WHEREAS, the LSBA Transitioning Lawyers Committee (“Committee”) is charged as part of its mission, “to develop programs to assist those transitioning out of the practice of law...”; and

WHEREAS, the Committee is comprised of LSBA members from all geographic areas of the state and practice groups;

WHEREAS, a subcommittee was appointed to study emeritus status;

WHEREAS, the Transitioning Lawyers Committee recommended adding emeritus status to the classifications of attorney membership status in Louisiana’s bar roll as set forth in the attached proposal labeled Exhibit “I”. Said resolution was approved by the LSBA House of Delegates on June 6, 2019;

WHEREAS, the Transitioning Lawyers Committee after review and in consultation with the Court, now recommends minor changes to its original emeritus status proposal as set forth in the attached revised proposal labeled “Exhibit II”. Changes address the following:

1. Reduce age to 50 as opposed to 55
2. Reduce years of practice to 10 years as opposed to 15 years
3. Change Access to Justice Committee to Access to Justice Program

WHEREAS, emeritus members will have to be addressed in the LSBA governing documents;

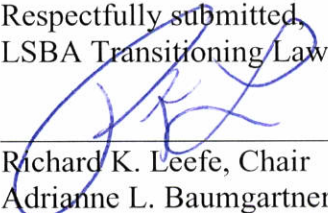
WHEREAS, the Transitioning Lawyers Committee recommends amendments to the LSBA governing documents as attached and labeled “Exhibit III”;

NOW THEREFORE BE IT RESOLVED THAT the LSBA House of Delegates approve the recommendations of the LSBA Transitioning Lawyers Committee as set forth above.

NOW THEREFORE BE IT RESOLVED THAT the LSBA House of Delegates approve amendments to the LSBA governing documents;

NOW THEREFORE BE IT FURTHER RESOLVED THAT the LSBA House of Delegates respectfully recommends approval of same by the Louisiana Supreme Court.

Respectfully submitted,
LSBA Transitioning Lawyers Committee



Richard K. Leefe, Chair
Adrianne L. Baumgartner
Thomas C. Cerullo
John H. Musser, IV
Michael A. Patterson
Freddie Pitcher, Jr.
Graham Harris Ryan
Joseph L. Shea, Jr.
Edward J. Walters, Jr.

Approved by House of Delegates
January 18, 2020
Ratified by Board of Governors
January 18, 2020

**RESOLUTION PROPOSED BY THE
TRANSITIONING LAWYERS COMMITTEE
OF THE LOUISIANA STATE BAR ASSOCIATION**

WHEREAS, the LSBA Transitioning Lawyers Committee ("Committee") is charged as part of its mission, "to develop programs to assist those transitioning out of the practice of law..."; and

WHEREAS, the Committee is comprised of LSBA members from all geographic areas of the state and practice groups;

WHEREAS, a subcommittee was appointed to study emeritus status;

WHEREAS, the subcommittee, after a thorough review recommends adding emeritus status to the classifications of attorney membership status in Louisiana's bar roll;

WHEREAS, the subcommittee's recommendations were approved by the LSBA Transitioning Lawyers Committee;

WHEREAS, the Transitioning Lawyers Committee recommends adding emeritus status to the classifications of attorney membership status in Louisiana's bar roll as set forth in the attached proposal labeled Exhibit "A";

WHEREAS, emeritus members will have to be addressed in the LSBA governing documents;

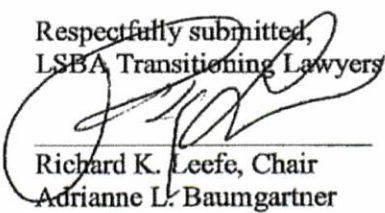
WHEREAS, the Transitioning Lawyers Committee recommends amendments to the LSBA governing documents as attached and labeled "Exhibit B";

NOW THEREFORE BE IT RESOLVED THAT the LSBA House of Delegates approve the recommendations of the LSBA Transitioning Lawyers Committee as set forth above.

NOW THEREFORE BE IT RESOLVED THAT the LSBA House of Delegates approve amendments to the LSBA governing documents;

NOW THEREFORE BE IT FURTHER RESOLVED THAT the LSBA House of Delegates respectfully recommends approval of same by the Louisiana Supreme Court.

Respectfully submitted,
LSBA Transitioning Lawyers Committee


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APPROVED BY HOUSE OF DELEGATES
JUNE 6, 2019
MIRAMAR BEACH, FL

APPROVED BY BOARD OF GOVERNORS
JUNE 7, 2019
MIRAMAR BEACH, FL

Exhibit “A”

Proposal for Sections 3 and 4 of Supreme Court Rule XVIII.

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Section 3. Application for Transfer to Inactive Status or Emeritus Status.

(A) Inactive Status. A lawyer in good standing who is not engaged in the active practice of law may advise the Louisiana State Bar Association in writing that the lawyer desires to assume inactive status and discontinue the practice of law. Upon the filing of the notice, the Louisiana State Bar Association shall inform the Court and the lawyer shall no longer be eligible to practice law. A lawyer who is on inactive status shall not be obligated to pay bar association dues or the annual fee imposed by Rule XIX upon active practitioners. A lawyer on inactive status shall be removed from the roll of those classified as active until and unless the lawyer requests and is granted reinstatement to the active rolls.

(B) Emeritus Status. A lawyer in good standing who no longer desires to engage in the full time active practice of law may apply to transfer to emeritus status if, at the time of application, the lawyer: (i) is otherwise eligible to actively practice law in Louisiana; (ii) is fifty-five years of age or older; and (iii) has actively practiced law in Louisiana for a minimum of fifteen years. A lawyer applying for such a transfer shall advise the Louisiana State Bar Association in writing that the lawyer desires to assume emeritus status and discontinue the active practice of law. Upon the filing of the notice, the Louisiana State Bar Association shall inform the Court and the lawyer shall no longer be eligible to practice law except to the extent that the lawyer may: (i) engage in the pro bono practice of law through a program established, sponsored, or recognized by the Louisiana State Bar Association’s Access to Justice Committee; (ii) participate in any mentoring program established by the Louisiana State Bar Association; (iii) engage in the uncompensated representation of immediate family members, as defined in La. R.S. 42:1102; (iv) serve

on committees of the Louisiana State Bar Association; and (v) serve on receivership team panels, as defined in Rule XIX, § 27. The duty to maintain a client trust account is not changed by transfer to emeritus status. A lawyer on emeritus status and who otherwise would be obligated to pay them shall pay fifty percent of the annual bar association dues imposed upon active practitioners and shall pay fifty percent of the annual disciplinary fee required of lawyers admitted to practice three years or more pursuant to Rule XIX, § 8. A lawyer on emeritus and not otherwise exempt shall comply with the continuing legal education requirements imposed by Rule XXX. A lawyer on emeritus status shall be removed from the roll of those classified as active until and unless the lawyer requests and is granted reinstatement to the active rolls.

Section 4. Reinstatement from Inactive Status or Emeritus Status.

(A) Inactive Status. Any lawyer on inactive status under Section 3(A) of this rule shall be reinstated if the lawyer makes application to the Louisiana State Bar Association within five years of the date of transfer to inactive status. Any lawyer who fails to make application for reinstatement within five years of the effective date of transfer to inactive status may, in the discretion of the court upon notice from the Louisiana State Bar Association, be required to petition for reinstatement under Rule XIX, § 24.

(B) Emeritus Status. Any lawyer on emeritus status under Section 3(B) of this rule shall be reinstated to active status if the lawyer makes application to the Louisiana State Bar Association and makes full payment of the annual bar association dues and the annual disciplinary fee required by Rule XIX, § 8. If at the time of application for reinstatement to active status, a lawyer on emeritus status has already submitted payment for the annual bar association dues and the annual disciplinary fee for that year, the lawyer shall make payment of the remainder due for that year before being granted reinstatement to active status.

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ARTICLES OF INCORPORATION OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE IV. MEMBERSHIP

Section 4. Emeritus Members

Members age 55 and older who have been engaged in the active practice of law in Louisiana for a minimum of fifteen (15) years may be enrolled as an Emeritus member upon written request to the Secretary, who then shall notify the Supreme Court accordingly.

Emeritus members shall not be eligible to practice law except to the extent that they may (i) engage in the pro bono practice of law through a program established, sponsored, or recognized by the Access to Justice Committee; (ii) participate in any mentoring program established by the Louisiana State Bar Association; (iii) engage in the uncompensated representation of immediate family members, as defined in La. R.S. 42:1102; (iv) serve on committees of the Louisiana State Bar Association; and (v) serve on receivership team panels, as defined in Rule XIX, § 27.

Emeritus members shall be entitled to exercise all other rights of membership, except the right to hold office.

Section ~~4~~5. Inactive Members

Any member in good standing may be enrolled as an inactive member upon his written request to the Secretary, who then shall notify the Supreme Court accordingly.

Section ~~5~~6. Authority to Practice Law Restricted

With the exception of Emeritus members as set forth in Section 4 of these Articles of Incorporation, ~~No~~ no person shall practice law in this State unless he/she is an active member, in good standing, of this Association.

BY-LAWS OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE I. REGISTRATION AND DUES

Section 1. Dues

The annual membership dues for active members who shall have been admitted to the practice of law in the State of Louisiana for more than three years shall be Two Hundred and No/100 Dollars (\$200.00), ~~and~~ for those active members who have been admitted for three years or less shall be Eighty and No/100 Dollars (\$80.00), and for Emeritus members, dues shall be fifty (50) percent of the dues rate charged to members admitted to practice law in the State of Louisiana for more than three years. Newly admitted members' annual dues of \$80.00 shall be paid at the time the oath is administered. There shall be no pro-ration of dues.

Proposal for Sections 3 and 4 of Supreme Court Rule XVIII.

* * *

Section 3. Application for Transfer to Inactive Status or Emeritus Status.

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(B) Emeritus Status. A lawyer in good standing who no longer desires to engage in the full time active practice of law may apply to transfer to emeritus status if, at the time of application, the lawyer: (i) is otherwise eligible to actively practice law in Louisiana; (ii) is fifty years of age or older; and (iii) has actively practiced law in Louisiana for a minimum of ten years. A lawyer applying for such a transfer shall advise the Louisiana State Bar Association in writing that the lawyer desires to assume emeritus status and discontinue the active practice of law. Upon the filing of the notice, the Louisiana State Bar Association shall inform the Court and the lawyer shall no longer be eligible to practice law except to the extent that the lawyer may: (i) engage in the pro bono practice of law through a program established, sponsored, or recognized by the Louisiana State Bar Association's Access to Justice Program; (ii) participate in any mentoring program established by the Louisiana State Bar Association; (iii) engage in the uncompensated representation of immediate family members, as defined in La. R.S. 42:1102; (iv) serve on committees of the Louisiana

ARTICLES OF INCORPORATION OF THE LOUISIANA STATE BAR ASSOCIATION

ARTICLE IV. MEMBERSHIP

Section 4. Emeritus Members

Members age 50 and older who have been engaged in the active practice of law in Louisiana for a minimum of ten (10) years may be enrolled as an Emeritus member upon written request to the Secretary, who then shall notify the Supreme Court accordingly.

Emeritus members shall not be eligible to practice law except to the extent that they may (i) engage in the pro bono practice of law through a program established, sponsored, or recognized by the Access to Justice Program; (ii) participate in any mentoring program established by the Louisiana State Bar Association; (iii) engage in the uncompensated representation of immediate family members, as defined in La. R.S. 42:1102; (iv) serve on committees of the Louisiana State Bar Association; and (v) serve on receivership team panels, as defined in Rule XIX, § 27.

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