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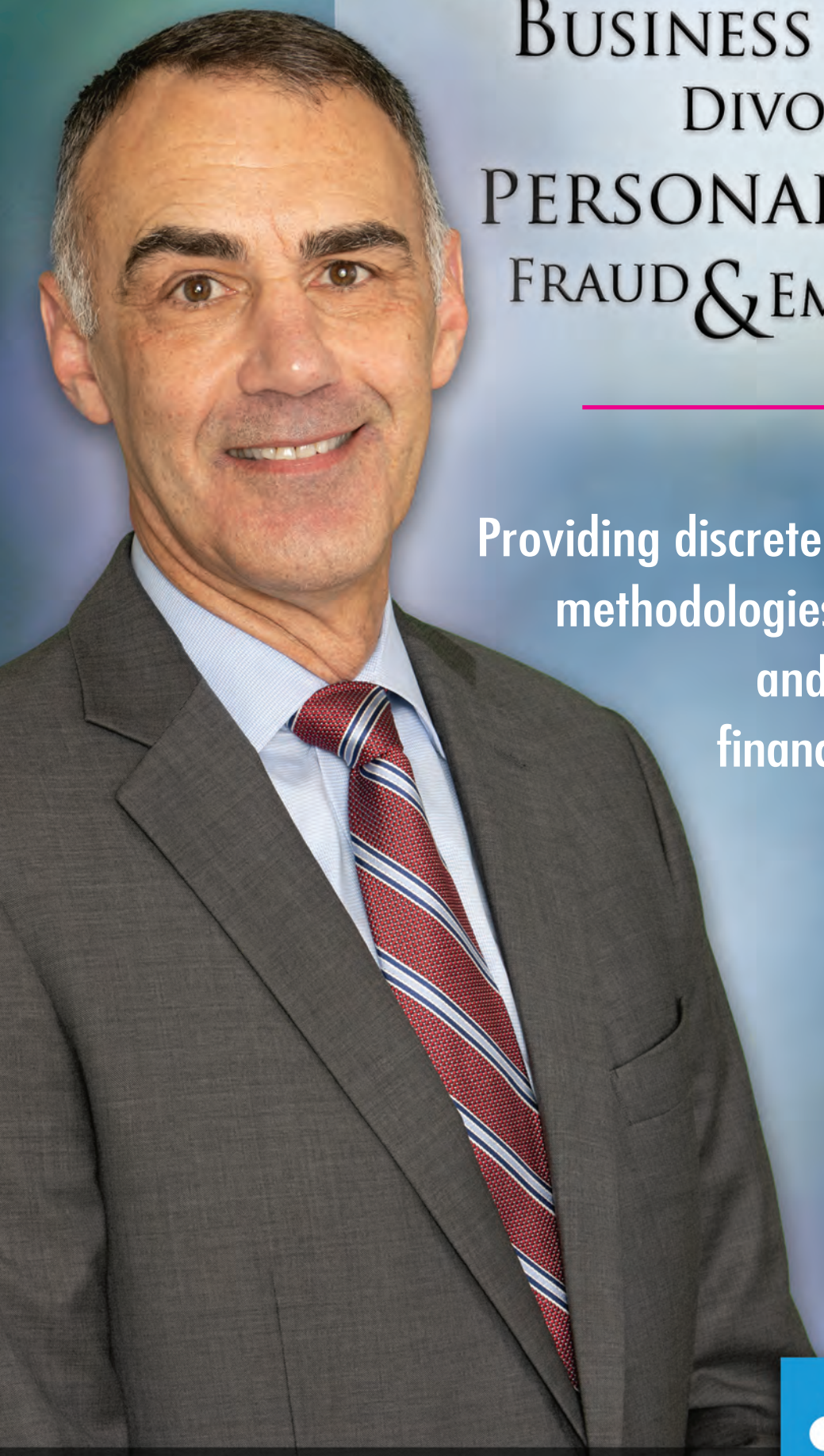

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LOUISIANA BAR JOURNAL

June / July 2023 Volume 71, Number 1

Departments

Editor's Message 6
Association Actions..... 34
Practice Makes Perfect..... 36
Practice Management..... 38
Lawyers Assistance 40
Focus on Professionalism 42
Focus on Diversity 44
Puzzle..... 46
Discipline Reports..... 48
Recent Developments 52
Young Lawyers 61
Judicial Notes 70
People 71
News..... 73
Classifieds 78
The Last Word 80

Also Inside

Letters Policy 6
2023 ADR Directory..... 7
New York Out-of-State CLE.... 23
SOLACE 46
2024 Expert Witness, Consultant and Legal Services Directory 77
Advertisers' Index 79

Features

President's Interview:
One on One with Shayna L. Sonnier, 83rd LSBA President
On Career, Family and Continuing the LSBA's Mission
Interviewed by Valerie T. Schexnayder... 8

Louisiana's *Pro Hac Vice* Admission Process:
What Makes This State (and the Practice of Law Within It) "Different" from the Rest
By Taylor E. Brett.....16

The Louisiana Crown Act:
What Is It and Who Does It Affect?
By Candace B. Ford and Kayla M. Jacob.....20

LASC Adopts Revision to Louisiana License Requirement Impacting Military Spouse Attorneys
By Alexis Polk Joachim.....24

Meet the 2023-24 LSBA Officers and Board of Governors 26

Meet the 2023-24 Young Lawyers Division Officers and Council 64

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New Beginnings

By Valerie T. Schexnayder

I am honored to serve the Louisiana State Bar Association (LSBA) as the editor of the *Louisiana Bar Journal* for a two-year term (2023-25). As I embark on this exciting journey, I would like to briefly introduce myself. I practiced law for more than 30 years with a medium-sized firm, a small firm and in-house with a corporation. Currently, I have a mediation practice in my own firm.

My service to the LSBA began in 1996 when I was elected as a member of the Young Lawyers Section Council (now named the Young Lawyers Division). During my term, we created the Young Lawyers Professional Development Seminar, which was a CLE conference focused on the needs of the young lawyer. I truly enjoyed meeting phenomenal attorneys from across the state, many of whom I would not have ordinarily met in my practice. Subsequently, I served in the LSBA House of Delegates for many years before serving a three-year term on the Board of Governors. Additionally, I served on the Bar Governance Committee, the CLE Program Committee, the Access to Justice Commission and the *Louisiana Bar Journal's* Editorial Board. This prior Bar service has prepared me to serve as the *Journal* editor.

I look forward to working with the LSBA's Communications Department staff, a dedicated and conscientious group of professionals who perform the hard work of producing this magazine.

In this issue, you will find an interview with newly installed LSBA President Shayna L. Sonnier. I look forward to working with her this year, and I wish her all the best in her tenure as president. You will also find profiles and photographs of all LSBA officers, members of the Board of Governors, and officers and members of the Young Lawyers Division Council, who are all beginning a new year of service with the LSBA.

Also in this issue are informative articles on the Louisiana Crown Act, signed into law on June 16, 2022; Louisiana's *Pro Hac Vice* rules; and the revision to the Louisiana license requirement impacting military spouse attorneys.

Let me conclude by encouraging everyone to get involved with the LSBA in some way. My service to the LSBA has allowed me to meet many committed and very nice attorneys.

Valerie T. Schexnayder

Letters to the Editor Policy

1. At the discretion of the Editorial Board (EB), letters to the editor are published in the *Louisiana Bar Journal*.

2. If there is any question about whether a particular letter to the editor should be published, the decision of the editor shall be final. If a letter questioning or criticizing Louisiana State Bar Association (LSBA) policies, rules or functions is received, the editor is encouraged to send a copy of that letter to the appropriate entity for reply within the production schedule of the *Louisiana Bar Journal*. If the editor deems it appropriate, replies may be printed with the original letter, or in a subsequent issue of the *Louisiana Bar Journal*.

3. Letters should be no longer than 200 words.

4. Letters should be typewritten, signed and, if applicable, include LSBA member number, address and phone number. Letters from non-members of the LSBA also will be considered for publication. Unsigned letters are not published.

5. Not more than three letters from any individual will be published within one year.

6. Letters also may be clarified or edited for grammar, punctuation and style by staff. In addition, the EB may edit letters based on space considerations and the number and nature of letters received on any single topic. Editors may limit the number of letters published on a single topic, choosing letters that provide differing perspectives. Authors, editorial staff or other LSBA representatives may respond to letters to clarify misinformation, provide related background or add another perspective.

7. Letters may pertain to recent articles, columns or other letters. Letters responding to a previously published letter should address the issues and not be a personal attack on the author.

8. No letter shall be published that contains defamatory or obscene material, violates the Rules of Professional Conduct or otherwise may subject the LSBA to civil or criminal liability.

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One on One with Shayna L. Sonnier, 83rd LSBA President:

On Career, Family and Continuing the LSBA's Mission

Interviewed by Valerie T. Schexnayder

Shayna L. Sonnier is an attorney in the Lake Charles firm of Veron Bice, LLC. She received a bachelor's degree in 2000 from the University of Louisiana-Lafayette and her law degree in 2003 from Dedman School of Law, Southern Methodist University. She was admitted to practice in Texas in 2003 and in Louisiana in 2005.

Sonnier served as 2022-23 president-elect and 2018-20 treasurer for the Louisiana State Bar Association (LSBA). She also served as the Fourth District representative on the LSBA's Board of Governors. She served as chair, immediate past chair, chair-elect, secretary and District 4 representative on the LSBA's Young Lawyers Division (YLD) Council. She also co-chaired the YLD's Wills for Heroes Committee.

She currently serves on the boards for the Louisiana Bar Foundation and the Louisiana Center for Law and Civic Education.

Sonnier has served as secretary, treasurer, president-elect, president and past president of the Southwest Louisiana Bar Association (SWLBA) and is a past president of the SWLBA's Young Lawyers Section.

In her community, she is a member of St. Luke Simpson United Methodist Church, where she serves as secretary on the Church Council.

(Left and inset) Shayna L. Sonnier, 83rd Louisiana State Bar Association President. *Photos by Chris Brennan Photo.*

Shayna L. Sonnier and Stephen I. Dwyer at the ABA conference in New Orleans during the reception hosted at the Supreme Court.

Alainna R. Mire, 2020-21 LSBA President; Franchesca L. Hamilton-Acker, Acadiana Legal Service Corp; Shayna L. Sonnier, 2023-24 LSBA President; Dona Kay Renegar, 2017-18 LSBA President; and Tricia R. Pierre, LSBA Director of Member Outreach and Diversity, at the LBF Gala.

Schexnayder: First, I want to congratulate you on being sworn in as the sixth female president of the Louisiana State Bar Association (LSBA).

Sonnier: Thank you. I'm very excited and I look forward to working with you as Secretary this year as well. This may be a historic moment. I think this is the first time that a female secretary is interviewing the female president. I think we're both going to have a good time.

Schexnayder: I know that you've spent your entire legal career in Lake Charles. Are you originally from Lake Charles?

Sonnier: I grew up about 30 minutes north of Lake Charles in Ragley, Louisiana, which was a farming community. It's grown a lot since I left it — I won't say how many years ago — but Lake Charles was where I went when I needed to go to town. If you had to go or do anything, we came to Lake Charles. So, I am from around this area, but I didn't grow up in Lake Charles, so to speak. But I definitely wanted to return here for family and, to me, it's just where I felt at home.

Schexnayder: Where did you go to college?

Sonnier: I went to the University of Louisiana at Lafayette (ULL). Actually, it was still called the University of Southwestern Louisiana when I began college. I was in the first graduating class of ULL in May 2000. It changed its name in January 2000. So, the majority of my college gear has a different college name than my diploma. After that, I went to Southern Methodist University in Dallas, Texas, for law school. I went straight to law school after college.

Schexnayder: After attending and graduating law school in Texas and learning "common law," was it difficult to take the Louisiana Bar exam and practice here?

Sonnier: I took the Texas Bar exam immediately upon graduation in Texas. When I came back here to Louisiana, I took the Louisiana Bar exam. At the time — this was before laptops were commonly used — the way the bar exams were administered was very different. That struck me off guard. It wasn't so much that the rules were different, but it was that things were called something different. It took me a hot minute to adjust to that.

Schexnayder: What led you to a career in law?

Sonnier: I grew up on a farm in Ragley that my grandfather purchased back in the 1940s. He ended up putting it into a corporation and adding his dad and his brother. My grandfather was the last of the three to pass away. When he passed away, some other family members wanted to exclude my grandmother and tried to take the whole corporation over and kick her out of her house. It was a very contentious thing. It went on for about 10 years. He passed away about three days after I turned 5 and I don't think they settled everything until I was 15. I spent a lot of my youth going into lawyers' offices and to CPA firms and hearing about all of it. It was a very emotional thing because they had been very close to their family when that happened. I just remember thinking, I don't ever want anyone to take advantage of my family like that again. And that's what made me get into law.

Schexnayder: That early experience left such a deep impression upon you that you entered the practice of law to help others so they wouldn't go through the same trauma that you went through.

Sonnier: Yes, that's it. It's sad. No one ever wants to need a lawyer, just like they don't ever want to need a doctor. But we all do at some point in our lives. Usually, it's not a pleasant experience when you need it because you need help. I wanted to be able to help people and, at the same time, be in a position to help my family should anything like that ever happen again.

Schexnayder: How would you describe your current area of practice?

Sonnier: I do a lot of estate planning and succession work. I also do some complex litigation, and oil and gas. It's a blend. I've done family law in the past, but I'm transitioning out of it to focus more on the other areas.

Schexnayder: That's wonderful. So, now you could help people like your grandmother.

Sonnier: Yes, I get a lot of satisfaction from the estate planning and succession work, especially for elderly people. They don't realize that they've been married for 50 years and just assume the spouse gets everything and they don't. They haven't done estate planning and then they're faced with shock and fear, with a lot of family dynamics involved. Because of what I've seen my family go through, I try to be very upfront with clients and offer my advice, "Look, I know y'all are really tight right now, but let's make sure we keep things on task and on target because, if you don't, you'd be amazed at what can tear families apart." When I meet with people doing estate planning, the goal is to make it as seamless and easy as possible on their children or their legatees when they're gone so there isn't a chance for all the animosity to build up.

Schexnayder: What do you enjoy the most about practicing law?

Sonnier: I enjoy being in a position to help people. I really, really do. I love meeting people. I'm very much a "people person." I've been very fortunate because my closest friends are other lawyers. I've met such a wonderful group of people in this profession that I can't imagine not having them in my life now. It's just been a well-rounded source of blessings.

Schexnayder: What advice would you give to a young lawyer?

Sonnier: I have so much to say that we may hit a two-hour answer to that question. I would say these are the top things. One, always be prepared. Do your research. Do your due diligence. Make sure that your clients can verify what they're telling you because sometimes they conveniently forget to tell you things that don't necessarily put them in the best light, which is a very natural thing. So, be prepared. Next, always be professional. Always treat people the way that you would want to be treated. You don't want to come out of the gate with an "off with their heads" mentality or just automatically go on the battlefield because that's not necessarily the way to get you where you need to be. Always maintain your professionalism because, in the communities where you work, you're going to work with those people and you're going to interact with them. It doesn't help your client to just burn bridges and be rude and difficult for the sake of being rude and difficult. I'm not saying there won't be times when you need to buck up and stand your ground, but you need to remember that it's not about you. You know you can do this job, you can do it well, and you can advocate for your client without being rude, abrasive and unprofessional. We have to get rid of the reason that people tell lawyer jokes. We just can't be that way.

Schexnayder: I know you have extensive involvement in local bar activities. What are some of your favorite programs in your local bar?

Sonnier: My local bar is the Southwest Louisiana Bar Association. One of my favorite programs is our Holiday Helping Hands Program, which is a young lawyers' program here. The legal community donates either money or gifts to the children. We reach out to all of the schools, the schools identify the children who they think could benefit from the program, and the children fill out wish lists. Attorneys or members of legal communities directly sponsor those kids, get their wish lists, and buy the gifts for them. Or they give money and we have designated shoppers that use those wish lists to buy gifts. The presents are delivered to the schools via the counselors. The gifts are not wrapped so the parents can choose how the gifts are given. I'm not as big of a player in that program anymore, obviously, as I am no longer a young lawyer. Some of my fondest memories, though, are of delivering gifts to the schools. You are rolling bikes in and the counselors are tearing up, telling you that these kids would have gotten nothing if our organization had not done this. The program has grown so much since I was a part of it. The young lawyers really elevated it to the forefront and have won awards for it. My other favorite thing is our Bench Bar Program. I know other local bar associations do Bench Bar Programs and I hope they have as great an experience as we do but that is a big part of our local bar. We have a great turnout. We usually have a panel of the 3rd Circuit judges and a panel of our local judges. It's a great place to network and remind everybody that we're on the same team, even if we're across the table from each other.

Schexnayder: Those are two awesome programs. For the children, I'm sure that the need is great, especially after the devastating storms in Lake Charles in the last few years.

Sonnier: The young lawyers and our legal community really stepped up because of COVID and then the hurricanes. 2020 was just a very difficult year. And yet, I think they were able to help all of the kids sent to them. They did a really good job.

Schexnayder: You have also served in many roles in the LSBA. Have the prior roles and positions you served in prepared you to become LSBA president?

Sonnier: Being treasurer, obviously, and serving on the Board of Governors

Lawrence J. Centola III and Shayna L. Sonnier at the LSBA Annual Meeting and Summer School in 2013.

Carrie LeBlanc Jones, Adam P. Johnson, Graham H. Ryan and Shayna L. Sonnier at the LSBA Annual Meeting and Summer School in 2022.

both give you different perspectives. Being treasurer, I think, was very helpful because you get to see the money. You get to keep track of the budget, you know how much it costs to help our members. You know the programming that we spend the most on or programming that needs more money. I've gotten to know the staff very well, too, which I think will be a huge help to me as president. We have such an incredible staff and they do so much. The bar staff goes above and beyond all of the time and works harder than anyone probably gives them credit for. I hope to be appropriately appreciative and grateful for that because I've seen it all these years and I'm going to see it even more in the next year. I just can't say enough nice things about them. Through my time with the bar, I've met so many people. That's how you and I met originally, by serving together on the Board of Governors. The relationships that we have already formed are going to make you and I so much more effective in working together. I've previously served with Larry Centola, too. He and I were young lawyer chairs back-to-back and it makes for such a nice group because of these past working relationships within the bar. It will make us more efficient and more effective because we already know we work well together and we're going to get to do it at a higher level.

Schexnayder: I agree with you wholeheartedly that the employees and staff members of the LSBA are absolutely phenomenal.

Sonnier: They're experts in their areas. They are helpful. They're phenomenal and are truly an asset to our members.

Schexnayder: Absolutely. You mentioned before that you were chair of the Young Lawyers Section. Tell us a little bit about your experience as chair.

Sonnier: I enjoyed it and had so much fun as chair. Here's my history of how I got involved with the Young Lawyers Section. I was president of my local Young Lawyers Section at the Southwest Louisiana Bar. Joel Lutz was our district rep on the LSBA Young Lawyers Council. Joel's wife's family was from Pennsylvania. They ended up moving to Pennsylvania to be closer to her family and for their children. Joel recommended me to be nominated to replace him for his term. That's how I ended up originally on the LSBA Young Lawyers Section Council. I served with Valerie Briggs Bargas and Karleen Green, who was actually the one who appointed me. My first full year of service was under Valerie, and then I ran for secretary and moved up in the leadership roles. Typically, the Young Lawyers Section secretary moves up as chair-elect and then as chair. When I was Young Lawyers Section chair, it was very busy. I know it's not going to be anything compared to what being LSBA president will be like, but it was very busy. I learned that, no matter how involved you are, you still don't know everything. I'm going into this knowing that I don't know everything. I'm going to have to constantly be learning and staying on top of stuff. I can't say enough nice things about our Young Lawyers Division, which changed from "Section" a few years ago and is a "Division" now. They work so hard, and they do a really good job and are always trying to improve and grow. I'm looking forward to working with Senae Hall (incoming Young Lawyers Division chair) in that aspect. Being a former YLD chair, we'll be able to boost each other up.

Schexnayder: What are your goals for the upcoming year?

Sonnier: I don't have any big, grandiose goals. But I do plan to continue the overall goals of the Bar Association. The Bar Association does so much for its members. Our whole entire focus is on our members. I know that you can't please everybody, but, really, that's our goal, to make sure that everyone is receiving as much benefit from the bar as they possibly can. My goal is to continue and improve on that, anywhere that

2016 SWLBA Officers: Shane Hinch, Hinch & Associates, PLC; Rebecca J. Hunter, The Johnson Law Firm; Shayna L. Sonnier; Todd S. Clemons, Todd Clemons & Associates; and Jay Bice, Veron Bice LLC.

Shayna L. Sonnier learning that she is the nominee to become the LSBA president-elect.

we can find improvements to be made and to make member awareness better. I know that's the goal of every single president who has come before me. But this office is so much bigger than the one person holding it for a year. The goal is always to build on and continue to improve what was done before. So, to the groundwork and framework that Steve (Dwyer) laid this year, I will build on and add to and help keep moving the ball forward and moving it higher. Those who come after me will continue to do the same thing. Access to justice is always going to be a focus. Our membership is always going to be my number one focus. Just saying "whatever else comes along," honestly, I'm a little hesitant given the last several years of uncertainty. I don't want to make any huge plans because I don't want to jinx myself, but I know that my goals are just to provide as much service and benefit to our members as we possibly can, make things as easy on them as we can, and then to keep access to justice moving forward because that's everyone's goal… to help.

Schexnayder: What is the theme for this year's Annual Meeting and Summer School?

Sonnier: I don't have a theme, but the Summer School has a theme. It's "Variations on a Theme: Rhythms of the Law." The Summer School organizers do such a great job. That group of people, Judge Fredericka Wicker, Bob Kutcher, Minor Pipes and all the committee members, have done such an incredible job. They're going to put on this great programming and I'm going to get the thanks for that. But the thanks belong to them. They create all these catchy titles for all the CLES. They put so much into it, and they do it all year long. I was meeting with them at the last Annual Meeting about this Annual Meeting. I was like, "oh my gosh, we're already starting on the next one and we haven't finished this one." They're always working, and they are the unsung heroes. I give all the props to them and to the staff for coming up with all of the design and the logos. It's truly a team effort.

Schexnayder: What are you looking forward to most in the upcoming year?

Sonnier: I'm really looking forward to meeting more people. I know that might sound a little cheesy, but I do love to meet people. I'm going to travel the state and attend all the different openings of court that I can make. I know there may be some conflicts at times because of the calendar but I'm going to do my best, meeting everyone and making that actual personal connection and interaction. And that's what I'm looking forward to the most, getting to work with other people and see where we can improve and get the feedback. I'm all about constructive feedback and doing what we can with it.

Schexnayder: Earlier in the interview, you mentioned your grandparents. Tell us something about your other family members.

Sonnier: My family is amazing. I'm very close to them and they are an amazing support group for me. I'm very blessed. It's all about love and support. They are going to be at the installation supporting me because that is what they do. They were all there when I was sworn in as treasurer and, as an adult, you realize not everyone has that core surrounding of safety and security and support. I can't say enough nice things about my family. I just love them with all of my heart.

Schexnayder: That's wonderful to hear. What are your passions and your hobbies? What do you do in your spare time?

Sonnier: I don't feel like I have a lot of spare time. But I do love to travel and I love to read. I love to spend time with my family and friends. Also, I'm not above binge watching shows on a streaming service. Sometimes I just need the mental break of vegging on my couch. In my spare time, I like to be very laid back and relaxed when I can, considering my job can be stressful at times.

Shayna L. Sonnier, Robert A. Kutcher, Barry H. Grodsky, Alainna R. Mire, Stephen I. Dwyer, H. Minor Pipes III, Joseph L. (Larry) Shea, Jr. nd S. Guy deLaup at the LSBA Annual Meeting and Summer School in 2022.

Schexnayder: Where's your favorite place that you've traveled?

Sonnier: Every time I go somewhere, I say, "This is my favorite place." I'm serious. I would definitely go back to some of the same places I've been to before. I know a lot of people don't want to do that necessarily. I'm down for whenever I can go overseas. I've been to Ireland, Paris, Italy, Germany and Austria. I love every single one of them and thought, while I was in this place, I could totally live here. I would do those trips all over again. I also love to go to places that have tons of history. I'm very fascinated with that. Basically, I just love going to new places and experiencing new things.

Schexnayder: What place is your bucket-list trip?

Sonnier: Santorini, Greece.

Schexnayder: That's on my bucket list, too! Are you planning a trip to Santorini?

Sonnier: Well, you think I would have been there already, right? But I haven't. So, that's a goal. I don't really know why either. I have no real basis for that other than it looks pretty and I want to go. Of course, I would make a pit stop in Athens because of the history there . . . yes, I need to go visit it.

Schexnayder: You mentioned watching streaming services on the weekend and being a binge watcher. Tell us more about that.

Sonnier: Yes, I prefer to watch shows on the streaming channels so I don't have to wait forever to see how it turns out. I am someone who likes to know what is going to happen next. I also like background noise. A lot of times I'll turn on a streaming service for stuff I've already seen while I'm doing other stuff. Fun fact, "The Office" was the program I binged during COVID. It was my first COVID binge when the shutdown first happened. I had never watched it before. I went on a trip right before COVID and my friends were all quoting the program. I didn't understand anything, so I watched it and now I understand.

Schexnayder: During the COVID shutdown, many people learned a new skill or started a new hobby. Did you learn a new skill, start a new hobby, or do anything different during COVID that you've maintained?

Sonnier: I read a lot. I guess you could say I had more time to enjoy my favorite hobby.

Schexnayder: That's the end of this interview. Thanks for your time and we hope you have an awesome year as LSBA President.

Valerie T. Schexnayder is a mediator and arbitrator with Schexnayder Mediation Services, LLC, in Baton Rouge. She is beginning a two-year term as secretary of the Louisiana State Bar Association (LSBA) and as editor-in-chief of the Louisiana Bar Journal. *She has practiced for more than 30 years with a large firm, a small firm and an international corporation and served as a LSBA Distinguished Access to Justice Pro Bono Fellow. She received a BBA degree in 1986 from Loyola University and her JD degree,* cum laude, *in 1989 from Tulane University Law School. (valschex@gmail.com; Ste. G, 17732 Highland Road, Baton Rouge, LA 70810)*

LIGHTNING ROUND

The rapid-fire, lightning round: Quick - which do you prefer?

Schexnayder: Client meetings: Zoom or in-person?
Sonnier: In person. I just enjoy the in-person more, but I will do Zoom. Zoom has become much more of a prominent feature in what we do and that has given me some reassurance about the traveling that's going to be involved next year. But, being able to communicate face-to-face is necessary. If a client really needs to talk to me and look me in the face, I could do Zoom and still be there for them, but my first choice will always be in-person.

Schexnayder: Court filings: In-person or e-file?
Sonnier: We still do a lot of in-person filing here in the 14th JDC. I'm going to say I think e-filing is massively important because it's much more convenient for many people. I like to visit with everybody so I don't mind in-person as much.

Schexnayder: Court status conferences: In-person or Zoom?
Sonnier: Depends. I would say in-person, but I do like the option of doing Zoom if it's out of town, especially if you know it's going to be a 10-minute or 15-minute session just to get a trial date. Our family court judges here have turned to doing a lot of their pretrial conferences via Zoom. And that has made it, in my opinion, much more time-efficient because you're not leaving your office for an hour for something that should take 15 minutes. So, final answer, it's a mix. I'm equal on both.

Schexnayder: Laptop or desktop?
Sonnier: Both. I have a desktop for the office, but then I have my surface for travel.

Schexnayder: Coffee or tea?
Sonnier: Coffee. But I am drinking tea now, too. I used to not like it. I don't drink iced. But I like the bagged teas. I'm trying to warm up to that but definitely coffee.

Schexnayder: Coke or Pepsi?
Sonnier: Coke. All day over Pepsi.

Schexnayder: Hamburger or hotdog?
Sonnier: Hamburger.

Schexnayder: Potato chips or tortilla chips?
Sonnier: I'm going to go with tortilla chips because that usually means there's queso or some kind of guacamole. I'm all about that life.

Schexnayder: Magazines or books?
Sonnier: Books.

Schexnayder: HGTV or the History Channel?
Sonnier: Generally, History Channel, but I do watch HGTV, too. It depends on my mood.

Schexnayder: In movies: Comedies or drama?
Sonnier: I'm going to say comedies. I don't like movies that make you cry. I will not go to a movie if there's an animal that's the center of the movie.

Schexnayder: Paper or plastic?
Sonnier: Paper.

Schexnayder: Beach or mountains?
Sonnier: Beach. But, to be fair, I've never really experienced the mountains.
Schexnayder: Maybe you should put that on your bucket list.
Sonnier: I should! But the beach all way.

Louisiana's *Pro Hac Vice* Admission Process:

What Makes This State (and the Practice of Law Within It) "Different" from the Rest

By Taylor E. Brett

Anyone who has ever visited Louisiana learns quickly that this state does things "differently," so to speak. That includes the practice of law. The primary difference is that Louisiana's legal system is rooted in civil law, unlike the common law-based systems in place in all of the other states.[1] That is presumably among the reasons why Louisiana requires everyone seeking full-time admission to practice law within its borders to sit for and pass the Louisiana Bar Exam. In fact, Louisiana does not provide for "reciprocity" with any other state (*i.e.,* allowing attorneys admitted to practice in other states to gain full-time admission in Louisiana without taking the bar exam) — despite the fact that several states reciprocate with Louisiana.[2] After all, Louisiana's civil law system is just one of the many things that makes the state so "different."

It is no surprise then that Louisiana's rules for *pro hac vice* admission to practice in its state court system are also "different" from the rules in most states. *Pro hac vice* (Latin "for this occasion only") admission is a concept that allows a lawyer who is not admitted in a certain jurisdiction to participate in a particular case in that jurisdiction. Typically, this requires the out-of-state lawyer to associate with a lawyer who is admitted in the state who then files a motion to admit the out-of-state lawyer as counsel in the case on a *pro hac vice* basis. Depending on the jurisdiction, out-of-state lawyers may need to provide documentation showing they are in good standing with their state's bar association and that no disciplinary proceedings or criminal charges have been instituted against them.

Naturally, Louisiana requires more for *pro hac vice* admission.

In 2004, the Louisiana Supreme Court adopted Supreme Court Rule XVII § 13, which sets forth the requirements for *pro hac vice* admission in Louisiana's state courts.[3] The Rule requires the out-of-state attorney to first file an "Application for *Pro Hac Vice* Admission" with the Louisiana Attorney Disciplinary Board, verified by both the out-of-state attorney and in-state attorney with whom he or she intends to associate, along with a $450 application fee (which is specifically distinct from any court filing fees for the subsequent motion). The application must include all of the information set forth in Appendix C to Rule XVII § 13.[4]

Once the application and fee are submitted, the Disciplinary Board then forwards the application to the Disciplinary Counsel, who approves or disapproves it.[5] Following receipt of a letter from the Disciplinary Counsel, the in-state attorney files an *ex parte* motion in the court where the case is pending, requesting admission of the out-of-state attorney on a *pro hac vice* basis. The letter from the Disciplinary Counsel must be attached to the motion.[6] Of note, Rule XVII § 13 prohibits the court from even considering any motion for *pro hac vice* admission that is filed within 30 days of the scheduled trial date, absent extraordinary circumstances, which must be fully explained in the motion itself.[7]

The Rule further requires the motion and letter to be served on all parties who have appeared in the matter, and the mover must establish proof of service.[8] If the Disciplinary Counsel disapproved the application, the motion is also required to be served on the Disciplinary Counsel.[9] Within 20 days of service of the motion, the Disciplinary Counsel or any party to the proceeding can file an objection requesting denial or modification of the motion, which must be accompanied by a verified affidavit that describes information establishing a factual basis for the objection.[10]

Although Rule XVII § 13 states that a motion seeking *pro hac vice* admission "ordinarily should be granted," it carves out several exceptions to this standard, including where "the applicant has engaged in frequent appearances as to constitute regular practice in this state."[11] The rationale for this exception is simple: Louisiana does not want out-of-state lawyers sidestepping the requirements for full-time admission by repeatedly appearing as counsel in a *pro hac vice* capacity.

The precise threshold for "frequent appearances" constituting "regular practice" in Louisiana is unsettled, as Rule XVII § 13 is silent on the number of *pro hac vice* appearances that can be made by an out-of-state lawyer.[12] Consequently, "the determination of whether an out-of-state attorney has engaged in 'frequent appearances' in Louisiana must be made on a case-by-case basis after considering the totality of the circumstances."[13] A pre-Rule XVII § 13 Louisiana Supreme Court opinion suggested that an out-of-state lawyer's enrollment in eight cases in a *pro hac vice* capacity "could rise to the level of unauthorized practice of law."[14] But, the attorney in that case had purchased a home in Louisiana, obtained a Louisiana driver's license and registered to vote in Louisiana. Therefore, he was not "temporarily present" for the purpose of *pro hac vice* admission.

Since Rule XVII § 13 went into effect in 2004, there has only been one reported case in which an out-of-state attorney was denied *pro hac vice* admission due to too many "frequent appearances" — namely, 24 cases for the same client within a two-year period.[15] Aside from that case, Louisiana courts have not offered further guidance on the issue.

All that said, where might this topic most commonly come into play? Attorneys who represent large companies often report directly to other lawyers as their client contact. Those lawyers are typically in-house counsel at the company, or they are the company's "national" outside counsel, who themselves report directly to the company. Regardless of the client paradigm, it is important for Louisiana lawyers to help their out-of-state clients (including the other lawyers to whom they report) un-

derstand all of the dynamics that could impact staffing cases. That includes the in-state lawyer having a working knowledge of Louisiana's *pro hac vice* admissions process.

Conclusion

The bottom line is that, when working with out-of-state lawyers on a case pending in one of Louisiana's state courts, Louisiana lawyers should apprise them of the state's rules governing *pro hac vice* admission and get the ball rolling on that process as early as possible if the out-of-state lawyer wishes to act as counsel in the case. If there are multiple cases in which an out-of-state lawyer intends to seek *pro hac vice* admission, the Louisiana lawyer should warn the out-of-state lawyer of the possibility that the court or courts where those cases are pending could deny *pro hac vice* admission based on the out-of-state lawyer's "frequent appearances." If that presents a problem, the out-of-state lawyer always has the option to sit for the Louisiana Bar Exam and gain full-time admission. In any event, it is abundantly clear that Louisiana's *pro hac vice* admission process is just another example of what makes this state (and the practice of law within it) "different" from the rest.

FOOTNOTES

1. *See, e.g.*, Matney v. Blue Ribbon, 12 So.2d 249, 253 (La. Ct. App. 2 Cir. 1942) ("Louisiana operates under the civil law while other states are under the common law . . . .").

2. *See,* La. Sup. Ct. R. XIV § 11 ("No person shall be admitted to the Bar of this state based solely upon the fact that such a person is admitted to the Bar of another state or because the laws of another state would grant admission to a member of the Bar of this state."); *see also,* 21 Frank L. Maraist, et al., La. Civ. L. Treatise, Louisiana Lawyering § 2.2 (July 2022 Update) ("Fourteen states and the District of Columbia extend bar admission reciprocity to Louisiana attorneys; these jurisdictions include the District of Columbia, Illinois, Indiana, Iowa, Massachusetts, Michigan, Minnesota, Nebraska, North Dakota, Ohio, Tennessee, Texas, Vermont, Washington, and Wisconsin.").

3. *See generally,* La. Sup. Ct. R. XVII § 13.

4. *See,* La. Sup. Ct. R. XVII § 13(A)(3)(i), (4)(i), Appendix C.

5. *Id.*

6. La. Sup. Ct. R. XVII § 13(A)(3)(ii).

7. *Id.*

8. *Id.*

9. *Id.*

10. *See,* La. Sup. Ct. R. XVII § 13(A)(3)(iii). The Disciplinary Counsel or other objecting party may also request a hearing on the matter, and if the motion has already been granted, any party may move that the *pro hac vice* admission be withdrawn. *Id.*

11. *See,* La. Sup. Ct. R. XVII § 13(A)(iv)(d). The Rule further provides that an admission to appear as counsel *pro hac vice* in a suit may be revoked for any of the reasons listed in subpart (A)(3)(iv) or for any other reason the court, in its discretion, deems appropriate. La. Sup. Ct. R. XVII § 13(A)(v).

12. Finova Capital Corp. v. Short's Pharmacy, Inc., 05-0666, p. 2 (La. 4/12/05), 898 So.2d 1275, 1276.

13. *Id.*

14. *See,* In re Singer, 01-2776, p. 3 (La. 6/12/02), 819 So.2d 1017, 1019.

15. *See,* Finova Capital Corp., 898 So.2d at 1276-77 (reversing order granting out-of-state lawyer's *pro hac vice* admission on grounds that the lawyer, who had sought and obtained *pro hac vice* admission in connection with litigation involving his client on 24 occasions between December 2002 and December 2004, and finding that the lawyer's "numerous appearances in Louisiana over the last two years are indicative of a continuing practice in this state which has gone well beyond an occasional admission.").

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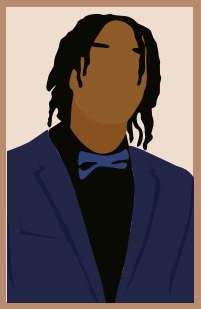
The Louisiana Crown Act:

What Is It and Who Does It Affect?

By Candace B. Ford
and Kayla M. Jacob



The Louisiana Crown Act (the Act) was signed into law on June 16, 2022, and prohibits race-based hair discrimination. Effective Aug. 1, 2022, the Act protects a person from being denied employment, education, public accommodations and housing opportunities because of his/her hair texture and natural, protective or cultural hairstyle.

The Louisiana Employment Discrimination Law has been amended to include the Act. Specifically, pursuant to La. R.S. 23:332, it shall also be unlawful discrimination in employment for an employer, an employment agency, a joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, and an insurer, with respect to its insurance agent, to intentionally discriminate against any individual because of the individual's "natural, protective, or cultural hairstyle." La. R.S. 23:332(A)-(F), (H). "Natural, protective, or cultural hairstyle" shall include, but is not limited to, afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls and hair styled to protect hair texture or for cultural significance. La. R.S. 23:332(I).

Additionally, the Louisiana Commission on Human Rights law has been amended with the passage of the Act. Pursuant to La. R.S. 51:2232, "discriminatory practice in connection with public accommodations" now also includes "any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference in the treatment of a person or persons because of" that person(s) natural, protective or cultural hairstyle. La. R.S. 51:2232(5). The ability of parishes and municipalities to adopt and enforce ordinances, orders and resolutions prohibiting discrimination, and penalties for violations thereof, has also been extended to include natural, protective or cultural hairstyles. La. R.S. 51:2236(A).

Under the Louisiana Equal Housing Opportunity Act, it is now unlawful to discriminate against any person in the sale or rental of housing based on that person's natural hairstyles. La. R.S. 51:2606(A)(1)-(5). It is also unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against or to deny any person access to or membership or participation in the provision of brokerage services based on that person's natural, protective or cultural hairstyle. La. R.S. 51:2607, 2608.

Educational institutions are also prohibited from discriminating against students based on their hairstyles. Pursuant to La. R.S. 17:111, no person shall be refused admission into or be excluded from any public school in the state of Louisiana on account of that person's natural, protective or cultural hairstyle. La. R.S. 17:111(A).

Gov. John Bel Edwards commented on June 21, 2022, "Hair discrimination is racial discrimination, and discrimination is not a Louisiana value." Traditionally, black people of all nationalities have felt the need to hide their natural, protective and cultural hair out of fear that their hair would be considered unprofessional, unkept or untamed. The passage of the Act is designed to prevent these occurrences and insecurities and to restore pride in natural and protective styles. However, with this concept comes doubts, uncertainties and confusion on the part of the target audiences listed in the laws above.

One perspective is that businesses, schools, employers and people must be careful when micromanaging hairstyles. Historically, protective styles have been associated with race or national origin. However, natural, protective or cultural hairstyles are often culturally appropriated and, when worn by other races, are not actually "protective styles." But how can businesses, schools, employers and people prevent non-blacks from wearing the same hairstyles without subjecting themselves to liability? Is a culturally appropriated hairstyle still cultural and, therefore, protected — *e.g.*, "Kim Kardashian" braids, culturally known as Fulani braids? Although the Act aims to

protect black people of all nationalities from hair discrimination, it will likely be widely applied under the provision of the law that protects any culturally significant hairstyle. Also, businesses, schools, employers and people must be careful of other Title VII claims that could be triggered — *e.g.*, dreadlocks can be a protective style, cultural style or worn for religious purposes. Moreover, although there is a clear definition for what is considered a "natural, protective or cultural hairstyle," which includes afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls and hair styled to protect hair texture or for cultural significance, there are many other hairstyles that can fall under the ambit of the Act.

Inevitably, businesses, schools, employers and people who fall under the Act will need to revamp existing grooming and dress code policies in effect to comply with the Act. Policy language must be tailored to the specific needs of the entity without adversely impacting a specific group of people. For example, enforcing a policy that requires "neat, smooth or straight hair" and prohibits "frizzy, course or kinky" hair could be facially discriminatory against some natural hair textures. Similarly, enforcing policies on hair color in a way that disparately impacts a certain race may also be risky. Moreover, updating handbooks alone may be insufficient without also implementing tailored cultural sensitivity training to educate supervisors, managers and employees on how to address hairstyles in their respective environments.

Has Louisiana opened the flood gates to claims now available for hair discrimination? It's too soon to tell. Yet despite the unknowns, the Act is certainly a step in the right direction. Similar laws have already been passed by 17 other states (California, Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Nebraska, Nevada, New Jersey, New Mexico, New York, Oregon, Tennessee, Virginia and Washington).

The federal version of the law, named "The Creating a Respectful and Open World for Natural Hair Act of 2022" (the CROWN Act of 2022), was introduced in March 2021 and will also prohibit race-based hair discrimination on a federal level. The CROWN Act of 2022 protects people from being denied employment and educational opportunities, from discrimination under any program or activity receiving federal financial assistance, from discriminatory housing practices, and from otherwise being subjected to a practice prohibited under the Civil Rights Act of 1964 because of their hair texture and natural, protective or cultural hairstyle. On March 18, 2022, the U.S. House of Representatives passed the CROWN Act of 2022 by a 235-189 vote. The bill was referred in the U.S. Senate on March 21, 2022, but failed to pass by unanimous consent in December 2022.

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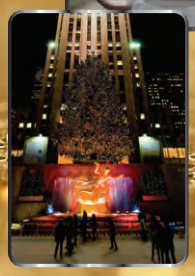

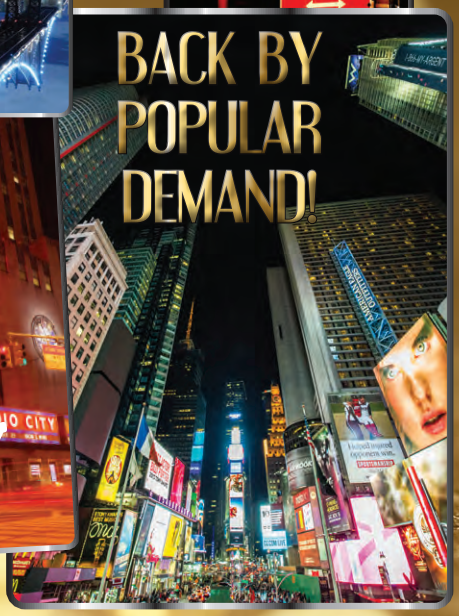

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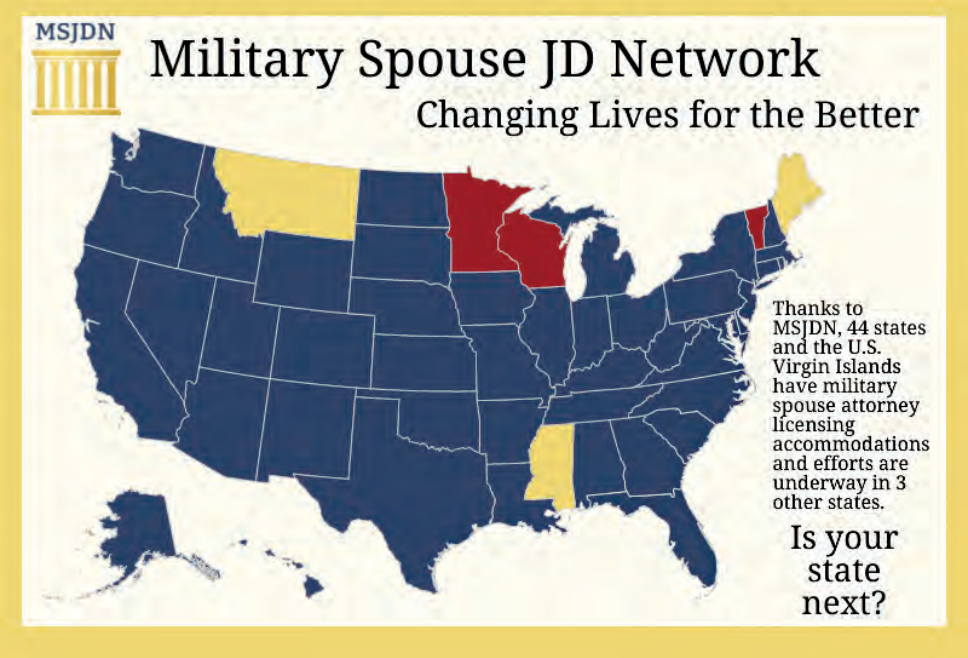
LASC Adopts Revision to Louisiana License Requirement Impacting Military Spouse Attorneys

By Alexis Polk Joachim

The challenges faced by a military spouse are plentiful — planning for deployment, planning for a relocation every two to four years, coordinating new housing and new schools, and so much more. Adding to these tasks a career, let alone a legal career, is almost impossible. A military spouse attempting to build a legal career is in a unique position, as he or she straddles the line between the military and civilian life. One of the more daunting tasks is the frequent geographical moves coupled with the obstacle of determining the legal licensing requirements for each new state. A spouse may face multiple state bar exams to allow him or her to continue practicing law during the spouse's military career. The time and money invested to ensure a continuous legal career can be cumbersome and onerous.



As the wife of a former Marine, I know firsthand the challenges a military spouse faces. I was faced with these exact issues when I married my Marine husband and learned that his duty station was transferring from Louisiana to Virginia/Washington D.C. My first thought was, do I have to take another bar exam (or maybe two) to maintain my livelihood as an attorney in another state? The thought of studying for another bar exam and taking the test to be licensed in another state when we may or may not stay there was intimidating and overwhelming. Fortunately for me, the Washington, DC Bar allowed attorneys to waive into the bar after practicing for five years. I also was fortunate that my husband was able to renew his orders in Virginia/Washington, DC before we were able to move back to Louisiana, thereby limiting the number of relocations and bars I needed to ensure I could continue practicing law. Other military spouses, however, are not so lucky. These spouses are faced with that same question: Do I take another state's bar exam, knowing that my time there is limited but still wanting to contribute and maintain a continuous legal professional career?

To address this issue, the Military Spouse JD Network was born. The network advocates for licensing accommodations for military spouses, including bar membership without additional examination. With the group's support, the American Bar Association approved a resolution urging states to adopt rules, regulations and procedures that accommodate the unique needs of military spouse attorneys who move frequently in support of the nation's defense. In addition, the Conference of Chief Justices approved a resolution urging bar admission authorities to participate in the development and implementation of rules permitting admission without examination for qualified attorneys who are dependents of service members. As a result of such a push, 43 states and one U.S. territory have passed favorable accommodations for military spouse attorneys.

When I proposed a similar rule for Louisiana to then-Louisiana State Bar Association President H. Minor Pipes III, he did not hesitate to support military spouses and immediately endorsed a similar rule in Louisiana. Louisiana Supreme Court Chief Justice John L. Weimer and the associate justices understood that the Court was in a unique position to send a powerful message of support to the Louisiana military community with the enactment of a rule to support military spouse attorney licensing accommodations.

In light of these efforts, the Louisiana Supreme Court adopted a new rule, effective Sept. 23, 2022, which allows military spouse attorneys who reside with their service members in the state to apply for a limited license to practice law. The rule change order stipulates that, due to the need for the frequent relocation of active-duty service members of the United States Uniformed Services, as defined by the United States Department of Defense, attorneys who are the spouses of these members, stationed within Louisiana, may obtain a limited license to practice law without examination according to the terms of Louisiana Supreme Court Rule XVII, Section 15. Specifically, the rule allows for military spouse attorneys to practice in Louisiana for the duration of their spouse's orders under the mentorship of another Louisiana attorney, similar to *pro hac vice* status.

Chief Justice Weimer stated, "I commend the work of the Louisiana State Bar and staff of the Supreme Court who collaborated on this rule change, which allows attorney spouses of active-duty military members who reside with their spouses in Louisiana the opportunity to practice law in our state in accordance with the guidelines set forth in the rule. The Justices of the Louisiana Supreme Court and I appreciate the sacrifices of our men and women in uniform, and their families, and are glad to join other states that have passed similar rules."

The new rule not only enables a military spouse to practice law in Louisiana but also empowers other Louisiana attorneys to assist and help the military community through meaningful work by mentoring a military spouse attorney. In addition, law firms and state agencies now gain the ability to hire a military spouse attorney, allowing the firm and agency to reap the benefits of a larger candidacy pool. With the rule change, Louisiana became the 44th state to accommodate licensing requirements for military spouses. In the end, the rule change will have a life-changing impact on military spouse attorneys relocating to Louisiana.

Alexis Polk Joachim is a partner in the New Orleans firm of Pipes Miles Beckman, LLC. She received a BA degree, magna cum laude, *in mass communications in 2004 from Louisiana State University and her JD degree in 2007 from Loyola University New Orleans College of Law. She is the Louisiana director of the Military Spouse JD Network. She was a member of the 2021-22 Leadership LSBA Class and is an attorney member of the Louisiana Attorney Disciplinary Board. (ajoachim@pipesmiles.com; Ste. 1800, 1100 Poydras St., New Orleans, LA 70163)*

2023-2024 Louisiana State Bar Association Officers and Board of Governors

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Shayna L. Sonnier
President

Shayna L. Sonnier

Shayna L. Sonnier is an attorney in the Lake Charles firm of Veron Bice, LLC. She received a bachelor's degree in 2000 from the University of Louisiana-Lafayette and her law degree in 2003 from Dedman School of Law, Southern Methodist University. She was admitted to practice in Texas in 2003 and in Louisiana in 2005.

Sonnier served as 2022-23 president-elect and 2018-20 treasurer for the Louisiana State Bar Association (LSBA). She also served as the Fourth District representative on the LSBA's Board of Governors. She served as chair, immediate past chair, chair-elect, secretary and District 4 representative on the LSBA's Young Lawyers Division (YLD) Council. She also co-chaired the YLD's Wills for Heroes Committee.

She currently serves on the boards for the Louisiana Bar Foundation and the Louisiana Center for Law and Civic Education.

Sonnier has served as secretary, treasurer, president-elect, president and past president of the Southwest Louisiana Bar Association (SWLBA) and is a past president of the SWLBA's Young Lawyers Section.

In her community, she is a member of St. Luke Simpson United Methodist Church, where she serves as secretary on the Church Council.

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Patrick A. Talley, Jr.
President-Elect

Patrick A. Talley, Jr.

Patrick A. Talley, Jr. is a partner in the New Orleans office of Phelps Dunbar, LLP. He received a BA degree in 1976 from Armstrong College (Georgia Southern University), his JD degree in 1982 from Louisiana State University Paul M. Hebert Law Center and an LLM in Energy and Environmental Law in 1993 from Tulane University Law School. He was admitted to practice in Louisiana in 1980. He also is admitted in Texas.

Talley served as secretary of the Louisiana State Bar Association (LSBA) from 2019-21 and was a member of the LSBA's Board of Governors from 2014-17 (First Board District). Prior to this service, he was a member of the LSBA's House of Delegates (since 1994) and was re-elected to the House in 2017. He also serves on the Louisiana Bar Journal's Editorial Board.

He is a member of the Louisiana Bar Foundation. He also is a member of the New Orleans, American, Federal, 5th Circuit and Baton Rouge bar associations, the State Bar of Texas, the National Association of Railroad Trial Counsel (secretary and Executive Committee member), the Maritime Law Association of the United States (proctor), among others.

He is AV-rated by Martindale-Hubbell and has been recognized in several editions of Best Lawyers in America, including as the 2016 New Orleans Lawyer of the Year in Railroad Law. He also has been recognized in several editions of Louisiana Super Lawyers and in New Orleans City Business' "Leadership in Law."

In his community, Talley serves on the boards of the Louisiana Southeast Council Boy Scouts of America and Holy Name of Jesus School. He also was a member of the Louisiana Recovery Authority (Environmental Task Force member), the New Orleans Charter Schools Foundation (vice president), Pi Kappa Alpha Fraternity (international president), the Carrollton Boosters, Inc. (president), the Louisiana Children's Museum, St. George Episcopal School (trustee) and the Academy of the Sacred Heart (president).

He is married to Sharon Parker Talley and they have three children, a daughter-in-law and one grandson.

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Valerie T. Schexnayder
Secretary

Valerie T. Schexnayder

Valerie T. Schexnayder is a mediator and arbitrator with Schexnayder Mediation Services, LLC, in Baton Rouge and volunteers for various pro bono events and initiatives. She has practiced for more than 30 years with a large firm, a small firm and an international corporation. She also served as a Louisiana State Bar Association (LSBA) Distinguished Access to Justice Pro Bono Fellow, partnering with the Baton Rouge Bar Association to expand its pro

bono outreach to veterans and their families. She received a BBA degree in 1986 from Loyola University and her JD degree, cum laude, in 1989 from Tulane University Law School. She was admitted to practice in Louisiana in 1989.

Schexnayder served on the LSBA's Board of Governors (Fifth Board District) from 2017-20. She served in the LSBA's House of Delegates, representing the 19th Judicial District from 2011-17 and the 24th Judicial District from 1999-2005. She is a member of the Bar Governance Committee and served on the Continuing Legal Education Committee from 1999-2002. She is a member of the Louisiana Bar Journal's Editorial Board and will serve as Journal editor-in-chief for her two-year term as secretary. She served on the Access to Justice Commission from 2018-20. She served as the Young Lawyers Division's Second Board District representative from 1996-98. She received the 1998 LSBA Young Lawyers Division's Michaelle Pitard Wynne Professionalism Award.

She is a fellow of the Louisiana Bar Foundation and a member of the Baton Rouge Bar Association, currently serving as chair of the Pro Bono Committee. In her community, she serves on the board of directors for the Capital Area Finance Authority's board of trustees and Tiger Athletic Foundation. Additionally, she serves as chair of the Emerge Foundation board of directors and as a sustaining adviser for the Junior League of Baton Rouge, where she previously served on the board of directors.

Schexnayder and her husband Todd have been married for 35 years and are the parents of two sons.

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Lawrence J. (Larry) Centola III
Treasurer

Lawrence J. (Larry) Centola III

Lawrence J. (Larry) Centola III is a principal member of the New Orleans firm of Martzell, Bickford & Centola. He received a BA degree in political science in 1998 from Louisiana State University and his JD degree in 2001 from LSU Paul M. Hebert Law Center. He was admitted to practice in Louisiana in 2001.

Centola has served as the First District representative on the Louisiana State Bar Association's (LSBA) Board of Governors. He also serves on the Client Assistance Fund Committee. He served as the LSBA Young Lawyers Division chair in 2012-13.

He serves on the board of directors of the Federal Bar Association New Orleans Chapter as the membership chair and on the Board of Governors for the Louisiana Association for Justice. He served as the torts bar examiner for the Louisiana Bar exam.

In a ceremony at the United States Supreme Court, he was presented with the 2008 Sandra Day O'Connor Award for Professional Service from the American Inns of Court. The national award is presented to an attorney who has been practicing for fewer than 10 years.

He and his wife Amy are the parents of three girls.

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Stephen I. Dwyer
Immediate Past President

Stephen I. Dwyer

Stephen I. (Steve) Dwyer is a founding member and managing partner of Dwyer, Cambre & Suffern, APLC, in Metairie. He received a BA degree in 1970 from Holy Cross College in Worcester, Mass.; an MA degree, with distinction, in 1972 from the University of New Orleans; and his JD degree, magna cum laude, in 1976 from Loyola University College of Law (editor-in-chief, Loyola Law Review).

Dwyer served as 2022-23 president and 2021-22 president-elect of the Louisiana State Bar Association (LSBA) and as the Second District representative on the LSBA's Board of Governors from 2011-14 and 2017-20. He served on the Louisiana Bar Journal's Editorial Board. He is a member of the Committee on the Profession, the Bar Governance Committee and the Audit Committee. He served as an adjunct faculty member for Loyola University College of Law and as a lecturer for various CLE programs.

He has been recognized by New Orleans City Business "Leadership in Law," "Who's Who Among American Lawyers," Best Lawyers in America and Louisiana Super Lawyers. He is a member of Alpha Sigma Nu Honor Society.

Dwyer chaired the award-winning St. Tammany Recreation District #14 (Coquille Parks and Recreation) and led the financing and development of the 150-acre sports, recreation and park complex in western St. Tammany Parish. He chairs the Miracle League Northshore for special needs children, serves as president of the Jefferson Performing Arts Society, is a long-time member of the Loyola University College of Law Visiting Committee, and serves on the Holy Cross College President's Council and on the boards of directors of the Holy Cross Lawyers' Association and the Holy Cross Alumni Association. He has served as president of the Loyola Law School Alumni Association and on the Loyola Alumni Association's Board of Directors.

He is married to Jennifer Van Vrancken, an attorney and Jefferson Parish Councilwoman, and is the father of five children. He has six grandchildren.

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Board of Governors 2023-24

J. Christopher Zainey, Jr.
First Board District

J. Christopher Zainey, Jr.

J. Christopher (Chris) Zainey, Jr. is a partner with Lambert Zainey Smith & Soso, PLC, in New Orleans. Upon graduation from Loyola University College of Law in 2008, he served as a federal judicial law clerk to Judge James J. Brady of the U.S. District Court for the Middle District of Louisiana. Since entering private practice, his practice has focused primarily on representing plaintiffs in maritime personal injury and Jones Act cases, wrongful death cases, catastrophic personal injury cases and complex tort litigation.

Zainey serves as chair of the Louisiana State Bar Association's (LSBA) Community Action Committee and is a member of the Nominating Committee and a former member of the House of Delegates. He is a regular lecturer discussing maritime law updates for the LSBA's Annual Meeting and is a regular panelist for the LSBA's Admiralty Law Symposium in New Orleans every fall. He frequently lectures and/or moderates legal panels for various organizations, including the Louisiana Association for Justice (where he serves on the Board of Governors and co-chairs the Membership Committee), the Federal Bar Association (where he serves on the board of directors), Loyola University College of Law and Tulane University Law School, on topics including federal practice and procedure, professionalism, maritime law, oral arguments and environmental toxic torts, as well as teaching with the trial advocacy summer program at Louisiana State University Paul M. Hebert Law Center. He has been recognized by Louisiana Super Lawyers and the National Trial Lawyers Top 100 for the past several years.

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Graham H. Ryan
First Board District

Graham H. Ryan

Graham H. Ryan is a partner in the New Orleans office of Jones Walker LLP, where he focuses on complex business and commercial litigation and appeals. He graduated, summa cum laude, in business finance from Louisiana State University, received his law degree from LSU Paul M. Hebert Law Center (Louisiana Law Review) and is an alumnus of the Harvard Negotiation Institute's dispute resolution program. Before joining Jones Walker, he served as a judicial extern for the Louisiana Supreme Court.

Ryan has served on the Louisiana State Bar Association's (LSBA) Board of Governors (2021-22) and the LSBA Young Lawyers Division's (YLD) Council (2015-23), also serving as chair of the LSBA YLD (2021-22) and as the delegate to the American Bar Association's (ABA) House of Delegates (2019-20). He was a member of the 2014-15 Leadership LSBA Class. He received the LSBA YLD Chair's Award in 2016 and 2018 and was named as a 2017 Louisiana Bar Foundation Fellow for his role in leading various access-to-justice initiatives. He has served on the LSBA's Access to Justice Committee, MCLE Committee and CLE Committee, was a council member for the Louisiana State Law Institute and was a board member for the Louisiana Center for Law and Civic Education.

He was named to the 2020 Leadership in Law Class by New Orleans CityBusiness and to the 2018 "40 Under 40" Class by Gambit Weekly. In 2018, he was honored by the ABA as a "Top 40 Young Lawyer" nationally. He was named a Fellow of the Loyola Institute of Politics and is a graduate of Leadership Louisiana and the New Orleans Regional Leadership Institute.

In his community, Ryan is president of the Lakeview Crime Prevention District and a board member of Lakeview Civic. He is a former chair of HandsOn New Orleans, a nonprofit volunteer center founded after Hurricane Katrina that engaged more than 60,000 volunteers to rebuild south Louisiana. He serves on the United Way Campaign Cabinet. He is an attorney volunteer and board member of the Pro Bono Project and several other community organizations.

Ryan and his wife Erin are the parents of two boys.

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Jeffrey G. Lagarde
Second Board District

Jeffrey G. Lagarde

Jeffrey G. Lagarde is an attorney in the Slidell office of Lagarde Law. His practice is focused on personal injury and business litigation. He received his undergraduate degree from Louisiana State University and his JD degree from Mississippi College School of Law (Dean's List and AmJur Award for highest score in civil law property). He was admitted to practice in Louisiana in 2008.

Lagarde serves on the board of directors of St. Stanislaus High School in Bay St. Louis, Miss., and on the St. Tammany advisory board for a regional credit union. He is an active member of the American Inn of Court for the 22nd Judicial District and serves as the vice president of the Greater Slidell Bar Association.

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Melanie Walters Chatagnier
Third Board District

Melanie Walters Chatagnier

Melanie Walters Chatagnier is the sole attorney and owner of Chatagnier Law Office in Thibodaux. She handles domestic matters, adoptions and property partitions in Lafourche Parish. She received a BS degree in psychology in 1999 from Northeast Louisiana University (University of Louisiana-Monroe) and her JD and BCL degrees in 2004 from Louisiana State University Paul M. Hebert Law Center. She was admitted to practice in Louisiana in 2005.

Chatagnier is a member of the Louisiana State Bar Association's Family Law Section and is a newly elected member of the LSBA Nominating Committee (District 2C).

She is a member of the Lafourche Parish Bar Association and a Lafourche district court-approved ad hoc counsel for contested custody and adoption suits.

In her community, she has been a member of the St. Joseph Catholic Elementary School PTC board since 2022. She is a sponsor of the Thibodaux Soccer Association and involved with other Thibodaux recreation activities.

She and her husband Jason have been married for 13 years and are the parents of three children.

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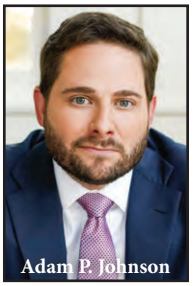
Adam P. Johnson
Fourth Board District


Adam P. Johnson

Adam P. Johnson is a partner in The Johnson Firm in Lake Charles. He received a BS degree in business management in 2006 from Louisiana State University and his JD degree in 2009 from Southern University Law Center. He was admitted to practice in Louisiana in 2009.

After clerking for Judge Robert Wyatt and Judge Ronald Ware, Johnson joined his father Terry and brother Jonathan in the practice of law. He and his brother now own The Johnson Firm in Lake Charles. The firm's attorneys focus on family, criminal defense and personal injury law.

Johnson served in the Louisiana State Bar Association's (LSBA) House of Delegates. He was a member of the 2013-14 Leadership LSBA Class and co-chaired the 2014-15 Leadership LSBA Class. He served as the LSBA Young Lawyers Division (YLD) District 4 representative from 2015-19. He also assists with writing and grading the Criminal Law Section of the Louisiana Bar Exam.

He is the current president of the Southwest Louisiana Bar Association (SWLBA) and a former president of the SWLBA Young Lawyers Division.

In his community, he is a member of Trinity Baptist Church.

Johnson and his wife, Ashley Leonards Johnson, principal of T.H. Watkins Elementary School in Lake Charles, are the parents of three children.

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Carrie LeBlanc Jones
Fifth Board District

Carrie LeBlanc Jones

Carrie LeBlanc Jones is the chief legal officer and general counsel for the Louisiana State Board of Nursing (LSBN), where she focuses on administrative and regulatory law. She has successfully represented the LSBN in state and federal court, served as prosecuting attorney in disciplinary matters, and advised board members and staff on a variety of legal issues. Prior to joining the LSBN, she was a partner at the law firm of Shows, Cali & Walsh, LLP. She received a BA degree in mass communication from Louisiana State University, her JD/BCL degree from LSU Paul M. Hebert Law Center and a MBA degree from Southeastern Louisiana University. She was admitted to practice in Louisiana in 2008.

Jones has served as immediate past chair, chair, chair-elect, secretary and District 5 representative on the Louisiana State Bar Association's (LSBA) Young Lawyers Division (YLD) Council. She helped plan the inaugural Louisiana Young Lawyers Conference, co-chaired the Richard N. Ware High School Mock Trial Competition, served as the Professional Development Seminar coordinator, chaired the Bridging the Gap Committee and served on the Awards Committee. She received the LSBA YLD Chair's Award in 2016 in recognition of her ongoing commitment and service to the Richard N. Ware High School Mock Trial Competition. She served as a member of the Louisiana Bar Journal Editorial Board and was a member of the 2013-14 Leadership LSBA Class. She also volunteered as a mentor in the LSBA's Transition into Practice Mentoring Program.

Her commitment to the legal profession includes two terms on the Louisiana Attorney Disciplinary Board. After the Louisiana Supreme Court appointed her to a second term, she served as the board's chair in 2017, the youngest board member to hold this position. She serves on the Louisiana Bar Foundation's Capital Area Community Partnership Panel.

In her community, she is a parishioner of St. George Catholic Church. She also serves on the board of directors for Livingston Parish SADD. She and her husband, Aaron Jones, have been married for 12 years and have two children.

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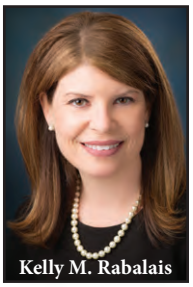
Kelly M. Rabalais
Fifth Board District


Kelly M. Rabalais

Kelly M. Rabalais is assistant vice president of communications and strategy for St. Tammany Health System. She received a BA degree in political science in 1996 from Louisiana State University, her JD degree in 1999 from LSU Paul M. Hebert Law Center and her masters in health administration from LSUS in 2022. In 2022, she became a health law specialist, certified by the Louisiana Board of Legal Specialization. She is also a member of the American College of Healthcare Executives.

Rabalais was elected to the Louisiana State Bar Association's Nominating Committee in 2018, 2019, 2020, 2021 and 2022 and is a member of the Louisiana Bar Journal Editorial Board.

She is serving a 2021-23 term on the Lawyer Disciplinary Committee of the U.S. District Court, Eastern District of Louisiana. She served as 2017 and 2018 Women in Law chair and 2019 Community Outreach chair for the 22nd JDC Bar Association. She received the 2016 BGR (Bureau of Governmental Research) Excellence in Government Merit Award and the Louisiana State Bar Association 2021 Stephen T. Victory Memorial Award.

In her community, she is a member of the Safe Haven Foundation.

She and her husband, J. Michael Rabalais, Jr., have been married for 26 years and are the parents of two children.

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Charles D. Elliott
Sixth Board District

Charles D. Elliott

Charles D. Elliott is a solo practitioner at Charles Elliott & Associates, LLC, in Alexandria. He received a BS degree in science/math education in 1986 from Louisiana Tech University, an MS degree in computer science in 1989 from Louisiana State University and his JD degree in 1993 from LSU Paul M. Hebert Law Center (graduating Order of the Coif and a member of the Louisiana Law Review). He was admitted to practice in Louisiana in 1993.

Elliott is a former member of the Louisiana State Bar Association's (LSBA) House of Delegates, a prior member of the Board of Governors and a member of the Legal Malpractice Insurance Committee and the Medical/Legal Interprofessional Committee.

He is a member of the Alexandria Bar Association, the Alexandria Crossroads Inn of Court and the Louisiana Association for Justice. He was president of the Central Louisiana Pro Bono Project for several years.

In his community, he has served on the Salvation Army's board and is the current president of the Pineville Rotary Club. His wife Kathleen is a nurse. He is the father of one child.

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W. Michael Street
Seventh Board District

W. Michael Street

W. Michael Street is a partner in the Monroe firm of Watson, McMillin & Street, LLP, and a member of Marathon Title Co., LLC. He received a BA degree in philosophy and a BA degree in political science, cum laude, in 1991 from Centenary College and his JD degree in 1996 from Louisiana State University Paul M. Hebert Law Center. He was admitted to practice in Louisiana in 1996.

Street served in the Louisiana State Bar Association's (LSBA) House of Delegates from 2014-21 and is a current member of the Mandatory Continuing Legal Education Committee. He served on the LSBA's Young Lawyers Division Council from 2002-06, chairing the State Mock Trial Committee from 2004-06. He received the Bat P. Sullivan, Jr. Chair's Award in 2006.

A current Fellow of the Louisiana Bar Foundation (LBF), he served as LBF president in 2018-19; vice president, 2017-18; treasurer, 2016-17; secretary, 2015-16; board member, 2013-15; and chair of the Northeast Louisiana Community Partnership Panel, 2010-13.

Street served as 2019-21 president of the Lagniappe Law Lab and is a current member of its board of directors. He is secretary/treasurer of the Judge Fred Fudickar, Jr. American Inn of Court. He is a former president of both the Fourth Judicial District Bar Association and its Young Lawyers Section. He received the Outstanding Young Lawyer Award in 2000. He also is a member of the American Bar Association and the Bar Association of the Fifth Federal Circuit.

In his community, he was a board member of the Northeast Louisiana Arts Council from 2004-10. He also was pioneer district chair and Troop 231 committee chair for the Boy Scouts of America Louisiana Purchase Council.

Street and his wife Jennifer have been married for 30 years and are the parents of three children.

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Curtis R. Joseph, Jr.
Eighth Board District

Curtis R. Joseph, Jr.

Curtis R. Joseph, Jr. is a partner in the Shreveport firm of Blanchard, Walker, O'Quin & Roberts, APLC. He handles defense and plaintiff-oriented litigation. He attended Washington & Lee University in Lexington, Va., earning his BA degree in mass communications in 1993 and his JD degree in 1996.

While at Washington & Lee, he

performed clinical work, focusing on post-conviction relief, for the inmates of the Federal Women's Prison Camp in Alderson, W.Va. He taught language arts, social studies and religion at Bishop Perry Middle School in New Orleans.

Joseph has served in the Louisiana State Bar Association's House of Delegates.

He serves on the boards of the Louisiana State Licensing Board for Contractors and the Biomedical Research Foundation. He is the secretary/treasurer of The Committee of One Hundred and serves as a member of the Air Force Global Strike Command Civic Leaders Program.

He is a recipient of the Dr. Jesse N. Stone Pioneer Award.

He is a founding member of Washington & Lee's chapter of Alpha Phi Alpha Fraternity, Inc. He is a former president of the Shreveport Bar Association and the North Louisiana Jewish Federation. He is a former vice chair of the Metropolitan Planning Commission, a former chair of the Strategic Action Council and a former chair of the North Louisiana Holocaust Remembrance Service.

In his community, Joseph is a local jazz/blues drummer. He and his wife Barbara have been married for 20 years and are the parents of two children.

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Senae D. Hall
Chair, Young Lawyers Division

Senae D. Hall

Senae D. Hall is an assistant district attorney in the Caddo Parish District Attorney's Office in Shreveport. She is the Human Trafficking Victims Diversion coordinator. She also works with the STAR Court Program in Caddo Parish Juvenile Court to combat human trafficking issues. She received a BA degree in mass communications in 2008 from Dillard University and her JD degree in 2011 from Southern University Law Center. She was admitted to practice in Louisiana in 2011.

Hall has served as the 2022-23 chair-elect, the 2021-22 secretary and as an at-large representative on the Louisiana State Bar Association's (LSBA) Young Lawyers Division (YLD) Council. She was a member of the 2018-19 Leadership LSBA Class and served on the LSBA YLD Awards Committee for two years. She also volunteered as a mock trial competition judge from 2017-20.

She is a member of the Shreveport Bar Association (SBA), the Louisiana District Attorneys Association and the Harry V. Booth/Judge Henry A. Politz American Inn of Court. She is currently the Law Week and Service chair for the SBA's Young Lawyers Section. She served as the Social Media chair from 2021-23 for the SBA's Young Lawyers Section and the treasurer for the SBA's Women's Section in 2022.

Hall was recognized as the Teen Court Volunteer of the Year in 2018 and the Abounding Faith Temple Youth Leader Volunteer of the Year in 2017. She was featured as the February 2019 Member Spotlight by the Shreveport Bar Association Women's Division and was a 2019 panelist for Macy's Black History Month Historical Black Colleges and Universities Program. She was recognized as a 2021, 2022 and 2023 "Top Attorney" by SB Magazine and was selected for the 2020-21 Dillard University's "40 Under 40" list. She also was selected for the Shreveport Chamber of Commerce's 2021 "40 Under 40" Class. She is a member of Alpha Kappa Alpha Sorority, Incorporated.

In her community, she serves as a board member for Volunteers for Youth Justice and enjoys serving as a judge for the Volunteers for Youth Justice's Teen Court Program. Every year, she organizes a service project or fundraiser for her birthday to give back to her community.

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Blake R. David
At-Large Member

Blake R. David

Blake R. David is a founding partner of the Lafayette firm of Broussard & David, LLC. He received a BA degree in 1997 from Louisiana State University and his JD degree in 2001 from LSU Paul M. Hebert Law Center. He was admitted to practice in Louisiana in 2001. Prior to litigating, he worked as a registered lobbyist with Haynie & Associates in Baton Rouge.

David represented the Third District on the Louisiana State Bar Association's (LSBA) Board of Governors from 2014-17 and served on the LSBA's Nominating Committee. He was the recipient of the LSBA Young Lawyers Division's Outstanding Young Lawyer Award in 2009.

He is board-certified by the National Board of Trial Advocacy in civil trial advocacy. He also is an advocate in the American Board of Trial Advocates. Annually, he teaches trial advocacy at the LSU Law Center. In 2017, he was appointed to the Louisiana Board of Regents by Gov. John Bel Edwards and currently serves as past chair of the board and a member of the Executive Committee.

David is president of the Louisiana Association for Justice (Executive Committee member, past chair of the Maritime Section). He is a former president and Foundation board member for the Lafayette Bar Association, a former president of the American Inn of Court of Acadiana and a member of the International Society of Barristers. He also is a founding board member and former president of the Lafayette-Acadiana Chapter of the Federal Bar Association. He is AV-rated by Martindale-Hubbell. From 2012-22, he was recognized by Louisiana Super Lawyers and is included in the list of Louisiana Super Lawyers Top 50 Lawyers in Louisiana (2019-22).

In his community, he is involved with the Lafayette Economic Development Authority, Catholic Charities of Acadiana, ABC Art Fund and the Acadiana Tigers.

David and his wife Amber are the parents of three children.

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Jeffrey A. Riggs
At-Large Member

Jeffrey A. Riggs

Jeffrey A. Riggs is a partner in the Lafayette office of Lewis Brisbois Bisgaard & Smith, LLP. He received his BS degree in 1983 from Indiana University and his JD degree in 1986 from Indiana University School of Law (Indiana Law Review; Dean Frandsen Award; Moot Court Award). He was admitted to practice in Louisiana in 1986 and in Texas in 2005.

Riggs served in the Louisiana State Bar Association's House of Delegates (15th Judicial District) for several years and was a member of the House of Delegates Liaison Committee in 2007-08, 2010-13 and 2017-20. He is a member of the Client Assistance Fund Committee and the Unauthorized Practice of Law Committee.

He is a member of the Lafayette Bar Association, the Duhe American Inn of Court, the Federal Bar Association and the Acadiana Society for Human Resource Management.

Riggs and his wife, Colin Neblett Riggs, have been married for 34 years. He is the father of four children.

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L. Bradley Hancock
At-Large Member

L. Bradley Hancock

L. Bradley Hancock is the executive partner in the Houston, TX, office of Holland & Knight, LLP. He also practices in the firm's Austin, TX, office and is a member of the firm's litigation practice. He received his BA degree in history from Texas A&M University and his JD degree from Texas Tech University School of Law. He was admitted to practice in Louisiana in 2001. He also is admitted in Texas and the District of Columbia.

Hancock is a life fellow of the Houston Young Lawyers Association and a member of the Board of Trustees for the Texas Tech Law School Foundation. He is a board member of the State Bar of Texas Corporate Counsel Section.

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Monica Hof Wallace
Faculty, Loyola University College of Law

Monica Hof Wallace is the Dean Marcel Garsaud, Jr. Distinguished Professor of Law at Loyola University New Orleans College of Law. She joined the law faculty in 2002 after practicing at the New Orleans firm of Correro Fishman Haygood Phelps Walmsley & Casteix (now Fishman Haygood, LLP). She graduated first in her class at Loyola College of Law and, while attending law school, served on the Law Review and as chair of the Moot Court Program. After graduation, she worked as a law clerk for Judge Jacques L. Wiener, Jr. of the U.S. 5th Circuit Court of Appeals and for Judge Barry Ted Moskowitz of the U.S. District Court for the Southern District of California.

Monica Hof Wallace

Professor Wallace is a frequent speaker and author in the areas of family law, successions, donations, trusts and community property, all of which she teaches at the College of Law. She lectures on family law for Barbri nationally. She designed, developed and fundraised for the Loyola Advocacy Center, serving as director at its inception. She is an active member of the Louisiana State Bar Association, the Louisiana State Law Institute and the St. Thomas More Inn of Court. She is an active Fellow for Educating Tomorrow's Lawyers and the Louisiana Bar Foundation. She serves on the board for the Louisiana Youth Seminar. She has received several awards for her teaching, scholarship and public service.

She and her husband, Todd Wallace, have been married for 22 years and are the parents of two children.

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Donald W. North
Faculty, Southern University Law Center

Donald W. North

Professor Donald W. North is the Vice Chancellor of Student Affairs at Southern University Law Center. He also runs the Student Externship Program. He joined the faculty in 1998. He received a BS degree in political science in 1980 from Grambling State University and his JD degree in 1983 from Southern University Law Center. He was admitted to practice in Louisiana in 1984. He also is admitted to the U.S. District Court for the Middle District of Louisiana and the U.S. 5th Circuit Court of Appeals.

He is a 1988 graduate of the Combined Army and Services Staff College in Fort Leavenworth, Kan., and a 1997 graduate of the Command General Staff College, also in Fort Leavenworth.

He served on the Louisiana State Bar Association's (LSBA) Board of Governors for several terms and has served on the LSBA's Committee on the Profession and the Client Assistance Fund Committee. He is a member of the American Bar Association.

In his community, North is a church deacon, volunteers with the Zachary Food Bank and is a pro bono worker at Baton Rouge City Court.

He and his wife Jyotibala have been married for 36 years and are the parents of two children.

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André Doguet
Louisiana State Law Institute

André Doguet

André Doguet has been the commissioner for the 15th Judicial District Court in Lafayette since 2020. He received his BA degree in 1983 from Louisiana State University and his JD degree in 1986 from LSU Paul M. Hebert Law Center (top 25 of graduating class and member of the Law Review). He was admitted to practice in Louisiana in 1986.

Doguet has been a member of the Louisiana State Law Institute since 2012 and of the Law Institute's Marriage and Persons Committee since 2017. He is a member of the Acadia Parish Bar Association, the Lafayette Bar Association (president in 2010-11) and a former member of the Lafayette Bar Foundation board of directors.

He and his wife, Nora Montgomery Stelly, have been married for 28 years.

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Keenan K. Kelly
Chair, House of Delegates Liaison Committee

Keenan K. Kelly

Keenan K. Kelly has practiced in the Natchitoches firm of Kelly & Townsend, LLC, for 27 years. His primary practice areas are personal injury and criminal defense. He is licensed to practice law in both Louisiana and Texas and is admitted to practice in the U.S. District Courts for the Western, Middle and Eastern Districts of Louisiana and the U.S. 5th Circuit Court of Appeals.

Kelly attended Fort Lewis College from 1984-86 (where he played football) but returned to Northwestern State University to complete his undergraduate degree in 1990. He earned his JD degree in 1993 from Loyola University College of Law. While attending law school, he clerked for the New Orleans law firm of Martzell & Bickford.

He is a current member of the Louisiana State Bar Association's (LSBA) Nominating Committee and is beginning his term as chair of the LSBA's House of Delegates Liaison Committee, previously serving as a committee member. He has served in the House of Delegates, representing the 10th Judicial District, since 2002. He chaired the LSBA's Legislation Committee from 2015-20.

Kelly has served as the vice president of the Natchitoches Parish Bar Association since 1996. He is married to Jennifer Anderson Kelly and has two children.

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Sandra K. Cosby
Member, House of Delegates Liaison Committee

Sandra K. Cosby

Sandra K. Cosby is an associate with Frederick A. Miller & Associates in Metairie. She received a BA degree in 1974 from Lincoln Memorial University and her JD degree, magna cum laude, in 1990 from Loyola University Law School. She was admitted to practice in Louisiana in 1990.

Cosby serves in the Louisiana State Bar Association's (LSBA) House of Delegates and is a former chair and current member of the Committee on the Profession. She has previously served on (and chaired) the House Liaison Committee. She is co-chair of the Loyola Law School Professionalism Orientation and a member of the Louisiana Bar Foundation.

She was case note and quantum editor of the Loyola Law Review from 1989-90 and was a Loyola Moot Court semi-finalist. She is a former president and member of the local advisory board of directors for the American Lung Association of Louisiana.

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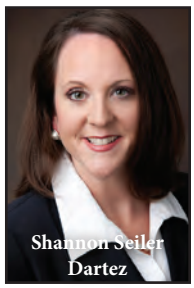
Shannon Seiler Dartez
Member, House of Delegates Liaison Committee


Shannon Seiler Dartez

Shannon Seiler Dartez is an attorney with the Glenn Armentor Law Corporation in Lafayette. She received a BA degree in 1990 from Louisiana State University and her JD degree in 1994 from LSU Paul M. Hebert Law Center. She was admitted to practice in Louisiana in 1994.

Dartez served on the Louisiana State Bar Association's (LSBA) Board of Governors as the Third Board District representative from 2017-20. She serves as a member of the LSBA House of Delegates and is a member of the LSBA's Insurance Committee, previously chairing the Group Insurance Committee. She is the recipient of the 2002 LSBA Young Lawyers Division's Outstanding Young Lawyer Award.

She chairs the Louisiana Bar Foundation's Acadiana Community Partnership Panel, serves on the Lafayette Bar Association's board and is a member of the Louisiana Association for Justice.

In her community, she is a member of the Leadership Institute of Acadiana and a graduate of Leadership Lafayette. She is a former president of the Junior League of Lafayette and the Healing House Hope for Grieving Children.

She and her husband Mike are the parents of two children.

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LSBA Issues Notice for 2023-24 Dues Cycle: July 1 Deadline for Payments

The purpose of the Louisiana State Bar Association (LSBA) is set forth in Art. III § 1 of its Articles of Incorporation. The expenditure of funds by the LSBA is limited as set forth in the LSBA's Articles and Bylaws; Supreme Court Rule XVIII § 6; *Keller v. State Bar of California,* 496 U.S. 1 (1990); and *McDonald v. Longley*, 4 F.4th 229 (5th Cir. 2021).

A member may object to the use of any portion of the member's bar dues for activities he or she considers inconsistent with constitutional standards. Members can object to LSBA expenditures based on the preliminary budget, the audited financial statements, the email alerts, the "Bar Briefs," the *Louisiana Bar Journal*, or any other notice that they receive. Member objections must be filed within 45 days of the date of the Bar's publication of notice of the activity to which the member is objecting. Details on the objection, refund and arbitration procedures are set forth in Article XII of the LSBA By-Laws. To review the objection, refund and arbitration procedures in Article XII of the LSBA By-Laws, go to: *www.lsba.org/BarGovernance/ByLawsAndArticles.aspx*.

Review additional information on annual LSBA expenditures online at: *www.lsba.org/documents/BOG/BudgetExpenditure.pdf*.

Review the LSBA's annual reports also are available at: *www.lsba.org/NewsAndPublications/AnnualReports.aspx*.

Payment of Dues and Assessment

LSBA members have the option to pay their 2023-24 LSBA dues and Louisiana Attorney Disciplinary Board (LADB) assessment by ACH electronic check, credit card, or download and mail their Attorney Registration Statement and checks for the payment of fees. Members are encouraged to pay and file electronically, through the LSBA website, which is available during times when the Bar Center is closed or if mail service is disrupted due to inclement weather. Further, electronic payment gives members more control over their information in the database and allows for more timely updates to their member records. The website is unavailable nightly between 10 p.m.-1 a.m. CST.

Filing the Attorney Registration Statement is an important part of an LSBA member's annual requirement and can be completed by mail or electronically. Mailing in the Attorney Registration Statement with two separate payments of Dues and Assessment constitutes filing. When paying online, verifying and/or updating member demographic information serves as electronically filing the Attorney Registration Statement.

Emeritus Status is available for lawyers who only handle pro bono work or uncompensated work for family members (both subject to certain guidelines and restrictions) and who meet age and practice criteria. Lawyers should review the Emeritus Status guidelines and restrictions for possible election. Election of emeritus status MUST be made prior to payment of the Dues and Assessment and the election deadline for the 2023-24 membership year is June 30, 2023. Review the "Emeritus Status Guidelines and Restrictions and Notice of Application" at: *www.lsba.org/Members/EmeritusStatus.aspx.*

Filing electronically can be a quick and simple process, utilizing the online member accounts that participants have relied on for years to register for CLE seminars and to access Fastcase. If an attorney has not yet set up a member account, one can easily be created at: *https://www.lsba.org/Members/memberaccts.aspx*. This webpage also allows members to edit their existing accounts and reset a lost or forgotten account password.

After member data is confirmed but before the payment/filing process begins, members will be advised that they also need to go to *https://www.LADB.org* to complete the Louisiana Supreme Court Trust Account Disclosure and Overdraft Notification Authorization Form and will be asked to confirm that they understand this requirement. The Louisiana Attorney Disciplinary Board is the certifying agency for the Trust filing for LSBA members' IOLTA accounts. Filing is quick and easy at *www.ladb.org* and any issues concerning trust accounts should be directed to LADB at (504)834-1488.

The collection schedule will be the same as in prior years. In lieu of mailing a statement to each member, in mid-May, the LSBA mailed a postcard to each member, which will provide instructions to go online to *https://www.LSBA.org* to complete the registration process, pay the annual dues and assessment, and go online to *https://www.LADB.org* to complete the Trust Account Form. ***This is the only mailing members will receive prior to the July 1, 2023, due date; attorney registration statements will NOT be mailed.***

Throughout the dues collection period, the LSBA will email reminders using the email address, compliance@lsbamembership.com. Members are encouraged to add this email address to their contact list to avoid missing important communications. Members should not reply to this email address, but rather direct questions to processing@lsba.org.

Once members have electronically filed their Attorney Registration Statements (in-

Continued next page

Dues continued from page 34

cluding any necessary changes and/or updates) and made the required payments, they will receive email confirmations. The filing and payment deadline will remain July 1, 2023. The LSBA will continue to mail delinquency and ineligibility notices to those who fail to meet the deadlines.

Members who elect to pay by electronic check will continue to pay the following fees:

► LSBA dues (practicing more than three years): $200;

► LSBA dues (Emeritus Status): $100; and

► LSBA dues (practicing three years or less): $80;

► LADB assessment (practicing more than three years): $235;

► LADB assessment (Emeritus Status): $117.50; and

► LADB assessment (practicing three years or less): $170.

Those who are planning to pay by electronic check should contact their financial institutions to confirm that their accounts allow payment by this method. If your account is Positive Pay Protected, update the Company ID 1016207445.

As was the case last year, processing fees of 3%, plus a .20 transaction fee, will be assessed if choosing to pay by credit card. Total amounts, including assessed fees, are as follows:

► LSBA dues (practicing more than three years): $206.20;

► LSBA dues (Emeritus Status): $103.20; and

► LSBA dues (practicing three years or less): $82.60;

► LADB assessment (practicing more than three years): $242.25;

► LADB assessment (Emeritus Status): $121.23; and

► LADB assessment (practicing three years or less): $175.30.

Bar staff members will be available to answer questions and provide assistance to members. All questions and concerns should be directed to:

► Email — processing@LSBA.org

► Telephone — (504)566-1600 or (800)421-LSBA; ask for Payment Processing.

LASC Sets "Self-Study" or "Computer-Based CLE" Credits for 2023

For the 2023 compliance period ending Dec. 31, 2023, the Louisiana Supreme Court has set the limitation for "self-study" credits, defined as "computer-based CLE," at 4.0 hours annually (as defined in Rule 3(d) of Louisiana Supreme Court Rule XXX. "Self-study" or "computer-based CLE" includes interactive live webcasts, webinars and on-demand recordings.

See the Mandatory Continuing Legal Education (MCLE) website at: *www.lsba.org/MCLE/*.

Louisiana Board of Legal Specialization (LBLS) Estate Planning and Administration specialists and Tax Law specialists (and 2023 applicants for these specialties) may earn up to 4.0 hours of approved specialization "self-study" or "computer-based CLE" credits on or before Dec. 31, 2023. The remaining 14.0 hours of the required 18 hours should be "in person attendance."

LBLS Appellate Practice specialists, Employment Law specialists, Family Law specialists, Health Law specialists and Labor Law specialists (and 2023 applicants for these specialties) may earn up to 4.0 approved specialization "self-study" or "computer-based CLE" credits on or before Dec. 31, 2023. The remaining 11.0 hours of the required 15 hours should be "in person attendance."

LBLS Business Bankruptcy Law specialists and Consumer Bankruptcy Law specialists must satisfy the continuing legal education requirements of the American Board of Certification

For more information, contact Specialization Director Mary Ann Wegmann at (504)619- 0128, (800)421-5722, ext. 128, or email maryann.wegmann@lsba.org.

LBLS Accepting Bankruptcy Law Certification Applications

The Louisiana Board of Legal Specialization (LBLS) will be accepting applications for business bankruptcy law and consumer bankruptcy law certification from now through Sept. 30, 2023.

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, passing a written examination to demonstrate sufficient knowledge, skills and proficiency in the area for which certification is sought, and five favorable references. Peer review shall be 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 LBLS standards for the applicable specialty for a detailed description of the requirements for application: *www.lsba.org/documents/Specialization/LSBAPlanofLegalspecialization2017.pdf*.

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

Approved specialization CLE courses can be viewed on the LBLS Approved Course Calendar at: *www.lsba.org/MCLE/MCLECalendar.aspx?L=S*. Check off your specialization and click on "Search Courses" to find approved specialization CLE.

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 Louisiana Board of Legal Specialization simultaneously with the testing agency in order to avoid delay of board certification by the LBLS. Information concerning the American Board of Certification will be provided with the application form(s).

Anyone interested in applying for certification should contact LBLS Specialization Director Mary Ann Wegmann, email maryann.wegmann@lsba.org, or call (504)619-0128. For more information, go to the LBLS website: *www.lsba.org/specialization/*.

PRACTICE Makes Perfect

By LSBA Practice Assistance and Improvement Committee

CLOSING YOUR PRACTICE

This section focuses on practice tips and general legal information published in the Louisiana State Bar Association Practice Assistance and Improvement Committee's *Practice Aid Guide: The Essentials of Law Office Management*, available 24/7 online at: *www.lsba.org/PracticeAidGuide*. Information in this article is found in Section 11.

A smooth law firm transition — due to voluntary considerations like retirement or a new job, or involuntary issues such as illness, death or disbarment — is a lawyer's responsibility. Lawyers should have plans in place to facilitate closing or transitioning the practice. A lawyer's clients and family are owed that diligence and fiduciary responsibility. With no planning, you could have potential violations of the Louisiana Rules of Professional Conduct, with risk to both clients and family.

It Is Inevitable So Plan Ahead

Office practices to consider in anticipation of closing or transitioning a lawyer's practice include:

1) Selecting a "transitional lawyer" with emergency access to passwords and calendar and accounts.

2) Having financial clarity including regular reconciliation of a lawyer's trust account.

3) Having a method of distinguishing active files and important deadlines.

4) Having a file retention/destruction policy.

Voluntarily Closing Your Practice

Remember to notify staff and clients of your plans and consider the following general checklist.

1) Finalize as many files as possible. If you have a target closing date, work toward closing as many files as possible. If you do not have a target date, establish a backup plan of having someone who can help transition files in the event of a sudden disability or illness. With or without a target closing date, keep files up to date, including client contacts, correspondence and pleadings.

2) Write to clients with active files, advising them that you are unable to continue representing them and that they need to retain new counsel. Advise clients of any time limitations, prescriptive dates and time frames important to their cases. The letter should explain how and where they can pick up copies of their files and should give a deadline for doing this.

3) For cases with pending court dates, depositions or hearings, discuss with the clients how to proceed. Where appropriate, request extensions, continuances and the resetting of hearing dates. Send written confirmations of the extensions, continuances and resets to opposing counsel and to your client.

4) For cases before administrative bodies and courts, obtain the client's permission to submit a motion or an order to withdraw as attorney of record.

5) In cases where the client has chosen a new attorney, be certain that a motion to enroll as substitute counsel has been filed and you have appropriately withdrawn as counsel.

6) Pick an appropriate date to check that all cases either have a motion and order allowing your withdrawal as counsel or a substitution of counsel filed with the court.

7) Make copies of files for clients. Retain your original files. All clients should either pick up their files (and sign a receipt acknowledging that they received them) or sign an authorization for you to release the files to their new attorneys. If a client is picking up a file, original documents should be returned to the client and copies should be kept in your file.

8) All clients should be told where their closed files will be stored and whom they should contact to retrieve them. While there is no set time frame for the retention of files, five years is a good best practice. If a closed file is to be stored by another attorney, get the client's permission to allow the attorney to store the file for you and provide the client with the attorney's name, address and phone number.

9) If you are a sole practitioner, ask the telephone company for a new phone number to be given out when your old number is called. If you have a website, inform viewers that your office is closing (and a date if you have it) and any new contact information that you would want to give. Take steps to forward calls and/or mail to new number/address.

10) Call the Louisiana State Bar Association and update your status and contact information. Notify insurers of change in status and/or any address changes. Consider the benefit of tail coverage (Your bar-sponsored insurance coverage may provide free tail coverage if you completely resign from the practice of law and have been continuously covered for at least three consecutive years.)

11) Check and resolve any conflicts due to transition.

12) Reconciliation of trust account. If closed, notify ODC of the change in trust account status, although a lawyer may want to retain the trust account in anticipation of limited continued use (to receive a refund from the clerk of court, for example). Return unearned or unused client funds.

13) Review the LSBA PUBLIC Opinion 05-RPCC-001, "Lawyer Retirement: Ethical Requirements to Client," online at: *www.lsba.org/documents/Ethics/LeavingPracticePublicationProof.pdf.*

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By Kenzie Schott Cardella

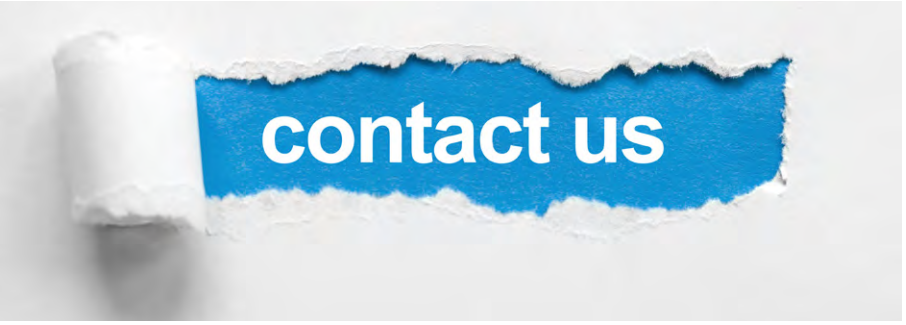
FOR PROSPECTIVE CLIENTS, DUTY CALLS

Most attorneys deal with clients every day, sometimes even on holidays or vacation days when other things are planned. Ultimately, attorneys pick up the phone, respond to that email, or call the courthouse because they understand that, when a client needs them, duty calls. Attorneys are most familiar with their duties to current clients, but what about prospective clients? What duties do attorneys owe these almost-but-not-quite clients?

Under the ethics rules, even when a person does not become a current client, that person may be a prospective client creating real obligations. This notion is especially important in our world today when more attorneys and law firms are marketing themselves online and through personal websites. The potential for the prospective client rules come into play where browsing visitors may inquire about the attorney's services via websites and forms saying "Contact Us."

Louisiana Rule of Professional Conduct 1.18 provides the rules for prospective clients. The rule defines a prospective client as "a person who consults with a lawyer about the possibility of forming a client-lawyer relationship with respect to a matter." This rule leaves room for interpretation, and the existing Louisiana jurisprudence is slight. The model American Bar Association (ABA) rules and comments, however, provide helpful guidance.

The ABA gives a few key considerations for determining whether someone meets the definition of "prospective client." The ABA explains that whether communications escalate to a "consultation" depends on the circumstances and, furthermore, that consultations are usually limited in time and depth and leave both parties free to not proceed any further. The ABA provides two contrasting examples:



Consultation has occurred and prospective client exists if . . . an attorney, in person or in advertising, specifically "requests or invites the submission of information about a potential representation without clear and reasonably understandable warnings and cautionary statements that limit the lawyer's obligations, and a person provides information in response."

Consultation has not occurred and prospective client does not exist if . . . a person provides information to an attorney "in response to advertising that merely describes the lawyer's education, experience, areas of practice, and contact information, or provides legal information of general interest." This person is "unilaterally" communicating to the attorney "without any reasonable expectation that the lawyer is willing to discuss the possibility of forming a client-lawyer relationship."

Once you have determined that someone is indeed a prospective client, you owe him a duty of confidentiality. Specifically, Rule 1.18 mandates that a lawyer shall not use or reveal information learned from a prospective client, except as Rule 1.9 allows with respect to former client information.

Finally, the end of Rule 1.18 provides rules regarding conflicts of interest. The rule spells out when an attorney could represent another client that would otherwise be a conflict of interest with a prospective client: (1) the prospective client must give informed consent or (2) the attorney has only received reasonably necessary information and no more from the prospective client and the disqualified lawyer is timely screened or written notice is given to the prospective client. This rule makes clear that the rights and confidentiality of prospective clients are still important, even though these people do not join the ranks of current clients.

The next time you answer an online inquiry or have a chat about legal issues in the office lobby, remember to determine whether that person has become a prospective client. If the answer is yes, you know what that means — duty calls.

Kenzie Schott Cardella is an attorney who works with Gilsbar's loss prevention counsel. She received her BBA degree in accounting from Southern Methodist University in Dallas, Texas, and her JD degree from Louisiana State University Paul M. Hebert Law Center, where she served as editor-in-chief of the Louisiana Law Review. Before practicing business and transactional law with a New Orleans law firm and joining Gilsbar's professional liability group, she worked as a CPA in public accounting. Email her at kenzieschott@gmail.com

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Richard Arsenault
Symposium Chair

Richard Arsenault has chaired the symposium since inception. He has been recognized as one of America's Top 50 Influential Trial Lawyers by *Trial Lawyer Magazine*. He has also been an invited lecturer at various law schools including Baylor, Duke, Emory, Tulane, George Washington and LSU, where he served on the Trial Advocacy Faculty. He has been involved in over 25 Multidistrict litigation proceedings, often serving in leadership capacities. In the Actos MDL where he was lead counsel, a $9 billion verdict was followed by a $2.4 billion settlement which is the largest single mass tort settlement for a drug that is still on the market. *The Wall Street Journal* has described Richard as having "national notoriety" and as a "big gun" amongst attorneys in competition for leadership roles. *BusinessWeek* described him as "a Dean of the Louisiana Tort Bar" and the *NY Times* described him as one of the "big players" in the legal community.

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Scott Freeman • Rhon Jones • Michael London • Paul Pennock • Hunter Shkolnik • John Rabiej

Lawyers ASSISTANCE

By Dr. Angela White-Bazile, Esq.

IS IT OKAY TO NOT BE OKAY?

My mother's cancer has returned. My daughter, who is a sophomore, has been suspended from school. The children were late to school for the third time this week. The new dog relieved himself on the new carpet yet again. I forgot to pay the utility bill, and there is no Internet to finish that brief that is due in court tomorrow. Now I have a flat tire, AAA is unavailable for another two hours, and my meeting starts in an hour. I am beyond being overwhelmed and exhausted. I feel like I am about to have a nervous breakdown.

But when I arrive at work, it's *Good morning. How are you today? I'm fine.*

The reality is it has been a tough week for me, mentally and physically. It has been a tough couple of years. I have dug myself into such a deep hole, and I do not know how to climb out. It seems that my current situation could not get any worse. I wake up daily thinking, how long will I worry? How long will I run from my emotions and pretend that emotional pain and turmoil do not exist? How much longer can I ignore my mental, physical and emotional exhaustion? How long will I feel such profound sadness in my heart?

This person could be your spouse, colleague, the judge hearing your case, or even you.

How long will we suffer in silence? We think we have to be strong all the time. We believe we are not allowed to cry or scream or admit that we are not okay. We mask when we are experiencing burnout, grief and loss, job dissatisfaction and family issues. We have not healed from traumatic childhoods and a tense relationship with a parent, family member, friend, co-worker or colleague. We have not healed from the rejection or failure we experienced years ago. We struggle with depression, anxiety, addictions and suicidal ideations. We crave love and attention. We keep pushing when we want to stop. There are days when we are depleted and have nothing to give. It is not only us who suffer when we do not deal with difficult emotions. Avoidance or denial can also affect the people around us by creating additional stress, frustration and resentment.

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According to the National Alliance on Mental Illness, "1 in 5 U.S. adults experience mental illness each year," but only 46.2% of U.S. adults with mental illness received treatment in 2020.[1]

Mental illnesses can affect people of any age, race, religion or income. Know that it is okay not to be okay. It is okay to ask for help. We are not always happy, positive and full of energy. You are not the only one who has felt desperate, terrified, bewildered and in immense pain. Suppressing emotions is unhealthy and can cause more pain and other mental or physical issues. We judge and shame ourselves more harshly than others due to the stigma surrounding mental and emotional health. Honest conversations need to occur to reduce the stigma and stereotypes, so no one feels ashamed or alone. Everyone needs a support system, but most struggle alone and do not seek help. No one wants to be viewed as weak, ineffective or "crazy" or jeopardize a career.

While it is okay not to be okay, it is not okay to stay not okay. Avoidance or denial will not solve anything. We do not have to have "it" all figured out. We are allowed to change our minds. We are allowed to be selfish and take a break. We must learn to be patient with ourselves and not overanalyze every situation.

This message is a reminder to *slow down* and *be present in the moment*. Acknowledge your current feelings.

Along with asking for support from a friend or professional, do something you enjoy, such as spending time outdoors, listening to music, engaging in a recreational sport, playing with a pet, or meditating. Prioritize sleep. Spend less time on social media. Engage in something that energizes you and create spaces to relax and recharge. Prioritize your happiness.

Avoid drinking alcohol or using drugs, overeating, sleeping too much or overspending. Unhealthy coping techniques only offer temporary relief.

For additional wellness information and tips or to seek confidential, non-disciplinary help, contact the professional clinical staff at JLAP at (985)778-0571, email jlap@louisianajlap.com, or visit the website at: *www.louisianajlap.com*. The call costs nothing but could make a life-changing difference.

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FOOTNOTE

1. "Mental Health By The Numbers," National Alliance on Mental Illness, *https://www.nami.org/mhstats*.

Dr. Angela White-Bazile, Esq., is the executive director of the Louisiana Judges and Lawyers Assistance Program, Inc. (JLAP) and can be reached at (985)778-0571, toll-free (866)354-9334 or by email at jlap@louisianajlap.com.

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FOCUS ON Professionalism

By Katherine L. Hurst

ATTORNEYS ARE PEOPLE, TOO

Is it too much to ask for attorneys to treat each other as human beings? I have been practicing law for more than 30 years and I still love what I do. I am one of those attorneys who has never regretted going to law school. During the height of the pandemic, I missed Court more than I missed going out to eat. I have a practice that focuses on an unusual combination of practice areas — family law, mainly child custody, and defending fellow attorneys in the disciplinary process. Both practice areas require dealing with clients who are under a great deal of stress, and often short deadlines are involved. Thankfully in my "prior life," before law school, I worked as a counselor with abused children and received a lot of training in stress management and crisis management. It's invaluable to my practice areas. One thing I always commit to doing is treating my clients with the empathy and respect they deserve, given the impact their cases are having on their emotional health.

As a longtime practitioner, I see an erosion of attorneys being given the basic respect of being a human being by colleagues, clients and sometimes the courts. Real-life examples I have witnessed or experienced — attorneys having emergency surgery and opposing counsel objecting to an obviously necessary continuance; objecting to a continuance solely because their client wants them to object, even though there is a verifiable scheduling conflict or emergency. Continuances don't require the consent of the client — that is counsel's call. Ordinarily, I will consult with my client prior to agreeing to a continuance, but, in a true emergency involving opposing counsel, I am not going to let my client make that call. I will explain to the client that it is something the court will grant with or without our agreement.

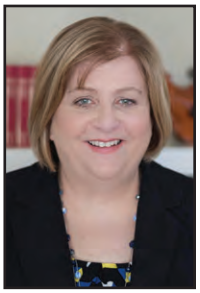
Our profession has one of the highest rates of suicide of all professions. Alcohol and drug addiction is prevalent. Depression is also a common issue facing legal professionals. I can't help but think that erosion of how we treat one another within the profession is contributing to the increase in these problems.

I remember in law school Ed Walters giving us law students some of the wisest advice: "The world is round." That opposing counsel you jerk around is going to be the one you need to agree to a continuance when you are in the midst of a family or medical emergency. I have had those moments in my career. I had to choose between giving them a dose of their own medicine or to treat them as I would want to be treated. I chose not to let the bad behavior of others define my conduct as a professional. Don't get me wrong. I am no saint, and a few times it's been tempting to deliver some "instant karma." This rarely serves the client's best interests, though. Personal pettiness definitely does not serve our profession.

We should all strive for a healthy work/life balance. That's hard to do in a profession when not all members respect that as necessary. That requires setting healthy boundaries with opposing counsel and clients. In an "instant access" society, setting boundaries is essential to prevent burnout. I have noticed an increase in counsel or clients emailing at all hours. Responding at all hours or setting time limits to protect your personal time is a choice. Make healthy choices.

Let's all strive to be more considerate of one another. Advocating well for our clients does not require us to treat opposing counsel as our personal enemy.

If you are suffering from burnout, mental illness or an addiction, the Louisiana State Bar Association offers the services of the Judges and Lawyers Assistance Program (JLAP). JLAP can be reached at (985)778-0571. All calls and services are confidential (La. R.S. 37:221 and La. Supreme Court Rule XIX, Sec 16 (J)). For more information on JLAP online, go to: *www.louisianajlap.com*.



Katherine L. Hurst is a solo practitioner in Lafayette whose primary practice areas are attorney disciplinary defense and complex domestic litigation. She is a member of the Louisiana State Bar Association's (LSBA) Committee on the Profession, the Practice Assistance and Improvement Committee and the House of Delegates. She served on the Subcommittee to Revise the Code of Professionalism that was adopted by the LSBA House of Delegates and approved by the Louisiana Supreme Court in 2018. She is a Louisiana Bar Foundation Fellow. She received her JD degree in 1991 from Louisiana State University Paul M. Hebert Law Center. Prior to establishing her firm, she clerked for former Louisiana Supreme Court Chief Justice Catherine D. (Kitty) Kimball, the Office of Disciplinary Counsel and the 3rd Circuit Court of Appeal. (klh@katherinehurst.com; Ste. 555, 600 Jefferson St., Lafayette, LA 70501)

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In 2022, Argent Financial Group was presented the inaugural Growth Leader Legend award by Louisiana Economic Development. This award celebrates organizations who have exemplified continued success.

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Bobby M. Harges, professor of law at Loyola University New Orleans College of Law, presented a CLE program on "So You Want to Be a Mediator."

Presenting a CLE program on "Becoming Your Best Self: Take Command, Be Empowered and Own Your Future" were, from left, Hon. Desirée M. Charbonnet, Charbonnet Law Firm, LLC; Elizabeth Tranchina, vice president of sports wagering and deputy general counsel for the Louisiana Lottery Corp.; Christine C. Bruneau, partner, Cotton Schmidt, LLP (moderator); and Vanessa Caston LaFleur, State Representative District 101.

Member Outreach/Diversity Department Hosts Midyear Meeting CLE Seminar

The Louisiana State Bar Association's (LSBA) Member Outreach and Diversity Department hosted a CLE seminar on Jan. 19, in conjunction with the LSBA's Midyear Meeting. This year's seminar provided legal professionals with the opportunity to earn CLE credit hours, obtain a new photo bar ID card and socialize with other attorneys. The LSBA thanks all attendees for making it a successful event.

Ashley F. Dees, left, a partner with Berry, Appleman & Leiden, LLP, and Samantha Hechtman, a senior associate with Ware Immigration, presented a CLE program on "The 360° Perspective of Immigration Law."

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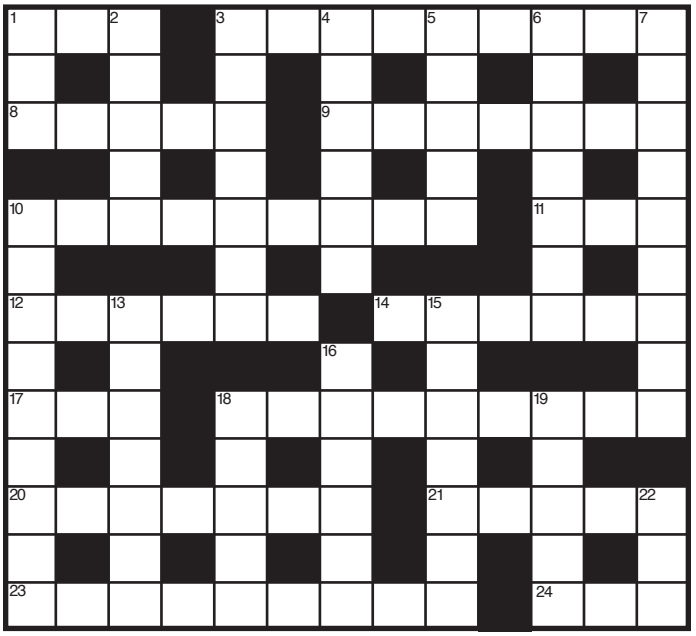
Crossword PUZZLE

By Hal Odom, Jr.

PLEASE TAKE A (PARISH) SEAT



ACROSS

1 Educational inst. at Natchitoches (1, 1, 1)
3 ___-Hache, seat of Plaquemines Parish (6-1-2)
8 Seat of Terrebonne Parish (5)
9 Deduced from principles (1, 6)
10 Seat of Winn Parish (9)
11 Born as (3)
12 ___ public; ___ seal (6)
14 Kawasaki on the water (3, 3)
17 Good name for a plaintiff's lawyer (3)
18 Parish where Franklin is the seat (5, 4)
20 Seat of Allen Parish (7)
21 Not rented out (5)
23 Under pressure; then and there (2, 3, 4)
24 Dissenting vote (3)

DOWN

1 Ultimate degree (3)
2 Total one-eighty (1-4)
3 Take steps in anticipation (4, 3)
4 One of the Google headings (6)
5 Fatigued (5)
6 Teems with (7)
7 Seat of Tangipahoa Parish (5, 4)
10 Seat of Franklin Parish (9)
13 Optimal (3, 4)
15 Deliver, as to a fiduciary (7)
16 Enroll (4, 2)
18 Work, as a crossword puzzle (5)
19 Port ___, seat of West Baton Rouge Parish (5)
22 Not settle out of court (3)

Answers on page 79.

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.

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River Parishes Area	Judge Jude G. Gravois judegravois@bellsouth.net	(225)265-3923 (225)265-9828 Cell (225)270-7705
Shreveport Area	Dana M. Southern dsouthern@shreveportbar.com	(318)222-3643

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

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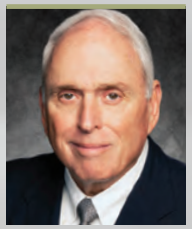
Martin **Coady**

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Patrick **Ottinger**

Mike **Patterson**

Larry **Roedel**

Marta-Ann **Schnabel**

Get to know Bob Barton

Bob practices law in Baton Rouge, where he is a managing partner of his firm and a member of the Executive Committee. He received his mediation training through the Program on Negotiation at Harvard Law School.

When mediating, Bob is a problem-solver rather than a decision-maker. He doesn't rule for either side and instead delivers fair and neutral solutions.

Get to know Tom Hayes

Tom practiced law for 46 years in Monroe, Louisiana. He was trained as a mediator at the Straus Institute for Dispute Resolution at Pepperdine School of Law. He has served as a Special Master in the Fourth and Eighth Judicial Districts.

As a mediator, Tom knows how to bring people together and put impartial solutions on the table.

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REPORT BY DISCIPLINARY COUNSEL

Public matters are reported to protect the public, inform the profession and deter misconduct. Reporting date April 3, 2023.

Decisions

Alton Bates II, Baton Rouge, (2022-B-01357) **Suspended for one year and one day, with all but six months deferred**, by order of the Louisiana Supreme Court on Jan. 27, 2023. JUDGMENT FINAL and EFFECTIVE on Feb. 10, 2023. *Gist:* Respondent settled a case without his client's knowledge or consent; failed to deposit the settlement funds into a client trust account; failed to prepare a disbursement statement; failed to disburse the client's portion of the funds to her; and failed to inform the client of the settlement for years.

Jason C. Bruzik, Harahan, (2022-B-01576) **Suspended for one year and one day, fully deferred, subject to a two-year period of probation, with conditions**, by order of the Louisiana Supreme Court on Feb. 7, 2023. JUDGMENT FINAL and EFFECTIVE on Feb. 21, 2023. *Gist:* Respondent structured his written fee agreement as an hourly-fee agreement and then routinely treated it as a flat-fee agreement, included provisions in the fee agreement making the advanced fee non-refundable; failed to deposit clients' advanced funds into a trust account; and failed to refund unearned fees to four clients.

Joni M. Buquoi, Gonzales, (2022-B-01737) **Consented to a six-month period of suspension, fully deferred, subject to a two-year period of probation with conditions**, by order of the Louisiana Supreme Court on Feb. 14, 2023. JUDGMENT FINAL and EFFECTIVE on Feb. 14, 2023. *Gist:* Respondent neglected a legal matter; improperly divided legal fees; failed to deposit advanced fees and costs into her client trust account; and commingled her attorney's fees with client funds in her trust account.

Robert B. Evans III, Metairie, (2022-B-01439) **Disbarred, retroactive to Sept. 28, 2018, the date of his interim suspension**, by order of the Louisiana Supreme Court on Jan. 27, 2023. JUDGMENT FINAL and EFFECTIVE on Feb. 10, 2023. *Gist:* Respondent filed an *ex parte* motion to withdraw more than $200,000 in disputed funds from the registry of the court, represented to the court that his former law partner had no opposition to the withdrawal of the funds, did not serve a copy of the motion on counsel of record, then filed two additional pleadings in which he made additional misrepresentations of fact, and engaged in the unauthorized practice of law after he was placed on interim suspension.

Brenda F. Ford, Mansfield, (2023-B-0072) **Suspended from the practice of law for a period of six months, all but 90 days deferred, followed by a one-year probation**, by order of the Louisiana Supreme Court on March 7, 2023. JUDGMENT FINAL and EFFECTIVE on March 7, 2023. *Gist:* Respondent had a conflict of interest with representation of one client that was directly adverse to another; representation materially limited by responsibilities to another client; and violated or attempted to violate the Rules of Professional Conduct.

Wren'nel M. Gibson, Baton Rouge, (2023-B-00075) **Suspended from the practice of law for a period of three years** by order of the Louisiana Supreme Court on March 7, 2023. JUDGMENT FINAL and EFFECTIVE on March 7, 2023. *Gist:* Respondent failed to timely disburse settlement funds owed to a client and the client's medical providers; failed to adequately communicate with the client; converted or allowed the conversion of client funds; failed to timely provide the client with her file upon written request; and failed to cooperate with the ODC in two investigations.

Christopher Alexander Gross, New Orleans, (2022-B-01471) **Disbarred, retroactive to Jan. 8, 2020, the date**

Continued next page

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Discipline continued from page 48

of his interim suspension, by order of the Louisiana Supreme Court on March 14, 2023. JUDGMENT FINAL and EFFECTIVE on March 28, 2023. *Gist:* Respondent neglected legal matters; failed to communicate with clients; failed to refund unearned fees; practiced law while ineligible to do so; engaged in deceitful conduct; and failed to cooperate with the ODC in its investigations.

Darrell Keith Hickman, Alexandria, (2023-OB-0093) **Permanently resigned from the practice of law in lieu of discipline** by order of the Louisiana Supreme Court on March 14, 2023. JUDGMENT FINAL and EFFECTIVE on March 14, 2023.

Quiana Marie Hunt, Metairie, (2022-B-01792) **Suspended for one year and one day from the practice of law** by order of the Louisiana Supreme Court on March 14, 2023. JUDGMENT FINAL and EFFECTIVE on March 28, 2023. *Gist:* Respondent failed to fulfill her professional obligations; failed to pay costs associated with a prior disciplinary matter; and failed to cooperate with the ODC in two investigations.

Richard William Huye III, New Orleans, (2023-B-0277) **Transferred to interim suspension status** by order of the Louisiana Supreme Court on March 3, 2023. JUDGMENT FINAL and EFFECTIVE on March 3, 2023.

Juan Carlos Labadie, Gretna, (2022-B-01552) **Suspended from the practice of law for a period of two years** by order of the Louisiana Supreme Court on Jan. 18, 2023. JUDGMENT FINAL and EFFECTIVE on Feb. 1, 2023. *Gist:* Respondent violated the Rules of Professional Conduct and the laws of the State of Louisiana by possessing an illegal narcotic/controlled substance and doing so while driving a vehicle, which presented a high risk of harm to the public.

Charles L. McCollum, Shreveport, (2023-B-0227) **Interimly suspended** by order of the Louisiana Supreme Court on March 9, 2023. JUDGMENT FINAL and EFFECTIVE on March 9, 2023.

Carl J. Rachal, Lafayette, (2022-B-01636) **Suspended from the practice of law for a period of 60 days, deferred in its entirety**, by order of the Louisiana Supreme Court on Feb. 14, 2023. JUDGMENT FINAL and EFFECTIVE on Feb. 28, 2023. *Gist:* Respondent neglected a client's legal matter, which resulted in the dismissal of her lawsuit, and then failed to promptly communicate to her that his malpractice caused the dismissal.

Dustin Segura, Prairieville, (2022-B-01462) **Conditional admission to the practice of law has been revoked**, by order of the Louisiana Supreme Court on March 14, 2023. JUDGMENT FINAL and EFFECTIVE on March 14, 2023.

Stephen J. Simone, Kenner, (2022-B-1773) **Public reprimand** by order of the Louisiana Supreme Court on Feb. 14, 2023. JUDGMENT FINAL and EFFECTIVE on Feb. 14, 2023. *Gist:* Respondent commingled and converted client funds; and violated or attempted to violate the Rules of Professional Conduct.

W. James Singleton, Shreveport, (2022-B-1338) **Suspended from the**

Continued next page

Advice and Counsel Concerning Legal & Judicial Ethics

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DISCIPLINARY REPORT: UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA

The following is a verbatim report of the matters acted upon by the United States District Court for the Eastern District of Louisiana, pursuant to its Disciplinary Rules. This information is published at the request of that court, which is solely responsible for the accuracy of its content. This report is as of April 4, 2023.

Respondent	Disposition	Date Filed	Docket No.
Jonathan B. Andry	Suspension.	2/27/2023	15-2478
Sedric E. Banks	[Reciprocal] Suspension, partially deferred.	2/3/2023	22-1933
Kenneth J. Beck	[Reciprocal] Suspension, partially deferred.	2/22/2023	22-2120
Nicole E. Burdett	[Reciprocal] Immediate interim suspension.	3/14/2023	22-3993
Steven W. Hale	[Reciprocal] Suspension, fully deferred.	3/14/2023	22-3994
William K. Hawkins	[Reciprocal] Immediate disbarment.	2/22/2023	22-2461
Carol S. Hunter	[Reciprocal] Suspension, fully deferred.	2/22/2023	22-2121
Richard William Huye III	[Reciprocal] Interim suspension.	3/20/2023	23-96
David R. Opperman	[Reciprocal] Interim suspension.	2/3/2023	22-2062
Karen Ruth Carter Peterson	[Reciprocal] Disbarment.	3/14/2023	22-3073
George Randy Trelles	[Reciprocal] Suspension.	2/22/2023	22-2460
Heidi M. Vessel	[Reciprocal] Suspension, fully deferred.	2/3/2023	22-2060
Byron C. Williams	[Reciprocal] Suspension.	2/22/2023	22-2122

Discipline continued from page 49

practice of law for one year and one day by order of the Louisiana Supreme Court on Jan. 27, 2023. JUDGMENT FINAL and EFFECTIVE on Feb. 10, 2023. *Gist:* Respondent mishandled a client's settlement and failed to create a written settlement statement.

W. Glenn Soileau, Breaux Bridge, (2022-B-01764) **Permanent disbarment** by order of the Louisiana Supreme Court on March 7, 2023. JUDGMENT FINAL and EFFECTIVE on March 21, 2023. *Gist:* Respondent's misconduct was egregious by interfering with a police investigation and counseling a client to destroy evidence. Respondent has demonstrated a convincing lack of ethical and moral fitness to practice law. Respondent's long prior disciplinary history, both as an attorney and a judge, demonstrates that there is no reasonable expectation of significant rehabilitation in his character in the future.

Jennifer R. Treadway, New Orleans, (2023-OB-00005) **Permanently resigned from the practice of law in lieu of discipline** by order of the Louisiana Supreme Court on Feb. 14, 2023. JUDGMENT FINAL and EFFECTIVE on Feb. 14, 2023.

Richard Forrest White, Lake Charles, (2022-B-1701) **Disbarred from the practice of law** by order of the Louisiana Supreme Court on Feb. 24, 2023. JUDGMENT FINAL and EFFECTIVE on March 10, 2023. *Gist:* In Count I, respondent neglected a legal matter; failed to communicate with a client; lacked diligence; engaged in conduct prejudicial to the administration of justice; engaged in conduct involving dishonesty, fraud, deceit or misrepresentation; and failed to cooperate with ODC. In Count II, respondent knowingly disobeyed an obligation under the rules of a tribunal; engaged in conduct prejudicial to the administration of justice; engaged in criminal conduct; and failed to cooperate with ODC. In Count III, respondent failed to communicate with a client; failed to return a client file; and failed to cooperate with ODC.

Admonitions

2 Violations of Rule 1.15(a) — Safekeeping Client Property of clients or third persons in a lawyer's possession in connection with a representation.

2 Violations of Rule 1.15(f) — Safekeeping Client Property relating to every check, draft, electronic transfer, or other withdrawal instrument or authorization from a client trust account shall be personally signed by a lawyer.

2 Violations of Rule 7.2(a)(1) — Required Content of Advertisements and Unsolicited Written Communications, Name of Lawyer.

3 Violations of Rule 7.2(a)(2) — Required Content of Advertisements and Unsolicited Written Communications, Location of Practice.

13 Violations of Rule 7.2(a)(3) — Required Content of Advertisements and Unsolicited Written Communications, Louisiana State Bar Association Lawyer Advertising Filing Number.

1 Violation of Rule 7.7(c) — Evaluation of Advertisements, Regular Filing.

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Alena Allen is coming home. This summer, the Louisiana native will be formally installed as dean of the Paul M. Hebert Law Center. She most recently served as deputy director for the Association of American Law Schools, and professor of law at the University of Arkansas School of Law. Allen's scholarship focuses on health policy and tort law. At the University of Arkansas, Allen held several leadership positions, including associate dean for research and faculty development, and interim dean. She was previously a tenured associate professor at the University of Memphis Cecil C. Humphreys School of Law, where she also served as director of diversity, director of research, and a faculty senate member. Allen earned her bachelor's degree, magna cum laude, from Loyola University New Orleans. She is a graduate of the Yale Law School, where she was the articles editor of the Yale Journal of Regulation.

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Office of the U.S. Trade Representative

Agreement Between the Government of the United States of America and the Government of Japan on Strengthening Critical Minerals Supply Chains (March 28, 2023).

On March 28, 2023, the United States signed a Critical Minerals Agreement (CMA) with Japan covering bilateral trade in certain critical minerals used for electric vehicle battery production. Although not structured as a traditional free-trade agreement covering substantially all trade tariff lines and substantive disciplines between the countries, the CMA does impose commitments for cooperation to strengthen and diversify critical minerals supply chains. Each country also reaffirms its GATT/WTO obligations to refrain from imposing import restrictions and guaranteeing national treatment to bilateral trade in the covered critical minerals.

The CMA's status as a free-trade agreement is important because the U.S. Income Reduction Act allows tax credits for electric vehicle battery components emanating from a free-trade agreement partner. Section 30D of the Income Reduction Act provides up to a $7,500 credit for new electric vehicles where at least 50% of the value of the battery components are manufactured or assembled in the United States and at least 40% of the value of the critical minerals are "extracted or processed in the United States, or in any country with which the United States has a free trade agreement in effect." The U.S. Treasury is expected to comment soon on what qualifies as a free-trade agreement under the Income Reduction Act. This type of sector- and product-specific trade agreement is a new tool in the U.S. arsenal for reframing and securing crucial supply lines with allies. These bilateral agreements could also prevent potential GATT/WTO challenges to the Income Reduction Act's green credits and subsidies.

U.S. Department of Homeland Security and U.S. Customs and Border Protection

Customs and Border Protection Headquarters Ruling H329630 (March 9, 2023).

U.S. Customs and Border Protection (CBP) recently ruled that a foreign-flagged vessel may engage in certain activities related to the installation of electric-power-transmission cables between wind-turbine foundations and/or offshore-substation foundations. Many offshore activities require Jones Act coastwise-qualified vessels, including

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certain dredging activity and transportation of merchandise and crew. In this case, the company proposed using non-Jones Act coastwise-qualified cable-lay and trencher support vessels to lay and bury electrical transmission cables on the seabed of U.S. territorial waters.

CBP addressed the request in three parts. CBP first looked at whether the cable laying and burial operations violate Jones Act Section § 55109, which permits only Jones Act coastwise-qualified vessels to engage in dredging in U.S. navigable waters. Relying on prior rulings, CBP held that deploying water jetting to emulsify the seabed and then bury cables does not constitute dredging under the statute. "[W]e find that this is a 'temporary lift' of a 'narrow slice' of the seabed that amounts to a 'temporary manipulation of the seabed' rather than the creation of a furrow or trench by operation of a share or plow and disc cutting wheel" and, as such, the operation is not dredging activity requiring a Jones Act coastwise-qualified vessel.

Second, CBP addressed whether transportation of cable merchandise by the non-coastwise-qualified vessel violates Jones Act Section § 55102, which allows the transportation of merchandise between U.S. points only by coastwise-qualified vessels. The cable and its protection systems will be laded outside the United States and then transported to U.S. locations. CBP concluded that direct transportation of cable from a foreign location to the United States does not constitute coastwise transportation within the Jones Act.

Finally, CBP examined whether the crew transportation by a non-coastwise-qualified vessel contradicts Jones Act Section § 55103, which allows only Jones Act coastwise-qualified vessels to transport passengers between ports or places in the United States. CBP reviewed the job descriptions of the various crew members and concluded that their work "tasks are directly and substantially connected with the operation of the vessel." Accordingly, the crew members are not passengers within the meaning of the Jones Act, and their transportation within U.S. waters is permissible.

—Edward T. Hayes

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What is a Salary?

Helix Energy Sols. Grp., Inc. v. Hewitt, 143 S.Ct. 677 (2023).

The Supreme Court recently issued its long-awaited opinion answering a deceptively simple question: *What is a salary?* Justice Kagan, writing for a 6-3 majority, affirmed the 5th Circuit in finding that the plaintiff's day-rate pay structure did not qualify as a "salary" under the Fair Labor Standards Act (FLSA).

The facts are straightforward. Plaintiff Michael Hewitt was a tool pusher on an offshore rig. He worked 28 days on, 28 days off, and generally worked 84 hours a week during his hitch. Hewitt was paid a daily rate ranging from $963 to $1,341, and he regularly earned more than $200,000 a year.

Hewitt filed suit in the Southern District of Texas seeking overtime pay under the FLSA. The district court granted summary judgment for Helix. The 5th Circuit reversed — first in a unanimous three-judge opinion, then in a contentious three-judge rehearing opinion (see Christopher L. Williams, Overtime Requirements of the Fair Labor Standards Act, 68 La. B.J. 437 (2021), and finally in an en banc decision, *Hewitt v. Helix Energy Sols. Grp., Inc*., 15 F.4th 289 (5 Cir. 2021).

The Supreme Court, like the 5th Circuit, focused on the salary basis test set forth in the FLSA regulations. In brief, a highly compensated employee such as Hewitt qualifies as overtime-exempt if he performs any traditionally "exempt" task regularly and is paid on a salary basis. 29 C.F.R. § 541.100 and § 541.601. The regulations define a salary basis as a "predetermined amount constituting all or part of the employee's compensation, which amount is not subject to reduction because of variations in the quality or quantity of the work performed." 29 C.F.R. § 541.602(a). Another regulation provides that payment on an "hourly, a daily, or a shift basis" *can* qualify as a salary, if the employer guarantees a certain minimum salary "regardless of the number of hours, days, or shifts worked." 29 C.F.R. § 541.604(b). (This minimum weekly sum was $455 during the time period at issue but has since increased to $684.) That guaranteed sum must bear a "reasonable relationship" to the amount actually earned in a typical workweek. *Id.*

The Court began its analysis by finding that Hewitt was not exempt under

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§ 602(a), as the day-rate pay structure meant that his pay was "subject to reduction because of variations in . . . quantity of the work performed." Put simply, the more days he worked, the more he'd get paid, as "a daily-rate worker's weekly pay is always a function of how many days he has labored . . . ." 143 S.Ct. at 686. This is not a true salary, which "connotes a steady and predictable stream of pay, week after week after week." *Id.* at 684. The Court then turned to § 604(b), which allows someone paid on an "hourly, daily, or shift basis" to qualify as salaried under specific, tightly delineated circumstances. Helix, counterintuitively, argued that this provision is simply *inapplicable* to highly compensated employees like Hewitt. Thus, Helix claimed, the definition of salary must mean something different as to highly compensated employees. The Court made short shrift of this argument, as nothing in the text of either regulation supports Helix's claim. As the Court explained, the differences between the highly compensated exemption and the "normal" exemptions are based on the *amount* of compensation and the *degree* of exempt duties performed — the salary definition remains the same.

The majority then turned to Helix's policy arguments that highly paid workers like Hewitt don't really need overtime, an assertion that held sway among some dissenting judges below. However, "even the most formidable policy arguments cannot overcome a clear textual directive," and the FLSA covers even well-paid workers: "Congress has repeatedly rejected efforts to categorically exempt all highly paid employees from overtime requirements." *Id*. at 690. This "statutory choice" cannot be overcome by an appeal to policy. As Justice Kagan pointed out, accepting Helix's arguments would also deprive many modestly paid employees from overtime, as there is no principled way to read the salary regulations as applying only to highly paid workers.

Justice Gorsuch dissented and would have dismissed the writ as improvidently granted and, therefore, left the *en banc* decision undisturbed. He opined that the facts of the case, and how it was framed by the parties, did not line up neatly with the questions presented in the writ of certiorari.

Justice Kavanaugh, joined by Justice Alito, dissented on the merits. Justice Kavanaugh pointed out that the salary-basis test, as it stood in 2015, required guaranteed payment of at least $455 a week. Hewitt received at least $963 for working a single day; thus, "Hewitt was guaranteed a 'predetermined amount' of at least $455 per week (in fact, $963 per week) as part of his total compensation for any week that he worked." *Id* at 690. The Court's conclusion otherwise was, the dissent concluded, "headscratching."

The dissent's final point is perhaps its broadest, as Justice Kavanaugh mused on whether the regulations' focus on a "salary basis" was inconsistent with the text of the FLSA. That Act does not mention a salary at all, but instead gen-

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erally refers to "any employee employed in a bona fide executive, administrative, or professional capacity." 29 U.S.C. § 213(a)(1). Justice Kavanaugh professes that he is "hardpressed to understand why it would matter for assessing executive status whether an employee is paid by salary, wage, commission, bonus, or some combination thereof." *Id*. at 695. (The dissent does not cite the statutory provision explicitly stating that these statutory terms may be "defined and delimited from time to time by regulations of the Secretary" of Labor, precisely what has happened here.)

After four appellate opinions, numerous dissents, concurrences and several years of litigation, one thing is certain — Michael Hewitt will finally receive his overtime pay. Left uncertain is how the *Hewitt* decision will shape FLSA litigation moving forward. Needless to say, employment attorneys on both sides of the aisle will be carefully reviewing pay structures for highly compensated employees in light of the Supreme Court's decision.

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Test Wells and Seismic Surveys

Air Prods. Blue Energy, LLC v. Livingston Par. Gov't, No. 22-809 (M.D. La. Dec. 26, 2022), 2022 WL 17904535.

In 2021, the State of Louisiana executed a lease with Air Products Blue Energy, LLC, giving the company the right to use pore spaces beneath certain state water bottoms for carbon capture and storage (CCS). The area covered by the lease is beneath Lake Maurepas, with much of the area being within Livingston Parish.

In September 2022, the Livingston Parish Council voted to enact Ordinance No. 22-45, which imposed a one-year moratorium on the construction or operation of CCS injection wells. In October 2022, the Livingston Parish Council voted to adopt a second ordinance — Ordinance No. 22-49 — which placed a one-year moratorium on the construction or operation of geologic test wells and on the use of seismic exploration, both of which would be used by a company in gathering information needed to apply for a permit to construct and operate a CCS injection well.

Air Products responded by filing suit in the U.S. District Court for the Middle District of Louisiana. The case was assigned to Judge Shelly D. Dick. In the suit, Air Products challenged the October 2022 ordinance that places a one-year moratorium on test wells and seismic surveys. Air Products contended that the ordinance is preempted by both federal and state law.

Livingston Parish argued that Air Products lacked standing, but the court easily rejected that argument. Air Products' objection to the ordinance was not merely theoretical or philosophical. The court noted that Air Products had acquired a lease to conduct CCS operations, that the ordinance prohibited seismic testing and test wells that would be used to provide information essential for preparing a CCS permit application, and that Air Products had acquired permits from the state regulator to conduct seismic activities and drill a test well. Therefore, Air Products had standing.

Livingston Parish also argued that Air Products' claim was not ripe, but the court easily rejected that argument,

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too. Air Products put on evidence that it planned to start the sort of work that would be prohibited by the ordinance in December 2022. Because the ordinance prohibited Air Products from performing work it was almost ready to start, rather than work the company planned for the distant future, the company's claim was ripe.

The court then considered whether Air Products was entitled to a preliminary injunction to block enforcement of the ordinance. The court stated that to be entitled to a preliminary injunction, a party must show four things: (1) a substantial likelihood of success on the merits; (2) a substantial threat that the party seeking the injunction will incur irreparable injury in the absence of an injunction; (3) the threatened injury to the party seeking the injunction outweighs any damage that the injunction would cause to the adverse party; and (4) the injunction would not do disservice to the public interest.

The court first considered the likelihood that Air Products would succeed on the merits. The court rejected Air Products' argument that the Livingston Parish ordinance is preempted by federal law. The court noted that the federal Safe Drinking Water Act — the primary federal legislation that applies — contains a savings clause in 42 U.S.C. § 300h-2(d) that allows states to regulate underground injections, provided that doing so does not impinge on federal regulations. Thus, federal law did not preempt the challenged ordinance by field preemption. Further, the court concluded that the ordinance did not directly interfere with federal law. Thus, the challenged Livingston Parish ordinance was not preempted through conflict preemption. As a result, federal law would not preclude enforcement of the ordinance.

Next, the court addressed the possibility that Livingston Parish's moratorium on test wells is preempted by state law. The court noted that the Louisiana 1st Circuit determined, in a prior case involving other parties, that Louisiana's underground-injection-control laws preempted a local ordinance that sought to regulate the location of "Class II" saltwater injection wells. The court reasoned that if Louisiana's injection control laws preempt local efforts to regulate Class II injection wells, then Louisiana law would preempt local efforts to regulate test wells.

The court also noted that Louisiana has a pervasive set of statutes and regulations governing underground injections. This convinced the court that Livingston Parish's moratorium on test wells is preempted. The court concluded that Livingston Parish's moratorium on seismic surveys is likewise preempted because it is linked to the ban on test wells. For these reasons, the court concluded that Air Products was likely to succeed on the merits.

The court concluded that the other requirements for a preliminary injunction were also satisfied: (1) the

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Livingston Parish ordinance would cause irreparable harm to Air Products' good will and competitive advantage; (2) the threatened harm to Air Products outweighed any harm to Livingston Parish because a governmental entity has no valid interest in enforcing an unlawful ordinance; and (3) an injunction that requires compliance with the law is in the public interest. Accordingly, the court issued a preliminary injunction to bar enforcement of the Livingston Parish's October 2022 ordinance that imposed a one-year moratorium on test wells and seismic surveys.

—Keith B. Hall
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Motion for Summary Judgment Deadlines

Mahe v. LCMC Health Holdings, LLC, 23-00025 (La. 3/14/23), 357 So.3d 322.

The plaintiff, having failed to file an opposition to the defendant's motion for summary judgment within the 15-day period required by Louisiana Code of Civil Procedure article 966(B)(2), then filed a motion to postpone the hearing on the defendant's motion, explaining that her opposition was delayed because her expert was "out of town." The trial court granted the continuance, stating that "he wanted to 'have the substance' of the opposition." The court of appeal denied the defendant's writ application.

The Louisiana Supreme Court noted that the guidelines of article 966 are mandatory. Article 966(B)(2) states in pertinent part: "[T]he opposition shall be filed and served in accordance with Article 1313 not less than fifteen days prior to the hearing on the motion." While noting that "the district court implicitly found good cause under La. Code Civ. P. art. 966(C)(2)," the Supreme Court reasoned that "[a] continuance under La. Code Civ. P. art. 966(C)(2) cannot serve as a pretext to circumvent the deadlines set forth in La. C.C.P. art. 966 (B)(2)." *Id*.

The Court recognized the many substantive changes to article 966 over the years, but reasoned that, despite these changes, "the long-held tenet that good cause does not exist when a continuance is granted solely to allow the consideration of untimely filed pleadings or other summary judgment evidence remains true." *Id*. at 322 n.2. Consequently, irrespective of whether an expert's unavailability would constitute "good cause," the plaintiff's motion for a continuance was filed after the 15-day mandatory deadline. The lower courts' decisions were reversed, and the matter was remanded for a hearing on the defendant's motion for summary judgment "without consideration of the plaintiff's untimely filed opposition." *Id*. at 323.

Panel Instructions on Emergency Immunity

Sebble ex rel. Est. of Brown v. St. Luke's #2, LLC, 22-0620 (La. App. 4 Cir. 3/6/23), ____ So.3d ____, 2023 WL 2364840.

In a case involving the death of a

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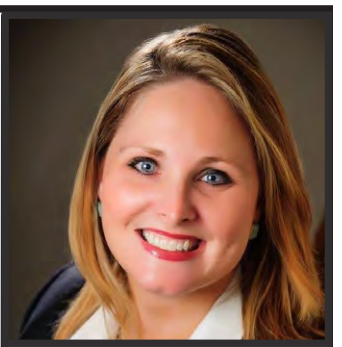
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nursing home resident during the COVID-19 pandemic, the plaintiff sought declaratory judgment on the issue of whether the medical-review panel should be instructed on the gross negligence standard contained in the statute granting health-care providers immunity during a declared state of public health emergency. *See* La. R.S. 29:771(c)(1). The plaintiff argued that the attorney chair should be prohibited from instructing the panel on the gross negligence standard, when the panel is only tasked with determining whether the defendants breached the ordinary negligence standard of care under the Louisiana Medical Malpractice Act (LMMA). The defense filed an answer to the petition for declaratory judgment, asking the court to find that the gross negligence standard applied at the medical-review-panel stage. The parties then filed cross motions for summary judgment. The district court granted plaintiff's motion and denied defendant's. The defendant appealed.

The appellate court considered the question of whether La. R.S. 29:771(c)(1) "is a modified standard of care, which should be considered and applied during the medical review panel proceeding, or whether it is an immunity statute, which can only be raised as an affirmative defense." The defendant argued that the statute creates a modified standard of care that is immediately triggered when a state of public-health emergency is declared. To prevent the attorney chair from instructing the panel on the gross negligence standard would violate the provisions of the LMMA, which states that the chair "shall advise the panel relative to any legal question involved in the review proceeding." See La. R.S. 40:1231.8(D)(5).

The plaintiff drew the distinction between medical standards of care and legal standards of care, arguing that neither the chair nor the panelists are trained to differentiate between negligence and gross negligence within a given medical specialty; such a determination should be left to the fact finder. In further support, the defendant cited a decision from the 5th Circuit, *In re Welch*, 21-0624 (La. App. 5 Cir. 1/26/22), 2022 WL 242683 (unpublished), *writ denied,* 22-0230 (La. 4/20/22), 336 So.3d 894, which held that an attorney chair has a duty to advise the panel on the applicable law, including the gross negligence standard under the emergency immunity statute. The appellate court disagreed.

Reasoning that the LMMA is to be strictly construed and that it makes no mention of the gross negligence standard, the 4th Circuit concluded "that the Legislature has evinced an intent to have medical experts render an opinion according to their medical expertise, not their legal expertise." After reviewing the jurisprudence surrounding the gross negligence standard, the appellate court explained that the terms "gross negligence," "willful misconduct" and "intentional" have come to take on the same meaning. As the LMMA applies only to unintentional torts, the appellate court found it inappropriate to instruct the panel on the gross negligence standard, which would include intentional acts. Furthermore, the court found La. R.S. 29:771(c)(1) to be an immunity statute, which can be raised only as an affirmative defense after the panel stage is complete. The court reasoned that the legislators clearly intended the law to operate as an immunity statute based on the language used and that any opinion reached by the panel regarding gross negligence would exceed its duty under the LMMA. Finding no error with the district court's decision, the appellate court affirmed.

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iCloud Storage Subscription Fees Held Not Subject to Sales Tax

Apple, Inc. v. Samuel, BTA Docket No. L01283 (1/12/23).

Apple, Inc. is a California company that designs, manufactures and markets consumer electronics, software and personal computers. During the sales tax periods Jan. 1, 2016, through Oct. 31, 2018 (Audit Period), Apple had customers in the City of New Orleans/Orleans Parish (City).

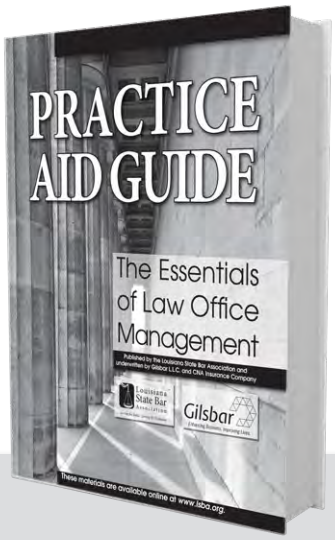
During the Audit Period, Apple offered a remote personal-electronic-storage-capacity device called "iCloud." iCloud software and functionality were preloaded on every Apple device sold during the Audit Period. iCloud allows users, via an Internet connection, to upload their personal digital content, such as photos, videos and music, to Apple's remote servers and access their personal digital content from any of their Apple devices or other devices connected to the Internet.

Apple imposes no charge for the use of iCloud; however, if the subscriber wants to store more than 5 gigabytes of personal digital content, the subscriber must pay a monthly subscription fee for a storage plan ranging from 99 cents per month for up to 50 gigabytes of storage to $9.99 per month for up to two terabytes of storage. No additional software is provided to a subscriber when the subscriber executes a subscription for increased storage on iCloud.

The City conducted an audit of Apple's sales-tax returns for the Audit Period. The City issued an assessment for additional City sales tax and French Quarter Economic Development District sales/use tax (Assessment). According to the Assessment, the City generally sought to impose sales tax on subscription fees received by Apple for iCloud storage subscriptions.

Apple argued that sales of iCloud subscriptions are sales of "Internet Access" as defined in the Internet Tax Freedom Act (ITFA). The ITFA generally imposes a moratorium on states and their political subdivisions from taxing Internet Access. Apple contended that its iCloud service meets the definition of Internet Access under the ITFA because it provides storage-plan subscribers with "personal electronic storage capacity."

The Louisiana Board of Tax Appeals (BTA) held the transactions at issue fit within the meaning of the language in the ITFA. The BTA noted that iCloud is provided to individual customers for their personal use in storing and retrieving their data; data is accessed on a computer or other electronic device through the Internet; iCloud provides a space for



Practice Aid Guide: The Essentials of Law Office Management

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the data to be stored; and iCloud has a capacity for holding and storing data. The BTA held there was nothing in the plain text of the statute that was irreconcilable with iCloud as it was described in the undisputed facts of the case.

In addition, the BTA noted services are generally not taxable under Louisiana law, except for the specifically enumerated taxable services in La. R.S. 47:301(14). Personal-electronic-storage services are not one of the listed taxable services. The BTA held under the uncontested facts personal-electronic-storage services would be considered non-taxable services.

—**Antonio Charles Ferachi**
Vice Chair, LSBA Taxation Section
Director of Litigation-General Counsel
Louisiana Department of Revenue
617 North Third St.
Baton Rouge, LA 70802

Louisiana Worker Classification Initiative and Filing Non-Employee Information Returns

The Louisiana Department of Revenue (LDR) has promulgated rules to implement a Fresh Start Proper Worker Classification Initiative, which legislation also includes a Voluntary Disclosure Program (VDP) that allows employers to address liabilities for past periods. In addition, the LDR has also published guidance regarding the filing of non-employee information returns (Forms 1099-NEC) directly with the LDR. These developments may facilitate the LDR's efforts to monitor the classification and taxation of workers as employees or independent contractors. The Initiative and VDP present an opportunity for businesses to proactively address worker-classification issues in light of the new information filing requirement.

The Initiative was originally introduced in 2021 and modified and reintroduced in 2022. It allows for the voluntary reclassification of workers treated erroneously as non-employees (*i.e.*, independent contractors) to employees. The VDP provisions waive interest for eligible employers that opt to make a disclosure and pay unemployment taxes and penalties for workers reclassified as employees over an agreed look-back period. The Louisiana Workforce Commission is to promulgate rules and regulations implementing the VDP. The Initiative also allows an eligible taxpayer to voluntarily reclassify a worker as an employee for future tax periods without being liable for any withholding tax or related interest and penalties on past amounts paid to such workers. The LDR is authorized to promulgate rules and regulations for the implementation of the fresh start provisions in the Initiative. Pursuant to LDR RIB 23-010, an application, with appropriate documentation, must be submitted between Jan. 1, 2023, and Dec. 31, 2023. Eligible employers must have consistently treated the class or classes of workers as non-employees for the last three years. A class of workers is defined as a group of workers providing the same or similar services, and all employees in the same class must have been treated similarly. If an application is accepted, it constitutes a joint closing agreement with the LDR, and the business agrees to timely report and remit withholding taxes and unemployment insurance contributions for the reclassified employees.

The LDR also recently issued RIB 23-006 (Jan. 12, 2023), requiring businesses to directly file with the LDR any Forms 1099-NEC for services provided in Louisiana or for services performed by an individual residing in Louisiana at the time the services were performed, but only under certain circumstances. This requirement applies from the 2022 tax year onward. The deadline for the direct filing with the LDR is Feb. 28 of each year.

The direct filing requirement is triggered only if a business has not timely filed Forms 1099-NEC with the Internal Revenue Service electronically. It does not apply where the business has either (1) timely filed Forms 1099-NEC with the IRS through their FIRE system after opting into the Combined Federal/State Filing Program (CF/SF) and identifying the data by the Louisiana state code of 22, or (2) timely filed Forms 1099-NEC through commercial third-party software and authorized the IRS to share the information with LDR. The requirement will apply where only a paper filing of Forms 1099-NEC has been made with the IRS, whether or not an electronic filing is mandated. The requirement is applicable to businesses as well as sole proprietors.

Because Forms 1099-NEC are filed for independent contractors but not for employees, it is possible that the direct-filing requirement may also have relevance for the LDR to monitor worker classification going forward.

—**Jaye A. Calhoun**
Member, LSBA Taxation Section
Kean Miller, LLP
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New Orleans, LA 70112

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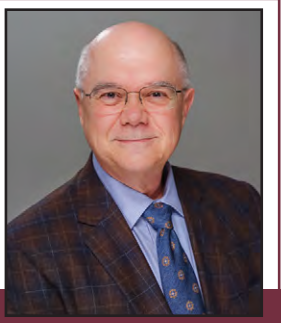

A Central Louisiana native and a practicing attorney for 30 years, Randall is a graduate of the Northeast Louisiana University School of Pharmacy and is a registered pharmacist. His education, training and litigation experience in state and federal courts provide a wealth of knowledge, especially in complex medical causation cases. Let Randall's experience help you successfully mediate your case.

CHAIR'S MESSAGE

We Have a Place for You

By Senae D. Hall

When I was elected as secretary for the Louisiana State Bar Association's Young Lawyers Division (LSBA YLD) in August 2020, I wasn't thinking about what the content of my first Chair's Message would be three years later. In fact, my focus was devoted to finding my "new normal" while still hoping that things would go back to "normal" after dealing with COVID-19 for six months. Of course, we all know how that turned out. Needless to say, life has been a bit of a roller coaster these past three years and, before I knew it, it was time to write this message.

It's easy to type words on a computer that are pretty, sophisticated and politically correct, but my goal has always been to share with all of you a piece of my journey and true experience with the YLD. As easy as that sounds, I hit a roadblock while trying to do so. The idea that this would be my first introduction to thousands of my colleagues across the entire state was major. After all, first impressions are the lasting ones, right?

So here I am, trying to write my Chair's Message while meal-prepping for the week, preparing for upcoming jury trials, responding to emails, and trying to meet all seven of my deadlines set for the week. Like most young lawyers, this is our beautiful chaos.

In the midst of my multitasking, I reached out to a fellow young lawyer with a legal question. It sounded loud and chaotic when she answered the phone. She then apologized and proceeded to detail all the things she had going on. We laughed about it, she answered my questions, and we said our good-byes. It was in that VERY moment that I was reminded that no matter how busy, overwhelmed or stressed I get, I AM NOT ALONE on this journey. The feeling of not being alone within this profession is the embodiment of my overall experience since becoming active with the YLD.

Senae D. Hall

Once I passed the Bar and started my first professional job, my main focus was to keep up with my billable hours all while trying to hold on to the small amount of freedom I felt that I had left. How's that for work-life balance? Sure, I volunteered and participated in local events when time permitted, but beyond that I had no idea what the LSBA YLD truly had to offer. We know that every member of the LSBA who has not reached the age of 39 or who has been admitted to practice for fewer than five years is, by virtue, a member of the YLD. However, even with that knowledge, I still wasn't clear where I fit in.

It wasn't until years later, while working as an assistant district attorney in Caddo Parish (Shreveport), that I had one of my first introductions to what the LSBA YLD had to offer. I attended a Barristers for Boards event in Shreveport that was hosted by the LSBA YLD. This program aims to help young lawyers stay involved in their local communities through placement on nonprofit boards and committees. This program gave me the vehicle to apply and be selected for a board position for a nonprofit that is near and dear to my heart. After that, I was fully invested in learning more about the YLD.

Part of what makes our profession so amazing is that there are a variety of different journeys and pathways that we all have taken to get to where we are today. Some of you knew when you were young that you wanted to be a lawyer and some worked in unrelated fields of study prior to going to law school. Some of you grew up with lawyers in your families or communities, while others did not meet a lawyer until they were much older. Some people chose to work in firms, some hung their own shingles and others may have chosen the public service route. Our journeys to and within this profession may be different, but no matter how you got here, there is always someone who can relate. And there is always a place for you.

The YLD aims to be an integral part in not only your professional journey, but also your life. The YLD provides numerous opportunities for you to fulfill your educational training needs and desires, and these events also provide amazing networking opportunities. The best part about these events is that they are planned *by* young lawyers *for* the aid

Continued on page 62

YOUNG LAWYERS SPOTLIGHT

Rosario J. (Ross) Piazza
Marksville

The Louisiana State Bar Association's Young Lawyers Division Council is spotlighting Marksville attorney **Rosario J. (Ross) Piazza.**

Piazza, a native of Marksville, has always aspired to become an attorney and to practice law with his father, Angelo Piazza III, and oldest sister, Alissa Piazza Tassin, at Piazza Law Office.

His journey toward accomplishing his dream began at Louisiana College in Pineville where he received degrees in history and psychology. While at Louisiana College, he was named to the Dean's List multiple times and was a member of Phi Alpha Theta (National Historical Honor Society), Psi Chi Honor Society (National Psychology Honor Society) and Alpha Lambda Delta Honor Society.

Rosario J. (Ross) Piazza

He received his JD degree in 2020 from Southern University Law Center. He now practices civil and criminal law in his family's firm, Piazza Law Office, with his father and sister. He also serves as indigent defender of juveniles and the parents of DCFS cases in Avoyelles Parish.

Piazza is a captain JAG officer in the U.S. Army/Louisiana Army National Guard. He recently married Megan Rockhold of Alexandria. The newlyweds are Avoyelles Parish residents and living their dream on the Red River.

He loves his career and is optimistic in a future of serving the public and helping people.

YLD continued from page 61

and advancement of young lawyers. If that isn't enough, the YLD offers numerous opportunities for you to give back to your community. Whether you decide to participate in a Wills for Heroes event (a program that provides wills to first responders across the state), attend a Barristers for Boards event, volunteer to judge the Richard N. Ware IV State High School Mock Trial Competition or join one of our many committees . . . there is a place for YOU.

It is our goal that the YLD not only provides you a safe space to learn and grow, but also to foster opportunities to engage in diverse and complex dialogue about the issues and hardships plaquing young lawyers today. I encourage you to get involved with your local young lawyers' council and explore the opportunities available. The benefits that are available far outweigh the time it will take to inquire. If you have any questions about where you fit in, reach out to me or any of the LSBA YLD Council members and we would be happy to help.

Just remember that, while you are on your own journey, we, as young lawyers in the state of Louisiana, are in this together.

Welcome to the 2023 bar year and thank you for allowing me the opportunity to serve as your LSBA YLD chair. I hope to hear from or see you all soon.

YLD NEWS

Jesuit High School team, winners of the 2023 Richard N. Ware, IV State High School Mock Trial Competition, at the 24th JDC in Gretna.

Jesuit High School Wins 2023 State High School Mock Trial Competition

The mock trial team from Jesuit High School is the winner of the 2023 Judge Richard N. Ware IV Memorial High School Mock Trial Competition. The competition, conducted on March 25 at the 24th Judicial District Court in Gretna, is coordinated by the Louisiana State Bar Association's Young Lawyers Division.

Jesuit High School team members include Daniel Lee, Dalton Haydel, Jake Morvant, Wade Rogers, Preston Rumney, Asher Terrell and Ben Tran. This team represented Louisiana at the National High School Mock Trial Championship in May.

Ndebele Gueye, a student at Caddo Magnet High School, was recognized as Best Witness. Anika Alla, a student at Caddo Magnet High School, was recognized as Best Attorney.

Special recognition is given to the judges, volunteers, coaches, committee members and coordinators, as well as all the teams participating in this year's competition — Louise McGehee School, Central High School, Barbe High School, Caddo Magnet High School, Oakdale High School and Zachary High School.

The competition is named in memory of Judge Richard N. Ware IV who enthusiastically volunteered for nearly a decade as the presiding judge of the final round of the Louisiana High School Mock Trial Competition.

The LSBA Young Lawyers Division Council congratulates the first-place winners of the Richard N. Ware IV State High School Mock Trial Competition

Year	School	City	Year	School	City
2023	Jesuit High School	New Orleans	2004	Baton Rouge Magnet High	Baton Rouge
2022	Caddo Parish Magnet High School	Shreveport	2003	Baton Rouge Magnet High	Lafayette
2021	Caddo Parish Magnet High School	Shreveport	2002	Bolton High School	Monroe
2019	West Feliciana High School	St. Francisville	2001	Pineville High School	Pineville
2018	Jesuit High School	New Orleans	2000	Caddo Magnet High	Shreveport
2017	Caddo Parish Magnet High School	Shreveport	1999	Baton Rouge Magnet High	Baton Rouge
2016	Zachary High School	Zachary	1998	Baton Rouge Magnet High	Baton Rouge
2015	Caddo Parish Magnet High School	Shreveport	1997	Caddo Magnet High	Shreveport
2014	Jesuit High School	New Orleans	1996	Caddo Magnet High	Shreveport
2013	Zachary High School	Zachary	1995	John Ehret High School	Marrero
2012	Jesuit High School	New Orleans	1994	Alexandria Senior High School	Alexandria
2011	Jesuit High School	New Orleans	1993	Eunice High School	Eunice
2010	Jesuit High School	New Orleans	1992	Baton Rouge Magnet High	Baton Rouge
2009	Jesuit High School	New Orleans	1991	Baton Rouge Magnet High	Baton Rouge
2008	Louise S. McGehee School	New Orleans	1990	Baton Rouge Magnet High	Baton Rouge
2007	Lafayette High School	Lafayette	1989	Baton Rouge Magnet High	Baton Rouge
2006	Jesuit High School	New Orleans	1988	Baton Rouge Magnet High	Baton Rouge
2005	Baton Rouge Magnet High	Baton Rouge	1987	Baton Rouge Magnet High	Baton Rouge

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.

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2023-2024 Louisiana State Bar Association Young Lawyers Division Officers and Council

Officers 2023-24

Senae D. Hall
Chair

Senae D. Hall

Senae D. Hall is an assistant district attorney in the Caddo Parish District Attorney's Office in Shreveport. She is the Human Trafficking Victims Diversion coordinator. She also works with the STAR Court Program in Caddo Parish Juvenile Court to combat human trafficking issues. She received a BA degree in mass communications in 2008 from Dillard University and her JD degree in 2011 from Southern University Law Center. She was admitted to practice in Louisiana in 2011.

Hall has served as the 2022-23 chair-elect, the 2021-22 secretary and as an at-large representative on the Louisiana State Bar Association's (LSBA) Young Lawyers Division (YLD) Council. She was a member of the 2018-19 Leadership LSBA Class and served on the LSBA YLD Awards Committee for two years. She also volunteered as a mock trial competition judge from 2017-20.

She is a member of the Shreveport Bar Association (SBA), the Louisiana District Attorneys Association and the Harry V. Booth/Judge Henry A. Politz American Inn of Court. She is currently the Law Week and Service chair for the SBA's Young Lawyers Section. She served as the Social Media chair from 2021-23 for the SBA's Young Lawyers Section and the treasurer for the SBA's Women's Section in 2022.

Hall was recognized as the Teen Court Volunteer of the Year in 2018 and the Abounding Faith Temple Youth Leader Volunteer of the Year in 2017. She was featured as the February 2019 Member Spotlight by the Shreveport Bar Association Women's Division and was a 2019 panelist for Macy's Black History Month Historical Black Colleges and Universities Program. She was recognized as a 2021, 2022 and 2023 "Top Attorney" by SB Magazine and was selected for the 2020-21 Dillard University's "40 Under 40" list. She also was selected for the Shreveport Chamber of Commerce's 2021 "40 Under 40" Class. She is a member of Alpha Kappa Alpha Sorority, Inc.

In her community, she serves as a board member for Volunteers for Youth Justice and enjoys serving as a judge for the Volunteers for Youth Justice's Teen Court Program. Every year, she organizes a service project or fundraiser for her birthday to give back to her community.

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Kristen D. Amond
Chair-Elect

Kristen D. Amond

Kristen D. Amond is an attorney in New Orleans. Her practice is diverse, but she especially enjoys assisting small businesses. As a member of the civil pro bono panels of the Middle and Eastern Districts of Louisiana, she regularly volunteers her professional time to the representation of plaintiffs in civil rights cases.

Amond served as a clerk to Judge Susie Morgan of the U.S. District Court, Eastern District of Louisiana. In law school, she served as an intern for Judge Brian A. Jackson of the U.S. District Court, Middle District of Louisiana.

She received her JD/DCL degree, magna cum laude, in 2016 from Louisiana State University Paul M. Hebert Law Center (editor-in-chief of the Louisiana Law Review; chair of SBA's Ethics Board; 3L representative of the Diversity and Inclusion Committee; member of LSU Law Powderpuff Football team).

Before law school, she taught second and third grades in New Orleans charter schools and has been an advocate for public education ever since. She has a special commitment to Louisiana's economic development, its culture, and, in particular, its underserved communities.

Amond served two terms as the District 1 representative on the Louisiana State Bar Association's Young Lawyers Division Council and served as the Council's 2022-23 secretary. She also serves on the board of the New Orleans Federal Bar Association's Younger Lawyers Division.

She teaches the course, "Making Your Case: What Makes Judges Read and Hear What Lawyers Say," with Judge Susie Morgan at LSU Law's Apprenticeship Week.

Amond loves all things New Orleans and looks forward to traveling the world with her wife, Nancia Sterling.

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Collin R. Melancon
Secretary

Collin R. Melancon is a partner/owner of Mansfield Melancon Injury Lawyers in New Orleans. He received a bachelor's degree in international studies in 2011 from Louisiana State University and his JD degree in 2015 from Loyola University College of Law. He was admitted to practice in Louisiana in 2015.

Continued next page

Melancon previously served as the District 1 representative on the Louisiana State Bar Association's (LSBA) Young Lawyers Division (YLD) Council and is the YLD representative on the Louisiana Judicial Council. He has been a speaker for several conferences and CLEs, including the Louisiana Young Lawyers Conference, the Bridging the Gap CLE program and the LSBA Professionalism CLE.

Collin R. Melancon

He is a member of the New Orleans Bar Association and the Louisiana Association for Justice. He served on the Planning Committee for the Pro Bono Project's Justice for All Ball in 2019. He was recognized as a Louisiana Super Lawyer "Rising Star" from 2020-2023.

While in law school, he was a member of the Loyola Law Review and was selected as a Law Review board member in his 3L year. He received the Spirit of St. Ignatius Award for Outstanding Law Graduate (highest award given to a graduating law student) at Loyola Law School. He also received the LSBA Civil Code Award at Loyola Law School for graduating first in his class in the civil law division.

Melancon and his wife, Jillian Melancon, have been married for five years and have one child together.

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Danielle L. Borel
Immediate Past Chair

Danielle L. Borel is an equity partner in the Baton Rouge office of Breazeale, Sachse & Wilson, LLP, practicing commercial litigation and healthcare litigation. She advises clients on general business issues. She has a focus on supporting and defending women-owned or led businesses and handling complex healthcare litigation.

Danielle L. Borel

She received a BS degree, magna cum laude, in 2011 from Louisiana State University and her JD degree, magna cum laude, in 2014 from LSU Paul M. Hebert Law Center (Louisiana Law Review, 2012-14; Order of the Coif). She was admitted to practice in Louisiana in 2014.

Borel served on the Louisiana State Bar Association's (LSBA) Young Lawyers Division (YLD) Council as the 2022-23 chair, the 2021-22 chair-elect, the 2020-21 secretary and the American Bar Association's (ABA) Young Lawyers Division representative in 2018-20. In 2019, she received the LSBA YLD's Bat P. Sullivan, Jr. Chair's Award in recognition of her contribution to the LSBA YLD. She is a leader in the ABA's Young Lawyers Division and the ABA Health Law Section and will chair the ABA YLD in 2024. She has been recognized by the ABA as a Star of the Year (2021), On the Rise: Top 40 Young Lawyer (2020), Emerging Young Lawyer in Healthcare (2019) and Star of the Quarter (2017, 2019). She also is a member of the Louisiana Hospital Association and participates in the Baton Rouge Bar Association's Holiday Star Program.

In her community, she is a member of the board of directors and chairs the Baton Rouge advisory board for Lighthouse Louisiana. She was recognized three times with the Lighthouse Louisiana Door Knocker Award for her service. She also volunteers as a trial advocacy coach and judge for LSU Law Center. Her commitment was recognized with the Kalinka Award for Advocacy Programs Coach of the Year (2021).

Borel and her husband, Nathan Judice, have been married for 12 years and are expecting their second child in the fall.

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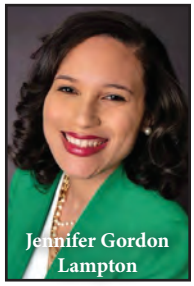
YLD Council 2023-24

Jennifer Gordon Lampton
District One Representative

Jennifer Gordon Lampton is the research attorney for Judge Nakisha Ervin-Knott with the Louisiana 4th Circuit Court of Appeal, Division A, in New Orleans. Previously, she was senior law clerk for Judge Ervin-Knott at Orleans Parish Civil District Court. She received a BS degree in management in 2009, with a focus on legal studies in business and political science, from the A.B. Freeman School of Business at Tulane University and her JD degree (Civil Law Division, Common Law Certificate) in 2012 from Loyola University College of Law. She was admitted to practice in Louisiana in 2014.


Jennifer Gordon Lampton

Lampton is a member of the Louisiana State Bar Association's Diversity Committee and Outreach Committee and was a member of the Leadership LSBA Class of 2019-20.

She is a member of the New Orleans Bar Association (current Young Lawyers Section secretary and 2021-22 YLS treasurer), the Greater New Orleans Louis A. Martinet Legal Society, Inc. and the A.P. Tureaud American Inn of Court.

In her community, she is a board member for VIBE (Voices for International Business and Education).

Lampton and her husband Kevin have been married for nine years and are the parents of one child.

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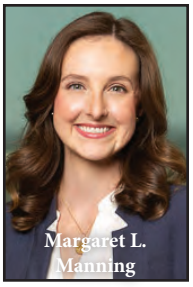
Margaret L. Manning
District One Representative

Margaret L. Manning is an associate in the New Orleans office of Phelps Dunbar, LLP. She graduated, cum laude, in political communications in 2017 from Louisiana State University, with Honors College distinction, and received her

JD degree in 2020 from the University of Notre Dame Law School. She was admitted to practice in Louisiana in 2020.


Margaret L. Manning

While in law school, she competed as a member of the Notre Dame Law School Barrister's Mock Trial Team and was an active member of the Notre Dame Law Student Bar Association, serving as 1L representative, communications director and Executive Board secretary. Upon graduation, she received the faculty-elected Kyle D. Smith Mock Trial Award and the King Williams Memorial Award.

Prior to joining Phelps, Manning clerked for two years for Chief Judge S. Maurice Hicks, Jr. of the U.S. District Court for the Western District of Louisiana.

She is a member of the New Orleans Bar Association, the New Orleans Bar Association Inn of Court, the New Orleans Bar Association Young Lawyers Section, where she serves as co-chair of the Section's Pro Bono Project Fundraiser, and the Association of Women Attorneys of New Orleans where she serves on the board as member at-large. She was a member of the 2020-21 Leadership LSBA Class.

In her community, she is a parishioner of St. Catherine of Siena Catholic Church.

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Rory V. Bellina
District Two Representative

Rory V. Bellina

Rory V. Bellina is a partner in the Metairie office of Chehardy, Sherman, Williams, Recile & Hayes, LLP. He received a BS degree in 2010 from Louisiana State University and his JD degree in 2013 from Loyola University College of Law. He was admitted to practice in Louisiana in May 2014.

Bellina is a health law specialist certified by the Louisiana Board of Legal Specialization and a member of the Louisiana State Bar Association's Health Law Section. He is a member of the American Health Law Association and the American Bar Association's Health Law Section.

In his community, he is president of the St. Dominic School Board and a former president of the Lakeview Civic Improvement Association.

Bellina and his wife Danielle have been married for 13 years and are the parents of three children.

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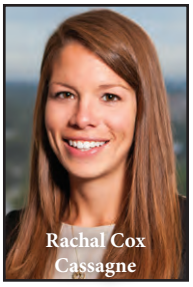
Rachal Cox Cassagne
District Two Representative

Rachal Cox Cassagne is an assistant United States attorney for the Eastern District of Louisiana. Prior to joining the U.S. Attorney's Office, she worked as a commercial litigation associate in a defense firm and as a law clerk for U.S. District Judge Greg G. Guidry.


Rachal Cox Cassagne

She received a BA degree in English in 2011 from Louisiana State University-Shreveport, a MA degree in literary studies in 2013 from Universiteit van Amsterdam and her JD degree, magna cum laude, in 2016 from Southern University Law Center. She studied at the Universiteit van Amsterdam as a Rotary Ambassadorial Scholar and gave presentations to various Rotary Clubs throughout the country. She was admitted to practice in Louisiana in 2016.

Cassagne is a volunteer for the Louisiana State Bar Association's Disaster Recovery Hotline. She is an active member of the Jefferson Parish Bar Association and the Federal Bar Association. She previously served as an observer with the Louisiana State Law Institute for the Louisiana State Bar Association's Young Lawyers Division. She participated in Forum 35's John W. Barton, Sr. Community Leadership Program in 2018.

In her community, she attends St. Anthony Church in Gretna. She and her husband, Craig Cassagne, Jr., have been married for four years, and they have one daughter.

520 Burmaster St., Gretna, LA 70053
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Jared E. Nelson
District Three Representative

Jared E. Nelson

Jared E. Nelson is an associate in the Lafayette office of Liskow & Lewis, APLC. He received a BA degree in government in 2008 from the University of Virginia, Charlottesville; a master's degree in public administration in 2010 from Southern University and A&M College in Baton Rouge; and his JD degree, cum laude, in 2018 from Southern University Law Center. He was admitted to practice in Louisiana in 2018.

Prior to joining the law firm, he served as an assistant attorney general for the Louisiana Department of Justice, Office of the Attorney General, handling tort and civil rights litigation for the state of Louisiana. Prior to practicing law, he served as a probation and parole officer for the Louisiana Department of Public Safety and Corrections for seven years.

Nelson is a member of the Louisiana State Bar Association's (LSBA) House of Delegates, representing the 15th Judicial District. He is a member of the LSBA's Criminal Justice and Diversity Committees. He was a member of the Leadership LSBA 2019-20 Class and co-chair of the Leadership LSBA 2020-21 Class.

He is a member of the Louisiana Association of Defense Counsel (Young Lawyers Committee as a Third Board District representative), Institute of Energy Law (Young Energy Professionals' Committee as Program Subcommittee

vice co-chair and member of the 2022-23 Institute of Energy Law Leadership Class), and the Lafayette Bar Association's Young Lawyers Section.

He was recognized by National Black Lawyers as a "Top 40 Under 40" Lawyer in Louisiana in 2020-2023 and was a member in the Leadership Council on Legal Diversity's Pathfinders Program in 2021-22. He was awarded the 2022 Frank L. Maraist Award by the Louisiana Association of Defense Counsel and its Young Lawyers Committee. He was selected as a "Top Lawyer" by the Acadiana Profile Magazine for 2023.

In his community, he is a lector at St. Benedict DeMoor Church in Duson. He is a life member of Alpha Phi Alpha Fraternity, Inc. He and his wife, Joelle Mary Nixon, have been married for 10 years and are the parents of one child.

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website: www.liskow.com/Team/Jared-Nelson

Brooke A. Roach
District Four Representative

Brooke A. Roach

Brooke A. Roach is an attorney in The Roach Law Firm, APLC, in Lake Charles. She received a BA degree in human resources in 2016 from Louisiana State University and her JD degree, magna cum laude, in 2019 from Southern University Law Center. She was admitted to practice in Louisiana in 2019. She clerked for Chief Judge Ulysses G. Thibodeaux, Louisiana 3rd Circuit Court of Appeal, from 2019-21.

Roach followed in her father's and grandfather's footsteps, becoming the third generation to practice law at The Roach Law Firm. Her practice focuses on personal injury litigation and first-party bad faith property damage litigation. She is admitted in all Louisiana state courts; the U.S. District Courts for the Western, Middle and Eastern Districts of Louisiana; and the U.S. 5th Circuit Court of Appeals.

She is a member of the Southwest Louisiana Bar Association (SWLBA) and its Young Lawyers Section, currently serving as treasurer of the SWLBA's Young Lawyers Section.

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(337)433-8504 • (337)205-7685 • fax (337)433-3196
email: broach2@larryaroachinc.com
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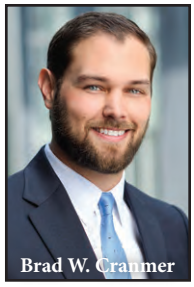
Brad W. Cranmer
District Five Representative

Brad W. Cranmer is a partner in the Baton Rouge office of Mansfield, Melancon, Cranmer & Dick, LLC. He received a bachelor's degree in political science, with a minor in criminology, from Louisiana State University and his JD/DCL degree from LSU Paul M. Hebert Law Center.

In law school, he served on LSU Law's Trial Advocacy Board as a member, competitor and coach, and in Student Government. He has competed and coached for LSU Law in mock trial competitions. He attained the highest grade in his law school class for White Collar Crime and Insurance Law.


Brad W. Cranmer

Following law school graduation, he opened his own law practice. He also spent several years as a prosecutor for the City of Baton Rouge, prosecuting cases ranging from DWI to domestic abuse battery.

Since helping form Mansfield, Melancon, Cranmer & Dick in 2018, he has devoted the majority of his practice to family law, assisting hundreds of clients with divorces, custody, visitation, community property, domestic restraining orders, spousal support and other family law issues. He is admitted to practice in all Louisiana state courts, the U.S. District Courts for the Middle and Eastern Districts of Louisiana, and the U.S. 5th Circuit Court of Appeals.

Cranmer is a member of the Baton Rouge Bar Association's Young Lawyers Section Council and the Family Law Section. He has taught legal seminars on litigating family law issues.

In 2017, he received Avvo's Clients' Choice Award for his dedicated legal service. He received awards from the Expert Network as a Distinguished Lawyer; American Law Society's America's Top Lawyers 2018; the American Institute of Personal Injury Attorneys 10 Best Attorney Client Satisfaction Award; Club Blue 2020 Great Futures Honoree; and Louisiana Super Lawyers Rising Star 2020-2023.

In his community, he is involved with Sigma Phi Epsilon Fraternity, Boys & Girls Club of Greater Baton Rouge, Club Blue, St. Vincent DePaul and the Louisiana Association of Justice.

Cranmer is married to his wife Chloe and has one child.

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email: brad@MMCDlaw.com

Quinn K. Brown
District Five Representative

Quinn K. Brown

Quinn K. Brown is an associate in the Baton Rouge office of LaFleur Laborde, LLC. She received her BA degree, cum laude, in 2013 from Louisiana State University and her JD degree and graduate diploma in comparative law in 2017 from LSU Paul M. Hebert Law Center. She was admitted to practice in Louisiana in 2017. Her practice has included asbestos, toxic torts, products liability and insurance defense litigation, as well as premises and general liability, personal injury and insurance coverage disputes.

Brown is chair for Opportunity 2 Restore, an organization that works to increase educational opportunities for those formerly or currently incarcerated. She is secretary-treasurer-elect for the Baton Rouge Bar Association's (BRBA) Young Lawyer's Council and a committee member for the BRBA's Belly Up with the Bar.

Continued next page

Brown and her husband, Jeffrey Warnhoff, have been married for one year.

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website: www.lalalawfirm.com/attorneys/quinn-k-brown

Ashley U. Johnson-Firven
District Six Representative

Ashley U. Johnson-Firven

Ashley U. Johnson-Firven is an associate in the Baton Rouge office of Hammond, Sills, Adkins, Guice, Noah & Perkins, LLP. Her practice is focused on civil litigation defense, employment law and insurance defense. She received a BA degree in 2014 from the University of California-Santa Barbara and her JD degree in 2019 from Southern University Law Center. She was admitted to practice in Louisiana in 2019.

Johnson-Firven is a member of the Leadership LSBA Class of 2022-23 and a member of the Young Lawyers Division's Awards Committee. She also has been involved with the Access to Justice Disaster Relief Hotline and the Lawyers in Libraries project.

She is a member of the National Bar Association, the Baton Rouge chapter of the Louis A. Martinet Legal Society, Inc. and the Baton Rouge Bar Association.

In her community, Johnson-Firven is a member of Grace Community Baptist Church and Alpha Kappa Alpha Sorority, Inc.

She and her husband, Leon Firven, have been married for one year.

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Jasmyne A. McConnell
District Seven Representative

Jasmyne A. McConnell

Jasmyne A. McConnell, an attorney, entrepreneur and community activist, is the owner of several entities including McConnell Law Group and Cajun Title Agency. She has professional experience in criminal law, successions, personal injury, divorces, real estate investments and real estate transactions. She received her BA degree in political science from the University of Louisiana at Monroe and her JD degree from Southern University Law Center.

She serves her community in several capacities. She is the vice president of diversity, small business and membership of the Monroe Chamber of Commerce. She is a member of Alpha Kappa Alpha Sorority, Inc.

She is the wife of Nicholas McConnell and the mother of two sons.

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email: jmcconnell@cajuntitle.com

Audrius M. Reed
District Eight Representative

Audrius M. Reed

Audrius M. Reed, with Audrius M. Reed, Attorney at Law, LLC, in Shreveport, is a graduate of Southern University Law Center and is a solo practitioner in the areas of family law, criminal defense, personal injury and estate planning. She serves as the program attorney for the LRVDV (Legal Representation for Victims of Domestic Violence) Program of the Shreveport Bar Foundation and the Northwest Louisiana Family Justice Center.

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email: areed@attyaudriusreed.com

Jasmine C. Cooper
At-Large Representative

Jasmine C. Cooper

Jasmine C. Cooper is an assistant district attorney for the Caddo Parish District Attorney's Office in Shreveport. She received her BA degree in political science in 2017 from Southern University and A&M College in Baton Rouge and her JD degree in 2020 from Southern University Law Center. She was admitted to practice in Louisiana in 2021.

Cooper is a member of the 2022-23 Leadership LSBA Class. She also is a member of the Shreveport Bar Association and the Harry V. Booth/Judge Henry A. Politz American Inn of Court. She was named to the Top Lawyers 2023 Shreveport/Bossier list by SB Magazine.

In her community, she is a member of the League of Women Voters, Delta Sigma Theta Sorority, Inc. and the NAACP.

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Josef P. Ventulan
ABA YLD Representative

Josef P. Ventulan

Josef P. Ventulan is a staff attorney with the Louisiana State Law Institute (LSLI), a board attorney for the Louisiana Board of Tax Appeals and an adjunct professor with Southern University Law Center (SULC). Prior to joining the LSLI, he was the staff attorney for Judge Lisa M. Woodruff-White (Ret.). He received his undergraduate degree in accounting from Louisiana State University and his law degree from SULC, where he graduated first in his class and received a certification in tax law. He also served as the editor-in-chief of the Southern University Law Review. He was admitted to practice in Louisiana in 2020.

Ventulan is an active member of the American Bar

Association (ABA) and serves as the District 14 representative on the ABA YLD Council and as a member of the ABA YLD's Long-Range Planning Board. He currently serves on the Louisiana State Bar Association's Access to Justice Committee and the Baton Rouge Bar Association's Publication and Pro Bono Committees. He formerly served as a junior council member of the LSLI. He is a member of the Wex S. Malone American Inn of Court and the Louis A. Martinet Legal Society, Inc., Greater Baton Rouge Chapter. He received the Bat P. Sullivan, Jr. Chair's Award during the LSBA's Annual Meeting in 2022.

In his community, he serves on the board of directors of Forum 225, a Baton Rouge nonprofit focused on creating opportunities for young professionals to grow philanthropically, professionally and civically, and as a council member of the Future Leaders Council of the Public Affairs Research Council of Louisiana. His professional interests include economic and tax policy and local economic development. His articles have been published in the Southern University Law Review, the American Bar Association for Law Students and the Baton Rouge Lawyer.

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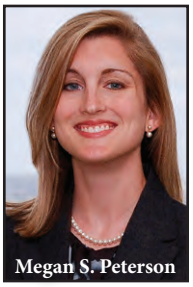
Megan S. Peterson
Young Lawyer Member/ABA House of Delegates


Megan S. Peterson

Megan S. Peterson is a partner at Simon, Peragine, Smith & Redfearn, LLP, in New Orleans, where she represents local, regional and national clients in litigation and alternative dispute resolution. Although she handles a variety of civil litigation matters, her practice focuses on defense of clients in the retail, restaurant, hospitality, trucking and transportation industries. She is licensed in all state and federal courts in Louisiana and Mississippi.

Peterson received her BA degree in political science and business administration from Louisiana State University. She earned her JD degree, magna cum laude, from Loyola University College of Law and was honored as a William L. Crowe, Sr. Scholar. While at Loyola, she served as print managing editor of the Loyola Law Review and participated in Moot Court.

She served as the 2022 co-chair for the Louisiana State Bar Association's Young Lawyers Conference.

She is an active member of the Defense Research Institute, serving as the vice chair of the Retail and Hospitality Committee. She also is active in the American Bar Association and is a former president of the Association for Women Attorneys in New Orleans.

Peterson and her husband, Matt McCluer, have been married for 11 years and are the parents of two children.

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email: meganp@spsr-law.com • website: www.spsr-law.com

Application Deadline is June 23 for Leadership LSBA 2023-24 Class

Louisiana State Bar Association (LSBA) President Shayna L. Sonnier is currently seeking applications from young lawyers for the Leadership LSBA 2023-24 Class. Deadline for return of applications, along with a CV or résumé, is June 23.

The program, created in 2002 by then-LSBA President Larry Feldman, Jr., provides exposure on how the LSBA functions as well as on the pressing issues facing the association and the legal profession. Participants also receive information on the responsibilities of volunteer leaders. Through at least one class project, the program further develops young attorneys' leadership skills and provides them with opportunities for statewide networking.

By conclusion of FY 2023-24 (ends in June 2024), participants will be required to:

► attend one meeting of the Board of Governors;
► attend one meeting of the House of Delegates;
► attend one meeting of the Young Lawyers Division Council;
► attend one Budget Committee meeting;
► attend one meeting of the Access to Justice Committee;
► attend one meeting of an LSBA committee of their choice;
► work with the class to develop and implement a class project with the help of staff; and
► commit to serve on an LSBA committee for 2024-25.

Expenses for attendance at meetings and activities will be reimbursed in accordance with LSBA policies.

Interested candidates should submit applications online by the June 23 deadline. Go to: *www.surveymonkey.com/r/leadershiplsbaapplication*.

To learn more about the program, go to: *www.lsba.org/members/LSBALeadershipclass.aspx*.

An Online Pro Bono Program

Volunteers needed!

LA.FreeLegalAnswers.org

JUDICIAL Notes

By Trina S. Vincent, Louisiana Supreme Court

JUDGES... APPOINTMENTS... IN MEMORIAM

New Judge

Jennifer F. Richard

Jennifer F. Richard was elected 17th Judicial District Court judge, effective March 2. She earned her bachelor's degree in 1997 from Nicholls State University and her JD degree in 2001 from Tulane University Law School. She worked as a law clerk at the 17th Judicial District Court from 2001-02. She was an assistant district attorney, Lafourche Parish, from 2001-17 and was first assistant district attorney, Lafourche Parish, from 2017 until her election as judge. Judge Richard is married to Jarod Richard and they are the parents of three children.

Appointments

► Edward Francis Harold was appointed, by order of the Louisiana Supreme Court, to the Committee on Bar Admissions for a term of office which began March 14 and will conclude upon further order.

► Larry Feldman, Jr. was reappointed, by order of the Louisiana Supreme Court, to the Committee on Bar Admissions for a term of office which began Feb. 2 and will end on Dec. 31, 2027.

Retirements/Resignations

► 5th Circuit Court of Appeal Judge Hans J. Liljeberg retired, effective March 1. He earned his bachelor's degree in 1990 from Tulane University and his JD degree in 1993 from Tulane Law School. He worked as an assistant parish attorney in Jefferson Parish from 1993-97. From 1995-2012, he taught at the Louisiana State University Paul M. Hebert Law Center, National Institute for Trial Advocacy Program. From 1996-98, he worked in private practice. He was an assistant district attorney in Jefferson Parish from 1997-2002. He was a partner at Connick & Liljeberg from 1998-2002. From 2006-12, he served as an adjunct professor at Tulane University. He was elected to the 24th Judicial District Court in 2003 and served until his election to the 5th Circuit Court of Appeal in 2013.

► Orleans Parish Criminal District Court Judge Laurie A. White retired, effective Feb. 6. She earned her bachelor's degree in 1981 from Louisiana State University and her JD degree in 1986 from Southern University Law Center. Prior to her election to the bench in 2007, she was a criminal law attorney. She served as an assistant district attorney in Orleans Parish and in East Baton Rouge Parish. She served on the National Board of Trial Advocacy Board Certified Criminal Law Specialists in 2004 and was a CrimeStoppers, New Orleans and Surrounding Area Chapter, board member from 2000-04. She was appointed by the Louisiana Supreme Court to the District Court Rules Committee from 2003-08 and the Louisiana Task Force on Indigent Defense Services Committee from 2004-05.

► 14th Judicial District Court Judge Derrick D. Kee resigned, effective Jan. 27. He earned his bachelor's degree in 2000 from Grambling State University and his JD degree in 2005 from Southern University Law Center. Prior to his election to the 14th JDC bench in 2021, he was a partner at Hawkins Kee Law Group in Lake Charles and served as a public defender in Calcasieu Parish.

► 23rd Judicial District Court Judge Alvin Turner, Jr. retired, effective Jan. 9. He earned his bachelor's degree from Louisiana State University and his JD degree from Southern University Law Center. Prior to his election to the 23rd JDC in 1994, he worked at Capital Area Legal Services and in the 23rd Judicial Indigent Defender Program. He also worked as a coach for the Gonzales Youth Basketball League. He was an assistant district attorney in the 23rd Judicial District from 1982 until his election to the 23rd JDC.

► 19th Judicial District Court Judge Timothy E. Kelley retired, effective Jan. 2. He earned his bachelor's degree in 1976 from Cornell University and his JD degree in 1983 from Louisiana State University Paul M. Hebert Law Center. Prior to his election to the 19th JDC in 1997, he was a managing partner of Kelley & Guerry, LLC, and a partner with Phelps Dunbar, LLP. He was a member of the Panel of Arbitrators for the Construction Industry and the American Arbitration Association. He is a Fellow of the Louisiana Bar Foundation and the American Bar Foundation. He is a certified mediator and a registered professional engineer.

Deaths

► Retired 10th Judicial District Court Judge Peyton W. Cunningham, Jr., 89, died Feb. 23. He earned his bachelor's degree in 1955 from Louisiana State University and his JD degree in 1960 from LSU Law School. He was a partner at Cunningham & Cunningham Attorneys at Law for 12 years and was a member of the Louisiana State Bar Association's House of Delegates in 1968. He was secretary-treasurer of the 10th Judicial District Bar Association and of the Natchitoches Parish Law Library Commission. He was elected to the 10th JDC in 1972 where he served until his retirement in 1996.

► Retired 19th Judicial District Court Judge William H. Brown, 88, died March 17. He earned his bachelor's degree in 1958 from the University of Oklahoma and his JD degree in 1962 from Louisiana State University Law School. While in law school, he worked as a teacher and coached football at Catholic High School. He was a commissioned lieutenant in the U.S. Army and served on active and reserve duty in the Oklahoma National Guard, U.S. Army Reserve and Louisiana Special Forces from 1958-64. He worked in private practice at the firm of Howell & Brown until his election to the Baton Rouge City Court in 1977. He served on the City Court until his election to the 19th JDC bench in 1979, where he served as chief judge. After his retirement in 1996, he worked as a gaming control officer until 2011.

PEOPLE

LAWYERS ON THE MOVE . . . NEWSMAKERS

LAWYERS ON THE MOVE

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, announces that Laura Walker Plunkett and Erin E. Kriksciun have joined the New Orleans office as shareholders and Charline K. Gipson has joined the New Orleans office as of counsel. Also, M. Brent Hicks has joined the Baton Rouge office as a shareholder.

Bienvenu, Bonnecaze, Foco & Viator, LLC, announces that Jacqueline M. Brettner has joined the firm as a partner and will lead the firm's expansion in the New Orleans area.

D'Arcy Vicknair, LLC, in New Orleans announces that **Alec W. Szczechowski** has joined the firm as an associate.

Flanagan Partners, LLP, in New Orleans announces that **Meghan F. Grant** has become a partner in the firm.

Haik, Minvielle, Grubbs & D'Albor, LLP, in New Iberia announces that **Alexandra L. (Ali) LeBlanc** has joined the firm as an associate.

Hammonds, Sills, Adkins, Guice, Noah & Perkins, LLP, announces that **Evan M. Alvarez** was named a partner in the Baton Rouge office, and **Dr. Wayne T. Stewart** was promoted to equity partner in the Baton Rouge office.

Hammonds, Sills, Adkins, Guice, Noah & Perkins, LLP, has merged with the Monroe firm of Hayes, Harkey, Smith & Cascio, LLP. The new firm will be led by managing partner Alejandro R. Perkins. Monroe-based attorneys John B. Saye and Thomas M. Hayes IV will become special counsel to Hammonds Sills.

Hinshaw & Culbertson, LLP, announces that **Colleen C. Jarrott** has joined the firm's New Orleans office as a partner.

Irwin Fritchie Urquhart Moore & Daniels, LLC, announces that **Timothy F. Daniels** has been selected as president of the firm, based in the New Orleans office.

McGlinchey Stafford, PLLC, announces that James M. Milano has joined the firm as a member (partner) in the Washington, DC, office. Also, Bianca J. Badurina has joined the firm's New Orleans office as an associate.

Mouledoux, Bland, Legrand & Brackett, LLC, in New Orleans announces that **Curran R. Greenberg** and **Ava M. Wolf** have joined the firm as associates. Also, **JoAnn H. John** and **Michael T. Neuner** have been elected as members of the firm.

Continued next page

Evan M. Alvarez

Richard J. Arsenault

Patrick J. Babin

Wilton E. Bland III

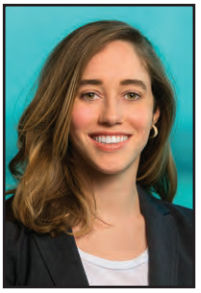
Alan G. Brackett

Trevor M. Cutaiar

Timothy F. Daniels

Blake R. David

Gerard J. Dragna


Meghan F. Grant

Curran R. Greenberg

Mark E. Hanna

NEWSMAKERS

Richard J. Arsenault, a partner in the Alexandria firm of Neblett, Beard & Arsenault, was invited to serve another three-year term on the National Board of Trial Advocacy's Complex Litigation Specialty Program. He also received the 2023 Avvo Rated Top Lawyer rating.

Blake R. David, senior partner at Broussard & David, LLC, in Lafayette, was named to the Louisiana State Law Institute's Code of Civil Procedure Committee.

Zelma Murray Frederick, managing member of the Baton Rouge office of McGlinchey Stafford, PLLC, is one of nine women named to the 2023 Influential Women in Business list by the *Baton Rouge Business Report*.

Barbara Juneau Mixon, an attorney in the Alexandria firm of Neblett, Beard & Arsenault, presented a session at the Legal Education and Assistance Program (LEAP), discussing Social Security and Medicaid.

Ebony S. Morris, an associate in the New Orleans office of Phelps Dunbar, LLP, is chair of the inaugural Defense Research Institute Women of Color Subcommittee.

Phelps Dunbar, LLP, partners Kim M. Boyle, Karleen J. Green, LaToya C. Merritt and Allen C. Miller, Sr. were named to the Lawyers of Color 2023 Power List.

E. Blair Schilling, a partner at Fishman Haygood, LLP, in New Orleans, was named a Fellow of the American Bar Foundation.

Lucie E. Thornton, an attorney in Shreveport, was named as a new member of the Centenary College Board of Trustees.

Irving J. Warshauer, a member in the New Orleans office of Gainsburgh, Benjamin, David, Meunier & Warshauer, LLC, joined the board of directors of the Louisiana Center for Children's Rights.

PUBLICATIONS

***Louisiana Super Lawyers* 2023**

Courington, Kiefer, Sommers, Marullo & Matherne, LLC (New Orleans): Troy N. Bell, Kaye N. Courington and Blaine A. Moore; and Mathilde V. Semmes, Rising Star.

Mouledoux, Bland, Legrand & Brackett, LLC (New Orleans): **Alan G. Brackett**, Top 50 Lawyers in Louisiana, Top 50 Lawyers in New Orleans; **Wilton E. Bland III**, **Gerard J. Dragna**, **Mark E. Hanna**, **Georges M. Legrand**, **André J. Mouledoux** and **C. Michael Parks**; and **Patrick J. Babin**, **Trevor M. Cutaiar** and **JoAnn H. John**, Rising Stars.

***Acadiana Profile Magazine* Top Lawyers**

Gordon, Arata, Montgomery, Barnett, McCollam, Duplantis & Eagan, LLC (Lafayette): John Philip (JP) Graf, Samuel E. Masur and Paul B. Simon.

2023 *Lawdragon* 500

Fishman Haygood, LLP (New Orleans): Kerry J. Miller, E. Blair Schilling and Paul C. Thibodeaux.

Gordon, Arata, Montgomery, Barnett, McCollam, Duplantis & Eagan, LLC (New Orleans): Cynthia A. Nicholson.

McGlinchey Stafford, PLLC (New Orleans): Francis H. (Rasch) Brown.

Colleen C. Jarrott

JoAnn H. John

Alexandra L. LeBlanc

Georges M. Legrand

Barbara Juneau Mixon

André J. Mouledoux

Michael T. Neuner

C. Michael Parks

Dr. Wayne T. Stewart

Alec W. Szczechowski

Irving J. Warshauer

Ava M. Wolf

NEWS

EVENTS... LOCAL BARS... LBF

UPDATE

Southern University Law Center Chancellor John K. Pierre, right, received the Educator of the Year Award from the Thurgood Marshall College Fund on Sept. 30, 2022. The College Fund supports educators who help shape the next generation of leaders. Pierre was recognized for his work in assisting students to find new opportunities to help expand their careers. These opportunities included experiences in career fields such as diversity, cybersecurity, inclusion and other modern areas where having a legal education would be beneficial. Presenting the award was Dr. Harry Williams, left, president and CEO of Thurgood Marshall College.

LOCAL / SPECIALTY BARS

The Baton Rouge Bar Association (BRBA) held its opening of court, memorial and new member ceremony on Feb. 16 at the 19th Judicial District Court in Baton Rouge. Stephen I. Dwyer, right, 2022-23 Louisiana State Bar Association president, welcomed new members of the bar. With him is K. Luke Williamson, Williamson Campbell & Whittington, LLC, 2023 BRBA president-elect.

Rachel C. Schmidt, with Rachel C. Schmidt, LLC, presented "The LSBA: Who We Are and How We Serve Our Members" CLE seminar on Oct. 21, 2022, in conjunction with the Jefferson Bar Association's meeting at 2nd Parish Court in Jefferson Parish. Attendees earned one professionalism CLE credit hour and learned about the LSBA member benefits. From left, Sowmya Mandava, 24th Judicial District Court; Emily E. Booth, Wanek Kirsch Davies, LLC.; Cristy K. Guzman, Jeffrey Hufft Attorney at Law, LLC; Katherine E. Ellis, Law Office of James A Williams, LLC; Schmidt; John F. Lee, Mollere, Flanagan & Landry; and Rebecca A. Heilman, Treadway Law, LLC.

LBF GALA

Louisiana Bar Foundation 2022-23 President Alan G. Brackett, second from left, presented the Horn Blower Award to the Louisiana Supreme Court at the LBF's 37th Annual Gala. From left, Chief Justice John L. Weimer, Brackett, Justice Piper D. Griffin and Justice James T. Genovese. *Photo by Patrick Niddrie.*

LBF Presents President's Award and Horn Blower Award

The Louisiana Bar Foundation (LBF) President's Award and Horn Blower Award were presented on April 21 in New Orleans.

David E. Verlander III received the 2023 President's Award in recognition of his outstanding support, volunteer service, dedication and advancement of the mission and goals of the LBF. Presenting the award was 2022-23 LBF President Alan G. Brackett.

Verlander has been a LBF Fellow since 1995. He served on the Grants Committee and has been a member of the Northeast Community Partnership Panel for many years and currently serves as chair. This year, he was instrumental in leading the effort to activate the Northeast Louisiana Bar Foundation to establish an organized pro bono project in collaboration with the 4th Judicial District Bar.

The 2023 LBF Horn Blower Award was presented to the Louisiana Supreme Court in recognition of outstanding support and leadership in promoting the mission to advance the legal profession, increase public understanding of the legal system, and advance the reality of equal justice under the law. Presenting the award was 2022-23 LBF President Brackett. Accepting the award on behalf of the Court was Chief Justice John L. Weimer, Justice Piper D. Griffin and Justice James T. Genovese.

Louisiana Bar Foundation (LBF) 2022-23 President Alan G. Brackett, right, presented the President's Award to David E. Verlander III at the LBF Annual Meeting. *Photo by Patrick Niddrie.*

Robert to Lead the LBF's 2023-24 Board

Deidre Deculus Robert of Baton Rouge has been installed as the 2023-24 president of the Louisiana Bar Foundation (LBF). Other officers are Vice President Hon. John C. Davidson of Alexandria; Treasurer Edmund J. Giering IV of Baton Rouge; and Secretary Michael J. Mestayer of New Orleans. The 2023-24 board was installed at the 37th Annual Fellows Gala by Chief Justice John L. Weimer.

Deidre Deculus Robert of Baton Rouge, far right, was installed as the 2023-24 president of the Louisiana Bar Foundation. Other officers, from left, Secretary Michael J. Mestayer of New Orleans; Treasurer Edmund J. Giering IV of Baton Rouge; and Vice President Hon. John C. Davidson of Alexandria. The 2023-24 officers and board were installed at the 37th Annual Fellows Gala by Chief Justice John L. Weimer. *Photo by Patrick Niddrie.*

Robert is the state director of rural development for Louisiana at the U.S. Department of Agriculture. Before her appointment, she served as executive counsel for the Louisiana Department of Transportation and Development and general counsel for the Southern University System. She previously served in the Louisiana Attorney General's Office as deputy director of the Litigation and Public Protection Divisions. She received her BA degree from Louisiana State University and her law degree in 2000 from Southern University Law Center.

Judge Davidson is a 1988 graduate of Louisiana State University Paul M. Hebert Law Center. In law school, he was Order of the Coif and a member of *Louisiana Law Review*. He began his private practice in New Orleans, working in the areas of complex commercial litigation and bankruptcy. He moved to Alexandria in 1992 and continued his private practice in the areas of commercial litigation, general defense work, personal injury and domestic law. In 2004, he was elected as a judge to the 9th Judicial District Court in Rapides Parish.

Giering serves as general counsel to the Baton Rouge Area Foundation and his practice emphasizes corporate law and governance, transactions, risk management, and nonprofit and tax-exempt organizations. He was in private practice for six years and served as corporate counsel to The Powell Group for eight years prior to joining the Foundation. He received a BA degree in history in 1990 from Louisiana State University, his JD degree in 1994 from LSU Paul M. Hebert Law Center and a MBA degree in 2005 from the LSU E.J. Ourso College of Business.

Mestayer is a solo practitioner in New Orleans, handling a broad range of litigation including admiralty, product liability and complex civil matters. He received his BS degree from Louisiana State University

Continued next page

The Lafayette Bar Association's Family Law Section celebrated its 25th anniversary on March 21. Twenty of the former Section presidents attended. Former presidents, seated from left, D. Reardon Stanford (2004); Elizabeth A. Dugal (2002); Hon. Susan L. Theall (2001); Hon. David A. Blanchet (2000); and Jay Prather (1999). Standing from left, Dyan L. Schnaars (2021); William A. Keaty II (2018); Sachida R. Raman (2005); Taylor O. Fontenot (2020); Judith R. Kennedy (2007); Richard D. (Ric) Mere (2017); Hon. Shawn M. Eller (2013); Nicole B. Breaux (2010); Jonathan T. Jarrett (2019); Hon. Andre Doguet (2006); Julia M. Autin (2012); Dean A. Doherty (2009); Mandi B. Bucher (2022); and Hon. Maggie T. Simar (2014). Missing from photo, Terry Fitzgerald (1998); Rebecca M. Kirk (2003); Diane E. Coté (2008); Cassie L. Willis (2011); Helen P. Harris (2015); and Gregory A. Koury (2016).

Lafayette Bar Family Law Section Celebrates 25 Years

The Lafayette Bar Association's (LBA) Family Law Section celebrated its 25th anniversary on March 21 at the LBA's office. The event highlighted and honored the work of everyone serving as president of the Family Law Section in the past 25 years. Twenty of the former presidents attended, as well as current board and section members.

The Family Law Section was formed in 1997 when a small group of family law attorneys began meeting informally to discuss the formation of the section. The section was officially formed when a set of by-laws was proposed by the group and adopted by the LBA in September 1997. The late Paula Kobetz Woodruff was instrumental in the formation of the section and in promoting improvements to the judicial system, as well as increasing the competency of attorneys who practiced family law. Shortly after her untimely death in October 1998, the members unanimously named the section in her honor.

The mission statement of the Paula K. Woodruff Family Law Section is: It shall be the mission of the Paula K. Woodruff Section of the Lafayette Bar Association to foster civility, professionalism and legal competency among its membership, to improve the legal system in general with a particular emphasis on increasing the system's sensitivity to the special needs of families and children, and to promote a system of specialized family courts in the 15th Judicial District and in the State of Louisiana.

True to its mission, the section has had a dramatic impact on the 15th Judicial District Court and on the judicial system in Louisiana. By entering into a working partnership with Judge Ronald D. Cox and Judge Phyllis M. Keaty in 1999, the section proposed sweeping amendments to the 15th Judicial District's Local Court Rules. These amendments were presented to all of the sitting judges in the District, who, after making some minor revisions, adopted the new rules.

Currently, the Family Law Section has about 100 members from Lafayette, Vermilion, Acadia, St. Martin, St. Mary, Iberia and St. Landry parishes. The section sponsors a number of activities throughout the year.

LBF continued from page 74

and his JD degree from Tulane University Law School. He is an adjunct faculty member at Tulane Law School, teaching Solo and Small Firm Practice.

New board members include Charles C. Bourque, Jr., Houma; G. Adam Cossey, Monroe; Barbara B. Melton, Alexandria; and Anthony J. Staines, Metairie.

Other members of the 2023-24 board of directors include Alan G. Brackett, New Orleans; Linda Law Clark, Baton Rouge; George D. Ernest, Lafayette; Hon. Cynthia Clay Guillory, Lake Charles; Christopher B. Hebert, Baton Rouge; Colleen C. Jarrott, New Orleans; Hon. Page McClendon, Madisonville; John C. Nickelson, Shreveport; Shayna L. Sonnier, Lake Charles; Adrienne D. White, Mansfield; and Zebulon M. Winstead, Alexandria.

President's Message

Starting a New Year of Goals and Accomplishments

By Deidre Deculus Robert, 2023-24 President

The Louisiana Bar Foundation (LBF) has been fortunate to have extraordinary leadership over the past three decades and I am honored to serve as the 30th president. I am proud to be a Fellow of an organization that brings members of our profession together, maximizing our efforts to better the profession, our communities and ourselves. Thank you to all of our Fellows for your time, talent and treasure. If you are not an LBF Fellow, I invite you to join us.

To kick off this exciting year, I am thrilled to announce that, in April, we awarded more than $7.5 million in annual sustaining grants and we anticipate awarding approximately $12 million for next fiscal year, which begins on July 1. These funds, along with countless volunteer hours, allow the LBF to continue its commitment to ensuring that Louisiana's civil justice system is truly accessible.

Over the next year, we plan to accomplish many things:

► The My Community Cares Project is a community-driven, neighborhood-based approach to preventing child abuse and neglect in Louisiana, and provides legal representation, advice and expertise to families before moving into the DCFS system.

► The Legal Navigator (formerly known as the Justice Bus) is a mobile, rolling legal resource created through a partnership with Lagniappe Law Lab to bring civil legal services through virtual self-help tools and physical resources to those who need them the most. Look for us in your community.

► Activation of the Northeast Louisiana Bar Foundation to establish an organized pro bono project in collaboration with the 4th Judicial District Bar.

► Through our DEI workshops, each approved for 1 hour of professionalism CLE, we continue to build capacity and identify strategy through research, learning and analysis of internal protocols and processes, leadership and volunteer engagement practices, and client community advocacy and support efforts.

► We continue partnering with the Louisiana Supreme Court and the ATJ Commission, as well as working with the Governor's office and the Legislature, to improve the delivery of legal representation across the state.

Deidre Deculus Robert

► We are expanding LBF's reach by working directly with law schools to engage law students and focus on outreach opportunities to promote and educate the work of the LBF.

► Catch us in November for an hour of professionalism CLE and attend one of our nine regional events during the statewide Pop-Up Tour.

► We created an Emergency Funding Policy to aid in the funding of civil legal aid needs due to natural disasters and other emergency situations.

On another note, I am pleased to announce that our 2022 Economic Impact Study proved, once again, that investing in civil legal aid is a great investment! The total net social return on investment for Louisiana's civil legal aid programs is 1,799%. In other words, for every $1 invested in Louisiana's civil legal aid services, these programs deliver $17.99 in immediate and long-term consequential financial benefits. The analysis revealed that the net economic impact value resulting from Louisiana civil legal activities during the year totaled $148,755,000. When you consider these results, it's hard to imagine a better investment of time or money than the LBF.

The Foundation's first president, the late Dermot S. McGlinchey, said it best, "The tradition of service by lawyers is as old as the law itself. We need not be reminded that the practice of law was considered a privilege long before it became a paid profession so that the concept of service is innately part of our tradition." Please join me in making a statement of commitment to fairness and equal access for all in the justice system and become a LBF Fellow. Contact the LBF at (504)561-1046 or visit *www.RaisingTheBar.org* and find out how you can join today.

LBF Seeks Content Contributors for 2023-24 Speak Out for Justice! Focus on Civil Legal Aid

The Louisiana Bar Foundation (LBF) is seeking proposals for content creators for its Speak Out for Justice! Focus on Civil Legal Aid program.

Speak Out for Justice! Focus on Civil Legal Aid is a program of the LBF's Education Committee. The purpose of this program is to support the LBF's educational goals and show how vital the need for civil legal aid is to those who need it most. The LBF simultaneously engages multiple content creators for this program.

Proposals are being sought for:

► Proposals for Public Awareness of the vital need for civil legal aid services for those who cannot afford them. Media types may include (but are not limited to) podcasts, series of written content such as stories, articles, interviews, blog posts, publications, video, PSAs, social media content, and/or art.

► Proposals for Research to measure the effectiveness of ongoing civil legal aid programs. Formats may include (but are not limited to) economic analyses, series of written content (blogs, news articles, interviews, reports), publications, extrapolations from Census data and related materials, social science articles, hypotheses and surveys affirming or disproving current beliefs and approaches, and other formats to effectively discuss civil legal aid with those less familiar with it.

For the full proposal requests, go online to: *www.raisingthebar.org*.

For more information, contact Dee Jones at (504)561-7303 or email dee@raisingthebar.org.

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  Full-page CV ad. . . . . 600 words max, not including contact info
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- For CV ads, submit original or digital headshot photos separately from the text, in .jpg or .tif format (high-resolution digital photos of at least 300 dpi work best).
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Standard classified advertising in our regular typeface and format may now be placed in the ***Louisiana Bar Journal*** and on the LSBA Web site, *LSBA.org/classifieds*. 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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NOTICE

Channing J. Warner intends to file a petition seeking reinstatement of his license to practice law in Louisiana. Any person(s) concurring with or opposing this petition must file such within 30 days with the Louisiana Attorney Disciplinary Board, Ste. 310, 2800 Veterans Memorial Blvd., Metairie, LA 70002.

Notice is hereby given that Byron C. Williams intends to file a petition for reinstatement/readmission to the Louisiana State Bar Association. Any person(s) concurring with or opposing said petition must file notice of said concurrence or opposition within 30 days with the Louisiana Attorney Disciplinary Board, Ste. 310, 2800 Veterans Memorial Blvd., Metairie, LA 70002.

ANSWERS for puzzle on page 46.

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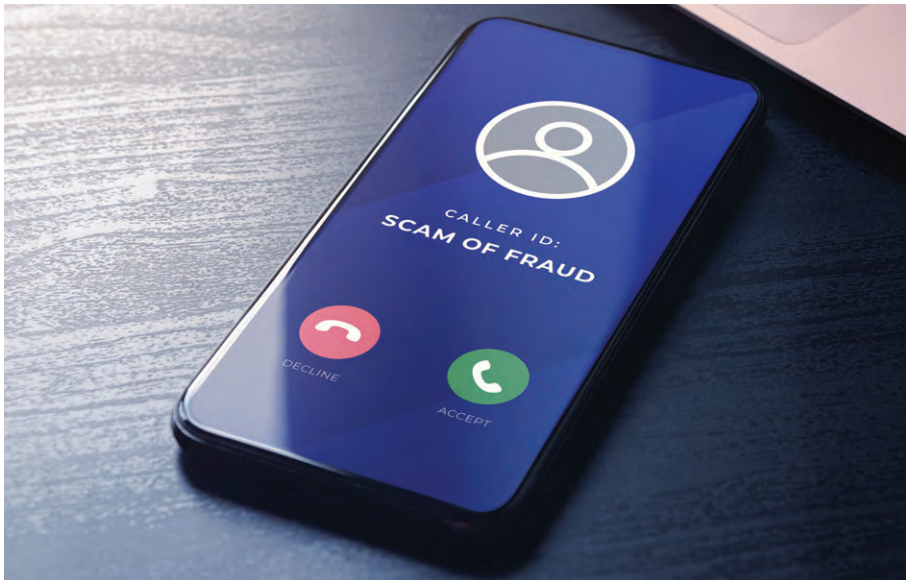
INDEX TO ADVERTISERS

Admiralty Symposium 5
Complex Litigation Symposium 39
Argent Trust 43
Baron & Budd 41
Bourgeois Bennett 54
Broussard & David ..... OBC
Christovich & Kearney, LLP 48
Expert Communications 78
Robert G. Foley 78
Chad M. Garland, CPA, LLC 1
Gilsbar, Inc. ..... 19, IBC
LawPay 2
LaPorte CPAs & Business Advisers 37
Jessica LeBlanc, CPA 57
Legier & Company, apac ..... IFC
Louisiana Association for Justice 45
Louisiana State University Paul M. Hebert Law Center 51
J. Price McNamara 59
Orion Digital Media 55
The Patterson Resolution Group 47
Perry Dampf Dispute Solutions 56
Schiff White Manning, LLP 49
Upstate Mediation Group 52
Upstate Mediation Group / Randall Keiser 60
Upstate Mediation Group / R. Chris Nevils 53
The Write Consultants 79

Ipse Dixit: Possible Spam



By Edward J. Walters, Jr.

So I'm sitting in my office and my cellphone starts to buzz. I look at the screen and it says, "POSSIBLE SPAM." UGH!

Happens to all of us.

What do you do now? It's a Baton Rouge number, which USED to mean it was a BATON ROUGE NUMBER, but it doesn't anymore. Spammers got smart. They can be in Malaysia and still a local number will appear on your screen.

So you stare at the screen. The phone is still buzzing. What do you do? Do you answer it? What if you don't? What if it WASN'T spam? What if it WAS important? What if it's a great new client who was just referred to you? You think to yourself, "If it's important, they will leave a message on my voice mail." But WILL they? Lots of people won't leave a message on your voice mail. You don't have much time to make that decision. Do you wait? It's still buzzing, but not for long. You need to decide. NOW!

Who determines what is "Possible Spam?" Is "Possible Spam" anyone who is not on your contacts list? Sounds logical, but who knows? Who can you ask? You KNOW you can't speak to a human being about this.

You decide to take it, but now you've waited too long. It stopped buzzing. Call ended. So what do you do? Fuggedabout it? No. Can't do that. You go to your "Recents" to see if that helps. It doesn't. It says, "Possible Spam." With a Baton Rouge number. No help.

You can't take it anymore. You call that "Possible Spam" number and it goes something like this: Ring. Ring. (They don't actually ring anymore, now do they?) No answer. You feel better.

Later in the day, another call, another "Possible Spam."

You can't handle the suspense. You answer it. It goes something like this: (with quite an accent) "Hi, Ed" (How did he know my name?). "This is Bill" (sounds more like "Beel"). "I'm responding to your request for information concerning your Medicare Supplement Plan."

Which, of course, I never requested. Nor did I request information about my car's extended warranty or my student loan.

Unbelievably, while I am writing this, I receive this call, "Congratulations! Your telephone number has been selected to receive a complimentary stay at a (very nice big deal national upscale chain) Hotel. As Barry Grodsky would say, "True story."

I prolly won't go.

Edward J. Walters, Jr., a partner in the Baton Rouge firm of Walters, Papillion, Thomas, Cullens, LLC, is a former Louisiana State Bar Association secretary and editor-in-chief of the Louisiana Bar Journal. *He is a current member of the* Journal's *Editorial Board and a former chair of the LSBA Senior Lawyers Division. (walters@lawbr.net; 12345 Perkins Rd., Bldg. 1, Baton Rouge, LA 70810)*

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