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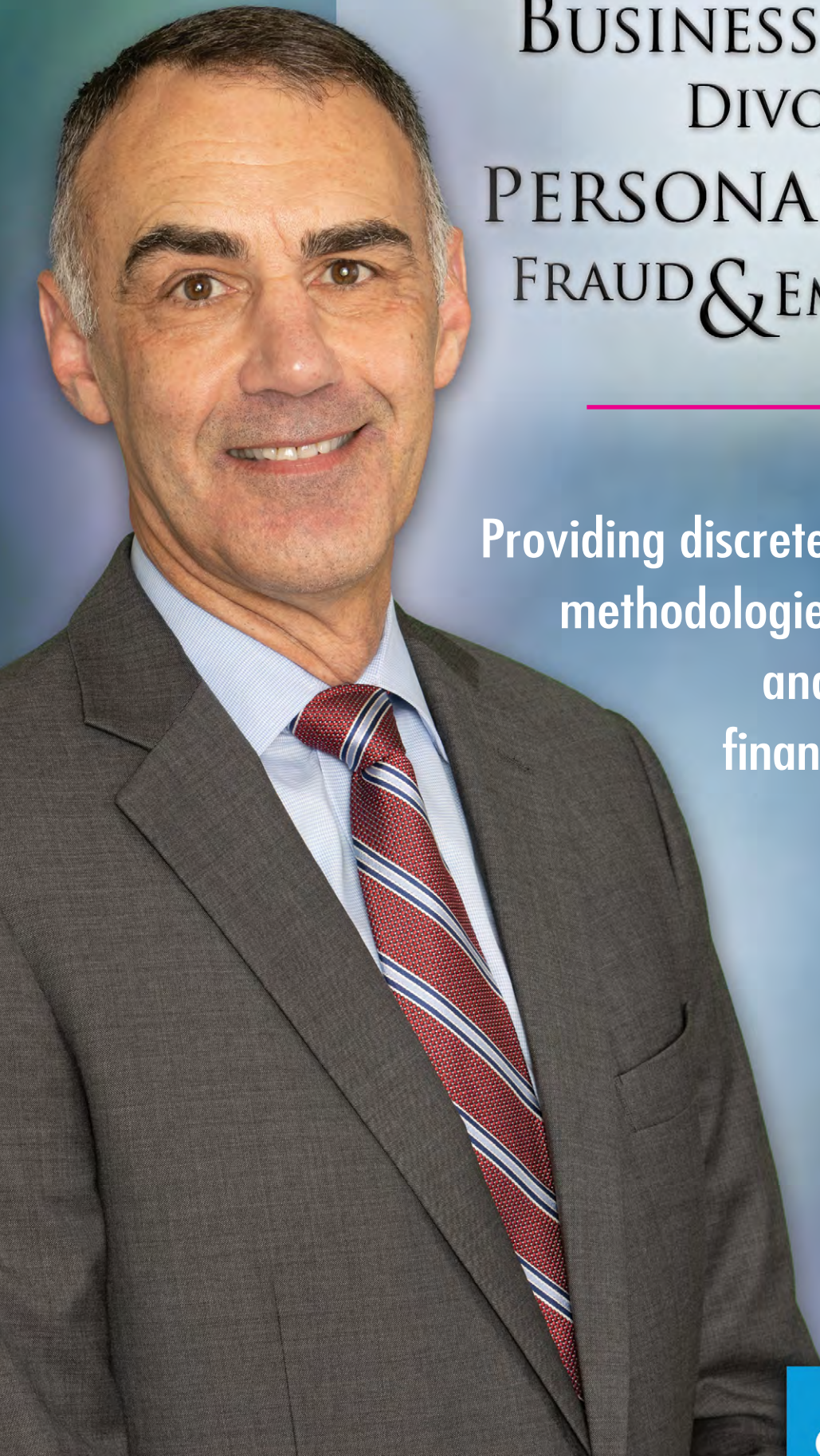


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86th LSBA President
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Remember to Take a Break

By Bradley J. Tate, 2025–27 Louisiana State Bar Association Secretary



As this issue of the *Louisiana Bar Journal* gets to your mailbox, we have reached the beginning of summer. The Annual Meeting and LJC/LSBA Joint Summer School are underway in Sandestin with hundreds of attorneys and judges earning much of their CLE credits for the year.

For the last fifteen years or so, I've seen Summer School and Annual Meeting as the start of summer. My friend, former LSBA President Alainna Mire, and I oftentimes attend together and have a healthy mix of CLE, meetings and some beach time over the week. There have even been times when we added a night or two to enjoy a few real beach days after the event.

With the mindset of the beginning of summer, it is also time to think about a break. Taking a break is often viewed as a luxury in the legal profession, when in reality, it is a necessity. Lawyers are trained to meet deadlines, solve problems, and remain constantly available to clients and colleagues. The profession rewards endurance, responsiveness, and attention to detail. Yet the very qualities that make attorneys effective advocates can also lead to exhaustion when there is no intentional pause from the demands of practice.

Stepping away from our practices, even briefly, is part of maintaining the judgment, patience and clarity that the profession requires. A rested attorney is better equipped to analyze complex issues, communicate effectively with clients, and approach challenges with perspective rather than fatigue. Time away also provides an opportunity to reconnect with family, hobbies and interests outside the office, areas of life that ultimately support long-term professional success.

The legal community has become increasingly aware of the importance of wellness and sustainability in practice. Burnout, stress and mental fatigue are not signs of weakness; they are realities of a demanding profession. Taking time to recharge should be viewed not as falling behind, but as an investment in longevity and effectiveness. In fact, if you're struggling with this, JLAP has resources that I would be more than happy to help you find.

As legal professionals, we often encourage clients to plan carefully for the future and protect what matters most. The same principle should apply to ourselves. Preserving our ability to serve clients well requires recognizing when it is time to pause, reset and return with renewed focus. Sometimes the most productive step forward is simply taking a moment to step away.

So, this summer, remember to take a break.



Have you ever wanted to publish a feature article in the *Louisiana Bar Journal*? Do you have a compelling, timely, substantive or just plain interesting idea focused on the practice of law?

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2) All feature articles and proposals are first reviewed by the *Louisiana Bar Journal*'s Editorial Board. Your submission will be placed on the next Board agenda for discussion.

3) If your article is selected for publication, it will be assigned an editor and slotted into an upcoming issue. You will become a published author and eligible to receive CLE writing credits for your efforts.

Get thinking! Get writing! We hope to hear from you.



One on One with Curtis R. Joseph, Jr., 86th LSBA President:

On Family, Goals and Moving the LSBA Forward

Interviewed by Bradley J. Tate

Curtis R. Joseph, Jr. is a partner in the Shreveport law firm, Blanchard, Walker, O'Quin & Roberts, APLC, where he handles defense as well as plaintiff-oriented litigation.

He earned a BA in mass communication in 1993 and his JD in 1996 at Washington and Lee University in Lexington, Virginia, where he was a founding member of Washington and Lee's chapter of Alpha Phi Alpha Fraternity, Inc.

While at Washington and Lee University, Joseph performed clinical work, focusing on post-conviction relief with the inmates of the Federal Women's Prison Camp in Alderson, West Virginia.

He taught Language Arts, Social Studies, and Religion at Bishop Perry Middle School in New Orleans, Louisiana from 1999-2000. His former students keep in touch.

Joseph is a devoted husband and father of two, as well as a local jazz/blues drummer.



(Left) Curtis R. Joseph, Jr., the 86th Louisiana State Bar Association President, with his family. From left, their son Caleb, his wife Barbara, Curtis and their daughter Ivy. Photo by Candace Chaney Photography.

(Above) Curtis R. Joseph, Jr., the 86th Louisiana State Bar Association President.



(Right and left) Barbara and Curtis R. Joseph, Jr. Photos courtesy Joseph family.
(Below) News clips of a young Curtis R. Joseph, Jr.



Curtis R. Joseph, Jr. and his mother, Linda. Photo courtesy Joseph family.



Early photo of Curtis R. Joseph, Jr. Photo courtesy Joseph family.



Tate: Thank you for taking the time to do this interview for the Louisiana Bar Journal and congratulations on becoming the next president of the Louisiana State Bar Association.

First, as the new LSBA president, tell us something about yourself that most people do not know.

Joseph: I'm a closet introvert. I've worked hard to become extroverted. But, I'm most comfortable in intimate settings with a few people. After a few months working with my first lawyer mentor, Wellborn Jack, Jr., he told me that I was the strangest mixture of introvert and extrovert that he'd ever met. He added that I was good at being extroverted, but he could tell that it drained me rather than giving me energy.

When I tell people this, they find it hard to believe. But, as with most things, Wellborn was right.

Tate: I do find it hard to believe, but I am very much the same way. I think a lot of us are. Tell us about your family.

Joseph: It's complicated. My mother had me when she was in college studying Chemistry. One of my aunts assisted her in raising me. My mother ultimately became a chemist in the Army. She was stationed in Colorado Springs, St. Louis and Hanau, Germany. I'm a military kid and, in many respects, a child of the village. In my opinion, that background has led me to what I perceive to be my greatest strength. I endeavor to see people and meet them where they are. I try to relate and do my best to move the team forward.

In terms of my family with Barbara, I'm the most blessed person you know. My parents divorced when I was 12 and my brother was 3. I yearned for the



family unit that Barbara and I've been fortunate to create. I can't brag enough on my wife and our fantastic children.

Barbara is the Executive Director of the North Louisiana Jewish Federation and, in that capacity, she wears more hats than I do. Our son, Caleb, will be 21 in June. He's studying Mechanical Engineering at the University of Alabama. He will be unable to attend the Annual Meeting in Sandestin because he'll be working as a co-op with Mercedes in Vance, Alabama. He will use vacation time to attend Ivy's high school graduation in May.

At the time of this interview, we're still not sure where Ivy will attend school in the fall. But we recently learned that she was awarded the Johnson Scholarship at Washington and Lee University, where I attended both undergrad and law school. So, we shall see. Suffice it to say, when my wife or either of my children are speaking to me and explaining something I don't quite understand, I simply smile and nod as though I do. Again, I'm blessed beyond measure.

Tate: *Tell us about your background, where did you grow up, where did you go to college?*

Joseph: I'm predominantly from Shreveport. But, due to my mom being in the Army, I grew up in Colorado, Missouri and Germany. I attended Washington and Lee University for both undergrad and law school, and I absolutely loved it.



(Top) Curtis R. Joseph, Jr. Photos courtesy Joseph family.
(Above) Curtis R. Joseph, Jr. performs on a drum kit during a recent performance.



Barry H. Grodsky, Curtis R. Joseph, Jr. and Cheri Cotogno Grodsky at the 2024 Annual Meeting. Photo by Matthew Hinton photography.

I spent every summer of law school in Lexington, Virginia, where W&L is situated. While I was in undergrad, I coached a Little League football team. I became immersed in the community. If I had it to do again, I'd make the same decision and, in that regard, I'm over the moon that Ivy may matriculate there in the fall.

Tate: *When did you know you wanted to be a lawyer?*

Joseph: My mother tells me that we were living in Colorado Springs and I came home one day when I was in the second grade and told her that I wanted to be a lawyer. She asked why and she said I looked her in the eye and told her I wanted to wear the nice suits and carry a briefcase.

Tate: *If you were not a lawyer, what would you be doing?*

Joseph: That's a trick question. I'd be a professional drummer. When I was in law school, I performed with two gentlemen who were undergrads at W&L. I graduated from law school in '96 and moved back to Shreveport. They graduated from undergrad in '97. I suggested that they move to New Orleans and I moved down. We rented an apartment on the opposite end of Octavia Street from the Grodskys and made a go of it. I taught Middle School Language Arts, Social Studies and Religion at Bishop Perry Middle School, an all-boys Catholic school in the Marigny while we played music all over the country. We self-produced a CD that was



Curtis R. Joseph, Jr. plays a drum kit. Photo courtesy Joseph family.



Curtis R. Joseph, Jr. and Barbara Joseph. Photo courtesy Joseph family.



Curtis, Barbara, Caleb and Ivy at the 2023 Annual Meeting. Photo from LSBA archives.

ultimately purchased by a local New Orleans label. I had the time of my life seeing this beautiful country of ours and playing my instrument. Carpe diem. As the kids say these days, YOLO.

Tate: *I think I probably already knew the answer to that one. One day, I'm going to see you on the drums. Tell us about your practice.*

Joseph: My practice is varied and essentially a combination of the stops that I made along the way. My first employer, Wellborn Jack, Jr. was a trial lawyer whose practice encompassed high-end plaintiff personal injury work and criminal defense. I then worked for Willie Singleton, practicing plaintiff personal injury. At the time I was at Mr. Singleton's office, he was heavily engaged in the Tobacco Class Action and my primary function was to keep the other files moving. My next employer was Ronald F. Lattier.

At Ron's office, I was primarily focused on civil defense work. Interesting tidbit: while working for Ron, I met and worked with Judge Karella Stewart and Senae Hall, both of whom I'm exceedingly proud to call friends. Thereafter, I opened an office with Mary Winchell and we rented office space from Marshall Jones and John Odom. During that timeframe (approximately 7 years), I relied upon the prior work that I'd done to cobble together a practice. In 2022, I went to my current office at Blanchard, Walker, O'Quin & Roberts where I was, incidentally, a runner when I was an undergraduate during the summers of 1991-1992. These days, I do my best to mentor the fantastic young attorneys in our firm in between the significant amount of time that I'm away from the office.

Tate: *Do you have a favorite case?*

Joseph: My favorite case is actually one of my first ones. Wellborn wanted to get me into court. So, he handed me a file from a longstanding client of his. The gentleman owned property in North Caddo Parish close to the Red River. His property was on both sides of the levee. There was a drought during the summer of 2000. So, he ran a line from his well, which was on the street side of the levee, to a garden hose, which he draped across the levee and ran it to a trough that he'd installed a shutoff valve on. Consequently, his cows would drink from the trough and it would fill without overflowing. The Levee Board filed for an Injunction, demanding that he remove the hose from "their" levee. He was a recalcitrant old man and he wanted to fight. We prevailed and he was allowed to leave the hose on the levee while we applied to the Army Corps of Engineers for a permanent line from the well to the trough. I thoroughly enjoyed fighting for the little guy. He had rights, too.

Tate: *Who have been some of your role models in the practice of law and the legal profession?*

Joseph: For me, it all starts with Wellborn Jack, Jr. Google him. He was the real deal. He made his fortune in plaintiff's personal injury. But his heart was in defending



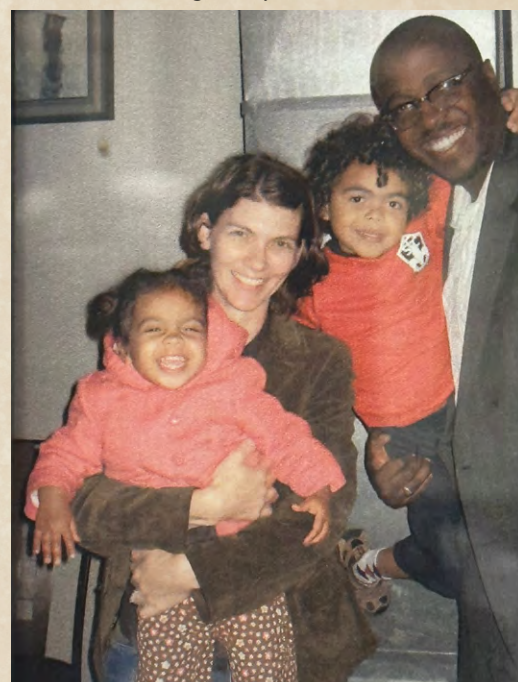
President's Interview

folks charged with crimes. He enjoyed getting immersed in the minutia and he made opposing counsel work. They hated to see him coming. He took an interest in me and brought me from Virginia to Shreveport. And when I walked into his office on a Tuesday evening to tell him that I was moving to New Orleans on Friday to play music, he said that I was a bird that needed to be free. There was no animus. Even more, when I called him 3 years later and told him that Barbara and I were in a serious relationship and that I wanted to move back to Shreveport, he welcomed me with no questions.

Curtis, Barbara, Caleb and Ivy Joseph at the 2022 Annual Meeting. Photo from LSBA archives.

Tate: *What is your advice for young lawyers just starting their practices?*

Joseph: If I was to give a spiel to young lawyers at the inception of their practice it would be two-fold. (1) Remember that the earth is round. What goes around comes around. Treat people right. Opposing counsel, clerks, bailiffs, secretaries and staff. Do the right thing. And (2), whatever it is that you do that makes you whole, don't give that up. Continue being you. Don't give up on the other things that bring you joy. Make time for them and cherish balance. It just might keep you sane.



Ivy, Barbara, Caleb and Curtis Joseph. Photo courtesy Joseph family.

Tate: *Why did you run for president of the LSBA?*

Joseph: Those who know me will attest that my life has been one devoted to service. I firmly believe that our lives are made useful by serving others. In 2019, I was given the opportunity to serve as the President of the Shreveport Bar Association and I cherished that opportunity. I never even thought about becoming involved in the State Bar.

During my tenure as the Shreveport Bar President, I encountered Bob Kutcher, who is an LSBA institution unto himself. Bob reached out and stated that he thought I should get involved in the State Bar. He appointed me to the House of Delegates. However, Covid happened and we didn't really do much. Some time thereafter, Bob suggested that I consider running for the Board of Governors, which I did. He actually had to tell me which Board district I was in. In any event, during my 3-year term on the Board, I fell in love. I became enamored with the servant leaders and the amazing staff. And when my term ended, I wanted to serve the Bar and its 23,000 lawyers in the highest capacity.

Tate: *How do you hope to advance access to justice this year?*

Joseph: As you know, all states are suffering from the concept of legal deserts. Louisiana is no different in that regard. As of this past February, there are 23,168 lawyers in good standing in the state. As I appreciate it, approximately 90% of those lawyers practice south of I-10, which leaves



Curtis R. Joseph, Jr., Barry H. Grodsky, H. Minor Pipes III and Robert A. Kutcher. Photo from LSBA archives.



Curtis and Ivy Joseph.
Photo courtesy Joseph family.



Curtis, Ivy, Barbara and Caleb Joseph.
Photo courtesy Joseph family.

about 2,300 lawyers to service the balance of the state.

We currently have a robust ATJ program headed up by Amy Duncan, who follows Monte Mollere, and they're doing a fine job. I will assist them as much as possible. I will be available to them. As you can imagine, access to competent civil legal representation will only become more an issue as the cost of living increases, wages stagnate and disposable income becomes compromised.

Tate: *What are your objectives for your year as president?*

Joseph: One of the primary things I'd like to accomplish is to get more North Louisiana lawyers involved in the State Bar. I'm already seeing lawyers reach out indicating a desire to play a part. I've received so many calls, text messages, emails and the like from lawyers who are now paying attention to our Bar. I've even received some handwritten notes, believe it or not.

I don't pretend to be the most intelligent person in the room. But I do believe that my personality lends itself toward welcoming others into the fold. And, again, I'm seeing that play out. I'd love to bring as many people along as possible because I'd like to share with them how special our Bar is.

I want to be the Bar emissary. Want people to walk away from all things LSBA feeling good. I realize that, in many respects, for the Bar year, I will be seen as the personification, the brand of the Bar. And I want to use that platform to get as many people engaged as possible. Bearing in mind that the staff makes our pirate ship move and I'll only hold the position for a year.





(From left) LSBA Presidents, past and present: Joseph L. (Larry) Shea, Jr.; Curtis R. Joseph, Jr.; Hon. Darrel J. Papillion; S. Guy deLaup; Alainna R. Mire; Robert A. Kutcher; Edward J. Walters, Jr.; David F. Bienvenu; Kim M. Boyle; Michael W. (Mike) McKay; and Barry H. Grodsky. Photo from LSBA archives.

Tate: Tell us about your feelings on the state of our profession and the future.

Joseph: I'm concerned but hopeful. As it relates to our Bar Association, specifically, we're on solid footing. Again, I can't say enough about our staff and how amazing they are. So, I'm hopeful because of my association with those with whom I serve in conjunction. However, we must be cognizant of the attacks on law firms, individual lawyers, DAs, judges, and in many regards, our entire system of governance.

But, I trust that lawyers will be there as they always have been to steady our course. What do I mean by that? Many misapply the quote from Shakespeare's Henry VI, when Dick the Butcher said, "The first thing we do, let's kill all the lawyers." The truth of the matter is that those who would establish tyranny or chaos would first need to eliminate those who strive to uphold the rule of law. That's where we step in. Lawyers have made a difference for humanity throughout time. I see no reason for that to change now.

Tate: What are some of the challenges you see for lawyers as a profession?

Joseph: Aside from the attacks on the rule of law mentioned earlier, the advent of artificial intelligence (AI) cannot be overstated. Many tasks that were previously given to young lawyers will be offloaded to AI. However, I liken it to a tool in the same vein as Westlaw, Lexis and others. In my opinion, AI definitely expedites the process. However, it will never have bedside manner. Consequently, as lawyers I would suggest that we lean on the "counselor at law" aspect of what we provide as a service.

Tate: What is the most rewarding thing about being a lawyer?

Joseph: Helping people. On any given day, I represent Walmart, small municipalities, people involved in catastrophic

accidents and grandmothers whose grandchild needs a lawyer who will provide legal assistance and won't judge them because of something they allegedly did on their worst day. To that point, I was at the Independence Bowl this year and a former client, whom I represented years ago when he found himself in a bind, came up to me to tell me how he turned his life around after he was given a second chance due to my representation. He now shares his talents with our youth and when he tells his story, he mentions me...the lawyer who helped him.

Tate: Thanks, Curtis. I am looking forward to working with you this year.



Curtis R. Joseph, Jr. at the Grand Canyon. Photo courtesy Joseph family.

Community Property Cannot Come into Existence After the Termination of the Community Property Regime

By Bradford H. Felder





here have been three appellate court cases that have failed to follow a fundamental tenet of community property law: once the community property regime has ended, no new community property can be created.¹ Part of the confusion may arise from Comment (c) to *La.Civ. Code art. 2341* which defines separate property. Comment (c) states that the concept of real subrogation is applicable to both separate and community property. However, the concept of real subrogation is completely unnecessary in analyzing community property, as opposed to separate property. *La.Civ. Code art. 2338* defines community property as follows:

Property acquired during the existence of the legal regime through the effort, skill, or industry of either spouse; property acquired with community things or with community and separate things, unless classified as separate property under article 2341; property donated to the spouses jointly; natural and civil fruits of community property; damages awarded for loss or injury to a thing belonging to the community; and all other property not classified by law as separate property.

La.Civ.Code art. 2339 classifies civil fruits of separate property as community property, unless they are reserved by a spouse as separate property by a declaration made in an authentic act or in an act under private signature duly acknowledged, which is provided to the other spouse prior to filing same. *La.Civ.Code art. 2340* establishes a rebuttable presumption that things in the possession of a spouse during the existence of the community property regime are presumed to be community. While the inclusion of the language that community property includes “property acquired with community things”

suggests the principle of real subrogation is applicable, it is not, in fact, necessary for purposes of classification. In fact, the last clause in article *La.Civ.Code art. 2338* stating that “all ... property not classified by law as separate property” is community property is sufficient, along with the presumption of community, for the classification of property acquired during the existence of the community property regime.

The application of the principle of real subrogation may create confusion because it suggests that post-termination of the community property regime, if community property were used to acquire additional property, that newly acquired property could be classified as community property. However, that is not the case. Rather, as explained in *La.Civ.Code art. 2366*, “if community property has been used during the existence of the community property regime or former community property has been used thereafter for the acquisition ... of the separate property of a spouse, the other spouse is entitled to reimbursement for one-half of the amount or value that the community property had at the time it was used.” Therefore, property acquired after termination of the community property regime is the separate property of the spouse who acquired it, and the interests of the other spouse are protected by means of a reimbursement claim for one-half of the value of the community property used for the acquisition.

The principle of real subrogation is helpful in the context of classifying separate property because it concerns property that pre-existed the creation of the community property regime and property that is acquired during the community property regime that is defined as separate property. *La.Civ. Code art. 2341* defines separate property as follows:

The separate property of a spouse is his exclusively. It comprises: property acquired by a spouse prior to the establishment of the community property regime;

property acquired by a spouse with separate things or with separate and community things when the value of the community things is inconsequential in comparison with the value of the separate things used; property acquired by a spouse by inheritance or donation to him individually; damages awarded to a spouse in an action for breach of contract against the other spouse or for the loss sustained as a result of fraud or bad faith in the management of community property by the other spouse; damages or other indemnity awarded to a spouse in connection with the management of his separate property; and things acquired by a spouse as a result of a voluntary partition of the community during the existence of the community property regime.

The article states “property acquired by a spouse with separate things” is separate property, thus invoking the principle of real subrogation. “The principle of real subrogation has long been applied to allow a spouse with separate assets to manage and to replace those assets as a patrimonial mass independent of the community.” Carroll, Felder, & Moreno, 16 *La. Civ. L. Treatise, Matrimonial Regimes*, §3:51 (5th ed.). Although the presumption of community property would apply to property acquired during the existence of the community property regime, if a spouse can demonstrate that he used separate property to acquire the new property then the property should be classified as separate property. Real subrogation is therefore a useful principle when classifying separate property that was acquired during the existence of the community property regime. In contrast, the principle of real subrogation is not necessary, and may create confusion, when applied to the classification of community property. The presumption of community along



with the catch-all phrase “all other property not classified by law as separate property” contained in *La.Civ. Code art. 2338* are sufficient, without the principle of real subrogation, to classify community property.

The most recent case to classify property acquired post-termination as community property is *Reis v. Reis*, 2024-0750 (La.App. 4 Cir. 4/3/25), 418 So.3d 79. In *Reis*, during the marriage, the parties formed a limited liability company, Outkast Environmental. After the parties divorced, the former husband created Outkast Industrial. The former husband used materials and equipment belonging to Outkast Environmental in his operation of Outkast Industrial and hired employees that worked for Outkast Environmental to work for Outkast Industrial. Following the reasoning of *Queenan v. Queenan*, 492 So.2d 902 (La.App. 3 Cir. 1986) and *Granger v. Granger*, 06-1615 (La.App. 3 Cir. 9/26/07), 967 So.2d 540, the Louisiana Fourth Circuit Court of Appeal held that Outkast Industrial is a “substitute corporation” and therefore is community property subject to partition.

Reis, *Queenan*, and *Granger* each incorrectly classified entities created after termination of the community property regime as community property. Louisiana’s civil code articles clearly prohibit property acquired post-termination from being classified as community property. The remedy in these cases is the application of *La.Civ. Code art 2369.3* which states:

A spouse has a duty to preserve and to manage prudently former community property under his control in a manner consistent with the mode of use of that property immediately prior to termination of the community regime. He is answerable for any damage caused by his fault, default, or neglect.²

Comment (a) to the article provides, in pertinent part:

This Article also imposes a higher standard of care in managing and maintaining such former community property than the standard imposed during the marriage for managing community property. See C.C. Art. 2354 (rev. 1979). The reason for imposing a higher standard of care in managing former community property is that, after termination of the community property regime, the law no longer assumes that a spouse who has former community property under his control will act in the best interest of both spouses in managing it.

Comment (b) to the article provides:

This Article applies to “former community property, including a former community enterprise.” “[F]ormer community enterprise” refers to a former community business that is not a legal entity. See C.C.

Art. 2347 (rev. 1979), comment (b). Recognition of the business as a collective of things, although it has no juridical personality, continues after termination of the community regime for the purposes of this Section.

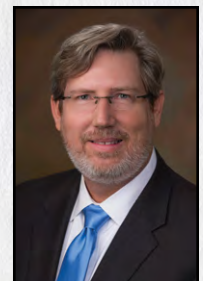
Therefore, the courts in *Reis* and *Granger* should have relied upon *La.Civ.Code art. 2369.3* to analyze the post-termination management of the community businesses, and then determine the value of the damage caused to those community businesses through the fault, default, or neglect of the operating spouse. Avoiding this analysis and simply classifying property that did not exist during the community property regime as community property distorts the matrimonial regime created by our civil code and allows for potentially significant confusion over the manner in which courts are to analyze property divisions in community property partitions. It is vitally important that courts are consistent in recognizing that “[u]pon termination of the legal regime, the community relationship ceases and nothing can then become part of it.” Carroll, Felder, & Moreno, 16 La. Civ. L. Treatise, Matrimonial Regimes, §3:50 (5th ed.).

FOOTNOTES

1. The three cases discussed below are *Reis v. Reis*, 2024-0750 (La.App. 4 Cir. 4/3/25), 418 So.3d 79, *Queenan v. Queenan*, 492 So.2d 902 (La.App. 3 Cir. 1986), and *Granger v. Granger*, 06-1615 (La.App. 3 Cir. 9/26/07), 967 So.2d 540.

2. Civil Code article 2369.3 was enacted in 1995, after *Queenan*.

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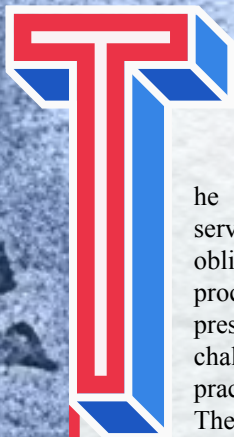
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CHILD SUPPORT
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SCRA

by Maggie Trahan Simar



The intersection of military service and child support obligations (and family law proceedings in general) presents unique legal challenges for courts, practitioners, and litigants. The Servicemember Civil Relief Act (SCRA), codified at 50 U.S.C. §§ 3901 et seq. provides critical protections to servicemembers whose military duties materially affect their ability to participate in civil proceedings.¹ These protections are especially significant in child support cases, where timely participation, accurate income information, and procedural fairness are essential. This article seeks to explain the protections implicit within the act.

Purpose and Scope of the SCRA

Congress enacted the SCRA to ensure that servicemembers can devote their full attention to national defense without suffering adverse civil consequences.² The Act stays certain civil proceedings, limits default judgments, restricts interest on financial obligations, and provides procedural safeguards to those sorts of proceedings.³ Specific to the child support context, the statute does not eliminate obligations but ensures that proceedings take into consideration legitimate military purposes and the constraint implicit in allowing military professionals to “do their job.” Importantly, the Act applies to judicial and administrative proceedings, including those initiated by state child support agencies.⁴ While the SCRA can delay a child support action, it cannot defeat or permanently bar adjudication; instead, it ensures fairness and due process for absent servicemembers.

Application to Military Populations

The SCRA applies broadly to members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force, commissioned officers of the Public Health Service, and the National Oceanic and Atmospheric Administration, including Reserve and National Guard members called to service for more than 30 days.⁵ Coverage generally begins upon receipt of active-duty orders and extends through active service and, for many, protections 90 days after service ends.⁶ This wide application ensures that both full-time and mobilized servicemembers can access protections that may impact their involvement in child support proceedings.

Stays of Proceedings

One of the most critical aspects of the SCRA in the child support context is the statutory provision for mandatory and discretionary stays. Upon proper request—including a statement of material effect and a commanding officer’s letter—the court must grant at least a 90-day stay.⁷ Additional stays may be granted upon showing continuing material effect, though courts have discretion in evaluating these requests. If a court denies a subsequent stay, it must appoint counsel to represent the servicemember.⁸ If a servicemember fails to meet the technical requirements of the stay request, the court may proceed without appointing counsel. It has been my observation that, specifically for child support enforcement cases, if a service member notifies the agency (or the court), stays will be granted, even absent the formal commanding officer letter.

Furthermore, getting an attorney to represent a military member is difficult—it is a mandate without

a funding source. Further, many lawyers do not understand the act, nor the protections it affords, so obtaining a volunteer to take this type of case often proves difficult for the court. Therefore, servicemembers providing proof of activation is often enough to grant the stay but they actually have to provide said proof to the court.

Default Judgments and Protections

The SCRA places enhanced restrictions on default judgments entered against servicemembers. Before a default judgment is entered, a court must inquire as to whether a servicemember filed the requisite military-status affidavit and, if so, they may not render a default.⁹ Courts must appoint counsel for servicemembers before entering default.¹⁰ Servicemembers may reopen defaults entered during service if materially affected and a defense exists.¹¹ This protection applies to judgments entered during service or within 60 days thereafter. Courts must balance diligence by plaintiffs with fairness to servicemembers whose duties may limit communication, participation, and availability. This is why courts are lenient on servicemembers who notify them or the child support agency of activation—so the court does not have to go and reopen a default (and often vacate said judgement) that was filed while the servicemember was activated.

Administrative Child Support Proceedings

The SCRA explicitly applies to administrative proceedings initiated by state child support enforcement agencies. This includes actions to establish paternity, set support, and enforce obligations. The Act requires agencies to provide



notice, permit appointment of counsel, and recognize requests for stays.¹² Notably, the decision to grant or deny continuances in administrative actions must be made by a judge rather than agency staff.¹³ In my experience in Family Court matters, this is the part often not complied with—the agency either “misses” the military service or they do not understand the Act, and proceed with the request for action. The requirement of court intervention ensures that servicemembers’ statutory rights receive appropriate judicial oversight, particularly in administrative systems where procedural informality is common.

Income, Withholding, and Enforcement Considerations

Child support enforcement for servicemembers must also comply with the Consumer Credit Protection Act (CCPA), which caps the percentage of disposable earnings subject to withholding. Depending on whether the servicemember supports other dependents and whether arrears exist, between 50% and 65% of disposable pay may be garnished. Military pay structures, including Basic Allowance for Housing (BAH), Basic Allowance for Subsistence (BAS), and deployment-related entitlements, can complicate income calculations.

Practitioners must carefully analyze Leave and Earnings Statements (LES) to assess accurate income and identify available leave, which may affect stay determinations under the SCRA. In Louisiana, BAH, BAS and hazard pay can be included in Gross Income; therefore, it is essential that courts take their time and comply with the Act, so that they can get the most accurate income for the servicemember.¹⁴

Material Effect and Court Evaluation

A recurring challenge in SCRA litigation is determining whether military service ‘materially affects’ participation.

The statute does not define this term, leaving courts discretion to evaluate factors such as duty schedules, deployment status, access to communication, availability for remote testimony, and leave balances. Courts may inquire into duty hours, whether remote testimony is feasible, and the commanding officer’s reasons for denying leave. Parties may submit affidavits addressing recent leave requests, communication capabilities, and scheduling accommodations. Because child support proceedings often involve urgent issues affecting children, courts may balance servicemember rights with the need for temporary orders to address immediate financial needs.

Critics of the Act (and anecdotally from handling these matters) opine that some service members use the Act to avoid child support obligations. While this may be true for some, the Federal government has passed this act knowing that child support may not flow during the pendency of activation. The states have little discretion to act, provided the court knows of the military service.

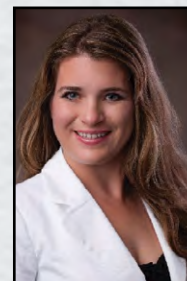
Conclusion

Child support cases involving servicemembers require careful navigation of statutory protections, military realities, and the best interests of children. The SCRA provides essential safeguards without excusing support obligations. Courts and practitioners must ensure compliance with procedural requirements while seeking practical solutions, such as remote testimony, temporary orders, and coordination with commanding officers. By understanding the nuances of the SCRA and its application to child support enforcement, legal professionals can ensure fair, lawful, and efficient outcomes for all parties.

Footnotes

1. 50 U.S.C. §§ 3901–4043.
2. 50 U.S.C. § 3902
3. *Id.*
4. 50 U.S.C. § 3911(5)
5. 50 U.S.C. § 3911(1).
6. 50 U.S.C. § 3917
7. 50 U.S.C. § 3932(b).
8. 50 U.S.C. § 3932(d).
9. 50 U.S.C. § 3931(b).
10. 50 U.S.C. § 3931(b)(2)
11. 50 U.S.C. § 3931(g)(1).
12. 50 U.S.C. § 3911
13. 50 U.S.C. § 3932(a)
14. 15 U.S.C. § 1673

Maggie Trahan Simar is the hearing officer for the 16th Judicial District Family Court in St. Martin Parish. She received her BA in broadcast journalism in 1995 from Louisiana State University and her JD in 1998 from LSU Paul M. Hebert Law Center. She is a member of the Louisiana Bar Journal Editorial Board. She is a former president of the Lafayette Bar Association and Junior League of Lafayette and currently serves as president of the Association of Family and Conciliatory Courts Louisiana Chapter. (msimar@16jdc.org; St. Martinville)



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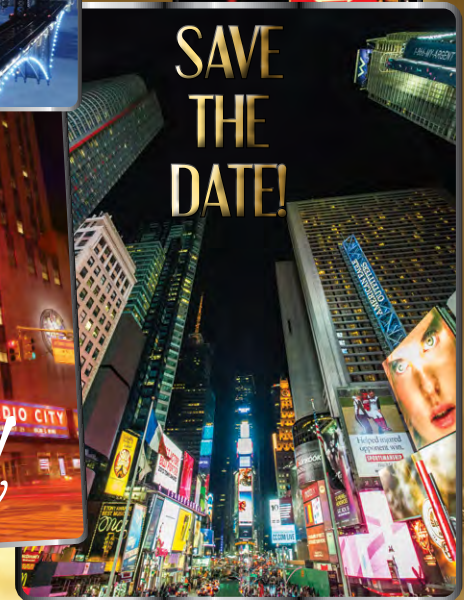
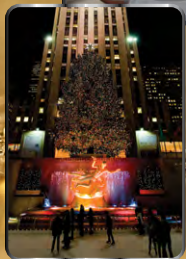
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Curtis R. Joseph, Jr. President

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 served on the Louisiana State Bar Association's Board of Governors in 2021-24, representing the Eighth Board District. He also served in the LSBA House of Delegates. He serves on the boards of the Louisiana State Licensing Board for Contractors, the Biomedical Research Foundation and Bonvenu Bank. He is President of The Committee of One Hundred, vice chair of public policy of Greater Shreveport Chamber of Commerce and serves as a member of the Air Force Global Strike Command Civic Leaders Program. He received 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 formerly served as vice chair of the Metropolitan Planning Commission, chair of the Strategic Action Council and chair of the North Louisiana Holocaust Remembrance Service.

In his community, he is also a local jazz and blues drummer. He and his wife Barbara have been married for 23 years and are the parents of two children.

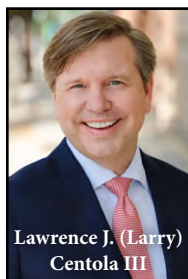
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Louisiana, including the Bayou Corne sinkhole litigation, and has tried multiple cases to verdict.

Centola received his BA in political science in 1998 from Louisiana State University, where he served as Student Body President in 1997-98. He earned his JD in 2001 from the LSU Paul M. Hebert Law Center and was admitted to practice in Louisiana the same year. He currently serves on the LSU Law Center Young Alumni Council and lectures frequently at continuing legal education programs on class actions, ethics, and professionalism.

Within the LSBA, Centola has served as the treasurer in 2022-24, First District representative on the Board of Governors, chair of the Young Lawyers Division in 2012-13, and as a member of the Client Assistance Fund Committee. He is a past torts bar examiner for the Louisiana Bar Examination.

Centola serves as the president of the Federal Bar Association New Orleans Chapter and on the Board of Governors for the Louisiana Association for Justice. In 2008, he received the national Sandra Day O'Connor Award for Professional Service from the American Inns of Court, presented at the United States Supreme Court to a lawyer practicing fewer than 10 years. In 2013, he received the Louisiana Association for Justice President's Award. He has also been recognized by Super Lawyers magazine and other professional organizations for his trial work and client service.

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Tate has spent much of his career in public accounting, serving individuals, small start-up companies, large, multi-national corporations and more. He has worked on a myriad of tax issues, including tax controversy, historic tax credits, business planning and structuring, complex partnership issues, non-profit formation and administration, international tax issues, trusts, gifting and estate planning. He earned his BS in Accounting, summa cum laude, from Southeastern Louisiana University; his JD from the LSU Paul M. Hebert



Bradley J. Tate

Law Center; and a Master of Laws in Taxation (LL.M.) from the University of Alabama. In his spare time, he has taught LSAT classes to aspiring law students.

Tate is deeply engaged in the legal community. In June 2025, he was sworn in as LSBA Secretary and Editor-in-Chief of the *Louisiana Bar Journal*, which he will curate until June 2027. He has devoted his legal career to serving the bar, including as chair of the LSBA Young Lawyers Division (2017–2018) and has remained an active member of the Bar Governance Committee. As secretary, he serves on the Executive Committee and on the Board of Governors. He also serves on the Board of Directors of the Louisiana Judges and Lawyers Assistance Program and was sworn in as its president in June 2025.

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Carrie LeBlanc Jones **Treasurer**

Carrie LeBlanc Jones is a Health Law Specialist certified by the Louisiana Board of Legal Specialization and practices law in the Baton Rouge office of Breazeale, Sachse & Wilson, L.L.P. She advises clients on a broad range of issues, including regulatory and compliance, fraud and abuse, facility licensing, Medicare and Medicaid provider enrollment, hospital governance, and medical staff matters such as credentialing, privileging and peer review.



In addition to her health care practice, Jones has significant experience in regulatory, administrative, and occupational licensure law. She previously served as General Counsel and Chief Legal Officer for the Louisiana State Board of Nursing, where she managed licensure issues, disciplinary proceedings, administrative rulemaking, and legislative matters. In her current practice, she represents both licensing boards and individual licensees in administrative and disciplinary matters and advises academic institutions on issues involving research misconduct.

Jones has been an active leader in the LSBA. She has served on the 2022–25 Board of Governors and as chair of the 2020–21 Young Lawyers Division, having previously served as Young Lawyers Division chair-elect, secretary, immediate past chair, and District 5 representative. She played a key role in launching the inaugural Louisiana Young Lawyers Conference, co-chaired the Richard N. Ware High School Mock Trial Competition, and coordinated the YLD Professional Development Seminar. She has also served on the *Louisiana Bar Journal* Editorial Board and the Budget Committee. An alumna of the Leadership LSBA 2013–14 Class, she remains committed to mentoring new attorneys and law students through the LSBA's Transition Into Practice Program and her firm's summer clerkship and

fellowship programs.

Her professional service includes appointments to the LABI Health Care Council, Louisiana Attorney Disciplinary Board, Louisiana Access to Justice Commission, Louisiana Bar Foundation Capital Area Community Partnership Panel, and Louisiana State Law Institute Council.

Outside of her professional work, Jones is active in her community. She is member of Leadership Baton Rouge Class of 2026. She is a parishioner of St. George Catholic Church, volunteers as a youth sports coach, and serves on the board of directors of Livingston Parish SADD. She and her husband, Aaron, have two children.

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Edward J. Walters, Jr. **Immediate Past President**

Edward J. Walters, Jr. is a partner in the Baton Rouge firm of Walters, Thomas, Cullens, LLC. He received a BS in accounting in 1969 from Louisiana State University and his JD in 1975 from the LSU Law Center. Walters served as the LSBA secretary and editor-in-chief of the *Louisiana Bar Journal* in 2012-13.



He and Michael A. Patterson have taught a course titled “Advanced Trial and Evidence” at the LSU Law Center for more than 30 years, and he has been a member of the faculty of the Law Center’s yearly Trial Advocacy Program since its inception 25 years ago. He was appointed by the Louisiana Supreme Court to serve as a member of the Judiciary Commission of Louisiana from 2017-21. He was the chair of the Commission for 2020. Walters received the LSU Law Center’s Distinguished Alumnus Award in 2015, the LSBA’s President’s Award in 2011, the Louisiana Bar Foundation’s Distinguished Attorney Award in 2008 and the Baton Rouge Bar Association’s President’s Award in 1995, 1998 and 2014.

He is the recipient of the Louisiana Bar Foundation’s 2025 Curtis R. Boisfontaine Trial Advocacy Award.

He is a member of the American College of Trial Lawyers, the International Academy of Trial Lawyers and the LSU Law Center Board of Trustees. He is board certified in Civil Trial Advocacy by the National Board of Trial Advocacy.

He is the author of the book *Ipse Dixit: Ruminations on a Career at Law*.

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Lindsey A. Cheek **First Board District**

Lindsey A. Cheek is the founding attorney of The Cheek Law Firm LLC in New Orleans, where her practice focuses on mass torts, asbestos litigation, and complex personal injury matters. She earned a BBA degree, magna cum laude, from the University of Houston and received her JD from South Texas College of Law in 2009. She was admitted to practice law in Louisiana in 2012, Texas in 2009, and Pennsylvania in 2012.



She is a Fleur de Lis member of the New Orleans Bar Association, serves on the Board of Governors for the American Association for Justice, and is a member of the Federal Judiciary Committee. Cheek is an adjunct professor at Tulane Law School and frequently speaks at national conferences on litigation and law practice management. She is also a regular speaker at the LSBA Annual Admiralty Symposium, the LSBA Complex Litigation Conference, and the LSBA Conclave on Diversity in the Legal Profession.

She has been recognized "Top 10 Best Asbestos Mesothelioma Trial Lawyer" by the National Trial Lawyers Association, "Super Lawyers - Louisiana Super Lawyer" by Thomson Reuters, "Top 25 National Women Trial Lawyer" by the National Trial Lawyers Association, "Top 10 Under 40 Attorney for Personal Injury" in Louisiana by the National Association of Personal Injury Attorneys, and "10 Best Attorneys in Louisiana" by the American Institute of Personal Injury Attorneys.

In her community, Cheek was elected to the Orleans Parish Democratic Executive Committee (OPDEC), serves as an advocacy leadership committee member of the Independent Women's Organization (IWO), and is a permanent member of Cincinnati's Club and the Legion of Mars krewe for veterans and law enforcement officers. Outside of her legal practice, Cheek holds a black belt in karate, and enjoys gardening, volunteering, hiking, and taking road trips with her dogs and siblings.

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Zainey served as chair of the 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 annual Admiralty Law Symposium in New Orleans, which he co-chairs. He also serves as chair of the LSBA's Insurance Tort, Workers Compensation and Admiralty Law Section. 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), 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, ethics, maritime law, oral arguments and environmental toxic torts, as well as teaching with the trial advocacy summer program at LSU 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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Cosby serves in the 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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Dartez served on the LSBA Board of Governors as the Third Board District representative from 2002-05 and 2017-20. She is a past member of the LSBA House of Delegates, serving as chair of the House Liaison Committee 2023-2026, where she chaired the House of Delegates Task Force after the implementation of Supreme Court Rule XVIII. She is a current 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 is a former president of the Lafayette Bar Association 2021-22 and a member of the Louisiana Association for Justice and Louisiana Workers Advocates (WILG).

In her community, she is a graduate of the Leadership Institute of Acadiana’s Leadership Lafayette, where she chaired the Junior Leadership program for two years. She is a former president of both the Junior League of Lafayette and Healing House, Hope for Grieving Children.

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Todd Clemons is a Lake Charles attorney and founder of Todd Clemons and Associates. His practice focuses on criminal defense, personal injury and general civil litigation. He has more than 35 years of legal experience and has tried more than 125 jury trials to verdict in state and federal courts.

Clemons received his undergraduate degree from the University of Louisiana at Lafayette and his JD, magna cum laude, from Southern University Law Center. He is a former assistant district attorney for Calcasieu Parish and served for 12 years as an assistant United States attorney in the Western District of Louisiana. He also served as a judge pro tempore in the 14th Judicial District.

Clemons is a member of the Louisiana Attorney Disciplinary Board and previously served for 10 years on the Louisiana Supreme Court Committee on Bar Admissions as a bar examiner. He currently serves on the Testing Committee for the Committee on Bar Admissions. He also serves on the LSBA Board of Governors.



Todd S. Clemons

He has been active in community and civic organizations, including service on the board of directors of Big Brothers Big Sisters of Southwest Louisiana, where he served as president, and the SOWELA Foundation Board, where he also served as president. He is a life member of Omega Psi Phi Fraternity Inc. and served as Ninth District representative.

Clemons is a member of Christian Baptist Church, where he serves as moderator and on the board of directors. He and his wife, Stefanie, have two children and three grandchildren.
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(337)477-0000 • fax (337)477-4580
email: todd@toddclemons.com
website: www.toddclemons.com

Christopher K. Jones
Fifth Board District

Christopher K. Jones is a partner with Keogh Cox and an experienced litigator who has represented both businesses and individuals in class action and complex commercial litigation matters across state and federal courts in Louisiana and throughout the country. He received his undergraduate degree from Tulane University and earned his JD from the LSU Paul M. Hebert Law Center in 2002. He was admitted to practice law in Louisiana in 2002.

Jones served as the 2021 president of the Baton Rouge Bar Association/Baton Rouge Bar Foundation after serving many years on the Board of Directors. He previously served on the LSBA Young Lawyers Section Council, the LSBA Leadership 2008-09 Class and the Federal Bar Association’s Baton Rouge Chapter Board of Directors, including a term as chapter president.

His honors include a Martindale-Hubbell AV Preeminent Rating 2014–present, selection as a Louisiana Super Lawyer in Class Action/Mass Torts 2018–24, and inclusion in *The Best Lawyers in America* for Mass Tort Litigation/Class Actions 2024–present. He received the LSBA Young Lawyers Section Pro Bono Award. He is also a past honoree of the Baton Rouge Business Report’s Top Forty Under 40.

In his community, Jones currently serves on the Board of Trustees for St. Joseph’s Academy and the Baton Rouge Epicurean Society. He is a lifelong member of St. Aloysius Catholic Church and played on the baseball team during his undergrad years at Tulane University from 1995–97. He has also volunteered for disaster legal services following Hurricanes Katrina, Gustav, and the 2016 flood. Jones and his wife, Kathlyn “Kelley” Phillips Jones have been married for 29 years and are the parents of four children.

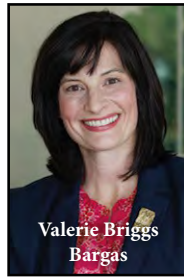
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(225)383-3796 • fax (225)343-9612
email: cjones@keoghocox.com • website: www.keoghocox.com



Christopher K. Jones

Valerie Briggs Bargas
Fifth Board District

Valerie Briggs Bargas is a partner with Long Law Firm in Baton Rouge, where her practice focuses on insurance defense, professional liability, medical malpractice defense, business litigation and succession and estate planning matters. She represents businesses and insurers in complex litigation and advises clients on corporate and business law issues.



Bargas earned her AB, cum laude, from Smith College in 1998 and her JD from Tulane Law School in 2001. She was admitted to practice in Louisiana in 2001 and is also admitted to practice before the U.S. District Courts for the Eastern, Middle and Western Districts of Louisiana and the U.S. Court of Appeals for the 5th Circuit.

Bargas has been active in the LSBA, having served as chair of the Young Lawyers Division 2008–09 and as a member of the Board of Governors and as a member of the House of Delegates. She has also served on the Louisiana Attorney Disciplinary Board in multiple roles, including as a hearing committee officer, board member and advisory committee member.

She is a past president of the Louisiana Bar Foundation and remains active as a Fellow and former member of its Board of Directors. Her professional affiliations include the Louisiana Association of Defense Counsel, Baton Rouge Bar Association, American Bar Association and the American Board of Trial Advocates. She also serves as president of the Dean McMahon Inn of Court.

Bargas has received numerous honors, including the Louisiana Bar Foundation Pro Bono Publico Award and the Judge Joseph Keogh Memorial Award from the Baton Rouge Bar Association. She has been recognized by Super Lawyers and was previously named a Super Lawyers Rising Star.

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Barry M. Barnett
Sixth Board District

Barry M. Barnett is a partner in the firm of LaCroix, Levy & Barnett, LLC, in Alexandria. He handles personal injury cases, with more than 30 years of experience in that practice area. He received his BS degree in business in 1981 from the University of New Orleans and his JD degree in 1986 from Louisiana State University Paul M. Hebert Law Center. He was admitted to practice in Louisiana in 1986.



Barnett is a member of the American Bar Association, the Louisiana Association for Justice and the Alexandria Bar Association (president, 2005-06).

He and his wife, Amanda Barnett, are the parents of four children.
1101 Bolton Ave., Ste. B, Alexandria, LA 71301
(318)443-7615 • fax (318)443-0074
email: barry@llblaw.com • website: www.llblaw.com

Amy J. Miller
Seventh Board District

Amy J. Miller is an Assistant United States Attorney in the Western District of Louisiana where she serves in the Criminal Division as a federal prosecutor. Prior to joining the U.S. Attorney’s Office, Miller was in private practice for more than ten years as a civil litigator and also served as an Assistant District Attorney for the Third Judicial District.



Miller received her undergraduate from Louisiana State University-Shreveport and her JD from the LSU Paul M. Hebert Law Center. She is admitted to practice in Louisiana and Arkansas. She is a former member of the LSBA House of Delegates where she represented the Third Judicial District and a current member of the Lincoln Parish Bar Association and Northeast Louisiana Bar Foundation.

In her community, Miller has served on the Board of Control of the Lincoln Parish Library and the Board of Directors for the Junior League of Monroe. She is a member of Trinity Methodist Church and enjoys the small-town life in Ruston with her husband and their two children.

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(318)676-3603 • email: amy.miller2@usdoj.gov

Senàe D. Hall
Eighth Board District

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



Hall served as the 2024–25 immediate past chair, 2023–24 chair, the 2022–23 chair-elect, the 2021–22 secretary and as an at-large representative on the LSBA Young Lawyers Division (YLD) Council.

She was a member of the Leadership LSBA 2018-19 Class and served on the LSBA YLD Awards Committee for two years. She also volunteered as a mock trial competition judge from 2017–26. She served as the LSBA Diversity Committee awards co-chair from 2024–26.

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 has served as the at-large member of the SBA’s Young Lawyers Section and social media chair from 2021–23 and the Law Week chair for 2023.

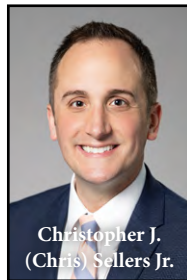
Hall was recognized as a 2021–25 “Top Attorney” by *SB Magazine* and was selected for the 2020–21 Dillard University’s “40 Under 40” list. She also was selected for the Shreveport Chamber of Commerce’s 2021 “40 Under 40” Class. Hall is a member of Alpha Kappa Alpha Sorority, Incorporated.

In her community, she is a judge for the Volunteers for Youth Justice's Teen Court Program and volunteers for various community service projects. Every year, she organizes a service project or fundraiser for her birthday to give back to her community.

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Christopher J. (Chris) Sellers Jr.
Chair, Young Lawyers Division

Christopher J. (Chris) Sellers Jr. is the 2026–27 chair of the LSBA Young Lawyers Division (YLD). As chair, Sellers represents the YLD on the LSBA Board of Governors and the Louisiana State Law Institute. He has previously served the YLD as chair-elect, secretary, and District 1 representative and represented the YLD on the LSBA Budget Committee and the Louisiana Bar Journal Editorial Board.



Christopher J.
(Chris) Sellers Jr.

His other LSBA involvement includes serving as vice chair of the Health Law Section and a member of the Bar Governance Committee and the Medical/Legal Interprofessional Committee. He is board-certified by the Louisiana Board of Legal Specialization (LBLS) as a health law specialist and previously served two terms on and as the 2024–25 chair of the LBLS Health Law Advisory Commission. He was a member of the Leadership LSBA 2017–18 class and served as co-chair the following year.

Sellers is assistant vice president and associate general counsel for Ochsner Health. He received his bachelor's degree in 2011 from Louisiana State University (LSU) and his JD in 2014 from the LSU Paul M. Hebert Law Center. He was admitted to practice in Louisiana in 2014. In his community, he is a member of the Stonewall Sports – New Orleans Board of Directors and a member of the Krewe of Endymion.

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Tina L. Suggs
At-Large Member

Tina L. Suggs is the Managing Attorney at State Farm's Claims Litigation Counsel Office in Metairie, Louisiana. With over 17 years of experience at State Farm, she plays an active role in the company's national committees, contributing to legal strategy and industry best practices.



Tina L. Suggs

Suggs earned her Bachelor of Science in Medical Technology in 1991 from the University of New Orleans and Louisiana State University School of Allied Health. She later pursued her passion for law, earned her JD from Loyola University New Orleans College of Law in 2004

and was admitted to practice in Louisiana in 2005. Suggs was recently reappointed to the LSBA Board of Governors, where she serves as the Board's representative on the LSBA Budget Committee. In addition, she serves on the LSBA Committee on the Profession, D&I Committee, and Access to Justice Commission.

Suggs is deeply committed to legal diversity and community service. She is a Fellow of the Leadership Council on Legal Diversity (LCLD) and serves as the LCLD Relationship Manager at State Farm and Co-Chair/City Lead for the LCLD Alumni Chapter in Louisiana. Additionally, she is a dedicated member of Delta Sigma Theta Sorority, Inc., engaging in both local and international community service initiatives.

She has been married to Everett C. Suggs for 34 years and they are the proud parents of four children.

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Daniel A. Cavell
At-Large Member

Daniel A. Cavell is a partner in the Thibodaux firm of Morvant & Cavell, LLC. He received a BA in 1977 from Nicholls State University and his JD in 1980 from LSU Paul M. Hebert Law Center. He was admitted to practice in Louisiana in 1980.



Daniel A. Cavell

Cavell served as the at-large member on the LSBA Board of Governors from 2011-14 and again from 2017-18. He also served in the House of Delegates as a member of the Nominating Committee and Budget Committee. He chaired the LSBA's and the Louisiana Supreme Court's (mandatory) Continuing Legal Education Committee.

He is a former president of the Lafourche Parish Bar Association and serves on the LSU Alumni Board of Trustees. He was named 2005 Thibodaux Citizen of the Year and was named Nicholls State University Outstanding Alumnus in 1985.

In his community, he is a member of the Rotary Club, a commissioner of the Thibodaux Regional Medical Center, a parishioner of Christ the Redeemer Catholic Church and a member of the Board of Directors for the Catholic Foundation of South Louisiana. He was Grand Marshal of the Thibodaux Volunteer Fire Department in 2022.

Cavell and his wife, Belinda, have been married for 47 years and are the parents of six children and four grandchildren.

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Charles D. Elliott
At-Large Member

Charles D. Elliott is a solo practitioner at Charles Elliott & Associates, LLC, in Alexandria. He received a BS in science/math education in 1986 from Louisiana Tech University, an MS in computer science in 1989 from Louisiana State University and his JD 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 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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(318) 704-6511 • email: charles@elliott.legal



Prof. John M. Church
Faculty, LSU Paul M. Hebert Law Center

John M. Church is a professor of law at LSU Paul M. Hebert Law Center and has been a member of the faculty since 1991. He received a BS in 1983 from Central Michigan University, an MS in economics in 1985 from the University of Illinois and his JD in 1988 from the University of Colorado. He was admitted to practice in Colorado in 1988 and clerked for the Hon. Robert H. McWilliam on the U.S. 10th Circuit Court of Appeals and practiced law at Davis, Graham & Stubbs in Denver before joining the LSU Law faculty.



Church has served as LSU's representative on the LSBA Board of Governors 13 times between 1998-24. He is a member of the American Law and Economics Association, the American Association of Wine Economists and the American Intellectual Property Association.

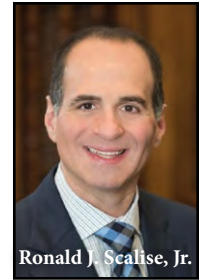
In his community, he is a member of the Sacred Heart of Jesus Catholic Church and is the President of the Advisory Board of the Sacred Heart of Jesus Catholic School. Church and his wife Karen have been married for thirteen years. He is the father of four children.

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Prof. Ronald J. Scalise, Jr.
Faculty, Tulane University Law School

Professor Ronald J. Scalise, Jr. is the John Minor Wisdom

Professor of Civil Law at Tulane University Law School. He joined the Tulane Law faculty in 2009 and held the A.D. Freeman Professorship from 2009–18. He served as vice dean of the law school from 2012-16. Prior to arriving at Tulane, he served on the faculty of LSU Paul M. Hebert Law Center from 2004–09. In 2007, he was awarded the McGlinchey Stafford Associate Professorship there, and, in 2009, he served as acting vice chancellor for academic affairs.



He received a BA in 1997 from Tulane University and his JD in 2000 from Tulane Law School (Articles Editor for the *Tulane Law Review*). After graduating from law school, he clerked on the U.S. 5th Circuit Court of Appeals for Judge James L. Dennis and then worked as an associate in the New Orleans law firm of Stone Pigman Walther Wittmann, LLC. He earned an LL.M. in 2003 from Trinity College, Cambridge University, on a Gates Fellowship.

During his career, Scalise has served on several law reform projects. He currently serves as reporter for the Louisiana State Law Institute's Successions and Donations Committee, the Trust Code Committee, the Prescription Committee and the Committee on Aleatory Contracts/Signification of Terms. He also is a member of the Law Institute's Council and a committee member of more than a dozen other subject-matter specific revision committees.

From 2013-15, 2017-19 and 2021-23, he was a member of the LSBA Board of Governors. From 2011-17, he served on the Louisiana Board of Legal Specialization, including as chair and vice chair.

In 2011, he was appointed as an appeals judge in cases contesting decisions made by the BP oil spill compensation system. He was elected as an associate member of the International Academy of Comparative Law. He is both a board member and the treasurer of the American Society of Comparative Law.

He has written extensively on civil law topics, including successions and inheritance. He is the primary author for the annual updates for five volumes in the *Louisiana Civil Law Treatise* series on property and obligations. In 2014, he was elected as an academic fellow to the American College of Trusts and Estates Counsel and currently serves as both Louisiana state chair and as a member of its Board of Regents. In 2015, he received the Leadership in Law Award by *New Orleans City Business*. He has received the Felix Frankfurter Award for law teaching twice (2018 and 2024) and the John Minor Wisdom Award for the best civil law article published in the *Tulane Law Review*. Also in 2018, he assumed editorial responsibility for the annual pamphlet edition of the Louisiana Civil Code.

In 2019, Scalise was elected to the American Law Institute and was appointed by the Uniform Law Commission as reporter for the revision of the Uniform Disposition of Community Property at Death Act. Since 2021, he has served as reporter for the Uniform Law Commission's project on Uniform Conflict of Laws in Trusts and Estates.

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G. Trippe Hawthorne
Louisiana State Law Institute

G. Trippe Hawthorne is an attorney at Kean Miller in Baton Rouge, where he advises clients on all phases of construction development, dispute resolution, and general commercial litigation.

He currently serves on the Louisiana State Law Institute Council and previously served as general counsel to the Louisiana State Licensing Board of Contractors.

Hawthorne has served as Special Advisor to the Louisiana Law Institute Security Devices Committee for the Private Works Act Revision Project and is a Fellow of the American College of Real Estate Lawyers, where he has served as chair of the Construction Law Committee.

He is the editor of the Louisiana Construction Law volume of the Louisiana Practice Series published by Thomson Reuters. He frequently presents on topics related to construction law, licensing law, procurement, public bid disputes, ADR, and diversity in the legal profession.

Hawthorne is a mediator and arbitrator with Perry Dampf Dispute Solutions and the American Arbitration Association and serves as one of the American College of Real Estate Lawyers' representatives to the National Construction Dispute Resolution Committee. Additionally, he is a graduate of the NITA Advanced Trial Program and the Harvard Program on Negotiation Mediation Training.

Hawthorne began his legal career as a law clerk to Judge John V. Parker of the U.S. District Court for the Middle District of Louisiana 1995-96. Away from work, he enjoys triathlons, working on bicycles, supporting his church, and spending time with his wife and three daughters. He has received multiple awards recognizing his contributions to his community.

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G. Trippe
Hawthorne

Larry E. Pichon
Chair, House of Delegates Liaison Committee

Larry E. Pichon is a solo practitioner based in Lake Charles. He earned his undergraduate degree from the University of New Orleans and his JD from Loyola University New Orleans College of Law in 1987. He was admitted to practice in Louisiana in 1988.

Pichon serves as a member of the House of Delegates representing the 14th Judicial District. In his community, Pichon supports the Lake Charles Hobo Hotel for Cats and volunteers his time as treasurer for the Southwest Louisiana AIDS Council. In 2014, he was recognized as volunteer of the year for the Southwest Louisiana AIDS Council.

Pichon is the father of two children and, in his spare time, enjoys playing bingo and staying connected to his community.
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Larry E. Pichon

Aaron R. Wilson
Member, House of Delegates Liaison Committee

Aaron R. Wilson is an attorney at Aaron R. Wilson, Attorney at Law, in Bossier City. He received his JD from Southern University Law Center. He was admitted to practice in Louisiana in 2016.

Wilson serves in the LSBA House of Delegates, representing the 26th Judicial District.
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Aaron R. Wilson

Kristen D. Amond
Member, House of Delegates Liaison Committee

Kristen D. Amond is an attorney in New Orleans (Kristen Amond, LLC), practicing in federal and state courts in Louisiana. She represents businesses of all sizes in all forms of business disputes and is outside general counsel to small businesses and start-ups.

She has represented bankruptcy trustees, plan administrators, receivers in complex litigation and investors in securities fraud lawsuits. She also is a trained mediator. She is a member of the civil pro bono panels for the Eastern and Middle Districts of Louisiana and volunteers her professional time to represent plaintiffs in civil rights cases. She served as a clerk to Judge Susie Morgan of the U.S. District Court of the Eastern District of Louisiana. In law school, she served as an intern for Judge Brian A. Jackson of the U.S. District Court for the Middle District of Louisiana.

Amond received her JD, *magna cum laude*, in 2016 from LSU Paul M. Hebert Law Center. She was editor-in-chief of the Louisiana Law Review.

Before law school, she taught second and third grades in New Orleans charter schools. She served as chair of the LSBA Young Lawyers Division in 2024-25. She was elected to two terms as the District 1 representative on the Young Lawyers Division Council. She was elected to serve on the LSBA's House of Delegates and Nominating Committee.

She also serves on the board of the New Orleans Federal Bar Association Younger Lawyers Division and is an alumna of the New Orleans Regional Leadership Institute and a Council for a Better Louisiana's Leadership Louisiana program. She serves on the board of Glassroots and Success Prep at Thurgood Marshall, where she taught before law school.

She was an adjunct professor at Tulane University teaching "The Media and the First Amendment" and teaches a course at LSU Law's Apprenticeship Week each year with Judge Susie Morgan.

She was named as one of the American Bar Association's Top 40 Young Lawyers in America in 2022 and has been recognized in the 2021-2026 editions of Best Lawyers: Ones to Watch and 2022-2026 editions of Louisiana Super Lawyers.

Amond looks forward to traveling the world with her wife, Nancia Sterling, and their (brand new!) son, Julien.
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Kristen D. Amond

2026-27 LSBA Dues and LADB Assessment Payment Cycle Underway

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); *McDonald v. Longley*, 4 F.4th 229 (5th Cir. 2021); and *Boudreaux v. Louisiana State Bar Ass'n*, 86 F.4th 620 (5th Cir. 2023).

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 Bylaws. To review the objection, refund and arbitration procedures in Article XII of the LSBA Bylaws, go to: www.lsba.org/BarGovernance/ByLawsAndArticles.aspx.

Additional information on annual LSBA expenditures is available in the May 2026 issue of "Bar Briefs." 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 2026-27 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 2026-27 membership year which is June 30, 2026. Review the "Emeritus Status Guidelines and Restrictions and Notice of Application" at: www.lsba.org/Members/EmeritusStatus.aspx.

Attorneys who no longer wish to practice law and do not want to pay the LSBA dues or LADB assessment must take the necessary steps to elect inactive status, as per Louisiana Supreme Court Administrative Rule XVIII, Section 3. This Rule states that a lawyer in good standing who is not engaged in the practice of law shall advise the

Louisiana State Bar Association in writing of his or her desire to request inactive status and discontinue the practice of law. Inactive members may not engage in the practice of law and shall not be required to pay the annual dues or assessment or comply with trust account reporting requirements. Any lawyer who does not take these steps and simply ceases to timely pay the required fees and/or make the required filings shall be certified ineligible to practice law.

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. If an attorney has not yet set up a member account, one can easily be created at: www.lsba.org/Members/memberacct.aspx. This webpage also allows members to edit their existing account 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 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. The LSBA mailed a postcard in May to each member, prompting them to go online to www.LSBA.org to complete the registration process, pay the annual dues and assessment, and go online to www.LADB.org to complete the Trust Account Form. ***This is the only mailing members will***

Continued on page 31

Dues continued from page 30

receive prior to the July 1, 2026, 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 Statement (including 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, 2026. The LSBA will continue to mail delinquency and ineligibility notices to those who fail to meet the deadline.

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.

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.

Board Certified Specialists and Applicants Under The Age of 65 May Earn 4 Hours of Approved Specialization “Computer-Based CLE” in 2026

The Louisiana Supreme Court amended Rule XXX of the Rules for Continuing Legal Education, modifying the long-standing age-based exemption for attorneys, by Order dated Nov. 10, 2025. Review the order online on the MCLE website under updates: www.lsba.org/MCLE/.

Under the revised Louisiana Supreme Court rule, attorneys who turn 65 on or after Jan. 1, 2026, may earn all of their required CLE through computer-based programming.

Considering the Nov. 10, 2025 order of the Louisiana Supreme Court, the Louisiana Board of Legal Specialization (LBSL) approved that all board certified specialists and applicants, who are age 65 or older in 2026, may earn all of their required hours of specialization CLE either in person or online in 2026.

For the 2026 compliance period ending Dec. 31, 2026, there is no longer a limitation on “computer-based CLE” at four (4) hours annually for board certified specialists and applicants, who are age 65 or older in 2026. “Computer-based CLE” includes interactive live webcasts, webinars, and on-demand recordings. See the MCLE website at www.lsba.org/MCLE/.

The LBSL Board did not change any of the required number of specialization CLE hours for board certified specialists, no matter what their age.

For the 2026 compliance period ending Dec. 31, 2026, LBSL Estate Planning and Administration specialists and Tax Law specialists, who are 65 or older in 2026, may earn all of their required 18 hours of approved specialization CLE either in person or by “computer-based CLE” credits on or before Dec. 31, 2026. See Rule 3(d) of Louisiana Supreme Court Rule XXX. Rule XXX - Supreme Court Rules - Louisiana Supreme Court (*lasc.org*). For the 2026 compliance period ending Dec. 31, 2026, LBSL Appellate Practice specialists, Employment Law specialists, Family Law specialists, Health Law specialists, and Labor Law specialists, who are 65 or older in 2026, may earn all of their required 15 hours of approved specialization CLE either in person or by “computer-based CLE” credits on or before Dec. 31, 2026. For the 2026 compliance period ending Dec. 31, 2026, LBSL Business Bankruptcy Law specialists and Consumer Bankruptcy Law specialists must satisfy the continuing legal education requirements of the American Board of Certification (ABC).

For the 2026 compliance period ending Dec. 31, 2026, applicants for 2026 LBSL Estate Planning and Administration and Tax Law specializations, who are 65 or older in 2026, may earn all of their required 18 hours of approved specialization

CLE either in person or by “computer-based CLE” credits on or before Dec. 31, 2026. For the 2026 compliance period ending Dec. 31, 2026, LBSL applicants for 2026 Appellate Practice, Employment Law, Family Law, Health Law and Labor Law specializations, who are 65 or older in 2026, may earn all of their required 15 hours of approved specialization CLE either in person or by “computer-based CLE” credits on or before Dec. 31, 2026.

For the 2026 compliance period ending Dec. 31, 2026, board certified specialists and applicants, who are younger than 65 in 2026, are subject to the limitation on “computer-based CLE” at four (4) hours annually (as defined in Rule 3(d) of Louisiana Supreme Court Rule XXX. Rule XXX - Supreme Court Rules - Louisiana Supreme Court (*lasc.org*)). The remaining required specialization CLE hours are to be “in person attendance.”

Refer to the LBSL Approved Course Calendar: www.lsba.org/MCLE/MCLECalendar.aspx?L=S. Check off your specialization and click “Search Courses” to find approved CLE in that specialization. Be sure to review the “Total Hours” column to confirm how many CLE hours, if any, were approved for that specialization.

If you have any questions, please contact our Specialization Director, Mary Ann Wegmann, at (504) 619-0128, 1-800-421-5722, or maryann.wegmann@lsba.org.

4th Annual ATJ Conclave Focuses on Expanding Access to Justice

The Louisiana Access to Justice Commission hosted its 4th Annual Access to Justice (ATJ) Conclave on April 1, bringing together judges, attorneys, legal aid providers and community leaders to examine strategies for expanding civil legal services across the state. The conclave, themed “Justice for All Five Years Later: Looking Back and Looking Forward with a Focus on Civil Legal Deserts,” focused on assessing progress and identifying solutions to improve access to legal resources in underserved communities.

Leaders from across Louisiana’s legal community welcomed attendees, including LSBA Past Presidents Stephen I. Dwyer and Alainna R. Mire, Louisiana Bar Foundation President Edmund J. Giering IV and LSBA President Edward J. Walters, Jr. Consultant Tara Veazey facilitated the event for the fourth consecutive year, guiding discussions aimed at strengthening collaboration and developing practical strategies to address unmet civil legal needs.

The program opened with a panel discussion, “Setting the Stage: Legal Needs, Legal Deserts, and Why It Matters,” featuring Sarah Berthelot of the Louisiana Association of United Ways, Amanda Brown of Lagniappe Law Lab and Amy Duncan of the LSBA. Panelists examined how the Justice for All initiative and civil legal resource mapping efforts have identified gaps in legal services and informed targeted responses. They emphasized the importance of data-driven decision-making and cross-sector partnerships in addressing those gaps.

Throughout the day, presenters highlighted existing resources and innovative programs designed to improve access to justice. Stephanie Beaugh, ATJ projects counsel for the LSBA, provided an overview of self-help forms and online tools available through the LSBA’s “Find Legal Help” portal. A second panel, “Inspirations and Learnings from the Field,” featured speakers from legal services organizations and community agencies who discussed initiatives such as rural outreach efforts,



From left to right, LSBA Past President Stephen I. Dwyer, Dwyer, Cambre & Suffern; LSBA Past President Alainna R. Mire, Co-Chair, Louisiana Access to Justice Commission; LSBA President Edward J. Walters, Jr.; and LBF President Edmund J. Giering IV.

mobile legal services and community-based legal access points.

During the luncheon, retired Judge Lisa Woodruff-White delivered a keynote address emphasizing the importance of the rule of law and the judiciary’s role in ensuring meaningful access to justice, particularly in areas lacking adequate legal resources. Additional presentations highlighted the work of the Law Library of Louisiana, including public access to legal research tools and self-help materials.

The afternoon session, “Looking Forward: Additional Promising Practices and Partnerships for Addressing Needs in Civil Legal Deserts,” showcased emerging programs and collaborative efforts from across the state. Speakers included Judge Cynthia Guillory; Corlissa Hoffoss, Executive Director of the Southwest Louisiana Bar Foundation; Deidre Deculus Robert, 2023-24 Louisiana Bar Foundation past president; Laura Tuggle, Executive Director of Southeast Louisiana Legal Services; and Adrienne Wheeler, Executive Director of Louisiana Appleseed. All speakers shared strategies for expanding legal access through partnerships and innovative service delivery models.

Amanda Brown also provided an



Hon. Cynthia Clay Guillory, chief judge of the 14th Judicial District Court, presents during the afternoon session of the 4th Annual ATJ Conclave in Baton Rouge on April 1.

update on the Louisiana Civil Legal Navigator, an online platform designed to help individuals identify legal issues, access self-help resources and connect with legal assistance. The conclave concluded with remarks from Rebecca Collins, ATJ training and projects counsel, who directed attendees to additional materials and resources for continued engagement.

By convening stakeholders from across the legal and nonprofit communities, the ATJ Conclave reinforced the importance of coordinated, statewide efforts to ensure Louisiana’s legal system remains accessible, navigable and responsive to the needs of all residents.

Louisiana Supreme Court Warns of Text Message Scam Targeting Residents

The LSBA is alerting its members to a scam identified by the Louisiana Supreme Court in which individuals receive fraudulent text messages from a nonexistent “Louisiana Superior Court.” The Louisiana Supreme Court emphasized that no court by that name exists.

Recipients have reported receiving text messages from an entity identifying itself as the “Louisiana Superior Court.” The messages claim the recipient has an “outstanding traffic ticket” and must pay a fee to avoid repercussions.

The Louisiana Supreme Court emphasized that no court by the name “Louisiana Superior Court” exists. Additionally, the court does not send text messages or emails threatening prosecution or demanding payment for traffic violations or related fees.

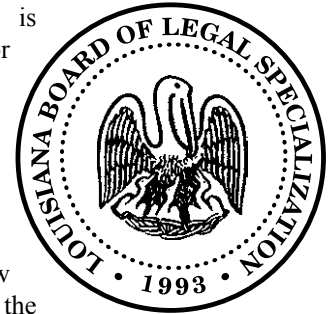
LSBA members are encouraged to remain vigilant and to advise clients, colleagues and staff of this scam. Lawyers may encounter clients who are confused or concerned after receiving such messages, making awareness critical to preventing potential financial harm.

Individuals who receive suspicious communications purporting to be from a court should avoid responding or providing any personal or financial information. Instead, they should contact the appropriate court directly using verified contact information.

For questions or to report concerns related to this scam, individuals may contact the Louisiana Supreme Court Clerk of Court’s Office or review the latest news alerts from the Louisiana Supreme Court on its website at www.lasc.org.

Louisiana Board of Legal Specialization Accepting Applications for Business Bankruptcy Law and Consumer Bankruptcy Law Certification

The Louisiana Board of Legal Specialization (LBLS) is accepting applications for board certification in business bankruptcy law and consumer bankruptcy law through Sept. 30, 2026. With regard to applications for business bankruptcy law and consumer bankruptcy law board certification, although the written test(s) is administered by the American Board of Certification (ABC), attorneys should apply for LBLS approval simultaneously with the testing agency in order to avoid delay of board certification by LBLS.



Links to further information regarding testing by the American Board of Certification are on the LBLS website, www.lsba.org/Specialization/, look for Business Bankruptcy and Consumer Bankruptcy.

To receive an application for board certification, contact Specialization Director Mary Ann Wegmann at (504)619-0128, (800)421-5722 or email maryann.wegmann@lsba.org.

Interested in Creating a New Legal Specialty Area?

Are you interested in creating a new legal specialty area in Louisiana? The Louisiana Board of Legal Specialization (LBLS) has adopted a written policy concerning how submissions must be made for LBLS to consider a new legal specialty area. While new legal specialties must be approved by the Louisiana State Bar Association House of Delegates (LSBA HOD), LBLS is charged with recommending new specialties to the LSBA HOD.

Ten (10) legal specialties have been approved so far: Tax Law, Family Law, Business Bankruptcy Law, Consumer Bankruptcy Law, Labor Law, Employment Law, Estate Planning and Administration, Appellate Practice, Environmental Law, and Health Law.


LBLS oversees these legal specialty ar-

reas. Visit the LBLS website to find out more about board certified legal specialization: www.lsba.org/documents/Specialization/PlanofLegalSpecialization2025.pdf.

Approved specialization CLE courses may be viewed on the LBLS Approved Course Calendar online at

www.lsba.org/MCLE/MCLECalendar.aspx.

For more information on creating a new legal specialty area in Louisiana, please contact Specialization Director Mary Ann Wegmann at (504)619-0128 or email maryann.wegmann@lsba.org.



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THE DELIBERATE WILL TO PROFESSIONALISM: How Attorneys Cultivate Discipline, Restraint and Respect in Practice

Professionalism in the legal field is often spoken of as though it were an innate trait—something a lawyer either has or lacks. But professionalism is not a matter of temperament or luck. It is a discipline, a habit, and above all, a choice. Every day, attorneys face moments that test their patience, their judgment, and their commitment to the integrity of the legal system. How they respond in those moments determines not only their reputation, but the quality of justice they help administer.

Pay Attention, Look Around

One of the most overlooked parts of professionalism is the attorney's relationship with the court staff. Judges, clerks, coordinators, and bailiffs all play essential roles in keeping the judicial machinery functioning. A professional attorney pays attention to these roles, understands the pressures these individuals face, and looks for ways to make the process smoother for everyone involved. Something as simple as submitting filings correctly, arriving on time, or treating staff with courtesy can dramatically improve the efficiency of a courtroom. These small acts of respect are not merely polite—they are part of the attorney's duty to the system itself.

Restraint is Necessary

Professionalism also requires restraint, especially when the temptation to speak sharply or critically feels justified. Every lawyer has experienced the moment when an opposing counsel's



behavior is exasperating, or when a client's frustration spills over into hostility. The instinct to respond in kind is natural. But professionalism demands something higher: the ability not to say what anger or ego urges us to say. It is the discipline of choosing silence over escalation, clarity over sarcasm, and dignity over retaliation. This is not weakness; it is strength under control.

One of the hardest tests of professionalism is refusing to return unprofessional behavior with more of the same. When another attorney is rude, dismissive, or combative, the easiest response is to mirror that behavior. But professionalism is not reactive—it is proactive. It is the decision to maintain composure even when the other side does not. This is difficult precisely because it feels unfair. Yet in these moments,

professionalism matters most. Anyone can be professional when treated professionally. The true measure of character is how one behaves when the environment is hostile or disrespectful.

St. Thomas Aquinas and Professionalism?

When St. Thomas Aquinas's sister asked him how to become a saint, he replied simply: "Will it." Holiness, he suggested, is not bestowed by fate, intellect, or mystical experience. It results from deliberate, repeated acts of the will. Professionalism is much the same. It is not a personality trait or a natural disposition. It is a choice—sometimes a difficult one—that must be made again and again. The attorney who chooses professionalism even when it is

inconvenient, unrewarded, or unnoticed is the one who truly embodies it.

Another key insight is that professionalism becomes easier when one values it as much as winning. If the only goal is victory, then anything that stands in the way—decorum, civility, patience—feels like an obstacle. But when professionalism is understood as part of the victory, as a measure of success, then the attorney's priorities shift. Winning the case is important, but winning it honorably is essential. Professionalism becomes not a burden but a guiding principle.

Get Ready Now

Of course, knowing what professionalism requires does not make it easy to practice. In the heat of conflict, emotions rise quickly. One practical tool is to develop a set of pre-planned responses—sincere, calm, and respectful—ready to use when tensions escalate. These responses act as a buffer between impulse and action. They give the attorney

something constructive to say when the mind is racing toward something destructive. Phrases like “Let's stay focused on the issue,” or “I hear your concern; here is my position,” might defuse tension without conceding ground.

I Wish My Own Critique Worked More Often

Ironically, outrage rarely persuades anyone. When an attorney chastises or belittles another person, the typical reaction is defensiveness, not reflection. People do not calm down because someone else is visibly angry; they calm down when someone else remains calm. Strength expressed without anger is far more powerful than strength expressed through it. A steady voice, a measured tone, and a refusal to escalate can shift the entire dynamic of a conversation or negotiation.

This is the challenge of professionalism: to remain composed when provoked, respectful when disrespected,

and principled when pressured. It is not easy. But it is worth it. Over time, professionalism builds credibility, trust, and influence. Judges notice it. Clients appreciate it. Opposing counsel—even the difficult ones—eventually respect it. And the legal system functions better because of it.

Will It!

Professionalism is not an accident. It is a deliberate act of the will. And like all deliberate acts, it becomes stronger with practice.

Todd E. Gaudin leads the group at Gaudin Law Group, a Baton Rouge boutique firm focusing on select family and property projects. His firm forms families and delivers inheritances. (todd@gaudinlawgroup.com; Baton Rouge)



DISPUTE OVER LEGAL FEES?



The LSBA Lawyer Fee Dispute Resolution Program may be able to help.

Avoid the pitfalls of legal fee disputes such as disciplinary complaints or civil litigation by submitting your legal fee to binding low-cost fee arbitration with the LSBA. For more information on the process, go to www.lsba.org/goto/FeeDispute or contact Shawn L. Holahan, Practice Management Counsel/Loss Prevention Counsel, at 504-619-0153 or by email shawn.holahan@lsba.org.

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PROTECTING ATTORNEY FEE RIGHTS WHEN SUCCESSOR COUNSEL APPEARS

Here is a practical reality: lawyers change, but cases continue. When successor counsel steps in, your fee interest does not disappear—but it can diminish quickly if you do not protect it. Louisiana law provides meaningful tools to safeguard earned fees in contingency matters, but those tools work only if you act promptly, document carefully, and stay within ethical bounds.

Fee protection does not begin when a substitution of counsel is filed. It begins much earlier, with how you document your work. Your time records, strategy decisions, and measurable contributions to the case often determine the outcome of a later fee claim. Whether the claim has its genesis in contract, quantum meruit, or statutory privilege, your documentation will carry the weight.

Louisiana courts award fees based on value, not sequence. In *Saucier v. Hayes Dairy Products, Inc.*, the Louisiana Supreme Court held that when lawyers represent a client successively under contingency agreements, fees are allocated according to each lawyer's actual contribution. 373 So. 2d 102, 118 (La. 1978). The focus is on the work performed and its impact on the result.

This principle applies even when the contingency has not yet occurred. A client may not owe a fee at the moment of discharge, but a lawyer discharged without cause may still recover the reasonable value of services rendered. *O'Rourke v. Cairns* confirms that courts consider time, skill, effort, and results achieved. 683 So. 2d 697, 700 (La. 1996). Without reliable time and expense records, however, proving value becomes difficult.

When successor counsel appears, timely notice matters. Informing the client alone may not be enough. Recording the contract, providing notice to successor counsel, and providing notice to relevant third parties, including defendants or insurers, helps preserve your position and prevents premature distribution of funds. The goal is not conflict; it is clarity and protection of rights.

In some circumstances, notice alone will not suffice. Filing a formal notice of privilege or intervening in the action before settlement or judgment may be necessary. Louisiana courts recognize intervention as a proper vehicle to resolve competing fee claims.

Throughout the transition, ethical duties remain paramount. Louisiana Rule


of Professional Conduct rule 1.16(d) requires a lawyer to protect the client's interests upon termination, including promptly surrendering the file and avoiding conduct that impedes successor counsel. Importantly, a fee dispute does not justify withholding client materials.

Louisiana Rule of Professional Conduct rule 1.15 adds another safeguard. When settlement funds are received and a fee dispute exists, the disputed portion must remain in trust until the matter is resolved. A lawyer may not unilaterally take contested funds. Mishandling disputed funds can trigger disciplinary exposure independent of the fee dispute itself. See La. Rules of Prof'l Conduct r. 1.15(e).


Successor counsel is a routine part of modern practice. Lawyers who document their work, assert their rights early, and follow the ethics rules can protect earned fees while maintaining professional relationships. Louisiana law supplies the framework; disciplined practice makes it effective.

Clare Roubion is an experienced lawyer and advocate in legal ethics, lawyer discipline and judicial conduct. With a strong background in research, writing, and advocacy, she now provides specialized legal representation and strategic consulting to help legal professionals navigate complex ethical challenges. Roubion has successfully represented clients before the Louisiana Supreme Court, the Louisiana Attorney Disciplinary Board, and the Louisiana Judiciary Commission. Her mission is to empower lawyers and firms to implement ethical standards that enhance client relationships, strengthen practices, and promote success. (clareroubion@roubionlawfirm.com; Lafayette)

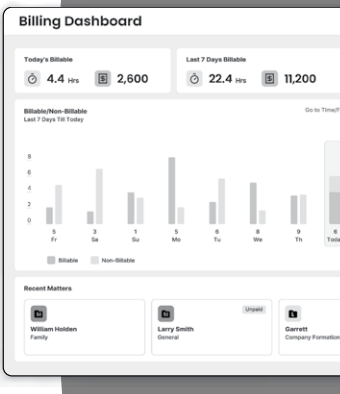




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TO WHOM MUCH IS GIVEN...

Each of us journeyed through years of schooling, from kindergarten to law school, some pausing for advanced degrees or real-world experience along the way. No matter the route, we all shared a singular ambition: to earn our juris doctor and the honor of being called lawyer, attorney, counselor, or judge.

Many are familiar with the phrase, “To whom much is given, of him shall much be required.”¹

While often cited in various context, its message resonates in our profession. With the status, influence and trust placed in us comes an obligation to demonstrate competence, professionalism, integrity and accountability in all that we do.

The Judges and Lawyers Assistance Program (JLAP) is one of the resources available to support that responsibility. JLAP supports judges, lawyers, law students and legal professionals in maintaining well-being and overcoming challenges such as substance abuse, mental health issues, stress, depression, grief, gambling, burnout, anxiety, and suicidal thoughts. Since 1989, the Louisiana Supreme Court has recognized the importance of a confidential lawyer assistance program.

Trust and relationships form the foundation of our profession. As lawyers, we are more than advisors; we are problem-solvers, advisors, and atmosphere-changers. We champion policy reforms, give voice to the marginalized, and wield research, analysis and persuasion as our tools. Our roles span legislative halls, courtrooms, boardrooms, classrooms and nonprofits. While we fiercely advocate for others, our own lives are under constant scrutiny. With great responsibility comes the risk of pitfalls like neglect, miscommunication, missed deadlines, unreturned calls, and financial missteps.

As we dedicate ourselves to serving others, we cannot afford to overlook our own well-being or compromise our honesty, trustworthiness or fitness to practice.

Prioritizing mental health, reducing stigma, and nurturing well-being within our legal community are not just important—they are essential.

Our profession is rewarding but also demanding and brings significant stress. These pressures affect our physical, mental and emotional health. We guide clients through their darkest moments, often expected to remain strong even when we feel depleted.

We often overlook the silent struggles of those around us. We may not notice the colleague who hides pain behind a smile or the judge who feels overwhelmed. Do we truly appreciate the employee who arrives early and stays late, perhaps masking their own challenges?

How do you cope when happiness fades? How often do you insist you are fine while feeling depressed or force yourself to keep going when you are exhausted?

Are you tired of feeling burned out or reacting negatively? Has your behavior—such as drinking, smoking, shopping, eating, stressing or gambling—worsened because you ignore your struggles? Do you feel broken, lost, or alone? This could describe any of us. How much longer will we suffer in silence?

Our disconnected society fosters loneliness and encourages us to suppress our feelings. When you hide your emotions, you not only conceal them from others but also deceive your family, friends, colleagues, supervisors and yourself.

Who can you truly confide in?

JLAP is here to remind you that your experiences are valid, even if others dismiss them. There is no shame in struggling. Admitting you are not okay is courageous. Reaching out for help may feel daunting, but knowing you are not alone and that someone will listen can make a difference.

Many in our field are quietly struggling, and this affects both us and the public we serve. Check in on your peers, especially those you consider “strong,” as appearances can be deceiving. We all need support, and turning a blind eye to harmful patterns

puts our careers and lives at risk.

We cannot eliminate all stress from our lives or our profession, but we can choose how we respond. Do not neglect your needs. Care for yourself. Do not let stress, depression, anxiety, fatigue, burnout, suicidal thoughts or alcohol and/or drug addictions undermine your career, health, or happiness. It is okay not to be okay, and it is okay to ask for help.

Practicing law is a privilege, and JLAP is committed to supporting you in that calling. JLAP stands as your ally, offering guidance to help you avoid becoming an impediment to your own success and well-being. Professional capacity is not without limits, and when self-care is neglected, the very faculties required for competent and effective representation may be compromised. While much may be required, even more remains within your ability to give—provided you exercise the discipline necessary to protect and sustain your well-being.

If you need confidential, non-disciplinary support, contact JLAP today. Call 985-778-0571, email JLAP@LouisianaJLAP.com, or visit LouisianaJLAP.com. You do not have to face your challenges alone. JLAP is here for you; let us be your partner in well-being.

We are a CONFIDENTIAL Safe Haven of Healing committed to nurturing healthy and competent lawyers, judges, law students, and legal professionals.

FOOTNOTE

1. Luke 12:48 (Amplified Bible, Classic Edition), available at www.biblegateway.com/passage/?search=Luke%2012&version=AMPC

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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SPECIALTY BAR RECEPTION AND LEADERSHIP LSBA CLASS

Conclave's Specialty Bars Reception on Aug. 8, 2025

On Aug. 8, 2025, following the LSBA's Conclave, the Specialty Bars Subcommittee hosted a reception at the Chemin à la Mer restaurant in the Four Seasons Hotel New Orleans.



(Pictured L to R): Monica M. Vela-Vick, Conclave Co-Chair, The Dugan Law Firm, APLC, New Orleans; Demarcus J. Gordon, Conclave Chair, Partner, Kelly Hart Pitre, New Orleans.



(Pictured L to R): Brent A. Hawkins, 2025-26 Louis A. Martinet Legal Society, Inc., Southwest Louisiana Chapter President, Founder, The Hawkins Law Group, Lake Charles; ReAzalia Z. Allen, 2025-26 Louis A. Martinet Legal Society, Inc., Greater Baton Rouge Vice President, East Baton Rouge District Attorney's Office, Baton Rouge; Monica M. Vela-Vick, Conclave Co-Chair, The Dugan Law Firm, APLC, New Orleans; Demarcus J. Gordon, Conclave Chair, Partner, Kelly Hart Pitre, New Orleans; Felicia M. Hamilton, 2025-26 Louis A. Martinet Legal Society, Inc., Northeast Louisiana Chapter President, Founder, The Law Office of Felicia M Hamilton, Shreveport.

Leadership LSBA Class Reception on Aug. 21, 2025

On Aug. 21, 2025, a reception was held to welcome the incoming Leadership LSBA Class. The event provided an opportunity for participants to engage with members of the legal community. Several past LSBA presidents were also in attendance to show their support.



(Pictured L to R): Michael W. McKay, 2004-05 LSBA President, Of Counsel, Long Law Firm, Baton Rouge; Kim M. Boyle, 2009-10 LSBA President, Partner, Phelps, New Orleans; S. Guy deLaup, 2007-08 LSBA President, Attorney at Law, Metairie; Mickey S. deLaup, maps | Mediation & Arbitration, Metairie.

Leadership Orientation on Aug. 22, 2025

On Aug. 22, 2025, an orientation was held at The Ritz-Carlton New Orleans for the 2025-26 Leadership LSBA Class. The Leadership LSBA program provides exposure for young lawyers to how the LSBA functions, as well as the pressing issues that face the Association and the legal profession.



(Pictured L to R): Garret W. Wick, 2025-26 Leadership LSBA Class Co-Chair; Clary Suba Neale, Baton Rouge; Erin N. Alpandinar, Jones Walker, LLP, Baton Rouge; Taquincia M. Jairles, Chehardy, Sherman, Williams, Recile & Hayes, L.L.P., Metairie; Lauren S. Bennett, Orleans Parish Civil District Court, New Orleans; Sharita L. Spears, Attorney at Law, Zachary; Shana M. Robertson, Tina L. Suggs & Associates, Metairie; Shiena Marie N. Burke, Kean Miller, LLP, Baton Rouge; Christine E. Wells, Tanner and Justice, Baton Rouge; Meghan E. Notariano, Parker Layrison Law Firm, Ponchatoula; Anna C. Tucker, Blanchard, Walker, O'Quin & Roberts, APLC, Shreveport; Hannah K. Cobb, Long Law Firm, Baton Rouge; Zachary D. Berryman, Liskow & Lewis, APLC, New Orleans.



First Row (Pictured L to R): Edward J. Walters Jr., 2025-26 LSBA President, Founder, Walters, Thomas, Cullens LLC, Baton Rouge; Zachary D. Berryman, Liskow & Lewis, APLC, New Orleans; Shana M. Robertson, Tina L. Suggs & Associates, Metairie; Corrie R. Gallien, Attorney at Law, Lafayette; Christine E. Wells, Tanner and Justice, Baton Rouge; Lauren S. Bennett, Orleans Parish Civil District Court, New Orleans; Shiena Marie N. Burke, Kean Miller LLP, Baton Rouge; Erin N. Alpandinar, Jones Walker, LLP, Baton Rouge; Taquincia M. Jairles, Chehardy, Sherman, Williams, Recile & Hayes L.L.P., Metairie; Meghan E. Notariano, Parker Layrison Law Firm, Ponchatoula; Garret W. Wick, Leadership LSBA 2025-26 Class Co-Chair, Clary Suba Neale, Baton Rouge.

Second Row (Pictured L to R): Hannah K. Cobb, Long Law Firm, Baton Rouge; Sharita L. Spears, Attorney at Law, Zachary; Anna C. Tucker, Blanchard, Walker, O'Quin & Roberts APLC, Shreveport; Curtis R. Joseph Jr., 2025-26 LSBA President-Elect, Partner, Blanchard, Walker, O'Quin & Roberts APLC, Shreveport.

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REPORT BEFORE YOU REPLACE: Protecting Coverage when Switching Malpractice Insurers

Switching legal malpractice insurance carriers may seem like a routine administrative decision, but it requires proper handling to protect the law firm's interests. Under a typical claims-made lawyers professional liability ("LPL") policy, attorneys are required to report known claims and potential claims to their current insurer within the policy period. This obligation becomes especially critical when transitioning to a new carrier.

Failing to report claims or potential claims before switching insurers can result in a complete loss of coverage—both from the outgoing and incoming carriers. In such cases, the law firm may be left to shoulder defense and indemnity costs on its own, which could be costly in high-stakes matters. This article outlines the importance of timely reporting and explains key definitions under LPL policies.

LPL Reporting Requirements

Typically, an LPL insurance policy will define a "claim" as the service of a legal malpractice complaint, but also any demand for money or services arising out of an error or omission in the rendering of or failure to render legal services. Generally, notice of such claims must be made promptly or as soon as practicable to the law firm's current LPL insurance carrier.

"Potential claims" are defined as any act or omission that could reasonably be expected to form the basis of a claim. Circumstances that might be considered a potential claim include a client expressing dissatisfaction with the outcome of her legal matter or a lawyer realizing that he committed a serious error, even without any indication that the client is considering a legal-malpractice lawsuit or making a monetary demand to the lawyer.

There are advantages to reporting potential claims promptly, which may include receiving pre-claims assistance from one of the insurance carrier's panel counsel law firms to help mitigate the exposure

or prevent a claim from being filed. In the context of an impending change in LPL carriers, law firms should report in writing all potential claims to their current carrier during the coverage period as well as their new LPL carrier. Importantly, if a reported potential claim develops into an actual claim, notice on the actual claim will be deemed to have been provided by the law firm at the time it gave written notice to the current LPL carrier of the potential claim.

Lawyers are sometimes reluctant to report claims and potential claims. But failing to report a claim ignores the benefits of reporting, including the main one, which is receiving coverage for any subsequent defense and indemnity costs.

Law firms should bear in mind that once the current insurer's policy period ends for reporting claims, no coverage from that insurer exists for claims that were unknown and unreported to that insurer. Moreover, the new insurer may decline coverage for claims or potential claims that the firm knew of but failed to report to its now-former insurer.

The hypothetical below, based on a real-life claim, illustrates the dangers of failing to report. Remember, if an "objectively reasonable" law firm would conclude that a particular set of facts and circumstances constituted a claim that required written notice, the law firm should report it.

Beneficiary Challenges Late Changes to Will

Partner is a longtime attorney to Mom, who is widowed, elderly, and ill. As Son has recently upset her, Mom asks Partner to modify the will to reduce Son's inheritance. Partner makes the requested changes and Mom dies soon thereafter. Son challenges the new will, alleging Mom lacked capacity and was subject to undue influence. Partner is not named in the litigation and does not report the potential claim to the old or new carrier.

Eventually, Son produces experts that will testify that Mom suffered from de-

mentia and lacked capacity. The other beneficiaries warn Partner that they may sue if Son prevails, which causes Partner to notify her new and now current carrier. Carrier reserves rights to disclaim coverage and eventually does so when the court finds in favor of Son and Partner is sued, since Partner was reasonably on notice that a claim might eventually be pursued once Son challenged the modifications to Mom's will.

Conclusion

Instead of panicking or ignoring allegations of professional liability, lawyers should exercise sound risk-management protocols, which include but are not limited to assessing all relevant facts, maintaining all pertinent documents, and notifying all their insurance carriers that may provide coverage for such a claim.

For the full version of this article, go to: www.orlawsi.com/hubfs/ORLSI_SS%20Reporting%20Claims.pdf?hsLang=en

Frank English is a licensed attorney and claims professional with extensive experience managing the defense of lawyers and law firms from professional liability claims. Prior to joining PMA Companies—a sister company of Old Republic Lawyers Specialty Insurance—Frank spent 20 years at a competing insurance company as a lawyers claims professional, lawyers claims leader, and also as senior underwriter for the middle-market law firms team.

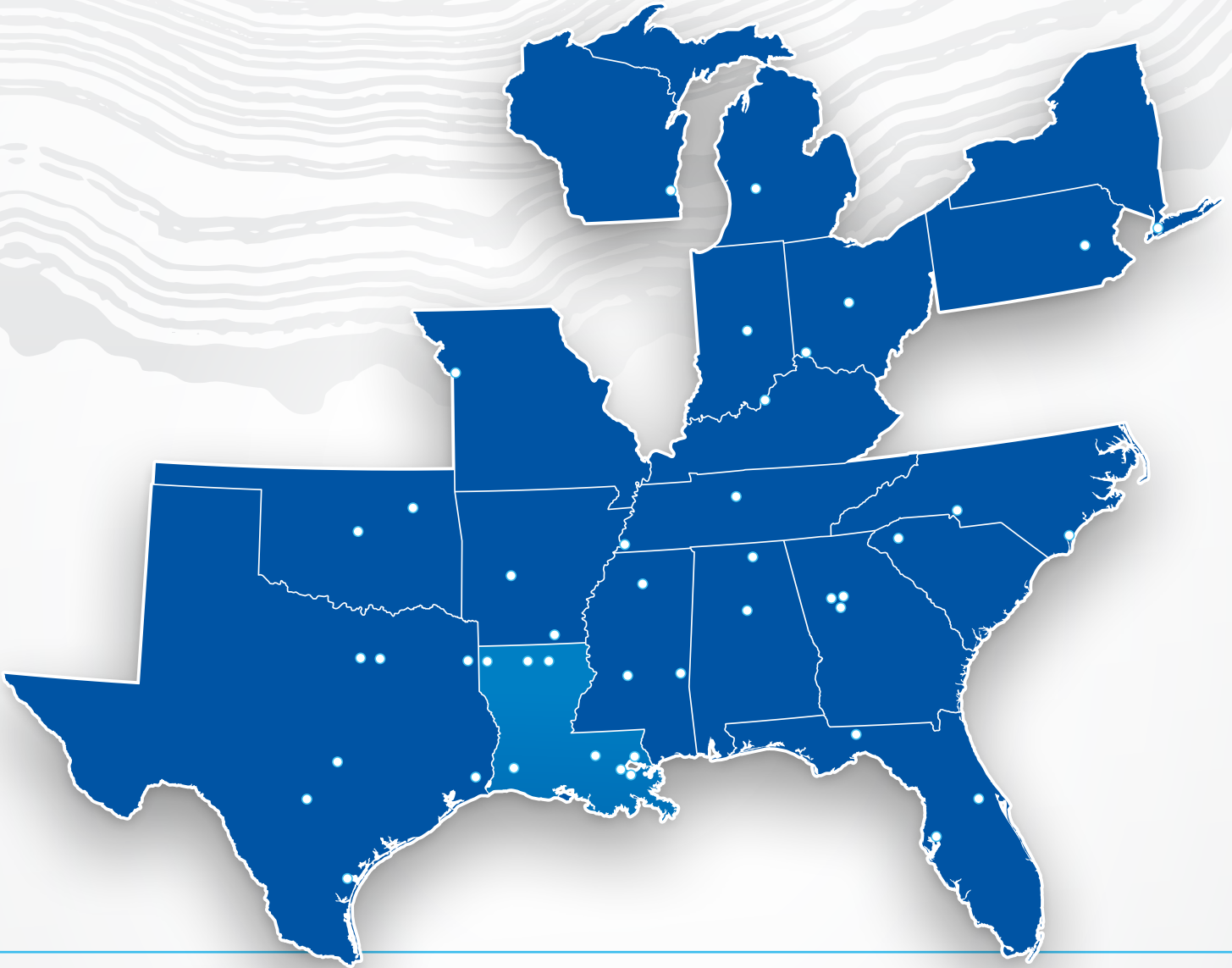


Sean Ginty has been a licensed attorney for more than 30 years and has worked for most of his career in the insurance industry. He led another LPL insurance carrier's risk management department and has a diverse background that includes private practice, state government, and academia. A frequent speaker at state, local, and national bar associations, Sean is also a prolific writer on topics related to legal ethics and lawyer professional responsibility.



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REPORTING DATES 3/31/26 & 4/3/26

REPORT BY DISCIPLINARY COUNSEL

Public matters are reported to protect the public, inform the profession and deter misconduct. Reporting date March 31, 2026.

Decisions

Daniel B. Barzare, Ville Platte, (2025-B-01343) has been **suspended for one year and one day**, by order of the Louisiana Supreme Court on Jan. 21, 2026. Prior to seeking reinstatement to the practice of law, respondent shall attend the Louisiana State Bar Association's Ethics School. JUDGMENT FINAL and EFFECTIVE on Feb. 4, 2026. *Gist:* Respondent violated a duty owed to his client.

Glenn E. Diaz, Arabi, (2025-OB-01577) has **permanently resigned from the practice of law in lieu of discipline**, by order of the Louisiana Supreme Court on Jan. 28, 2026. JUDGMENT FINAL and EFFECTIVE Jan. 28, 2026.

Jonathan Curry Harris, Saint George, (2025-B-01344) has been **suspended from the practice of law for one year and one day**, by order of the Louisiana Supreme Court on Jan.

21, 2026. JUDGMENT FINAL and EFFECTIVE Feb. 4, 2026. *Gist:* Harris neglected a legal matter, failed to communicate with clients, communicated with a represented party, and failed to cooperate with the Office of Disciplinary Counsel in its investigation.

Jacob Ryan Joffrion, Alexandria, (2026-B-0157) has been **suspended from the practice of law for one year and one day, fully deferred, subject to a one-year period of probation with conditions**, by order of the Louisiana Supreme Court on March 18, 2026. JUDGMENT FINAL and EFFECTIVE March 18, 2026. *Gist:* Respondent engaged in criminal conduct by driving while intoxicated.


Henry L. Klein, New Orleans, (2025-B-00537) has been **suspended from the practice of law for eighteen months. This suspension shall commence upon the completion of the suspension imposed in *In Re: Klein*, 23-0066 (La. 5/18/23), 362 So.3d 392,**

which respondent served from June 27, 2023 to June 28, 2024, such that the eighteen-month suspension shall begin on June 29, 2024 and end on Dec. 29, 2025. Respondent requested a rehearing which was denied on March 4, 2026. *Gist:* Respondent failed to make a full and accurate disclosure of his disciplinary history and made a misrepresentation to the federal court in a motion to stay.

George R. Knox, Lafayette, (2025-B-01422) has been **suspended from the practice of law for three years, retroactive to Dec. 21, 2023, the date of his interim suspension. The court further ordered respondent to provide an accounting and refund any unused portion of the advanced deposit to the client, as appropriate**, by order of the Louisiana Supreme Court on Jan. 28, 2026. JUDGMENT FINAL and EFFECTIVE on Feb. 11, 2026. *Gist:* Respondent failed to provide competent representation to a client, failed to comply with his professional obligations, neglected a legal matter, failed to communicate with a client, failed to refund an unearned fee, and failed to cooperate with the ODC in its investigation.

Lindsey J. Leavoy, Baton Rouge, (2025-B-01325) has been **disbarred**, by Order of the Louisiana Supreme Court on Jan. 21, 2026. JUDGMENT FINAL and EFFECTIVE on Feb. 4, 2026. *Gist:* Respondent misused his client trust account, converted client funds, engaged in a check kiting scheme, and failed to cooperate with the ODC.

Continued on page 46

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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 2026.

Respondent	Disposition	Date Filed	Docket No.
Fontana, Jules August	[Reciprocal] Suspension, fully deferred	03/03/26	26-34
LeBlanc, Stephen C.	Permanent Resignation	02/18/26	25-2381
Victorian, Michael B.	[Reciprocal] Suspension, fully deferred	02/10/26	25-2512

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

The following is a verbatim report of the matters acted upon by the United States District Court for the Middle 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 3, 2026.

Respondent	Disposition	Date Filed	Docket No.
Gregory Swafford	Suspended (Reciprocal)	1/30/26	26-mc-00011
Glenn E. Diaz	Permanent Resignation (Reciprocal)	2/20/26	23-mc-00094
Lindsey Leavoy	Suspended (Reciprocal)	2/24/26	24-mc-00121
Jonathan Curry Harris	Suspended (Reciprocal)	2/24/26	26-mc-00017
Muriel O. Van Horn	Suspended (Reciprocal)	3/16/26	26-mc-00022

Discipline continued from page 44

James Vernon Petersen, Covington, (2025-B-01556) has been **suspended from the practice of law for one year, fully deferred, subject to probation for a period to coincide with the term of Respondent’s recovery agreement with the Judges and Lawyers Assistance Program**, by order of the Louisiana Supreme Court on Feb. 3, 2026. JUDGMENT FINAL and EFFECTIVE Feb. 3, 2026. *Gist*: Petersen pleaded guilty to misdemeanor domestic abuse battery.

Tanzanika Q. Ruffin, New Orleans, (2026-B-0353) has been **interimly suspended** from the practice of law by order of the Louisiana Supreme Court on March 20, 2026. JUDGMENT FINAL and EFFECTIVE March 20, 2026.

Wynnifred L. Sanders, Shreveport, (2026-B-00147) has been **interimly suspended** from the practice of law by order of the Louisiana Supreme Court on Feb. 11, 2026. JUDGMENT FINAL

and EFFECTIVE Feb. 11, 2026.

Muriel Offan Van Horn, New Orleans, (2025-B-01564) has been **suspended from the practice of law for eighteen months**, by order of the Louisiana Supreme Court on Feb. 10, 2026. JUDGMENT FINAL and EFFECTIVE Feb. 24, 2026. *Gist*: Van Horn violated Rules 8.1(b) and 8.1(c) of the Rules of Professional Conduct and Supreme Court Rule XIX §9(c) in Counts I–II by failing to respond to and cooperate with the disciplinary authority. In Counts III–IV, Respondent violated Rules 1.1, 1.3, 1.4, 1.5(f)(5), 1.8(a), 1.8(h), 1.15(a), 1.16(d), 3.2, 8.1(c), 8.4(a), 8.4(c), and 8.4(d) involving incompetence, lack of diligence and communication, improper fee and client property handling, improper transactions and malpractice settlement with a client, failure to expedite litigation, non-cooperation with ODC, dishonesty, and conduct prejudicial to the administration of justice.

Ginger Vidrine, Colorado, (2025-B-01471) has been **publicly reprimanded by reciprocal discipline**, by order of the Louisiana Supreme Court on Jan. 21, 2026. JUDGMENT FINAL and EFFECTIVE Feb. 4, 2026.

Cleophus Washington, Lake Providence, (2025-B-01474) **probation revoked and the previously-deferred one-year suspension imposed** in *In re: Washington*, 24-1367 (La. 12/27/24), 397 So.3d 842, has been made executory by order of the Louisiana Supreme Court on Dec. 11, 2025. JUDGMENT FINAL and EFFECTIVE Dec. 11, 2025. *Gist*: Respondent failed to comply with the requirements of the Court’s order and his probation agreement.

ADMONITIONS

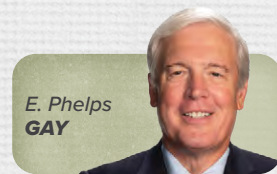
1 Violation of Rule 8.4(c) – Engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

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Paternity

Davidson v. Hardy, 25-0950 (La. 03/06/26), 429 So.3d 235.

Terrance Hardy petitioned to establish paternity and custody of a child born 100 days after Sarah Davidson’s marriage to another man ended. Ms. Davidson filed an exception of peremption, arguing that Mr. Hardy’s claim was barred under Louisiana Civil Code article 198 because it was filed more than one year after the child’s birth. Mr. Hardy amended his petition to challenge the constitutionality of article 198. The trial court denied the exception and found the code article unconstitutional as applied. Ms. Davidson sought supervisory review, which the 3rd Circuit denied, but the Louisiana Supreme Court granted.

The court affirmed, holding that ar-

ticle 198 was unconstitutional as applied because it deprived Mr. Hardy of his vested fundamental right to parent. The court noted Mr. Hardy had grasped the opportunity to parent, and there was no intact family and no relationship between the child and the presumed father. Based on these facts, the state’s interest in protecting the child from the upheaval of litigation did not justify extinguishing Mr. Hardy’s parental rights.

Chief Justice Weimer dissented, stating that article 198 grants Mr. Hardy a statutory right to establish paternity, not a fundamental right to parent; therefore, the right was appropriately limited by a preemptive period that he did not exercise in time. Even under the majority view, Mr. Hardy had no vested fundamental right, having only “grasped the opportunity to parent” during the first fourteen months of the six-year-old child’s life, after which his involvement waned following Ms. Davidson’s petition for protection from abuse.

Justice Penzato also dissented, stating that the majority failed to apply the proper standard of scrutiny before declaring article 198 unconstitutional as

applied. Justice McCallum dissented without reasons.

Custody

Cefalu v. Cefalu, No. 25-1265, 2026 WL 818006 (La. App. 1 Cir. 03/23/26).

Adam Cefalu appealed a judgment awarding sole custody to Monique Cefalu and granting him supervised visitation. Proceeding pro se, Mr. Cefalu filed a one-page brief that restated his assigned errors without argument or citation of authority.

The 1st Circuit reviewed Mr. Cefalu’s brief in the interest of justice and affirmed, finding no abuse of discretion in awarding sole custody and no manifest error in finding that the Post-Separation Family Violence Relief Act was triggered. The court highlighted the trial court’s findings that Ms. Cefalu was more credible and that there was evidence of both physical and non-physical domestic abuse.

Hawkins v. Viramontes, No. 25-0978, 2026 WL 818029 (La. App. 1 Cir. 03/23/26) (unpublished).



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Terrence Hawkins died, leaving four children. Terrika Hawkins, a paternal aunt, was awarded sole custody of one child; custody of the remaining three was awarded to their mother, Lizet Viramontes. Viramontes' motion for new trial was denied, and she appealed.

The 1st Circuit affirmed, finding no abuse of discretion in awarding sole custody nor manifest error in finding that the PSFVRA was not triggered, emphasizing the credibility assessments made after conflicting *Watermeier* testimony. The court also found no abuse of discretion in denying the motion for new trial, noting that the medical records that Ms. Hawkins sought to compel were not newly discovered and would not have altered the result.

Angelica v. Angelica, No. 25-0453, 2026 WL 890599 (La. App. 5 Cir. 04/01/26).

David Angelica appealed a judgment modifying custody from shared to joint and designating Allison Angelica as the domiciliary parent.

The 5th Circuit vacated and rendered, reinstating the prior judgment awarding shared custody. In doing so, the court held that the trial court committed legal error in applying the *Evans* standard, instead of the *Bergeron* standard, to the prior judgment, which was a considered decree because it followed trial on the merits. The court also held that the trial court abused its discretion in taking judicial notice of post-trial ex parte communications from the children's therapists.

On de novo review, the court found that the record did not support a finding that the previous shared custody was so deleterious as to justify modification, because the allegations of medical neglect and unsafe conditions were disputed and not shown to have caused actual injury. Nor did the record support a finding that the advantages of modification outweighed the harm of disruption; instead, it suggested opposing factors, such as the emotional impact on the children related to decreased access to their father. Thus, Ms. Angelica failed to meet her burden under *Bergeron*.

Child Support

Spears v. Spears, No. 25-0467, 2026 WL 517696 (La. App. 3 Cir. 02/25/26).

Joshua Spears appealed a judgment increasing his child support obligation from \$525.00 to \$2,092.73 per month in favor of Kasie Spears.

The 3rd Circuit affirmed, finding no legal error in requiring Mr. Spears to bear the burden of proving his income. The record supported the trial court's finding that he concealed his income by thwarting the discovery process and that he underreported it by acknowledging only two of four food truck businesses.

The court also found no abuse of discretion in (1) increasing child support based on its calculation of Mr. Spears' income, (2) its decision not to credit an alleged pre-existing child support obligation and (3) its calculation of the health insurance premium. His 2023 tax return showed a gross monthly income of \$21,365 from four Schedule Cs. He

provided no objective evidence to support his business expenses, his pre-existing child support obligation or his claim that Ms. Spears's health insurance premium covered multiple dependents.

Community Property – Partition

Tucker v. Tucker, No. 25-0142, 2026 WL 436873 (La. App. 1 Cir. 02/12/26).

Jaclyn Tucker appealed the Family Court's judgment partitioning the community property between her and Richard Tucker, a financial advisor. She challenged the classification of certain components of his employee-benefit plan, including transition awards and guarantee payments; allocation of debt; denial of reimbursement claims; and the failure to set deadlines for distribution.

The 1st Circuit affirmed in part and reversed in part. The court found that the trial court did not manifestly err in clas-

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sifying the transition awards as partly community and partly separate based on when the labor earning them occurred, nor did it err in classifying the guarantee payments as post-community salary and the promissory note as community debt. Further, the trial court did not abuse its discretion by not setting a specific time for asset distribution and equalization payment, as La. R.S. 9:2801 did not require it. However, the court held that the trial court committed legal error in relying on parol evidence to alter the clear terms of a stipulated judgment regarding expenses, and thus in partially denying Ms. Tucker's reimbursement claims. The court remanded the case to re-determine Ms. Tucker's reimbursement claims and to adjust the equalization payment Mr. Tucker owed her.

Reis v. Reis, No. 25-0539 (La. 03/06/26), 429 So.3d 270.

Michael Reis appealed a judgment classifying a business he formed after termination of the community as com-

munity property. The 4th Circuit affirmed, holding that the business was a "substitute corporation."

The Louisiana Supreme Court granted certiorari and reversed, holding that the business was separate property based on the time of its acquisition. In doing so, the court rejected the lower courts' "substitute corporation" theory as an "extra-legal fiction" that "substituted judge-made remedies in place of the express provisions of La. C.C. arts. 2338 and 2341."

– **Elizabeth K. Fox**
Member, LSBA Family Law
& Appellate Practice Sections
EKF Family Law, L.L.C.
23422 Cypress Cove
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For attorneys, the PAID program is a valuable tool that can be used to enhance client relationships. By guiding clients through the PAID program, attorneys can help employers correct pay and leave practices quickly while fostering a culture of compliance and trust. PAID also allows employers to show their commitment to doing right by their employees.

Participation in the PAID program involves several key steps:

1) An eligible employer conducts a self-audit of pay and leave practices and identifies any potential FLSA and/or FMLA violations.

2) The employer reports its findings to the Wage and Hour Division and submits a statement of the scope of the potential violations.

3) The division reviews the employer's submission and provides guidance on the next steps.

4) The employer pays backwages and/or FMLA remedies within 15 days of receiving the division's summary of unpaid wages and provides proof to the agency.

By participating in the PAID program, employers can significantly reduce the risk of future violations and demonstrate proactive compliance. For

legal professionals, promoting the PAID program can enhance your role as a trusted advisor, helping clients navigate complex labor laws with confidence.

The PAID program is a win for employees, employers and legal professionals alike. It underscores the importance of compliance and provides a structured pathway for rectifying potential pay and leave violations. Encourage your clients to explore the PAID program, and contact the Wage and Hour Division with any questions at 1-866-487-9243.

– Troy Mouton
on behalf of the Labor and
Employment Law Section
District Director,
Department of Labor's
Wage and Hour Division
New Orleans, Louisiana

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Pugh Clause Not Triggered by Commissioner's Compulsory Units

Triple C Minerals, LLC v. XTO Energy, Inc., No. 24-04 (W.D. La. Nov. 21, 2025), 2025 WL 3252708, *appeal docketed*, No. 25-30741 (5th Cir. Dec. 17, 2025).

This dispute centers on whether part of a mineral lease in Bienville Parish, Louisiana, terminated after certain periods of nonproduction.

In 2005, XTO's predecessor, Acadian Land Services, entered into a mineral lease known as the "Collins lease," covering over 1,100 acres across several sections, including Section 18. The lease had a three-year primary term and an option for a two-year extension, but then could be maintained beyond that term through production or certain operations. Under this form language, production or operations on any part of the leased property—or lands pooled with it—would maintain the entire lease. However, the lease's exhibit, with super-

seding negotiated provisions, provided a Pugh clause that stated as follows:

Two (2) years following the expiration of the primary term of this lease or the expiration of any extension or renewal of the primary term, whichever occurs last, in the event a portion or portions of the leased premises is pooled with other land so as to form a pooled unit or units. Operations on such unit or units will not maintain this lease in force as to the land not included in such unit or units. This lease may be maintained in force as to any land covered hereby and not included in such unit or units in any manner provided for herein.

In 2009, the Louisiana Office of Conservation created five compulsory

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Haynesville Shale production units that together covered all the Collins lease acreage. Each unit had designated wells, and XTO operated the unit wells and paid royalties accordingly. Two wells were drilled in the unit covering Section 18 (HA RA SUU), but those wells did not produce during two extended periods between January 2022 and February 2023. During those same periods, there was production from wells in other units that also fell under the Collins lease.

Triple C, owning interests linked to Section 18, filed suit in state court contending that the lease had terminated as to Section 18 because there had been more than 90 days without production or qualifying operations there, invoking the Pugh clause. Triple C argued that the Pugh clause effectively divided the lease on a unit-by-unit basis, so production in other sections could not preserve the lease as to Section 18. XTO removed the case to federal court and responded that the Pugh clause did not apply to compulsory units, but only contractual units, and that production anywhere under the lease could maintain the entire lease.

The court treated the issue as purely legal because the facts were undisputed. It first held that Exhibit A's terms, in-

cluding the Pugh clause, supersede inconsistent provisions in the printed form lease, so the Pugh clause is controlling where it conflicts with Paragraph 6. The crucial question then became whether this Pugh clause applied to compulsory units created by the Commissioner of Conservation.

Relying on Louisiana mineral law, particularly La. R.S. 31:114 and cases such as *Hunter v. Shell Oil Co.*, 211 La. 893, 902 (1947), and *Bennett v. Sinclair Oil & Gas Co.* 275 F. Supp. 886 (W.D. La. 1967), *aff'd*, 405 F.2d 1005 (5th Cir. 1968), the court emphasized that mineral leases are presumed indivisible. Pugh clauses are exceptions to this rule and must be strictly construed. The *Bennett* decision held that a Pugh clause referencing pooled units applies only to voluntary pooling authorized by the lease, not to compulsory units created by regulatory order, due to that relevant clause beginning "if ... lessee in its opinion deems it advisable and expedient," suggesting that the pooling referenced therein was in the lessee's discretion, not of a compulsory nature.

As the relevant Pugh clause in this case referred generally to "pooled unit or units," but did not clearly state that it applied to compulsory units, the court

concluded that compulsory units did not fit the definition. Given Louisiana's presumption of indivisibility and the requirement to strictly construe Pugh clauses, the court held that the clause did not extend to compulsory units.

Because the Pugh clause was never triggered by the formation of the compulsory units, the lease remained indivisible. Thus, production from wells in other sections covered by the Collins lease was sufficient to maintain the lease, including Section 18, despite the periods of nonproduction there.

Accordingly, the court granted XTO's motion for summary judgment, denied Triple C's partial motion, and dismissed all of Triple C's claims. An appeal was filed with the United States Court of Appeals for the 5th Circuit and remains pending.

– **W. Drew Burnham**
Secretary/Treasurer,
Mineral Law Section
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Fee Sharing

Spears v. Hall; 25-0195 (La. 3/6/26), 429 So.3d 291.

Attorneys Hall and Spears verbally agreed to share a contingency-fee agreement in anticipation of representing the Port of Orleans. The Port declined the contingency fee offer in lieu of an hourly contract. Spears rejected the Port's hourly fee proposal, but Hall accepted and proceeded to represent the Port, with no participation by Spears. Months later, the Port agreed to a contingency-fee contract with Hall, but not Spears.

A year later, the Port case was settled out of court, and the Port paid Hall a contingency fee.

Spears sued Hall to enforce their original contingency fee-sharing contract, contending that this created a joint-venture agreement to represent the Port, which Hall had breached. Hall countered that when Spears refused to participate in the hourly contract fee, as he clearly had done, any such joint venture between them was extinguished.

The lower courts agreed with Spears, ruling that the joint venture established between Spears and Hall was still in existence when Hall entered the contingency contract with the Port.

The Louisiana Supreme Court reversed, finding that the lower court misinterpreted Rule of Professional Conduct 15(e). The Port's contractual agreement was with Hall only, and there was no agreement between Spears and Hall in anticipation of a material change in the original contract. Thus, no joint venture existed. The court emphasized throughout the opinion that Spears did no work on the case. Thus, independent of the validity of Spears' claim concerning the fee agreements, RPC 1.5(e) pre-

vented his participation in the fee. Rule 1.5(e) "unquestionably [has] the force and effect of substantive law" in this matter. "Here, by contrast, the contingency fee agreement between Mr. Hall and Mr. Spears was never effectuated. ... The lower courts thus erred in characterizing this matter solely as a breach of contract dispute and declining to consider the relevance of the RPC." *Id.* At 306-07.

Are Understaffing And Underfunding Nursing Homes Medical Malpractice?

Broden v. Priority Mgmt. Grp., L.L.C.; 25-1651 (2/12/26); 427 So. 3d 726.

Russell Alexander died while a patient in a nursing home operated by Priority Management Group (PMG). His children sued PMG, contending it intentionally underfunded the facility,



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resulting in chronic understaffing and inadequate care. Plaintiffs characterized their claims as administrative negligence, arguing that PMG’s conduct did not involve the provision of medical care and therefore fell outside the scope of the Louisiana Medical Malpractice Act (LMMA). PMG, however, moved for summary judgment, asserting that it was a qualified health-care provider under the LMMA and that the claims fell squarely within the statutory definition of “malpractice.”

The Louisiana Supreme Court granted the writ application and found that PMG satisfied its burden of establishing its status as a qualified health-care provider, as the LMMA expressly includes healthcare management companies within its definition of covered providers.

Next the court considered whether the allegations constituted medical-malpractice or general negligence. Looking to the statutory definitions of “malpractice” and “health care” set forth in the LMMA, the court found that “malpractice” includes any unintentional tort based on health care or professional services rendered, or that should have been rendered, by a health-care provider to a patient. “Health care” is defined broadly to encompass any act or treatment performed, or that should have been performed, during a patient’s care, treatment or confinement. Applying these definitions, the court concluded that plaintiffs’ claims arose directly from the provision—or alleged lack—of health care to the resident.

The court rejected the trial court’s reasoning, which had imposed an unwarranted requirement that a defendant must have provided “hands-on” or “core” medical treatment for conduct to constitute medical malpractice. The Louisiana Supreme Court emphasized that no such limitation appears in the statutory text. Instead, the act encompasses a wide range of conduct related to patient care, including acts performed in managerial or supervisory capacities that affect the delivery of care.

The court also applied the six-factor test articulated in *Coleman v. Deno*, 01-1517 (La. 1/25/02), 813 So. 2d 303, to determine whether the claims sounded in malpractice. The court found that the allegations satisfied all six *Coleman* factors. First, the alleged wrongdoing—understaffing and inadequate resource allocation—was directly related to the level and quality of medical care provided. Second, resolution of the claims would require expert medical testimony to establish the applicable standard of care and whether it was breached, particularly regarding appropriate staffing levels for a patient’s medical needs.

The remaining factors likewise supported classification as malpractice. The alleged omissions necessarily involved assessment of the patient’s condition and care plan; occurred within the context of a healthcare provider-patient relationship; and would not have resulted in injury absent the patient’s admission to the facility.

Having determined that plaintiffs’ claims fell squarely within the scope of

the LMMA, PMG was entitled to the procedural protections afforded by the LMMA, including the requirement that such claims proceed through the medical-review-panel process.

The trial court’s denial of summary judgment and the Louisiana Fifth Circuit’s writ denial (*Broden v. Priority Mgmt. Grp., L.L.C.*, No. 25-0528, 2025 WL 3771282 (La. App. 5 Cir. 12/20/25) (unpublished)), were reversed, and judgment was rendered in favor of PMG, holding that the claims were governed by the LMMA as a matter of law.

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SECURE 2.0 Act EACA and Roth Catch-up

The SECURE 2.0 Act was enacted into law on Dec. 29, 2022. Two of the provisions of the SECURE 2.0 Act have substantial effect on the operation of 401(k) plans. New plans are required to have automatic enrollment, which is a deemed salary deferral by the employee. The deferral rate could be reduced or increased by the employee's election. The Roth catch-up rule applies to all plans and requires participants who make catch-up contributions and who have wages over a certain level to make the Roth election with respect to such catch-up contributions.

An eligible automatic-contribution arrangement (EACA) is an arrangement under a 401(k) or 403(b) plan that provides that the employer will make a salary-reduction contribution on the employee's behalf to the plan unless the employee elects otherwise. The elective deferral is excluded from the employee's income, although it is subject to FICA and other payroll taxes. The EACA re-

quirement does not apply to plans with elective deferral features prior to the date of enactment, to an employer with 10 or fewer employees, to an employer that has been in existence for fewer than three years or to church or governmental plans.

To be an EACA, the amount that is automatically contributed to the plan on behalf of an employee, absent the employee's election to change the automatic amount, must be at least 3% of the employee's compensation. For each year after the first year, the automatic contribution amount is increased by at least 1% of compensation until the automatic contribution amount reaches 10% of compensation. The employer must give notice to the employees in advance. Employees have the right to make withdrawals of contribution amounts for 90 days after the EACA is first effective.

The SECURE 2.0 Act requires that catch-up contributions for employees with wages in excess of the wage threshold (\$150,000 in 2025) in the preceding year be required to make the Roth election with respect to any catch-up contributions. A catch-up contribution is made by a participant who has attained age 50 or greater during the plan year, and it may be made in addition to the maximum amount of elective deferrals for the plan year. As originally enacted, the Roth catch-up rule was effective for taxable years beginning after Dec. 31, 2023. However, because of questions regarding

the implementation of the rule, the IRS issued detailed regulations and deferred the application of the rule to plan years beginning after Dec. 31, 2025.

Roth accounts are taxable at the time that the amount is contributed to the plan. Once the amount is held in a Roth account in the plan, it accumulates earnings tax free in the same manner as nonRoth accounts. The advantage of the Roth account is that if a qualified distribution of the account is made, the participant is not taxed at the time of distribution. A qualified distribution is one that is made after the participant attains age 59 ½, dies or becomes disabled and at least five years have passed since the account was established.

The regulations clarified that the wage threshold applies only to employee wages. Thus, a participant in the plan who is a sole proprietor or a partner in a partnership and who receives self-employment income in excess of the wage threshold is not by reason of that self-employment income subject to the Roth catch-up rule. Furthermore, commonly controlled and affiliated employers are not aggregated to reach the wage threshold.

— **Robert C. Schmidt**

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Complimentary Rooms Held to Not be Subject to Local Sales and Occupancy Taxes

Bossier Casino Venture, LLC d/b/a Margaritaville Resort Casino v. Collector for the City of Bossier/Parish of Bossier; Bossier City-Parish Sales & Use Tax Div., BTA Docket No. L01710 (2/5/26).

Bossier Casino Venture, LLC d/b/a Margaritaville Resort Casino and PNK (Bossier City), LLC d/b/a Boomtown Casino & Hotel (Boomtown) (collectively, the Casinos) filed an appeal with the Louisiana Board of Tax Appeals from the Collector for the City of Bossier/Parish of Bossier: Bossier City – Parish Sales and Use Tax Division’s Notice of Assessment and Notice of Right to Appeal, which assessed the Casinos with additional sales and occupancy taxes, interest and penalties.

The issue was whether local sales and occupancy taxes are due on the Casinos’ complimentary hotel rooms furnished to selected customers and guests.

The applicability of the local sales tax was based on whether the furnishing of complimentary rooms results in a transaction that is “for a consideration or the amount paid or charged” as defined in La. R.S. 47:301(14)(a) and Bossier City Ordinance No. 55, Section 2.1. The applicability of the local occupancy tax turned on whether the furnishing of complimentary rooms (a comp) constitutes the occupancy of a room “for a rent or fee charged.”

The Casinos did not receive from a customer “an amount paid or charged” for any comp. Therefore, the question to be resolved was whether the customer received a comp “for a consideration” as set forth in La. R.S. 47:301(14)(a).

Neither the sales-tax statutes nor the local ordinances define “consideration” as used in the context of La. R.S. 47:301(14)(a). The Board looked to Black’s Law Dictionary’s definition of “consideration” as an act, a forbearance or a return promise bargained for and received by a promisor from a prom-
ise. The Board found the question was whether the Casinos bargained for and received something from the customer in return for a comp.

ise. The Board found the question was whether the Casinos bargained for and received something from the customer in return for a comp.

The Board held the testimony and other evidence at trial established that a customer was under no obligation to gamble during the period of a comp stay. There was no evidence that a customer had to enroll in a loyalty program, agree to physically occupy a comp room for any period during the comp stay or agree to anything in exchange for a comp.

The Collector argued that a comp was not purely gratuitous on the part of the Casinos, and that the Casinos had developed a sophisticated and proprietary program to identify those potential customers who had a high likelihood of gambling during a comp stay. It therefore urged the Board to use a broader definition of the term “consideration” when considering the application of La. R.S. 47:301(14)(a) to the furnishing of a comp.

The Board held the definition of “consideration” requires the customer be obligated to act, or promise to act, in exchange for a comp. The Board held the mere hope or expectation that a customer will gamble during the comp stay does not rise to the level of a “consideration” by the customer. The mere agreement of a customer to accept the comp was held to not rise to the level of a customer giving consideration as required by statute. The Board agreed that the comps are more properly described as a promotional or marketing expense as opposed to the furnishing of a room for consideration.

The Board held the Casinos are not liable for the local sales or occupancy taxes and vacated the assessments.

– **Antonio Charles Ferachi**
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The Young Lawyer's Journey: Growth, Grit and Getting Involved

By Christopher J. (Chris) Sellers Jr., 2026–27 YLD Chair



As we prepare for the start of the new bar year, I have been thinking a lot about my first ten years of practice and what it really means to be a young lawyer.

I have never been one to relish the idea of starting over. In a somewhat stereotypical fashion, my path to becoming a lawyer was a series of deliberate steps (political science, student government, etc.). But, like most young lawyers, from almost the moment I was sworn in, I couldn't help but feel like I was at the very beginning of something new. In many ways, it felt like I was starting over.

I was fortunate to graduate law school not only with a job, but also practicing the kind of law I had hoped to practice, specifically, health law. I didn't come from a family of lawyers, but I did come from a proud family tradition of healthcare providers, and I was happy to have my own connection to that tradition.

But pretty quickly, I found the work hard. To be fair, law school hadn't been easy (or maybe I hadn't been the best student), and while I like a challenge, I prefer a challenge that I can overcome. Not every day felt like a win, at least not in the way I was used to. Eventually, I started to hear others expressing similar frustrations, and while there was some comfort in knowing I wasn't alone, I knew that mindset wasn't going to work for me.

So, in the middle of feeling like I didn't know what I was doing, I decided to do something I was familiar with: I got involved. At first, I joined everything, from the American Bar Association to the New Orleans Bar Association. For me, connecting with other lawyers passionate about both the work they were doing and being a lawyer, in general, changed how I felt about my own work.

I became less concerned about being perfect—after all, our clients rarely give us the perfect facts to achieve a perfect outcome—and instead, I focused on doing what I could with what I had. Over time, I grew increasingly proud of that work and how being a lawyer allowed me to make a difference for both the public and our profession.

In the end, for me, the Louisiana State Bar Association is where I found the most meaningful opportunity to give back. I joined the Transition Into Practice Program, Leadership LSBA, the Health Law Section, and, eventually, the Young Lawyers Division Council. I even pursued board certification in health law and served on the Louisiana Board of Legal Specialization's Health Law Advisory Commission. Through each experience, I found other people, each with a different combination of background and practice area, but all of whom were proud to be lawyers, most of whom were young lawyers.

No matter where you find it, I hope you find pride in the work we do, especially as young lawyers. Life is pulling us in so many directions—whether building a career, starting a family, or, quite likely, trying to find balance between the two—but I hope you find what we do—what you do—to be important, meaningful, and fulfilling.

Young lawyers—at least, as we define that term within the LSBA—make up more than a quarter of all of the State's lawyers. We're first-year associates, but we're also managing partners. We're prosecutors, defense attorneys, litigators, and transactional lawyers. No area of law is beyond the reach of a young lawyer. But, as a result, there is, perhaps, no other cross section of lawyers more responsible for safeguarding the reputation of our profession or better positioned to welcome new lawyers into the fold.

I hope the coming year brings you the opportunity to reflect on what you have accomplished in your first years of practice and to renew your commitment to the ideals that brought you to this profession in the first place, knowing that each day, just by doing what we're trained to do, we're making a difference, whether big or small.

Cheers to a great year!

**YLD SPOTLIGHT, 2026-2027 YLD COUNCIL
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YOUNG LAWYERS SPOTLIGHT

**Jessica Cassidy
Lafayette, LA**

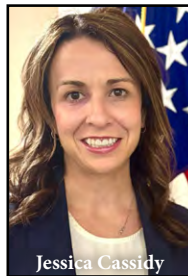
Jessica Cassidy has served as an Assistant United States Attorney in the Western District of Louisiana since 2018. As Deputy Criminal Chief in the Lafayette office, she supervises all federal prosecutions in the Lafayette, Lake Charles, and Alexandria Divisions, overseeing a team of Assistant United States Attorneys responsible for prosecuting a wide range of federal offenses, including violent crimes, firearms, drug trafficking, national security, child exploitation, immigration, and white-collar crimes. Cassidy also works closely with federal, state, and local law enforcement parties to ensure the effective and consistent enforcement of federal law throughout the region.

Prior to her current role, Cassidy served as the Lead Task Force Attorney for the Organized Crime Drug Enforcement Task Force (OCDETF).

In that position, Cassidy prosecutes multi-defendant drug trafficking organizations, targeting both narcotics distribution and financial crimes. She also collaborates with investigative agencies during the early stages of case development, helping to assess and shape investigations to meet OCDETF standards and advance complex prosecutions aimed at dismantling organized criminal networks.

Before joining the U.S. Attorney's Office, Cassidy worked at the Caddo Parish District Attorney's

Office, where she first served in the Appellate Division, handling appeals involving a broad range of state criminal offenses. She later transitioned to the Special Victims Unit, prosecuting sensitive cases involving victims of domestic violence.



Jessica Cassidy

Cassidy earned her JD from Loyola University College of Law in New Orleans in 2012, after having received a BA from Rhodes College.

Outside of work, Cassidy can often be found camping and hiking in Arkansas. When not in the office or on the trails, she is a liturgist at the chapel at Holy Angels, a residential facility in Shreveport that serves individuals with intellectual and developmental disabilities.

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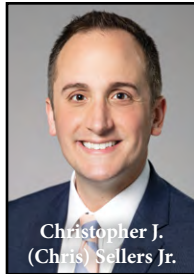


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Christopher J. (Chris) Sellers Jr. **Chair**

Christopher J. (Chris) Sellers Jr. is the 2026–27 chair of the LSBA Young Lawyers Division (YLD). As chair, Sellers represents the YLD on the LSBA Board of Governors and the Louisiana State Law Institute. He has previously served the YLD as chair-elect, secretary, and District 1 representative and represented the YLD on the LSBA Budget Committee and the *Louisiana Bar Journal* Editorial Board.



Christopher J.
(Chris) Sellers Jr.

His other LSBA involvement includes serving as vice chair of the Health Law Section and a member of the Bar Governance Committee and the Medical/Legal Interprofessional Committee. He is board-certified by the Louisiana Board of Legal Specialization (LBSL) as a health law specialist and previously served two terms on and as the 2024–25 chair of the LBSL Health Law Advisory Commission. He was a member of the Leadership LSBA 2017–18 Class and served as co-chair the following year.

Sellers is assistant vice president and associate general counsel for Ochsner Health. He received his bachelor's degree in 2011 from Louisiana State University (LSU) and his JD in 2014 from the LSU Paul M. Hebert Law Center. He was admitted to practice in Louisiana in 2014. In his community, he is a member of the Stonewall Sports – New Orleans Board of Directors and a member of the Krewe of Endymion.

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Rachal Cox Cassagne **Chair-Elect**

Rachal Cox Cassagne is an Assistant United States Attorney for the Eastern District of Louisiana. She works in the narcotics unit and prosecutes drug trafficking organizations involving international investigations and previously handled complex civil matters in her practice as a commercial litigation associate. She also served as a law clerk to United States District Judge Greg G. Guidry.



Rachal Cox Cassagne

Cassagne oversees the law clerk program at the United States Attorney's Office and serves as an attorney mentor for the Federal Bar Association. She is actively involved in the Louisiana State Bar Association, Jefferson Parish Bar

Association, and the Federalist Society.

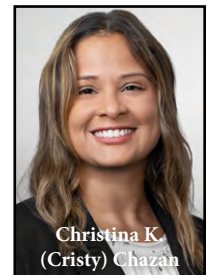
Cassagne received her undergraduate degree from Louisiana State University-Shreveport and her master's degree from the Universiteit van Amsterdam on a Rotary Ambassadorial Scholarship. As an Ambassadorial Scholar, Cassagne gave presentations to Rotary Clubs throughout the Netherlands and Louisiana. Cassagne also worked as an intern in Kabul, Afghanistan in 2012 where she helped implement a debate program and taught university students. In 2016, she graduated first in her law school class at Southern University Law Center.

Cassagne and her husband and former law school classmate, Craig Cassagne, Jr., have been married seven years and have two wild little girls. They attend St. Joseph Church in Gretna and are involved with Immaculate Conception School in Marrero.

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Christina K. (Cristy) Chazan **Secretary**

Christina K. (Cristy) Chazan (formerly Guzman) is an associate attorney with Galloway Johnson Tompkins Burr & Smith in their New Orleans office. Her practice focuses on civil litigation, including insurance defense and coverage matters, premise liability, and professional liability claims. Prior to joining the firm, she practiced criminal defense across southeast Louisiana, where she handled hearings, motion practice, negotiations with prosecutors, and trials, gaining significant courtroom experience early in her career.



Christina K.
(Cristy) Chazan

Before entering private practice, Chazan served as a staff attorney with Southeast Louisiana Legal Services in the Veterans and Innovative Projects Unit where she handled matters dealing with the collateral consequences of formerly incarcerated individuals reentering into our community. During law school, she served as a Rule XX student practitioner and worked with the Jefferson Parish District Attorney's Office. She was also a Gillis Long intern with the Louisiana Civil Justice Center and the Justice and Accountability Center of Louisiana.

Chazan received her BA in criminal justice, with a minor in forensic science from Loyola University New Orleans in 2016. She earned her JD from Loyola University New Orleans College of Law in December 2019 and was admitted to practice in Louisiana in May 2020.

Active in bar leadership, Chazan previously served as the District 2 Representative on the LSBA YLD and as co-chair of the Young Lawyers Conference. She is also the chair of the Young Lawyers Division of the Jefferson Bar Association. In 2024, she received the Jefferson Bar Association Award of Merit.

Originally from the Atlanta area, Chazan has called New Orleans home since 2012. In her free time, she enjoys traveling, cooking, completing the NYT crossword puzzle, and spending time with her husband, Blake, and their dog, Nial.

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Collin R. Melancon is a partner and owner at Mansfield Melancon – Injury Lawyers in Baton Rouge, where he represents injured clients throughout Louisiana. His practice centers on advocating for survivors of sexual abuse, work he approaches with genuine commitment to his clients’ well-being and long-term recovery.



Collin R. Melancon

Melancon earned his bachelor’s degree in International Studies from Louisiana State University in 2011 and his JD from Loyola University College of Law in 2015, where he was admitted to the Louisiana bar the same year. During law school, he served on the *Loyola Law Review* and was nominated to its Editorial Board. He graduated with *Summa Cum Laude*, receiving Loyola’s Spirit of St. Ignatius Award for Outstanding Law Graduate, and the LSBA Civil Code Award for finishing first in his class in the Louisiana civil law division.

He has served in many roles in the LSBA Young Lawyers Division (YLD) having served six years as the YLD’s representative on the Louisiana Judicial Council. He has served the YLD in prior roles as chair, chair-elect, secretary, and District 1 representative on the YLD Council. Melancon is a frequent speaker at legal conferences and CLE programs, including the Louisiana Young Lawyers Conference and the LSBA Professionalism CLE.

He is an active member of the Baton Rouge Bar Association and the Louisiana Association for Justice. He has been recognized as a Louisiana Super Lawyers “Rising Star” in personal injury law every year from 2020 to 2026.

Melancon and his wife, Jillian, have been married for seven years and are the proud parents of two children.

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Margaret L. Manning is an associate attorney with Stanley Reuter Alford Owen Munson & Paul, LLC, in New Orleans.

She received her BA in mass communication, *cum laude*, with Honors College Distinction, in 2017 from Louisiana State University. She graduated from the University of Notre Dame.

While attending Notre Dame, 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.

Following law school, she clerked for Judge S. Maurice Hicks, Jr., U.S. District Court for the Western District of Louisiana. She is a former member of the Leadership LSBA Class. She presently serves on the New Orleans Bar Association’s Young Lawyers Section Executive Council and the Association of Women Attorneys of New Orleans Board.

She is also a member of the LSBA Committee on the Profession, the New Orleans Bar Association Inn of Court and the New Orleans Chapter of the Federal Bar Association.

In her community, Manning attends Holy Name of Jesus Catholic Church in New Orleans.

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Jennifer Gordon Lampton
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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 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 (Civil Law Division, Common Law Certificate) in 2012 from Loyola University College of Law. She was admitted to practice in Louisiana in 2014.

Lampton is a member of the LSBA Diversity Committee and Outreach Committee and was a member of the 2019-20 Leadership LSBA Class. She is a member of the New Orleans Bar Association (current Young Lawyers Section vice chair; 2022-23 YLS secretary; and 2021-22 YLS treasurer), the Greater New Orleans Louis A. Martinet Legal Society, Inc.



Jennifer Gordon Lampton

and the A.P. Tureaud American Inn of Court (current board member). Lampton and her husband Kevin have been married for 10 years and are the parents of one child.

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Lauren T. Kirichkow is the legal director at the Justice and Accountability Center of Louisiana (JAC), where she oversees legal programming and litigates expungement and in forma pauperis matters across the state. Her work focuses on expungement advocacy and access-to-justice initiatives, including designing systems that expand equitable legal services for impacted communities. She regularly speaks on Louisiana expungement law and access to justice issues, providing practical guidance to attorneys, advocates and self-represented litigants.



Lauren T. Kirichkow

Kirichkow earned her BS in criminology from the University of Wisconsin–Whitewater and her JD in 2021 from Loyola University New Orleans College of Law.

An active member of the bar, she serves as a member-at-large with the Jefferson Bar Association Young Lawyers Division.

Kirichkow was a recipient of the LSBA Pro Bono Law Student Award.

In her free time, she enjoys working out, painting, spending time with her partner and taking her dog on walks.

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Andrew A. (Andy) Maberry is an attorney with Winston Bergeron, LLP, where he focuses on appellate advocacy and complex motion practice. His practice includes matters in all Louisiana state courts, the U.S. District Courts for the Eastern, Middle, and Western Districts of Louisiana, and the U.S. Court of Appeals for the Fifth Circuit. He concentrates on legal research, brief writing and issue development at the appellate level, while also supporting trial-court litigation with an emphasis on preserving the record and framing legal issues. His background in district court litigation informs his appellate work by grounding legal arguments in practical trial experience.



Andrew A.
(Andy) Maberry

Maberry earned his undergraduate degree from Louisiana State University and his JD, with a certificate in social justice, from Loyola University New Orleans College of Law in 2019. He was admitted to practice in Louisiana in 2019.

His additional professional affiliations include membership

in the Louisiana Association for Justice, the Bar Association for the Federal Fifth Circuit and the National Police Accountability Project. He has also volunteered with the LSBA Young Lawyers Division's Wills for Heroes program. In 2019, he was honored as a Gillis Long Social Justice Fellow.

A native of Shreveport, Maberry enjoys attending festivals and live music and spending time with his family. He and his spouse, Brett Stephenson, are the proud parents of one son.

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Jared E. Nelson
District Three Representative

Jared E. Nelson is an Associate Attorney in the Lafayette office of Galloway, Johnson, Tompkins, Burr & Smith, LLP, where he represents clients throughout Louisiana in workers' compensation, medical malpractice, commercial litigation, and personal injury defense matters from pre-suit strategy through trial.



Jared E. Nelson

Nelson earned his BA in Government from the University of Virginia in 2008, his Master of Public Administration from Southern University and A&M College in 2010, and his JD, *cum laude*, from Southern University Law Center in 2018, where he also served as a Junior Editor for the *Journal of Race, Gender and Poverty* and became a certified mediator. He was admitted to practice in Louisiana in 2018.

Prior to joining Galloway, Johnson, Tompkins, Burr & Smith, LLP, Nelson practiced at Liskow & Lewis, APLC, where he focused on energy and environmental litigation and personal injury defense, including representing major corporate clients in complex, high-stakes matters. He also served as an Assistant Attorney General for the Louisiana Department of Justice, where he handled tort, general liability, and civil rights litigation on behalf of the State of Louisiana. Before entering the legal profession, he served for seven years as a Probation and Parole Officer with the Louisiana Department of Public Safety and Corrections.

Nelson is deeply involved in professional leadership and bar service. He currently serves as an Assistant Examiner for the Louisiana Supreme Court Committee on Bar Admissions. He is an active leader within the American Bar Association Young Lawyers Division, where he has served as a Leadership Academy Scholar, Assembly Assistant, Men of Color Project Chair, Assembly Parliamentarian, and currently serves as Vice Director of the Leadership Academy.

Nelson is also actively involved in the Louisiana Association of Defense Counsel, where he serves on the Board of Directors and as Secretary of the Young Lawyers Committee, and maintains leadership roles with the Institute for Energy Law, the American Inn of Court of Acadiana, and the Lafayette Bar Association.

Nelson has received numerous professional honors, including

recognition as a Louisiana Super Lawyers “Rising Star” 2023–25, *Best Lawyers*® “One to Watch” 2024–25, and Acadiana Profile “Top Lawyer” in multiple practice areas. He is a Fellow of the American Bar Foundation and a recipient of the American Bar Association YLD “On the Rise – Top 40 Young Lawyer” Award, as well as multiple ABA and Louisiana Association of Defense Counsel awards recognizing his advocacy, leadership, and service.

In his community, Nelson is actively engaged in civic and service organizations, including Alpha Phi Alpha Fraternity, Incorporated, and serves as a lector at St. Benedict De Moor Catholic Church.

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Micah O. Clemons

District Four Representative

Micah O. Clemons was born and raised in Lake Charles. He is an associate attorney at Todd Clemons and Associates, APLC where he has had the pleasure of working alongside his father, Todd Clemons, who founded the firm. Clemons’ primary area of practice is criminal defense, domestic cases, personal injury, and other general civil litigation. Clemons has successfully tried numerous cases, including violent felonies, intrafamily adoptions, contract disputes, protective orders and more. Practicing law is his ultimate passion because he represents the citizens of Louisiana and supports them during their most difficult times.



Micah O. Clemons

Clemons graduated from Louisiana State University with a BS in Business Management in 2018. He earned his JD from Southern University Law Center in 2021, *cum laude*. While attending Southern University Law Center, Clemons served as a member of the Moot Court Board, the Board of Student Advisors as a teaching assistant for both criminal and family law, and the National Black Law Students Association. He also interned for Hon. Brian A. Jackson at the U.S. District Court, Middle District of Louisiana, and for Adam P. Johnson at the Johnson Firm in Lake Charles. After law school, he clerked for Hon. Derrick D. Kee at the 14th JDC in Lake Charles.

Clemons is a diehard New Orleans Saints and LSU fan, and likes to attend as many Saints home games as possible during each season. When he is not cheering on the Saints or the Tigers, he enjoys reading, exercising, and spending time with his beloved family.

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Manning P. Greene

District Five Representative

Manning P. Greene is an associate with Bradley Murchison Kelly & Shea LLC in Baton Rouge.

Greene received his BA in political science in 2020 from Louisiana State University. He earned his JD/DCL degree and a graduate certificate in Energy Law and Policy in 2023 from the LSU Paul M. Hebert Law Center and was admitted to practice in Louisiana in October 2023.

An active member of the LSBA, Greene serves as the YLD District 5 representative. He is a member of the Young Lawyers Division Conference Planning Committee. He is also a member of the Baton Rouge Bar Association.

His honors include receiving the LSU University Medalist distinction and CALI Awards in Sports Law and Louisiana Civil Law of Torts. While at LSU, he also served as Analytical Manager for the 2023 LSU Baseball National Championship team.

In his community, Greene is a parishioner, Eucharistic minister and member of the Men’s Club at St. Aloysius Catholic Church. He enjoys golf, tennis, LSU sports, cooking and spending time with his dogs. He and his wife, Emma Antilley Greene, were married in 2025.

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Manning P. Greene

Mary Catherine Joiner

District Five Representative

Mary Catherine Joiner is an associate with the Baton Rouge office of Bradley Murchison Kelly & Shea LLC. She primarily practices in the area of energy and natural resources.

She received her undergraduate degree in business administration, international business and legal studies from Loyola University New Orleans and her JD, *cum laude*, from Southern University Law Center in 2018. She was admitted to practice in Louisiana in 2019.

Joiner is a member of the Baton Rouge Bar Association, the Foundation for Natural Resources and Energy Law, and Louisiana Association of Defense Counsel. She has been recognized as a Louisiana Rising Star Honoree in 2025, Best Lawyers: Ones to Watch in Energy Law (2025) and was a speaker at the 2025 Louisiana Mineral Law Institute.

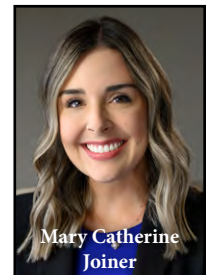
In her community, she volunteers with Live after Five; Power Pump Girls, Inc.; and the Baton Rouge Bar Association Holiday Star project. Joiner recently married John Rogillio and they are the parents of two children. In her spare time, she enjoys spending time with family and friends, traveling, Pilates and calligraphy.

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Mary Catherine Joiner

Ashley U. Firven
District Six Representative

Ashley U. Firven is a Partner at Hammonds, Sills, Adkins, Guice, Noah & Perkins, LLP. In this role, she has specialized in Civil Litigation, Employment Law, Insurance Defense, and Workers' Compensation. She works personally to ensure strong client relationships, demonstrating her unwavering commitment to securing justice for her clients.



Firven's dedication to education and social justice is further exemplified by her tenure as a Teach for America Corps Member from August 2014 to May 2016. She served as an 8th and 9th Grade ELA/Reading Teacher at Northeast High School in Pride, LA, where she maintained classroom discipline, developed lesson plans aligned with curriculum objectives, and supported students in their examination preparations.

Beyond her professional endeavors, Firven is actively involved in organizations that serve her community. She contributes to the LSBA as a member of the House of Delegates and supports hurricane relief efforts through the LSBA Hurricane Relief Hotline. She also dedicates her time to the Baton Rouge Bar Association's Pro Bono Clinic. Her commitment to community service extends to her involvement with the Louis A. Martinet Legal Society – Baton Rouge Chapter, where she contributes as a member of the Events Committee. Firven is also a proud member of Alpha Kappa Alpha Sorority, Inc.

Firven continues to share her knowledge and leadership skills, and her hard work is a testament to her dedication to both the education and legal fields. In June 2023, Firven was installed as the district 6 Representative on the 2023-24 Young Lawyers Division Council. She was also a graduate of the LSBA Leadership 2022-23 class. She has previously been a speaker and has shared her legal expertise with law students at both LSU and Southern University.

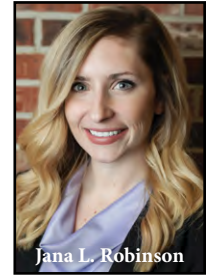
Ashley earned her BA in Political Science from the University of California in 2014, where she concentrated in American Politics and got a minor in Black Studies. Ashley actively contributed to her community during her time at UC Santa Barbara, serving as the President of Akanke, a Women of Color Support Group, and taking on the role of Education Chair for the Black Student Union.

Firven pursued her JD at the Southern University Law Center, where she graduated cum laude in 2019. During her time at law school, she excelled as the Senior Editor of the *Journal of Race, Gender, and Poverty*, showcasing her dedication to addressing important societal issues. Firven also served as a Teaching Assistant for the Board of Student Advisors and received the prestigious Cali Award for achieving the highest grade in her Basic Civil Procedure class.

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Jana L. Robinson
District Seven Representative

Jana L. Robinson is the Senior Legal Counsel of U.S. Operations at Drax, based in Monroe. She received a BA in 2014 from the University of Louisiana-Monroe and her JD in 2017 from Louisiana State University Paul M. Hebert Law Center. She was admitted to practice in Louisiana in 2017.



Robinson has been on the YLD since 2024. She has served on Wills for Heroes, Barristers for Boards, and the Awards Committee. Robinson is currently serving as a member of the LSBA MCLE Committee and LSBA Budget Committee.

She and her husband Scott have been married for six years and are the parents of two children. In her spare time, she enjoys doing ceramics and spending time with her family.

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Jasmine C. Cooper
District Eight Representative

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



Cooper was a member of the Leadership LSBA 2022-23 Class. She is a member of the Shreveport Bar Association and the Harry V. Booth/Judge Henry A. Politz American Inn of Court. She was recognized in the Top Lawyers 2026 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. Cooper also serves on the Board of Directors for the Louisiana Chapter of the Alzheimer's Association.

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Taylor B. Ashworth
At-Large Representative

Taylor B. Ashworth is an associate in the Baton Rouge office of Kean Miller, LLP. She practices in the offshore energy and marine litigation and the casualty and mass tort groups. She received a BS in mass communication, *cum laude*, in 2017 from McNeese State University and her JD/DCL degree, *cum laude*, in 2020 from LSU Paul M. Hebert Law Center. She was admitted to practice in Louisiana in 2020.

Ashworth was a member of the Leadership LSBA 2022-23 Class and is a member of the LSBA Outreach Committee. She has volunteered as a mock trial competition judge for the LSBA Young Lawyers Division's Mock Trial Competition.

She is a member of the Lafayette Bar Association's Young

Lawyers Section and a former chair of the Membership and Mentor Committee. She also is a member of the Baton Rouge Bar Association, the Louisiana Association of Defense Counsel and the Women's Energy Network South Louisiana Chapter (former Lafayette Program Director).

In law school, she was a junior and senior associate on the Louisiana Law Review. She was the Robert Lee Tullis Moot Court Competition finalist, winning best brief and an oralist award. She was a member of four external advocacy teams and won a best oralist award at the National Pretrial Competition. She won the LSU Law Opening Statement Competition during her 1L year.

Ashworth was selected as an academic tutor to her peers in torts and obligations and served as a research assistant to Professor William R. Corbett. She also served as an extern for Judge Shelly D. Dick, U.S. District Court for the Middle District of Louisiana.

She is a member of the recruiting committee and is a summer associate mentor at her firm. In her community, she regularly volunteers her time as a judge for the various LSU Law advocacy program competitions and external team practices.

She is married to Baton Rouge attorney Peyton Gascon.

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Taylor B. Ashworth

Malika L. Howard

At-Large Representative

Malika L. Howard is the Judicial Law Clerk for Hon. Robin D. Pittman of Section F at Orleans Parish Criminal District Court. Since 2020, she has provided high level legal and procedural support to the Court in complex criminal matters. She received a BA in Criminal Justice with a minor in Communications from Loyola University New Orleans in 2015 and earned her JD from Loyola University New Orleans College of Law in 2020. Howard was admitted to practice in Louisiana in October 2020.

During law school, she competed in the American Association for Justice Student Trial Advocacy Competition as a member of Loyola's Advocacy Center's Trial Advocacy Program. She also served on the Executive Board as Intramural & Selections Chair of the Trial Advocacy Board. Additionally, she held a position as Social Chair for Loyola's Black Law Student Association and served as a Gillis Long intern at Disability Rights Louisiana, formerly known as Advocacy Center of Louisiana (2019).

Howard is a member of the Greater New Orleans Louis A. Martinet Society and currently sits as co-chair of the Gala Committee. She also serves as a board member of Loyola University's Young Alumni Pack Board and is the Immediate Past President and is a member of the New Orleans Independent Women Organization. She is also a member of the Mardi Gras krewe, Krewe of Cleopatra.



Malika L. Howard

Outside of work, she participates in trivia nights with friends, explores new places and spends time with her dog. She also proudly serves as President of NolaBookBabes, a New Orleans based book club founded in July 2021.

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Joseph T.D. Tran

At-Large Representative

Joseph T.D. Tran, CIPP/US, AIGP, is an associate general counsel for LAMMICO, where he provides support in corporate legal affairs with a focus in health and insurance law, intellectual property, cybersecurity, privacy and artificial intelligence. He received a BS in mechanical engineering from Louisiana State University and his JD from Loyola University New Orleans College of Law. He was admitted to practice in Louisiana in 2016 and is admitted to practice before the U.S. Patent and Trademark Office.

Tran is a current member of the *Louisiana Bar Journal's* Editorial Board and chair of the LSBA Inclusive Practice Section. He serves as the American Bar Association Young Lawyers Division Representative for Louisiana. He served as co-chair of the Leadership LSBA 2022-23 Class and was a member of the Leadership LSBA 2021-22 Class.

He is chair-elect for the Jefferson Bar Association's Young Lawyers Division and serves on the executive boards of the Louisiana Asian Pacific American Bar Association and the Vietnamese American Bar Association. In the community, Tran served as a board member of the Algiers Economic Development Foundation. In 2025, he received the LSBA Young Lawyers Division's Bat P. Sullivan, Jr. Chair's Award and was selected as a NAPABA Leadership Advancement Program fellow.

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Joseph T.D. Tran

Josef P. Ventulan

At-Large Representative

Josef P. Ventulan is a staff attorney with the Louisiana State Law Institute (LSLI). Prior to joining the LSLI, he clerked for Judge Lisa M. Woodruff-White (Ret.). He also served as a board attorney for the Louisiana Board of Tax Appeals and as an adjunct professor at Southern University Law Center. His professional interests include the synergies of technology and law, economic and tax policy, and local economic development.

Ventulan received his undergraduate in accounting from Louisiana State University and his JD from Southern University Law Center, where he graduated first in his class and received a certification in tax law. He also served as the editor-in-chief of



Josef P. Ventulan

Continued on page 66



2026 Top Young Lawyers were honored at the Louisiana Young Lawyers Conference held April 10, 2026 at the New Orleans Marriott Warehouse Arts District Hotel in New Orleans.

YLD Honors Award Recipients at 2026 Conference

The LSBA YLD recognized outstanding members of the legal community during the Louisiana Young Lawyers Conference, held April 10, 2026, at the New Orleans Marriott Warehouse Arts District Hotel.

The YLD also recognized its 2026 Top Young Lawyers, honoring attorneys who have made exceptional contributions to the profession. This year's recipients were featured in the April/May 2026 issue of the *Louisiana Bar Journal*.



John Fitzgerald Lee, left, was presented with the Hon. Michael Pitard Wynne Professionalism Award by 2025-26 YLD Chair Collin Melancon at the 2026 Young Lawyers Conference.



Sharita L. Spears, left, was recognized for her pro bono work with the YLD Pro Bono Award by 2025-26 YLD Chair Collin Melancon at the 2026 Young Lawyers Conference.



Gene Meneray and Ashlye Keaton accepted the Program of the Year award on behalf of the Ella Project. Presenting the award was 2025-26 YLD Chair Collin Melancon at the 2026 Young Lawyers Conference.



Michael S. Harrison, Jr., left, accepted the Outstanding Local Affiliate award on behalf of the Greater New Orleans Louis A. Martinet Legal Society. The award was presented by 2025-26 YLD Chair Collin Melancon at the 2026 Young Lawyers Conference.



Amber Sheppard of Mandeville and an associate with Pugh Accardo LLC, was recognized as the 2026 Outstanding Young Lawyer.

YLD continued from page 65

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) Young Lawyers Division, previously serving as a council member. He is a member of both the Affiliates and Membership Committees and the Long-Range Planning Board. He is a member of the ABA's Standing Committee on Gavel Awards.

He is a member of the LSBA Access to Justice Committee and the Baton Rouge Bar Association's Young Lawyers Section

Council, Publications Committee and Pro Bono Committee. He formerly served as a junior council member of the LSLI, and as YLD District 5 representative.

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 Power Pump Girls, Inc., a nonprofit aiming to serve and empower women. He is a Future Leaders Council member of the Public Affairs Research Council of Louisiana.

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RETIRED JUDGES, APPOINTMENTS, DEATHS

Retired Judges

16th Judicial District Court Judge Lewis H. Pitman, Jr. retired effective Feb. 1, 2026. He earned two bachelor's degrees from the University of Southwestern Louisiana (now the University of Louisiana at Lafayette), receiving one degree in 1977 and a second degree in 1978, and his juris doctor degree from Loyola University College of Law in 1982. Following law school, he worked as an associate attorney with Caffery, Oubre, Dugas, and Campbell Law Firm. In 1991, he was in private practice. From 1996 to 2003, he was managing partner of Simmons, Pitman, and Legros law office. He additionally served as a supervising attorney from 1997 to 2015 at the 16th Judicial District Public Defender's Office. From 2003 to 2015, he served as senior partner of Pitman Broussard, and from 2004 to 2015, he was a founding partner of American Title Company of New Iberia, LLC. He retired from the 16th JDC bench, where he had served since 2016.

18th Judicial District Court Judge Alvin Batiste, Jr. retired, effective Feb. 1, 2026. He earned his bachelor's degree from Southern University A&M College in 1976 and his JD from Southern University Law Center in 1981. He began his legal career as an officer and attorney with the U.S. Navy Judge Advocate General's Corps. In 1985, following his honorable discharge, he served as a public defender in East Baton Rouge Parish before becoming an assistant attorney general with the Louisiana Department of Environmental Quality. In 1992, he established a law firm with his late wife in Iberville Parish. During the late 1990's and early 2000's, he served as the parish's chief administrative officer. In 2002, he was elected as a judge for the 18th Judicial District Court. He was subsequently reelected twice without opposition and served until his retirement.

Appointments

Professor Suzanne K. Scalise was appointed, by Order of the Louisiana

Supreme Court, to the Bar Admissions Advisory Committee for a term of office which commenced on March 17, 2026.

R. Ethan Zubic was appointed, by order of the Louisiana Supreme Court, to the Committee on Bar Admissions for a term of office which commenced on Feb. 4, 2026, and concludes on Feb. 3, 2031.

Deaths

Retired 25th Judicial District Court Judge William A. Roe, 71, died, Friday, Jan. 2, 2026. He earned his bachelor's degree from Loyola University in 1977 and his JD from Loyola University New Orleans College of Law in 1980. From 1980 to 1986, he served as a staff attorney for the Plaquemines Parish Indigent Defenders Board. He also served, from 1980 to 1987, as parish attorney for the Plaquemines Parish Council. From 1984 to 1990, he worked as an attorney for the Clerk of Court of the 25th Judicial District Court. In 1990, he was elected 25th Judicial District Court judge, where he served until 2008.

POUR A CUP.
TAKE A SCROLL.
DISCOVER A
BENEFIT YOU
DIDN'T KNOW
YOU HAD.

Your Wednesday Coffee Break just got better

#YourLSBA
Perk Break
Brewed for
your practice



Perk Break is the LSBA's weekly social media feature, posted every Wednesday, designed to spotlight the valuable benefits available to members. From practical tools and professional resources to exclusive discounts and lesser-known services, each post highlights something you can use right away.

Whether you're looking to save time, cut costs or discover a resource you didn't know existed, Perk Break delivers quick, easy-to-digest insights, all in the time it takes to enjoy a cup of coffee.



Follow the LSBA on social media, visit www.lsba.org/goto/socialmedia

LAWYERS ON THE MOVE, NEWSMAKERS, PUBLICATIONS

LAWYERS ON THE MOVE

Richard J. Arsenault will serve as the moderator of a Multidistrict Litigation panel addressing key challenges in mass torts at a conference in Kiawah Island. He was also nominated to the Lawyers of Distinction – Class of 2026, an honor reserved for less than one percent of attorneys nationwide. Additionally, Arsenault has been selected for inclusion in the 2026 LawDragon 500 Leading Plaintiff Consumer Lawyers guide, recognizing top plaintiff attorneys across the country.

Gordon Arata welcomes **Stephen P. (Steve) Beiser** to the firm as a member in the New Orleans office. With over 40 years of experience, Beiser joins the firm's growing Labor and Employment team advising employers on workplace disputes, compliance, and HR-related issues, while also supporting the firm's expanding commercial litigation practice.

Capitelli Law Firm, LLC opened its

doors in Mandeville, Louisiana, and Managing Partner, **Andrew R. Capitelli** is pleased to welcome Partner, **Sarah Fisher Constantine** and attorneys **Kathleen L. DeBruhl** and **Kenneth R. Whittle**. Their firm includes the practice areas of business & corporate law, healthcare transactions & compliance, litigation & appellate practice, property law, and estate planning & successions.

Barrasso Usdin Kupperman Freeman & Sarver, L.L.C. is pleased to announce that **Jordan P. Caruso** and **Nicolas M. Cotten** have joined the firm as associates.

The Lane Law Firm PLLC is pleased to announce that Joshua D. Gordon has been made a Partner at the Houston, Texas firm. Gordon focuses on representing debtors in small business Ch.11 bankruptcy.

Andrew C. (Andy) Wilson has joined Chaffe McCall, L.L.P.'s New Orleans office as a partner in the Admiralty &

Maritime and Litigation practices. He brings extensive experience handling complex maritime, energy and commercial disputes, strengthening a practice area that has long been central to the firm.

Flanagan Partners LLP is pleased to announce that **Angelina (Angie) Christina** has joined the firm. Christina, the president-elect of the New Orleans Bar Association, will continue her practice in commercial litigation, government contracts, and insurance law.

Barrasso Usdin Kupperman Freeman & Sarver, L.L.C. is pleased to announce that **Samual P. Martin** has joined the firm as an associate.

Chopin Law Firm proudly announces that **Leah R. Rhodes** has joined the firm's New Orleans office as an associate. Rhodes joins the firm's growing team, where she will assist clients with a range of legal matters as part of Chopin



Richard J. Arsenault



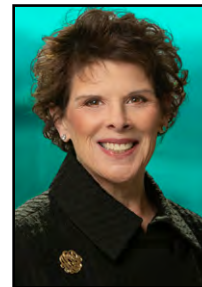
Stephen P. (Steve) Beiser



Andrew R. Capitelli



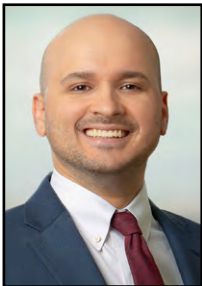
Jordan P. Caruso



Angelina (Angie) Christina



Sarah Fisher Constantine



Nicolas M. Cotten



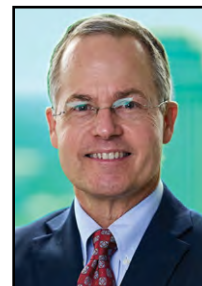
Blake R. David



Kathleen L. DeBruhl



Jesmin B. Finley



Thomas M. Flanagan



Harold J. Flanagan

Law Firm's regional practice serving Louisiana, Mississippi and Texas.

Nicholas J. Wehlen has joined Baker Donelson as of counsel in the firm's New Orleans office. A commercial litigator with more than 20 years of experience, he handles complex litigation and appellate matters and is licensed in Louisiana and Texas. He is a member of the New Orleans Bar Association's Board of Directors and has been recognized by *Louisiana Super Lawyers*.

Mark J. Mansfield, partner of Mark J. Mansfield & Associates, has been included in *New Orleans Magazine's* 2025 List of Top Lawyers (Family Law), *SuperLawyers* in 2026 for the 12th time, including top 50 Lawyers in Louisiana and top 50 in New Orleans, Best Lawyers in America 2026 (family law, family law mediation and arbitration) and the firm was recognized as a Best Law Firm in America for 2026 (family law). **Holly Y. Pailet** joined the firm as an associate. **Jesmin B. Finley** was named a Board Certified Family Law Specialist in Louisiana as of 2026.

NEWSMAKERS

Barrasso Usdin Kupperman Freeman & Sarver, L.L.C. is pleased to announce that eight partners have been named to

LawDragon 500 Leading Litigators: Judy Y. Barrasso, Jamie L. Berger, George C. Freeman, Craig R. Isenberg, Stephen H. Kupperman, David N. Luder, Richard E. Sarver, and Steven W. Usdin.

Flanagan Partners LLP is pleased to announce that six attorneys have been selected for inclusion in the *Super Lawyers* and Rising Stars lists for 2026. **Thomas M. Flanagan** (Business Litigation), **Harold J. Flanagan** (Insurance Coverage), **Anders F. Holmgren** (Business Litigation), and **Camille E. Gauthier** (Business Litigation) were recognized in the 2026 *Louisiana Super Lawyers* list. **Matthew R. Slaughter** (Business Litigation) and **Kansas Guidry Schneider** (Appellate) earned recognition in the 2026 Louisiana Rising Stars list.

Lamothe Law Firm is proud to announce that **Frank E. Lamothe III** has been named to the 2026 *Louisiana Super Lawyers* list for Plaintiff Personal Injury. This marks his 19th consecutive year receiving this distinction.

David Corkern has rejoined Shackelford, McKinley & Norton, LLP as a partner in the firm's Houston office. He advises clients on tax controversy and corporate governance matters, including estate and probate issues. Corkern is a

Fellow of the Texas Bar Foundation and is board certified in tax law by the Louisiana Board of Legal Specialization.

Jean-Luc M. Delpy and Alexandra Bruce Rychlak have been elected shareholders in Baker Donelson's New Orleans office. Delpy focuses his practice on corporate law, advising clients on mergers and acquisitions, joint ventures and complex commercial transactions, particularly in the energy, infrastructure and transportation sectors. Rychlak concentrates on commercial litigation, including contract and partnership disputes and food and product safety matters, and has been recognized by Best Lawyers: Ones to Watch® in America and Louisiana Rising Stars.

Fishman Haygood, LLP in New Orleans is pleased to share that Special Counsel Stephen J. Herman has been appointed to the board of directors of the Civil Justice Research Initiative at Berkeley Law.

Fishman Haygood, LLP in New Orleans is pleased to share that Partner Lori G. Mince was recently elected to the International Society of Barristers.

Louisiana Super Lawyers has named **Blake R. David**, senior partner at Broussard, David & Moroux, to its Top 3 lawyers in Louisiana. He has been selected in the Top 50, Top 10, and now Top 3 from 2014 -2026.



Camille E. Gauthier



Anders F. Holmgren



Frank E. Lamothe III



Mark J. Mansfield



Samual P. Martin



Holly Y. Pailet



Leah R. Rhodes



Kansas Guidry
Schneider



Matthew R. Slaughter



Kenneth R. Whittle

Are you a Lawyer on the Move?

Announcements are published free of charge for LSBA members. Submit People announcements, news and job or firm updates to publications@lsba.org to be featured in an upcoming issue. Headshots may be included for a fee.

All submissions subject to editorial review/editing.

PUBLICATIONS

Louisiana Super Lawyers 2026

• Stanley Reuter Alford Owen Munson & Paul LLC: Six attorneys were named to the 2026 edition of Louisiana Super Lawyers, Richard C. Stanley, Bryan C. Reuter, Kathryn W. Munson, Leonard A. Davis, W. Raley Alford, III., and Thomas P. Owen, Jr. Two attorneys were recognized as Rising Stars, Margaret L. Manning and Brandon A. Naquin.

2026 Super Lawyers and Super Lawyers Rising Stars

• Fishman Haygood, LLP (Baton Rouge, New Orleans): Brent B. Barriere, Tad Bartlett, Alicia M. Bendana, Jason W. Burge, Scott D. Chenevert, Noel J. Darce, Stephen J. Herman, Charles A. Landry, Tristan E. Manthey, Lance C. McCardle, Lori G. Mince, Cherie D. Nobles, William H. Patrick, E. Blair Schilling, Steven C. Serio, James R. (Jim) Swanson, and S. Scott Willis – Super Lawyers; Joseph A. Caneco, Kaja S. Elmer, Isabel A. Englehart, Ryan D. McNamara, Julie S. Meaders, Marina M. Speligene, Christen C. Triche, and Gabriel J. Winsberg – Super Lawyers Rising Stars

2026 Super Lawyers “Top” Lists

• Fishman Haygood, LLP (New Orleans): Stephen J. Herman, Top 10 Louisiana Super Lawyers, Top 50 Louisiana Super Lawyers, and Top 50 New Orleans Super Lawyers; Alicia M. Bendana, Top 25 Women Louisiana Super Lawyers, Top 50 Louisiana Super Lawyers, and Top 50 New Orleans Super Lawyers; Tristan E. Manthey, Top 50 New Orleans Super Lawyers and Top 50 Louisiana Super Lawyers; and Cherie D. Nobles, Top 25 Women Louisiana Super Lawyers

2026 LawDragon 500 Leading Global Bankruptcy and Restructuring Lawyers

• Fishman Haygood, LLP (New Orleans): Brent B. Barriere, Alicia M. Bendana, Tristan E. Manthey, Cherie D. Nobles, and William H. Patrick III.

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Louisiana Supreme Court Issues Law Day Resolution Encouraging Civic Outreach

The Louisiana Supreme Court has issued its annual Law Day resolution, recognizing May 1 as Law Day and designating May as Law Month in Louisiana. The resolution encourages judges and lawyers statewide to engage with students and educators to promote civic education and a better understanding of the judicial system.

Chief Justice John L. Weimer noted that Law Day provides an opportunity to reflect on constitutional principles and the responsibilities of self-government. He encouraged judges to visit classrooms and host students in courtrooms to discuss respect for the law, personal responsibility and the importance of education.

The Court also highlighted the Judges and Lawyers in the Classroom and the Students in the Courtroom initiative, a collaborative effort with the Louisiana Center for Law and Civic Education, the Louisiana Commission on Civic Education, the Board of Elementary and Secondary Education and other partners to advance civic literacy.

This year's outreach aligns with the American Bar Association's 2026 Law Day theme, "The Rule of Law and the American Dream." Law Day was established in 1958 by President Dwight D. Eisenhower and officially designated by Congress in 1961.

Louisiana Supreme Court Announces Judicial Administrator Transition

The Louisiana Supreme Court announces the retirement of Judicial Administrator Sandra A. Vujnovich and the appointment of Chief Deputy Administrator Brian P. Wiggins as her successor, effective April 1, 2026.

Vujnovich will continue to serve the Court in an advisory capacity as Judicial Administrator emeritus through July 1.

Vujnovich's career with the Court spans nearly four decades. She first joined the Louisiana Supreme Court in 1986 as a law clerk to Chief Justice John A. Dixon and returned in 1995 following time in private practice. She later served as executive counsel to multiple chief justices before being appointed judicial administrator in 2014.

During her tenure, Vujnovich led sig-

nificant efforts to modernize court operations, expand access to the courts and improve transparency across the state judiciary.

The Judicial Administrator's Office serves as the managerial arm of the Louisiana Supreme Court, supporting court operations, programs and the broader administration of the state judiciary.



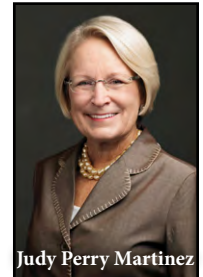
Sandra A. Vujnovich



Brian P. Wiggins

Judy Perry Martinez Named Louisiana Legends Award Recipient

Judy Perry Martinez, a graduate of Tulane University Law School and former president of the American Bar Association, has been named a recipient of the Louisiana



Judy Perry Martinez

Legends Award from Louisiana Public Broadcasting. The honor recognizes individuals whose careers have made a lasting impact on Louisiana, their professions and their communities.

Martinez currently serves as of counsel with Simon, Peragine, Smith & Redfearn in New Orleans and is widely respected for her leadership in complex litigation, ethics and compliance. She joined Northrop Grumman in 2003, where she managed litigation for the western United States and later served as vice president and chief compliance officer worldwide. Following her retirement in 2015, she was a fellow in the Harvard Advanced Leadership Initiative.

Within the LSBA, Martinez has held several leadership roles, chaired various committees and has been recognized with honors including the President's Award and the David A. Hamilton Lifetime Achievement Award.

A prominent leader at both the state and national levels, Martinez's service includes her tenure as ABA president, where she advanced initiatives supporting the rule of law and the legal profession. Her selection as a Louisiana Legends Award recipient reflects a distinguished career marked by leadership, integrity and a deep commitment to public service.

Louisiana Solicitor General Delivers Keynote at Young Lawyers Conference

Ben Aguiñaga, Louisiana’s solicitor general, delivered the keynote address at the 2026 Louisiana Young Lawyers Conference, held April 10 in New Orleans. The conference, themed “The Reel Future of Law,” was hosted by the LSBA Young Lawyers Division at the New Orleans Marriott – Warehouse Arts District and brought together attorneys from across the state for a day of education, networking and recognition.

Aguiñaga’s keynote, “The Big Stage: Advocacy, Innovation, and Lessons from the Highest Court,” highlighted his experience in appellate advocacy and public service. A graduate of Baylor University and the Louisiana State University Paul M. Hebert Law Center, where he graduated summa cum laude and first in his class, Aguiñaga has clerked for then-Justice Don Willett of the Supreme Court of Texas, Judge Edith Jones of the U.S. Court of Appeals for

the Fifth Circuit and Justice Samuel A. Alito, Jr. of the Supreme Court of the United States. He also served as chief of staff for the Civil Rights Division at the U.S. Department of Justice before practicing with Jones Day and returning to Louisiana in 2024.

As a young lawyer serving in a prominent statewide role, Aguiñaga’s remarks underscored the opportunities available to early-career attorneys and emphasized the importance of excellence in advocacy and continued professional development.

The conference offered up to 4.5 hours of CLE credit and featured a range of programming on trial skills, ethics and emerging issues in the profession. Sessions included presentations on opening and closing arguments, professional responsibility in the digital age and the use of artificial intelligence



Ben Aguiñaga, Louisiana’s solicitor general, delivered the keynote address at the 2026 Louisiana Young Lawyers Conference, held April 10 in New Orleans.

in legal practice. A panel discussion on leadership explored how attorneys can guide legal organizations in a changing industry.

The event also included a Young Lawyers Division awards presentation and provided attendees with opportunities to connect with peers from across Louisiana.



Ashley R. Hallene, Attorney at Law, Katy, TX and a speaker at the Specialty Bars Seminar.



Darleene D. Peters, Partner, Irwin, Fritchie, Urquhart, Moore & Daniels L.L.C., New Orleans, and a speaker at the Specialty Bars Seminar.



Jared E. A. Nelson, Associate, Galloway, Johnson, Tompkins, Burr & Smith, Lafayette and Micah J. Fincher, Attorney at Law, New Orleans were both speakers at the Member Outreach CLE Seminar in Lafayette.

Specialty Bars Seminar

On Aug. 22, 2025, the Specialty Bars CLE Seminar was held at the Ritz-Carlton Hotel in New Orleans. The program featured *The Modern Lawyer’s Tech Toolkit: Ethics, Efficiency, and the Future of Practice*, presented by Ashley R. Hallene, and *Let’s Chat GPS: Navigating Life and Work in the Legal Profession*, presented by Darleene D. Peters.

Member Outreach Seminar

On Jan. 8, 2026, the Louisiana State Bar Association and Lafayette Bar Association co-hosted the Member Outreach CLE Seminar at the Lafayette Bar Association in Lafayette, Louisiana. The seminar provided local attorneys and those in surrounding areas with the opportunity to earn up to two CLE credit hours and receive a photo bar ID.

2027 EXPERT WITNESS, CONSULTANT AND LEGAL SERVICES DIRECTORY

The Louisiana State Bar Association is publishing its Expert Witness, Consultant and Legal Services Directory. The supplement to the *Louisiana Bar Journal* will be printed separately and shrink-wrapped for mailing with the December 2026/January 2027 *Louisiana Bar Journal*. The directory is published annually, guaranteeing a year's worth of exposure in print and on the LSBA Web site.

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Louisiana Bar Foundation President's Message

Michael J. Mestayer Louisiana Bar Foundation 2026-2027 President



LBF: *Tell us a little bit about yourself and your family.*

Mestayer: I grew up in New Iberia, LA at a time when it was rather idyllic – a bit like Mayberry from the Andy Griffith days. I am one of seven children and the consummate middle child – two brothers and a sister older; two brothers and a sister younger.

Our home was on the Bayou Teche where my siblings and I had many adventures. I often say that I grew up on the banks of the Bayou Teche, but in truth, most of the time was spent in the Bayou Teche - swimming, rafting, boating, and fishing. My youth was spent outdoors with sports, Boy Scouts, and a lot of childhood “adventures.” My father was an Eagle Scout and so were my four brothers and I. At the time, the six of us made up the largest single family of Eagle Scouts in the country and my mother was awarded an honorary Eagle Scout badge in recognition. I’m not sure who was the most proud that day.

My wife, Suzanne, also grew up in New Iberia and we started dating in high school. This summer I will celebrate my 50th year practicing law and our 53rd year of marriage - which just goes to prove that I did something right. We are happy to have two children and four grandchildren, but unfortunately, they chose to live elsewhere because of greater opportunities – something that organizations like the LBF can help to remedy by making Louisiana a place that businesses and employees relish and appreciate.

Because of the seven children,

we had a rule at home that one of our family’s two cars had to be present in case of an emergency. Accordingly, when Suzanne and I started dating, I was number four on the waiting list to use the car, which meant that I needed to be creative. Suzanne’s family also lived on the Bayou Teche, so on occasion when I had no access to a car, I would take our pirogue and paddle down to her home for a visit. True story.

I started my legal career with a large maritime defense firm and then joined my former law school business partner in a legal practice where we handled many of the major maritime disasters in the New Orleans area. During law school, he and I had run a small school-sanctioned book store in the Tulane Law School lounge where we sold study aids, class note outlines, and some textbooks. It was a great opportunity to get to know our fellow students since everyone was looking for whatever help they could find.

I have been in solo practice since 2006 and have a general personal injury practice throughout the state. I also teach two courses at Tulane Law School concerning solo and small firm practice with a focus on practical skills to allow a small firm to compete with larger firms that have much greater resources and personnel. A secondary reason is to assure that new attorneys are better equipped to practice without taking shortcuts that might find them before the Office of Disciplinary Counsel.

LBF: *How did you get involved with the Louisiana Bar Foundation?*

Mestayer: Post-Katrina, I was asked to join the LBF as a Fellow, and despite not knowing anything about the organization, it seemed like a worthwhile endeavor. About 15 years ago, I was asked to serve a one-year term on the board and then was elected to a full three-year term. I rotated off the board twice after three-year terms and then was asked if I would be interested in the officer track, which I gladly accepted.

LBF: *Why do you think the LBF is important to the legal profession?*

Mestayer: As lawyers, we are often called officers of the court, but in truth, we are officers of the people. In our roles as advocates for our clients, we have the opportunity to right wrongs, to better peoples’ lives, and to seek true justice where injustice is seen. I realize that this is an idealistic view of the world and that oftentimes, injustice reigns and that we cannot right every wrong. I also realize that the legal profession cannot fix every problem – nor should it.

However, by our very efforts, we can keep the whole of society moving forward. The LBF is a critical building block in that effort to provide equal justice to all because it does the work that many in the legal profession would refuse as a result of the cost of legal practice. By filling that critical need for the legal profession as a whole, the “practice” itself is improved. Effort is great, but success is better. Even the small successes contribute in immeasurable ways.

LBF: *Why do you think the LBF is important to Louisiana?*

Mestayer: Just as the LBF lifts the legal profession as a whole, so, too, does it lift the entire state. With some of the highest poverty in the country, some of the lowest education in the country, and some of the least healthy citizens in the country, there are many needs in Louisiana. While the LBF cannot directly affect most of those needs, by addressing the civil legal needs of our population, we have the ability to effect real change.

The LBF not only provides critical legal help but does so in the most impactful way by measure of the Social Return on Investment (SROI). In fact, when compared to the other states, the LBF-funded programs have a greater benefit per capita to our citizens than almost any similar program in the country. We can and should all be proud of that fact. Where there is great need, there is great work that can be done. I guess that is the proverbial double-edged sword.

LBF: *What role does the LBF play in the Louisiana civil legal aid network?*

Mestayer: With its network of over 70 organizations and its position as the largest funder of civil legal aid in the state, the LBF is keenly situated to assess the needs to those organizations and to meet those needs with financial resources. I like to think that we are the pizza maker, continuously trying to decide how the slices should be cut in the most impactful and meaningful way.

LBF: *What do you see as the biggest challenges facing civil legal aid in Louisiana?*

Mestayer: By far, the biggest challenge is lack of knowledge of the need, followed quickly thereafter by the lack of knowledge of the impact that civil legal aid plays in the lives of the thousands of Louisianans the LBF grantees are able to help each year. This challenge pre-existed the inception of the LBF.

Everyone is familiar with the notion that any person accused of a crime has the right to legal representation, but

few realize that no one has a RIGHT to free civil legal aid. Yet, many times the severity of the situation for civil legal aid far exceeds the severity of a criminal sentence. I certainly would not make light of the deprivation of liberty, but oftentimes once the sentence has been served, the accused has the ability to move on with their life. A battered spouse, a neglected child, a disabled Veteran, or the myriad of other civil calamities with which the LBF grantees deal on a daily basis often concern a lifetime of despair and need.

LBF: *What do you hope to accomplish this year as LBF president?*

Mestayer: The short answer is clear – civility, pure and simple. Our nation and our state have become so polarized and mean-spirited. We are a country of great opportunity, great empathy, and great equal justice, and yet, that aspect of America is seldom seen, or at least, seldom emphasized by the media or social media. Despite the fact the LBF has grants of about \$15 million annually to help those in need of civil legal aid, and despite the fact that such aid directly impacts over 40,000 cases each year, those good deeds, reflective of the kindness of our fellow citizens, are overshadowed by all of the negative press.

As expansive as the LBF grant program is, we still only impact the lives of a small part of those in need of civil legal aid. Louisiana has about 20,000 lawyers, but many are unaware of the fact that the Louisiana Bar

Foundation is not the Louisiana State Bar Association. Many are also unaware of the good work of the LBF. My goal is to let everyone in Louisiana know who the LBF is and what we do so that, with a little knowledge, perhaps we can channel some of that negative energy into cooperative good.

I ran track in high school and was the first leg in the 4 x 100 and 4 x 200 relays [they were called 440 and 880 relays in those days], so I appreciate the value of a clean handoff of the baton. It takes hours of practice and precision teamwork to make the difference between a winner and everyone else. We are fortunate to have that teamwork in place for the LBF Board leadership and the LBF staff to assure a smooth transition year after year. With that in place, I am very optimistic.

LBF: *What is your favorite memory with the LBF so far?*

Mestayer: This is an easy question to answer. When I attended my first LBF Board meeting where a representative group of grantees spoke about their programs, their needs, and their appreciation of the assistance of the LBF, I was both impressed and saddened – impressed by the hard work and dedication of these individuals who, for little or no compensation, care deeply about total strangers in need; saddened by the vast numbers of individuals who are beyond the reach of the LBF and its grantees.



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Hot Air or Healthy Ventilation?

By E. Phelps Gay



As a young lawyer, circa 1979, I enjoyed attending “Motion Day” (Wednesdays) at federal court and “Rule Day” (Fridays) at state court. There, I could observe the community of judges and lawyers engaged in oral argument, learning lessons on how to argue effectively (or not) and how to respond to judges’ questions.

Almost without exception, the arguments were succinct and well-prepared, although frequently the lawyers were interrupted by judges—also well-prepared—posing pertinent, challenging questions. I remember thinking: you can read all you want about oral argument, but there is no substitute for being there, watching it in action, and doing it yourself.

A byproduct of these events was that you got to know your colleagues, on both the plaintiff and defense side, most of whom were happy to welcome a new lawyer into the fold, and to see how judges interacted with lawyers.

Today, oral arguments in federal district court are generally allowed only when ordered by the court. “All other motions shall be decided . . . on the basis of the record.”¹ Many contend, not without merit, oral argument is a waste of time, a lot of hot air from lawyers regurgitating what they have already said in their briefs. During oral argument many judges may be thinking—again, not unreasonably—they could be spending their time more productively by reading briefs and drafting Orders and Opinions in their chambers.

According to this view, oral argument is obsolete, a relic of a bygone era. Why not just submit all motions on the briefs?

Dissenting from this notion was my late mentor, William K. Christovich. A master communicator, he was a lively writer (no clunky legal jargon for him), but where he really lit up the room was at the podium or in front of the jury box. With his compelling voice, vivid vocabulary, and irresistible rhythm, he gave his listeners the distinct impression that his point of view was not simply the better side of the argument; it was the only conclusion any fair-minded person could possibly reach. His power of persuasion was rooted not only in logic but in our common humanity and sense of right and wrong. If you were on the opposing side, by the time Bill Christovich was winding down his argument, you knew your client was in trouble.

So how did this “lion of the Bar” react when federal courts began to limit oral argument?

In 1998, for this magazine, I interviewed the previous four

winners of the Curtis R. Boisfontaine Trial Advocacy Award, bestowed by the Louisiana Bar Foundation on “a Louisiana attorney who exhibits longstanding devotion to and excellence in trial practice and upholds the standards of ethics and consideration for the court, litigants, and all counsel.” Those four were Bill Christovich, Pat Juneau, Gene Lafitte, and John “Spike” Scofield. Here is a lightly edited excerpt:

EPG: Has the decline of oral argument been a good or bad development?

Christovich: I think it’s horrible. In the 1950s and through the early 1960s, there were two judges in the U.S. District Court for the Eastern District of Louisiana: Skelly Wright and Herbert Christenberry. If you would go down to their court any Wednesday, you would see some of the finest trial lawyers of their day arguing cases. We used to go down there and sit in the jury box, if the judge would allow us to do that, or in the first row, so we could hear. There was no better way to understand the mechanics of trial law and motion practice than that. If a judge has a problem with what the issues are, what better way to find out than to talk to the lawyer?

Scofield: At the last Fifth Circuit Judicial Conference, there was a discussion about that, and one of the earlier advocates of no oral arguments was Judge Pappy Little of Alexandria. The discussion went on, and Pappy was sitting at the head table by the rostrum. He got his dander up and made a very eloquent plea for not having oral argument. If you can’t say it in your brief, then you can’t say it at all, and on and on he went, very well stated. After he got through, I couldn’t resist saying: “Pappy, you’d have never made that point nearly as well on paper.”²

Christovich to Lafitte: Gene, do you think I’d get into trouble if I wrote to the Fifth Circuit and told them they could save time and money just by submitting the Judicial Conference on briefs?

Lafitte: I would counsel against that.³

It is worth noting we’ve come a long way. Once upon a time it was all about oral argument. According to attorney Mark A. Neubauer, in the old English courts “barristers never submitted a written brief, relying instead on their oral skills.” In the landmark case of *Gibbons v. Ogden* (1824), Daniel Webster argued for two and half hours on the first day, with



oral arguments stretching out over five days. Back then, a lawyer's "brief" was simply a list of points the lawyer intended to cover during oral argument.⁴

"Not until 1843," Neubauer notes, "did the U.S. Supreme Court allow briefs to be presented in lieu of oral argument," and not until 1849 did the U.S. Supreme Court "limit" oral argument to two hours per side, "forcing written briefs as a necessity." This was later reduced to one hour per side (1925) and then the current 30 minutes per side (1970). By the 1980s, "courts turned increasingly to relying solely on the briefs because of their heavy caseload."⁵

A "dramatic consequence" of the decline of oral argument, Neubauer asserts, is the loss of one of the most important lawyering skills, "the ability to think on your feet, to act calmly and articulately when that inevitable curveball comes your way from a judge's probing questions." Generations of lawyers, he adds, "are missing out on an opportunity to joust and spar through the spoken rather than the written word."

Neubauer concludes: "So many of us were educated on the Socratic method, the asking of questions that forced us to think and analyze." A key to effective argument "is having a prepared judge—a judge who has read the pleadings, who has tough questions for both sides, and who engages in a dialogue with the advocates to search for the right result." Too often, he laments, "judges sit stony-faced during oral argument, ask no questions, and then either take the case under submission to issue a written opinion prepared by one of their law clerks or read into the record the law clerk's bench memo to announce their decision," leaving the impression they were not open to changing their mind.

To be clear, I bring no special expertise to this subject,

and I understand and respect the opinions of those who embrace either side of this issue. My modest observation is that since we have two distinct forms of communication—writing and speaking, each with strengths and weaknesses, we might consider the benefits of utilizing both to make sure the issues are fully ventilated before a significant issue is decided.

Ventilation, according to Merriam Webster, means "the provision of fresh air to a room or building; or the supply of air to the lungs." In a legal context it means to "examine, discuss, or investigate freely and openly."

In that 1998 interview, the late Gene Lafitte observed:

"In most cases, there are things that ought to be fleshed out, and the judge ought to have questions about the respective positions of the parties that can only be developed in oral argument. It does require an investment of time, but I think the litigants are entitled to it. If the judge does that kind of work, it's going to help him or her in handling that case overall. As he goes from point to point, he gets immersed in it in a way he will not if he just has a talk with his law clerk about the briefs."

Finally, let's not overlook the lessons lawyers learn about what not to do when observing other lawyers at work. Here, I confess I contributed to this educational process during my last oral argument before a federal court of appeal. Wrapping up an impassioned plea on behalf of my client, I saw the podium's red light illuminate, indicating my time was up. Thinking it critically important to finish my final point and believing (or deluding myself) that I was "connecting" with the appellate panel, I pressed on for another minute. At the end of this peroration, one of the federal judges looked at me quizzically and asked: "Mr. Gay, what part of that red light do you not understand?"

FOOTNOTES

1. See, e.g., Rule 78.1 of the U.S. District Court, Eastern District of Louisiana and Rule 78(b) of the Middle District of Louisiana. In the Western District judges have authority to decide motions on the written briefs in accordance with Rule 78(b) of the Federal Rules of Civil Procedure. Under Rule 34 of the Federal Rules of Appellate Procedure, if oral argument is requested the court must allow it unless a panel of three judges agrees it is unnecessary. See also, Rules and Internal Operating Procedures of the United States Court of Appeal for the Fifth Circuit (December 2025).

2. Judge Frank A. "Pappy" Little, Jr. (1936-2024) served as Judge of the U.S. District Court for the Western District of Louisiana for 22 years and was a pioneer in Louisiana trust law.

3. *Louisiana Bar Journal*, Vol. 46, No. 4, pp. 312-315 (December 1998)

4. See www.supremecourthistory.org, A Pictorial History of Oral Argument.

5. *The Disappearing Oral Argument*, Jan. 21, 2022, by Mark A. Neubauer. Originally published in *Litigation*, a publication of the ABA Litigation Section, the article is accessible at www.CarltonFields.com.

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