

LOUISIANA BAR JOURNAL

October / November 2026

Volume 74, Number 3

PRACTICE, PRESSURE & PERSPECTIVE

A STRONGER
PROFESSION
TOMORROW

INSIDE:

Substance Abuse in Louisiana

Legal Practice:

*Attorney Discipline and
Paths to Recovery*

Professionalism:

Maintaining the Work/Work Balance



A professional headshot of Chad M. Garland, a middle-aged man with short, graying hair, smiling. He is wearing a dark gray suit jacket, a light blue dress shirt, and a red tie with thin white and blue diagonal stripes. The background of the photo is a soft-focus blue and green.

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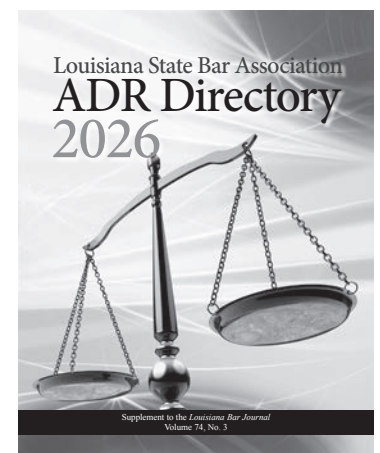
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Taking Care of Our Own:

Excellence without Exhaustion

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



Lawyers are good at taking care of other people. We advocate for our clients, solve their problems and help them navigate some of the most difficult moments of their lives. But we are not always as good at taking care of ourselves.

That is one of the reasons I wanted this issue of the *Louisiana Bar Journal* to focus on lawyer wellness. The articles address work-life balance, substance abuse and recovery. I also had the privilege of interviewing Dr. Angela White-Bazile, executive director of the Louisiana Judges and Lawyers Assistance Program (JLAP), about burnout, vulnerability and building a more supportive legal profession.

I spent six years on the JLAP Board, including serving as its president. That experience gave me a different perspective on our profession. I saw that the lawyer who appears to have everything together may be struggling privately. Professional success does not necessarily mean personal well-being.

In my conversation with Dr. White-Bazile, one observation particularly stuck with me: Lawyers need to stop wearing burnout “as a badge of honor.”

It is easy to recognize the culture she describes. We talk about the late nights, the packed schedules, the calls answered on vacation and the hours spent working. Sometimes, it can feel as though being exhausted is proof that we are committed.

But working hard and being perpetually exhausted are not the same thing.

The practice of law will always demand a great deal of us. Our clients depend on us, and our professional obligations do not disappear when life gets complicated. There will be long days and difficult seasons. But we should not confuse those realities with the idea that taking care of ourselves is somehow a sign of weakness or a lack of dedication.

We should check on our colleagues. We should encourage young lawyers to maintain lives outside the law. We should make it possible for people to take a vacation without spending

the entire time answering emails. And we should recognize that asking for help is not a failure of professionalism.

We should continue to expect excellence from ourselves and one another. But excellence should not require us to sacrifice our humanity. We are lawyers, and we have important work to do. We are also people, with lives and responsibilities beyond our practices.

This issue is a reminder to take care of both.



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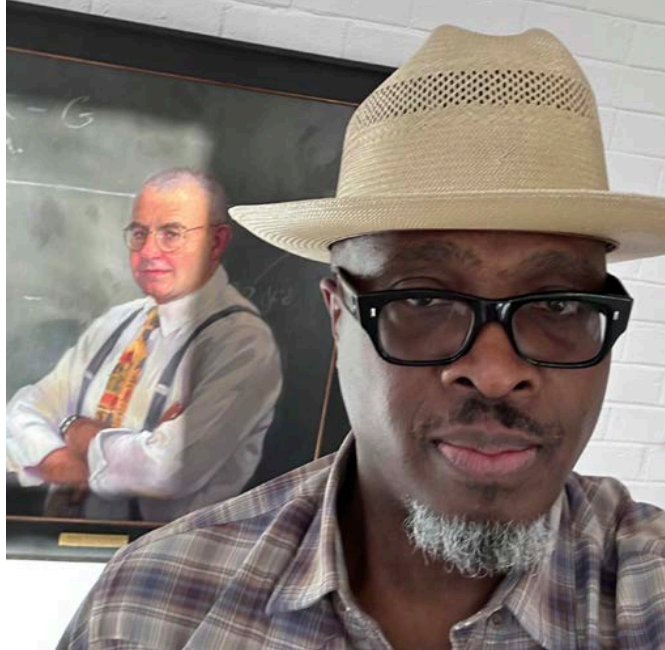
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Get thinking! Get writing! We hope to hear from you.

The Empty Cup

*By Curtis R. Joseph, Jr.
Louisiana State Bar Association
2026–27 President*



As he prepared to leave home to fight in the Trojan War, Odysseus placed the care and custody of his palace and his son, Telemachus, in the hands of his trusted friend, Mentor. At the time of Odysseus' departure, Telemachus was only an infant. As the story goes, approximately twenty years passed before Odysseus' return to Ithaca. By then, young Telemachus had come of age. Given this paradigm, we can easily see how vital Mentor's role was to Telemachus' maturation. Without Mentor's guiding hand, the young man wouldn't know what he didn't know.

Modern usage of the term "mentor" signifies someone who imparts wisdom to and shares knowledge with a less-experienced colleague. Although Homer wrote of the mythological Mentor near the end of the 8th century BCE, the current connotation only dates to the 1700s. Nevertheless, it is a concept as old as time itself and one that has been recounted across many cultures. That said, one of my favorite iterations is the story of a wise Zen master, who drew people from afar to seek his help. In turn, the master would teach his students and show them the way to enlightenment. On one such occasion, the master received a visit from a particular scholar, who said, "I have come to ask you to teach me about Zen." However, it was immediately obvious to the master that the would-be scholar was already full of his own opinions and perceived knowledge. By that, he often interrupted the master, and he typically spent more time speaking than listening.

Ultimately, the master suggested that they have tea. While pouring tea for his guest, the master continued to pour, even after the cup overflowed and spilled onto the table, the floor and the scholar's clothing. Confused by the master's actions, the scholar cried, "Stop! The cup is full already. Can't you see?" To this, the Zen master smiled and calmly replied, "You are like this cup — so full of ideas that nothing more will fit in." And, with that, the master sent the student away, only to return when he could do so with an empty cup. In this regard, the master illuminated the fact that the mentor-mentee relationship, like most relationships, operates on a two-way street, with each party bearing the responsibility for playing their re-

spective role.

As I approach my third decade in the practice, I find that I spend more time relying upon the lessons that my various mentors have imparted upon me. To that point, as I take part in our Memorial Exercises at the Louisiana Supreme Court, my mind drifts to the many mentors from whom I've been blessed to learn.

During my first year of law school at Washington and Lee, I was effectively a fifth-year senior because I'd also attended Washington and Lee for undergrad. I had my fair share of friends "on the other side of the river." I was playing drums in a band and living my best life. It all changed in an instant. I entered the law school one morning and prepared to enter Professor Roger Groot's Criminal Procedure class. Groot had other plans. He was standing outside the classroom like a centurion, arms folded. As I approached the classroom, he looked me squarely in the eye and said, "Mr. Joseph, you can do better and you will do better." My sheepish response, "Yes, Sir." Groot: "Do we understand one another?" Curtis: "Yes, Sir." At that point, Groot stood aside and allowed me to enter the classroom.

By the end of the following school year, I found myself routinely in Groot's presence. He'd selected me to join his Alderson Legal Practice Clinic, performing work for the female inmates at Alderson Federal Prison Camp in West Virginia. As we drove to the prison camp one afternoon, I asked Groot how it was that I came to be one of the students in his clinic. He looked at me and said that it was an all-women's prison camp, and I was a handsome fella. Wait, what? We drove a few miles and then he said, "You never want it to be said that you have a lot of potential." We drove in silence for about 15 miles and, then, it hit me like a wet rag. He saw talent in me that was not being realized.

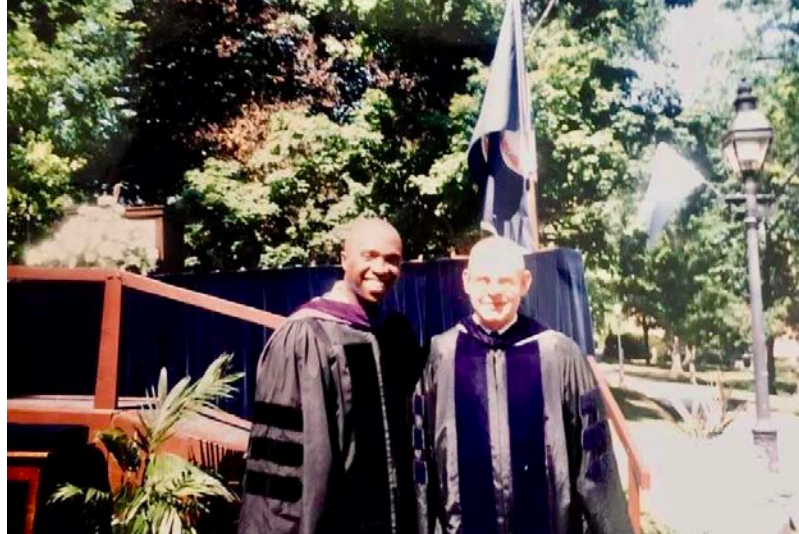
A few years later, when I passed the Louisiana bar exam, I actually called Groot before I called my mother. He was the person I wanted to share the news with first. I asked him what it was that he'd seen in me at a time that I didn't see it in myself. He said he'd seen a boatload of talent with no

direction. He told me that I'd be an amazing leader once I figured it out.

Beyond those who have assisted me throughout my legal career, I thought of Mrs. Culpepper, my 4th grade teacher, who encouraged me to record my thoughts, and to spend time expressing myself through the written word. I thought of Georgia Lee, my high school history teacher, who nurtured my penchant for studying history and politics. I thought of Eddie Kozak, my drum teacher, who did not suffer fools. Notwithstanding my mother, Mr. Kozak may well have been the most demanding teacher that I've had. Succinctly put, my list of Zen masters goes on ad nauseam and applies across many disciplines.

According to the prevailing notion of his day, conventional wisdom held that Socrates was the wisest of all. However, for his part, Socrates offered, "I know that I know nothing." As lawyers, we continue to reap benefits from having learned law through the Socratic method. Although the method itself may have intimidated us, it taught us to become critical thinkers and to approach the law from an intellectual standpoint. Nevertheless, in Abraham Lincoln's era, most lawyers did not attend law school. Custom of the day dictated that would-be lawyers often "read law" under established lawyers. In that regard, reading law was tantamount to an internship or an apprenticeship under the watchful eye of a seasoned lawyer.

Succinctly put, the art of the mentor is to see that kernel embedded within the mentee and to draw it out. Throughout our lives, we will encounter various types of mentors. Some



Curtis R. Joseph, Jr. and Professor Roger Groot at Washington and Lee University's graduation ceremony. Photo courtesy of the Joseph family.

will assist us in honing our craft. Some will champion our cause. Others will lend an ear in times of need. From time to time, the mentee may even assume the role of mentor. That said, the relationship presupposes a measure of reciprocity. Trust, however, that the relationships forged in the process will last a lifetime. To those of us who are now through the looking glass, I ask, "Who are you mentoring?" And, to the would-be mentee, I ask, "Are you holding up your end of the bargain?"

My kindest regards,
Curtis - #86

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Professionalism: Maintaining the Work/Work Balance

By James W. (Jim) Standley IV



The legal profession has long celebrated endurance, commitment and relentless advocacy. Attorneys are expected to devote themselves fully to their clients, their firms and the pursuit of justice. Success in the profession is frequently measured by productivity, availability and reputation. Lawyers pride themselves on long hours, exhaustive preparation and an unwavering willingness to outwork their opponents. These qualities undoubtedly contribute to professional excellence and personal pride. Yet, they also create a dangerous paradox: The very traits that fuel success in the legal profession often place lawyers at heightened risk for burnout, depression, substance abuse and even suicide.

The modern lawyer increasingly faces a reality in which work no longer ends at the office. Technological advances, remote access and client expectations have blurred the distinction between professional and personal life. While these developments have increased efficiency and responsiveness, they have also intensified the pressure to remain constantly connected and perpetually available. For many attorneys, the result is not simply a difficult balancing act between work and life, but rather a “work/work” balance in which professional obligations consume nearly every aspect of daily existence.

This article examines the troubling mental health trends within the legal profession, the causes and consequences of chronic overcommitment and the importance of recognizing the necessity of breaks and boundaries. It also explores practical and philosophical approaches toward developing healthier professional habits while maintaining

the high standards expected of legal practitioners.

The Mental Health Crisis in the Legal Profession

The legal profession faces a profound and well-documented mental health crisis. According to the Judges and Lawyers Assistance Program (JLAP), approximately one-third of lawyers and judges suffer from depression, which remains the leading cause of suicide. Lawyers and judges reportedly experience the highest suicide rate of any profession — approximately six times that of the general population. In addition, members of the legal profession are twice as likely as the general public to develop substance abuse disorders and other addictions.

These statistics are neither isolated nor speculative. A Johns Hopkins University study examining 105 professions found that lawyers and judges ranked highest in the incidence of major depression. Researchers have consistently identified perfectionism as a major contributing factor. Lawyers often possess an intense fear of failure and a relentless drive to avoid mistakes. While such characteristics may produce exceptional legal work, they also create fertile ground for chronic anxiety, emotional exhaustion and self-destructive thinking.

Recent studies further illustrate the scope of the problem. In an April 15, 2025 report, Bloomberg Law surveyed more than one thousand legal professionals regarding workplace habits, stress levels and career satisfaction. The findings were alarming. 97% of respondents reported regularly working outside the office, while 73% acknowledged working during at least half of their days off. On average, attorneys reported feeling burned out 42% percent of the time during 2024, with mid-level and senior associates experiencing burnout

at even higher rates.

The Bloomberg survey also highlighted a growing inability among lawyers to maintain boundaries between their professional and personal lives. More than half of respondents indicated that tracking billable hours and professional obligations had become inefficient and overwhelming. According to Mat Rotenberg, Product Strategy Director at Bloomberg Law, legal professionals are consistently subjected to long hours and intense demands that negatively impact both well-being and productivity. The implication is clear: Burnout is not merely a personal problem; it is also a systemic issue affecting the profession as a whole.

Suicide, Stress and Substance Abuse

The connection between the legal profession and suicide risk has become increasingly difficult to ignore. A June 26, 2024 article published in *Psychology Today* by Simon Sherry and Noelle Segato noted that many lawyers who contemplate suicide identify their profession as a major contributor to deteriorating mental health and increased substance abuse. Some attorneys reported considering leaving the profession entirely because of the burnout and emotional strain associated with legal practice.

The statistics are sobering. While approximately 4.3% of Americans report having contemplated suicide, studies estimate that approximately 8.5% of lawyers have experienced suicidal ideation. This disparity underscores the uniquely intense pressures placed upon attorneys.

Further insight appears in the February 2023 article, “Stressed, Lonely, and Overcommitted: Predictors of Lawyer Suicide Risk,” authored by Patrick R. Krill, Hannah M. Thomas,

Meaghyn R. Kramer, Nikki Degeneffe and Justin J. Anker. The authors observed that lawyers are particularly susceptible to anxiety, depression, alcohol abuse and drug use. Their nationwide study involving approximately 13,000 lawyers found that:

- ▶ 28% experienced depression;
- ▶ 19% suffered from anxiety;
- ▶ 21% demonstrated problematic alcohol use; and
- ▶ 11% experienced drug-related problems.

The study also emphasized the role of stress and loneliness. Lawyers often perceive their lives and workloads as unpredictable, uncontrollable and overwhelming. At the same time, many experience social isolation despite constant interaction with clients, courts and colleagues. Loneliness, particularly when combined with chronic stress, is a recognized predictor of suicidal ideation.

Importantly, the profession itself contributes to these conditions. Attorneys are routinely expected to manage complex legal matters, meet demanding deadlines, maintain impeccable professionalism and satisfy client expectations—all simultaneously. The cumulative effect frequently leads to burnout and emotional exhaustion.

The Problem of Overcommitment

One of the less discussed, yet deeply significant, contributors to lawyer burnout is overcommitment. Lawyers are often driven by a sincere desire to help clients, support colleagues and fulfill family obligations. At the same time, many attorneys possess an ingrained fear of disappointing others. This combination frequently results in taking on responsibilities beyond one's realistic capacity.



Overcommitment can initially appear admirable. Lawyers who consistently volunteer for additional cases, committees, leadership roles or professional obligations are often praised for their dedication. However, when every request receives a “yes,” personal well-being inevitably suffers.

The legal profession rewards responsiveness and reliability, but there is a significant difference between dedication and self-destruction. Chronic overcommitment leaves little room for recovery, reflection or personal fulfillment. Over time, the result may include exhaustion, irritability, deteriorating mental health, strained relationships and declining professional performance.

Moreover, work-family conflict has emerged as another significant predictor of stress and suicidal ideation. Research by Anker and Krill found that lawyers experiencing difficulty balancing professional and family responsibilities also reported elevated stress levels and increased attrition due to burnout. As attorneys become increasingly consumed by work obligations, relationships with spouses, children and friends often deteriorate. Ironically, the pursuit of professional success may ultimately damage the very personal foundations necessary to sustain long-term professional excellence.

Recognizing the Need for Breaks

Despite overwhelming evidence regarding burnout and mental fatigue, many attorneys continue to resist taking breaks. Common justifications include the belief that there is insufficient time, that clients require constant availability or that stepping away demonstrates weakness or lack of commitment.

In reality, breaks are not signs of laziness; they are essential components of sustained productivity and sound judgment. Mental fatigue affects cognitive performance in much the same way physical exhaustion affects the body. Concentration diminishes, creativity declines and emotional resilience weakens.

Often, temporarily stepping away from a stressful issue provides precisely the perspective needed to address it effectively. A brief walk, time with family, exercise, prayer, reading, music or any restorative activity may allow an attorney to return with greater clarity and focus. The mind, much like a muscle, requires periods of recovery in order to perform optimally.

Unfortunately, the culture of the legal profession has historically celebrated exhaustion as evidence of commitment. Young attorneys, in particular, may

feel pressure to demonstrate constant availability in order to establish credibility and advance professionally. However, a profession that normalizes chronic depletion risks undermining both lawyer well-being and client service.

Reframing Professional Success

The encouraging reality is that maintaining a healthier balance is possible, even within the demanding environment of legal practice. Importantly, balance does not look identical for every lawyer. Practice areas differ dramatically. Trial attorneys, transactional lawyers, solo practitioners, public defenders, prosecutors and judges all face unique demands. Likewise, personal obligations vary depending upon family circumstances, financial pressures and individual priorities.

Achieving balance is therefore less a fixed destination than an ongoing process requiring continual reassessment and adjustment. As careers evolve, so too must the strategies employed to maintain personal well-being.

A central component of this process involves mindset. Lawyers must begin viewing personal wellness not as an obstacle to professional achievement, but rather as a prerequisite for it. An attorney who is emotionally exhausted, chronically stressed or mentally depleted cannot consistently provide the highest quality representation.

Accordingly, one of the most important commitments a lawyer can make is a nonnegotiable commitment to personal well-being. This includes establishing boundaries, recognizing limitations and understanding that rest and recovery are not indulgences, but necessities.

Practical strategies may include:

- Setting designated periods during

which work communications are limited;

- Prioritizing exercise, sleep and proper nutrition;

- Developing hobbies and interests outside the practice of law;

- Seeking professional counseling or assistance when necessary;

- Utilizing lawyer assistance programs such as JLAP;

- Delegating responsibilities when appropriate; and

- Learning to decline obligations that exceed realistic capacity.

These practices are not incompatible with professionalism. To the contrary, they promote clearer thinking, greater emotional stability, improved client service and long-term career sustainability.

Conclusion

The legal profession remains one of immense purpose, intellectual challenge and public importance. Lawyers serve critical roles within society and often carry enormous responsibility on behalf of their clients. Yet, the profession must also confront the reality that the culture of constant availability and relentless overcommitment carries significant human costs.

The statistics surrounding lawyer depression, burnout, substance abuse and suicide are alarming and cannot be dismissed as isolated incidents. They reveal systemic issues that demand both institutional awareness and personal reflection.

Professionalism should not require self-destruction. Rather, true professionalism includes recognizing the importance of maintaining the mental, emotional and physical health necessary to serve clients competently and ethically. Maintaining a healthy “work/work” balance is not about avoiding hard work; lawyers will always

work hard. Instead, it is about ensuring that dedication to the profession does not come at the expense of one’s well-being, family or humanity.

Ultimately, lawyers perform at their highest level not when they are perpetually exhausted, but when they are healthy, focused and fully present. The profession benefits when its members recognize that taking care of themselves is not contrary to professionalism — it is essential to it.

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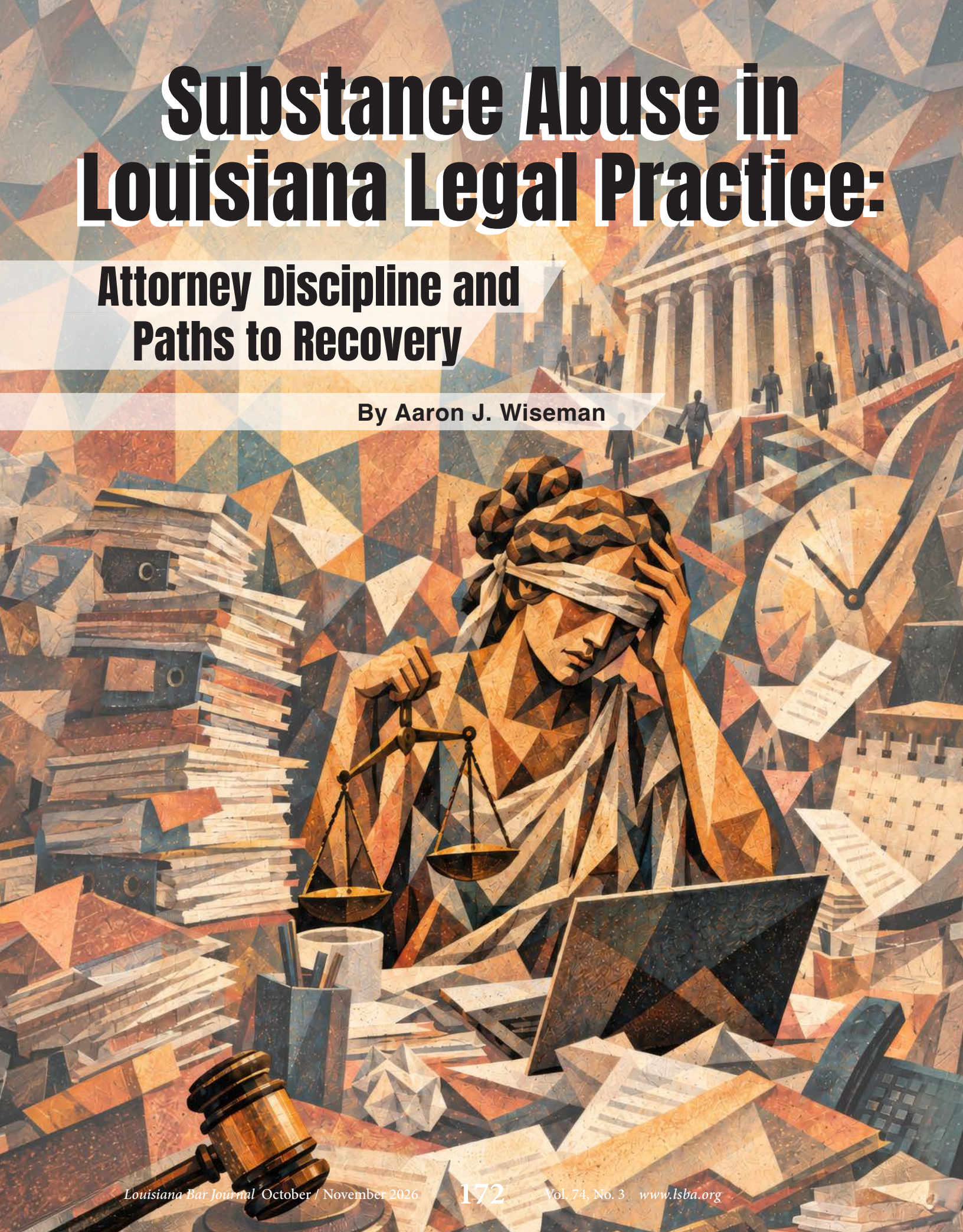
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Substance Abuse in Louisiana Legal Practice:

Attorney Discipline and Paths to Recovery

By Aaron J. Wiseman





ubstance abuse in the legal profession is an important topic for our state bar because of the harm it can and does cause to the attorneys themselves, their families, their clients, the judiciary and opposing counsel. For the time period of November 2025 to March 2026, the Louisiana Supreme Court decided 25 cases related to attorney discipline.¹ Six of those cases involved alcohol, drugs or referrals to the Judges and Lawyers Assistance Program (JLAP).²

Last year, a national study by the ABA Commission on Lawyer Assistance Programs and the Hazelden Betty Ford Foundation showed that approximately 21% of lawyers and others in the legal profession were considered “problem drinkers.”³ As the survey added more specific questions to the surveyed participants, it showed approximately 36% of attorneys struggled with alcohol abuse.⁴ Over 9% of attorneys were found to struggle with prescription drug abuse.⁵ Statistics for attorney use of illicit drugs such as cocaine and heroin were difficult to reliably monitor as most people aren’t willing to admit such use.⁶ As the statistics show, attorney substance abuse is alarmingly prevalent. It logically follows that substance abuse is a contributing factor to many attorney disciplinary proceedings.

There are certain Louisiana Supreme Court Rules that focus on substance abuse. For example, Supreme Court Rule XIX, § 24(E) provides that if a lawyer previously suffered from a physical or mental disability or infirmity at the time he was suspended or disbarred, including alcohol or other drug abuse, it’s required the disability or infirmity has been removed.

Rule XIX, § 24(E) further provides that if alcohol or drug abuse was a causative factor in the lawyer’s previous misconduct, there are three requirements the lawyer must satisfy.⁷ First, the

lawyer must pursue and comply with the treatment recommendations of JLAP.⁸ Second, the lawyer must offer evidence of sustained abstinence from addictive substances or processes and/or has offered evidence of compliance with recommended healthcare regimen prescribed by provider(s) that meet JLAP standards.⁹ Lastly, a health care provider or team of providers that meets JLAP standards, who has been involved with the care of the lawyer, must indicate in writing that the lawyer’s prognosis is sufficiently good to predict that the lawyer will continue to manage any condition or disability effectively.¹⁰

The Louisiana Rules of Professional Conduct are also significant for attorney discipline involving substance abuse. Rule 8.4(b) states that it is professional misconduct for a lawyer to commit a criminal act, especially one that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects.¹¹ This rule can quickly become relevant in attorney disciplinary proceedings if an attorney faces criminal charges for a DUI or drugs.

Generally, sanctions for lawyer misconduct are decided based on the following factors: whether the lawyer has violated a duty owed to a client, to the public, to the legal system or to the profession; whether the lawyer acted intentionally, knowingly or negligently; the amount of the actual or potential injury caused by the lawyer’s misconduct; and the existence of any aggravating or mitigating factors.¹² In the following two cases, the Louisiana Supreme Court provides insight into the aggravating and mitigating factors it considers for deciding attorney disciplinary proceedings involving substance abuse.

In re Mollere, 2024-00160 (La. 4/9/24), 382 So.3d 820 presents a case where an attorney was disbarred. On June 15, 2021, the attorney was arrested and charged with possession of cocaine and possession of a firearm while in

possession of a controlled dangerous substance.¹³ On July 28, 2021, the attorney entered Palmetto Addiction Recovery Center (Palmetto) for inpatient treatment.¹⁴ However, against medical advice, the attorney left Palmetto after 22 days.¹⁵ Before the attorney left, he was diagnosed with several types of substance use disorders, categorized as severe.¹⁶ Palmetto recommended that he immediately complete a long-term inpatient program and then sign a five-year JLAP recovery agreement.¹⁷

During his sworn statement to the Office of Disciplinary Counsel (ODC), the attorney admitted he had used cocaine with a client prior to and on the day of his arrest, that the narrative in the arrest record was substantially accurate, and that he converted between \$30,000 and \$40,000 of his parents’ money to fuel his “continuing [drug] use.”¹⁸ He further admitted that he had no contact with JLAP since July 2021 and that he continued to use illegal drugs.¹⁹

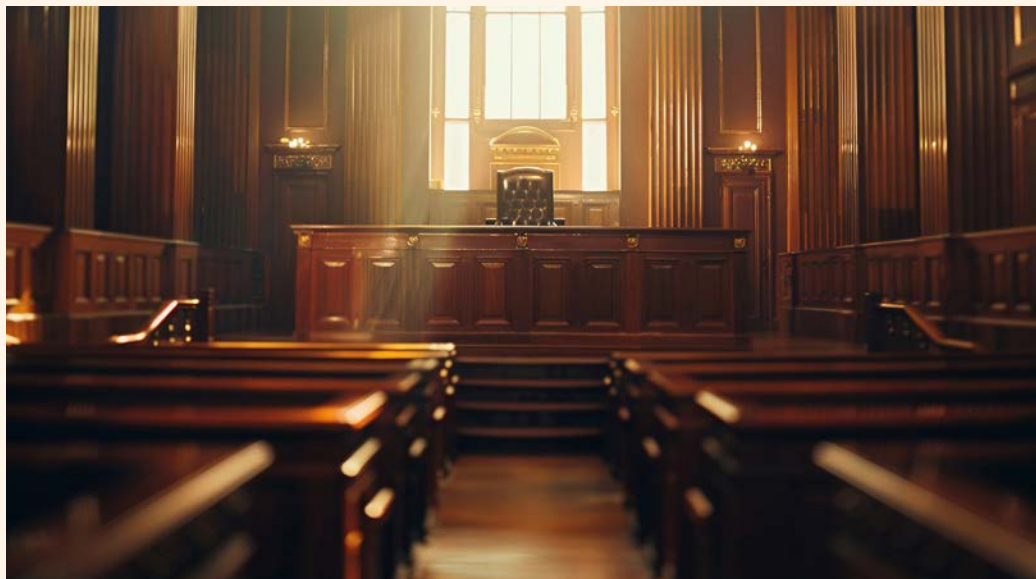
In the disciplinary proceeding, ODC alleged the attorney committed several violations of the Rules of Professional Conduct, including knowing failure to respond to a lawful demand for information from a disciplinary authority, failure to cooperate with the ODC in its investigation and commission of a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer.²⁰ The attorney also faced numerous allegations that he failed to act with reasonable diligence and promptness in representing a client and mishandled client funds.²¹ The attorney never answered the charges brought by ODC.²²

The hearing committee found that the attorney violated the Rules of Professional Conduct and duties owed to his clients, the public, the legal system and the legal profession.²³ The hearing committee found the following factors in aggravation: (1) a dishonest or selfish motive; (2) a pattern of misconduct; (3) multiple offenses; (4) bad faith obstruction of the disciplinary

proceeding by intentionally failing to comply with the rules or orders of the disciplinary agency; (5) indifference to making restitution; and (6) illegal conduct, including that involving the use of controlled substances.²⁴ The only mitigating factor considered was the absence of a prior disciplinary record.²⁵ The hearing committee recommended the attorney be disbarred and to make full restitution to his clients, a client's medical provider, parents and the Louisiana State Bar Association's Client Assistance Fund.²⁶ The court adopted the hearing committee's recommendation.²⁷

In re Blanche, 2012-0552 (La. 6/22/12), 90 So.3d 1034 presents similar facts to *In re Mollere*. Yet, the outcome was much different. In January 2011, ODC filed formal charges against the attorney.²⁸ The charges were deemed admitted as the attorney did not answer them.²⁹ The first count was brought in relation to charges filed in 2010 for possession of methamphetamine and creating and operating a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance.³⁰ The attorney previously pled guilty to all charges in criminal court.³¹ The attorney's sentence was suspended and he was placed on probation for five years with special conditions.³² Most notably, the court required that he enroll at the Right Turn of Maryland Alcohol and Drug Treatment Facility by Aug. 20, 2010 and successfully complete the program.³³

The second count was brought in relation to the attorney's Aug. 31, 2004, arrest for DWI and speeding.³⁴ The attorney pled guilty to the DWI while the speeding charge was dismissed.³⁵ The state criminal court placed the attorney on probation with special conditions, including fines, the requirement that he refrain from other criminal conduct and community service.³⁶ On Dec. 7, 2004, the attorney failed to appear in court to show he satisfied his probation conditions. After the attorney appeared the following day, the court required him to obtain a substance abuse evaluation,



“...path depends on the willingness to ask for help, a willingness to change and a record showing that change...”

be drug tested that day, submit to random drug testing, not change addresses without the approval of his probation officer or the court and refrain from any mood-altering substances and alcohol.³⁷

ODC also alleged that in 2003 the attorney failed to timely respond to requests for admissions, failed to appear for a summary judgment hearing, failed to timely appeal the judgment and failed to timely answer two petitions for garnishments filed and served against the same client.³⁸

The hearing committee found the attorney violated the Rules of Professional Conduct, duties owed to his client, the public, the legal system and the legal profession.³⁹ Based on its review of the ABA's Standards for Imposing Lawyer Sanctions, the committee determined that the baseline sanction was disbarment.⁴⁰

The committee found the following factors in aggravation: multiple offenses and illegal conduct, including that involving the use of controlled substances.⁴¹ In mitigation, the committee found only the absence

of a prior disciplinary record.⁴² The committee noted that it did not find the mitigating factor of chemical dependency because it had “no information upon which to conclude that [respondent] has been successfully rehabilitated from any chemical dependency or that the recurrence of the misconduct is unlikely.”⁴³

However, in response to the committee report, the attorney submitted documentation evidencing that he successfully completed an inpatient treatment program and a halfway house program at the Right Turn of Maryland, that he was diagnosed with opiate and cocaine dependence, and that he had been drug-free since Aug. 20, 2010.⁴⁴ Further, the attorney appeared at oral argument before a panel of the disciplinary board where he spoke to his past misconduct, his path to recovery, and that he had completed a year of substance abuse treatment.⁴⁵

The court ultimately suspended the attorney from the practice of law for three years, retroactive to the date of his interim suspension.⁴⁶ The court relied on

the mitigating factors of absence of a prior disciplinary record, personal or emotional problems, timely good faith effort to make restitution or to rectify the consequences of the misconduct, full and free disclosure to the disciplinary board and a cooperative attitude toward the proceedings, mental disability or chemical dependency, including alcoholism or drug abuse, imposition of other penalties or sanctions, and remorse.⁴⁷

These cases show that if an attorney finds himself in deep trouble stemming from alcohol or drug abuse, there can still be a path forward in the profession if the attorney shows he or she is rehabilitated from his or her prior condition. In a practical sense, that path depends on the willingness to ask for help, a willingness to change and a record showing that change.

Fortunately, there are many resources available for lawyers facing substance abuse issues.

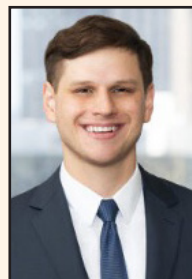
Support from JLAP, twelve step groups, trusted spiritual or religious counselors, and family members, friends or colleagues can be sought. Depending on the person, they may require some or all of these resources to fully recover. That is okay because it truly does take a village.

FOOTNOTE

1. See Louisiana Attorney Disciplinary Board, Decisions and Rules generally from November 6, 2025 to March 18, 2026. LADB: Decisions & Rules.
2. *Id.*
3. *Addiction & Substance Abuse in Lawyers: Statistics to Know*. American Addiction Centers. Priscilla Henson, MD. January 28, 2025.
4. *Id.*
5. *Id.* (citing to Addictions.com Medical Review. *Silent Suffering in the Courtroom: Lawyers Substance Abuse*).
6. *Id.*
7. La. Sup. Ct. R. XIX, § 24(E).
8. *Id.*
9. *Id.*
10. *Id.*
11. La. Rules of Prof'l Conduct R. 1.4(b).
12. La. Sup. Ct. R. XIX, § 10(C).
13. *In re Mollere*, 2024-00160 (La. 4/9/24), 382 So.3d 820, 822.
14. *Id.*
15. *Id.*
16. *Id.*
17. *Id.* at 822-823.
18. *Id.* at 823.
19. *Id.*
20. *Id.*
21. *Id.* at 824-825.
22. *Id.* at 825.
23. *Id.*
24. *Id.*
25. *Id.*
26. *Id.* at 825-826.
27. *Id.* at 827.
28. *In re Blanche*, 2012-0552 (La. 6/22/12), 90 So.3d 1034, 1037.
29. *Id.*
30. *Id.* at 1035.

31. *Id.*
32. *Id.*
33. *Id.*
34. *Id.* at 1036.
35. *Id.*
36. *Id.*
37. *Id.*
38. *Id.*
39. *Id.*
40. *Id.*
41. *Id.* at 1037.
42. *Id.*
43. *Id.*
44. *Id.*
45. *Id.* at 1038.
46. *Id.* at 1040.
47. *Id.* at 1039.

Aaron J. Wiseman is a Senior Attorney in the New Orleans office of Thompson, Coe, Cousins & Irons, L.L.P. A New Orleans native, he earned his BA in Political Science magna cum laude from Loyola University New Orleans in 2017. He earned his JD and Doctorate of Comparative Law from the Louisiana State University Paul M. Hebert Law Center in 2020. Wiseman focuses his practice primarily on asbestos litigation and insurance defense matters arising from motor vehicle accidents, professional liability and premises liability. He serves as a member of the LSBA Practice Assistance & Improvement Committee. He also serves on the Lower Garden District Association as a board member. Wiseman lives in New Orleans with his wife, Julia, and their four-year-old black labrador, Eddie. (awiseman@thompsoncoe.com; New Orleans)



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One on One with **Dr. Angela White-Bazile:**

A Conversation About Vulnerability, Burnout and Building a More Supportive Legal Profession

Interviewed by Bradley J. Tate

Dr. Angela White-Bazile is a graduate of the University of Southwestern Louisiana in Lafayette, Louisiana, now known as the University of Louisiana at Lafayette. She received her JD from Southern University Law Center in Baton Rouge and she also has a Doctor of Psychology & Counseling.

Dr. White-Bazile is the Executive Director of the Louisiana Judges and Lawyers Assistance Program (JLAP) since 2021 and has been a practicing attorney for more than 25 years. She held positions such as Judicial Law Clerk/Research Attorney at Orleans Parish Civil District Court, the 4th Circuit Court of Appeal and the Louisiana Supreme Court; Associate Attorney; and Professor of Law. She was also an In-House Counsel for Prudential Life Insurance in Jacksonville, Florida.

Prior to being named the Executive Director of JLAP, Dr. White-Bazile was the Executive Counsel at the Louisiana Supreme Court under the 25th Chief Justice, Chief Justice Bernette Joshua Johnson.



Editor's note: The legal profession rewards strength, composure and the ability to solve other people's problems. Behind that capable exterior, however, judges and lawyers may be carrying struggles they feel unable to acknowledge, sometimes even to themselves.

Dr. Angela White-Bazile, executive director of the Louisiana Judges and Lawyers Assistance Program (JLAP), wants members of the legal community to know they do not have to wait for a crisis before asking for help. In this conversation with 2025–27 LSBA Secretary and Louisiana Bar Journal Editor Bradley J. Tate, who served six years on the JLAP Board, White-Bazile discusses the experiences that brought her to JLAP, the profession's tendency to treat overwork as a badge of honor and her vision for creating a more proactive culture of support. Her message is both personal and practical: Self-care is not a luxury, vulnerability is not weakness, and JLAP is an advocate, not an adversary.

Tate: It was a privilege to spend six years on the Board of the Judges and Lawyers Assistance Program and I'm glad you're sitting down with me to talk about JLAP. To start, tell me about Angela.

White-Bazile: I guess if I were to describe myself, I would talk about being a mother. It's important that I acknowledge my kids because they allow me to share myself with others. I'm talking about beyond the eight hours, beyond the ten hours, beyond the weekend calls or the evening calls. So I'm a mother, the youngest of six, a native of New Orleans (whoo-hoo!), former Queen of Selene. A member of my sorority, Delta Sigma Theta Sorority, Incorporated, New Orleans Alumnae Chapter. An active member in the community, not only in St. Tammany, but in the legal community.

Tate: Why did you want to come to JLAP?

White-Bazile: JLAP, I felt, was my next level of assistance. First, I was part of the reviewing agency, the Supreme Court, which is the court of last resort,

where I was a research attorney. Then, going from research attorney to executive counsel, I was able to look at judges and lawyers, and their cases, and their judgments, and their opinions. As executive counsel, I learned not only about the issues judges and lawyers face professionally, but also that they are human.

JLAP was the next best step because now I get to help those I've seen fall short or go through things they couldn't even talk about. Now I can help them on a whole different level. When I was executive counsel, judges and lawyers, especially those in executive positions, would come to my office and disclose certain things about what they were going through. They trusted me, and I was able to help them. So, I look at it as a natural, elevated step in coming to JLAP.

Tate: Of all the titles you've accumulated, which feels the most like you? Which one says the most about you as a person?

White-Bazile: I would say human. Flawed, yet favored to have a supportive village to corral and encourage and advocate for me. I know that everybody has an "it." But if I look at all my titles, the title that really describes me the most is servant. Not lawyer, not counselor, not realtor, not published author, not advocate, but servant. Because that's how I operate when all eyes are closed, when people can't see me.

Tate: You spent more than 20 years working in Louisiana's judiciary, including serving as executive counsel to Chief Justice Johnson. What did you learn behind the scenes about judges and lawyers that changed the way you see the profession?

White-Bazile: First of all, I realized that judges are human. I realized that lawyers are the voice for other people, but who's going to speak for them? My motto in life is "to whom much is given, much is required." And oftentimes, as judges, their truth is muzzled. They need a voice, and often they need a release, just to be who the citizens have elected them to be. They quickly mask up because of a fear of being unjustly

persecuted.

So, one of the things I learned working with Justice Johnson is that there are many judges who need somebody to advocate for them. And there are lawyers who are great in the eyes of everybody else. They may be public successes, but behind the scenes they may be operating in what are called private failures. And they have nobody to say to, "I'm failing at this," or "I'm not good at that." Nobody gets a place or an avenue to actually release the fact that "I'm struggling." Nobody gets to really talk about their weaknesses.

Tate: You tell lawyers to make time for things that bring them joy. What brings you joy that has absolutely nothing to do with the law, or JLAP, or helping anybody?

White-Bazile: I was getting ready to say seeing other people smile. One thing about me is that in a room, I'm not listening to what is being said. I'm listening to what's not being said. I'm the one looking around and seeing that person who may be going through something, but nobody pays attention to them. I'm the one who'll call the strong person, or let the strong person know, "I'm there for you."

But you asked what I would like to do other than helping others, because helping others would be first. I like to shop. I like to dance. I like to sing. I like to speak life into dying situations and encourage people. I like to bring out a smile where there's a frown, and actually get to the root of what's going on so that I can help you. Because I feel like everything we do is a seed sown. And if it's a seed sown, if I sow as many seeds as I can to help so many others, then when it's my time, somebody will turn around and sow back into me.

Tate: What do you do when you realize you're taking on too much? Are you good at following your own advice?

White-Bazile: Let me tell you something about me, and it's something that I say: The reason I'm so good at what I do is that oftentimes I'm preaching to the choir. I'm preaching to myself. I have those experiences where I have to

step outside myself sometimes. I have to realize, “Wait a minute, I, too, need to stop. I, too, need to take a minute and breathe.”

I’m a very selfless person, and one of the things I say all the time is that being selfish is not good, but being selfless is not good, either. And I know that one of my “its” is being selfless. I will fight for the world. I will take on any giant. But the giants within me, that inner me, is what I battle with. And I know that’s the battle of many people, because we mask well. And as lawyers, I find, we mask well.

Tate: That we do. When you sit down to write the JLAP Lawyers Assistance column that runs regularly in the *Louisiana Bar Journal*, do you imagine a particular reader? Is there a message you want to return to because you think they need to hear it?

White-Bazile: When I’m writing for the *Journal*, I look at what’s current, or what I imagine is about to happen, or what’s burning. I like to be as proactive as possible without speaking fear or anxiety into the reader. I like to tell them the truth, because I know the only thing that’s going to set us free is the truth. And oftentimes people don’t like to deal with the truth. We like to deal with an imaginary thing called life, but we really need to deal with truth. And truth is sometimes hard to convey, and sometimes it’s hard to actually believe it yourself.

One of the things I would like to convey to a particular reader, and one of the columns I’ll go back to all the time, is that self-care is not a luxury. It’s a necessity. And being present. We work to build these empires, and work hard, because we’re saving up, because we want to be, you know, all that. We want to leave a legacy, we want to leave a name, but we forget to be in the present. And being mindful is truly a state that we must practice. If I had it my way, I would do an eight-hour retreat that just teaches us how to de-stress, how to be mindful, how to stop getting ahead of ourselves and to just take a minute to be present. Like now, Brad. Just be present.



*“...JLAP is your advocate,
not your adversary...”*

Tate: You’ve written in the *Bar Journal* about lawyers being all dressed up on the outside but empty on the inside. How good are lawyers at fooling everybody, including themselves, when something’s wrong?

White-Bazile: In the nature of our profession, there’s the outward manifestation of an inward struggle. When people talk about a disease, they think of alcohol or drug addiction. But mental health struggles can have outward manifestations, too. And the nature of those struggles is that they can lie to us. Depression can lie to us. It can distort how we see what happened in the past, overwhelm us in the present and make us afraid to look toward the future. And we don’t want anybody to know that we’re afraid, because we’re supposed to be the ones with all the answers when we have questions ourselves.

The thing about it, though, is that these struggles lie to us. We’re dressed up. We’re like a properly manicured lawn, but a junky house. We have so much going on inside. That’s why we don’t sleep. We don’t rest. We may sleep, but we don’t rest, because we’re

always thinking about the next move. And that’s why the world looks at us as paid worriers. We always worry about something, instead of sitting back and saying, “Wait a minute. This thing is going to work itself out. I can only do as much as I can do.”

If I could just get lawyers to understand that it is very fruitful to ask for help. But we don’t want to ask for help, because we’re too full of pride. We don’t want anybody to know that we’re about to snap. And I think it’s important that we realize that we can call. I want to build a foundation where people feel like it’s okay to ask for help, and it’s okay to be vulnerable in this place. And that’s something that’s hard to do with lawyers and judges.

Tate: Your columns are effective because they often ask the reader a very direct question: What do I need to do to thrive? Who comforts the comforter? What happens when you’re battling yourself? Is there a question that’s been hard for you to ask, or to answer?

White-Bazile: There are several questions that may be hard to answer.

But I'm glad that I have the opportunity to ask whatever needs to be asked, because if we don't ask the question, we won't open the door. I think what JLAP does is open the door to an initial conversation about getting help, or finding the support that's needed. Often, as conquerors, when we feel that we're conquered, we don't know where to go. I may not always have the answer, but I can and will do what I need to get you to a place where you can get that answer.

Tate: If you could make all Louisiana lawyers read one column that you've written, which one would it be?

White-Bazile: It would definitely be the one about self-care, about mindfulness. But I can say this: I believe the columns should have a place in your library, in your personal Rolodex, so that depending on what you're going through in life, you can read what you need at that time. Because everybody's in a different season, and everybody's going through something different. That's what's good about the columns. If you lay them all out, you can say, "Well, what am I going through at this time?" and then just go to it. I wish there was a way you could just press a button and say, "I'm going through burnout," or "I'm going through alcoholism," or "I need encouragement," and it would come up and speak volumes to you.

What I want the columns to be is spoken word. I wish I could put them all on tape. No, really, because this is what I get after I speak: Lawyers and judges come up and say, "I can hear your voice all the time." Not to brag, because it's just a gift. But if I could read those columns and just encourage...

I wrote a book. But I wrote a book, and it's entitled *I'm Just Saying*. It's a book of poetry, and it just encourages. It talks about where your mind goes and how you've gone through some things, but it gives you encouragement at the end. It says, yes, we're going to talk about the problem, but we're going to talk about a solution, too. If everybody could just press a button and hear that, because even when you don't feel like reading you could just listen and get that down in your psyche, then you'd know there's somebody who understands that



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we're all going through something. That's what I want.

Tate: Let's talk about JLAP itself. If a lawyer is reading one of your columns and they think, "My problem isn't bad enough to call..."

White-Bazile: Okay.

Tate: ...but they think they have something, what's their next step?

White-Bazile: The next step is to call us anyway. And I'm going to tell you why. If you think you've mastered it, I want to hear it, because you may be the one I need to connect with somebody else: a lawyer helping another lawyer. You may be the very person I need to talk to, so that I can get you to talk to that person I may not be able to reach. So yes, I want you to call, and I want you to feel comfortable.

One of the visions I have for JLAP is to be an epicenter where people can call and release it, and they don't have to worry about what's to come. They don't have to let fear of discipline, scrutiny or worry about losing their licenses stop them. Because that is the reason people do not call. JLAP provides a confidential place where they can start addressing what they're going through and feel more comfortable.

Oftentimes when I talk to people, especially dignitaries, they'll say, "Oh my God, I feel so much better." Because the first thing I'm going to do is let them know: You may be dealing with this, but I'm dealing with that. So now we can take off all the masks. We can know that everybody's dealing with something, so let's just get to it, because there are things that you may be able to help me with, and that I can help you with as well.

Tate: What behavior do you see normalized in legal culture that you wish lawyers would stop treating as normal?

White-Bazile: I would want them to stop wearing burnout as a badge of honor. There are lawyers who are burned out and don't even know it. I want them to stop glamorizing overworking: "Oh, I've worked 18 hours. I've been up. I've had very little sleep." Well, guess what? You're not just a danger to yourself. You're a danger to the legal community. You're a danger to society. You could have a wreck because you don't have the proper rest. You're really not operating at your fullest when you are overworked.

And if I could, I'd get law firms to understand the need to take a minute and to give people time for mental health days. It's not just a vacation. You need that person. Listen, I believe this holistically: To whom much is given, much is required. If you have somebody out there who's just knocking it out of the park, who's getting ready to be a partner, just realize that person needs rest. That person needs encouragement. That person needs appreciation. And that person needs a vacation.

We need to stop minimizing vacation and stop thinking that vacation is CLEs. And I'm not saying it's not great to go to Destin, because it is. But what do you do in your downtime? When do we get that downtime? We all need it. We need to stop thinking that when you're at a conference, just because you're staying in a nice hotel, that's downtime. It's not, because you're steady running. We need downtime. And we need to stop apologizing for the fact that we need more than what we're getting.

Tate: Let's see where we're going next. What do people fear will happen when they call JLAP, and what actually happens?

White-Bazile: They feel that they're going to be disciplined. They feel that they will lose their license. They feel that they'll lose more. But when you call JLAP, I want to set up a foundation where you can address what you're going through and be more inclined to share. You'll go through a process of support instead of discipline: a process of being a better version of yourself,

where you can operate at your fullest.

I want you to be at a place where (and this is what I say often) JLAP is your advocate, not your adversary. We are here to help you be the best version of yourself. If I could get people to be the best version of themselves, then we wouldn't have to worry about what's going to happen to the public, because the public, society, the community, all of that is going to take care of itself.

Tate: So, since you've come to JLAP, JLAP has changed, and the legal community sees that. What's next for JLAP?

White-Bazile: I would like to do retreats. I want to get into law firms and actually show them how to address stress and conflict in the workplace. Rather than dealing with people only when they're at a point where they need to be punished, I want firms to be proactive, so that people can be the best version of themselves, and firms can get greater work from people by appreciating them. I want to teach firms the value in their associates and their soon-to-be partners.

I want to get out into the law schools more and talk to law students. I want to let them know what's to come without creating fear and let them know that we're equipped to help them where they are. I want to reach them even earlier by talking to college students, and say, "Hey, if you've got some issues, let's work through them together. You want to go to law school? Let's get it together before you enter the profession." Let's get ahead of it.

I want to get with those who are subject to a gag order or other confidentiality restrictions, like the judges and other legal professionals, as well as their spouses and families — people who are in distress. I want to sit down with them and really support them, so I can help. That's why we extended JLAP to include not only judges, lawyers and law students. We included the legal community. We included their staff, because I figure if I can get their whole community, their whole tribe, their whole village together, then we can have a healthier chamber or law office.

I want to get to the point where other agencies realize that they need a JLAP,



or some type of assistance, so that they can have that sensitivity to what their professionals are going through. I want them to realize that because you have these CEOs, COOs, CCOs, these people in these positions, they need an outlet. They need some type of relief, because unchecked stress and burnout can contribute to serious concerns, including depression and, in some cases, suicidal thoughts. We need to deal with that and create opportunities for people to seek help before they reach a crisis.

I want to be a voice. I want to be the reason. I want to be that liaison who can go and sit and talk. I want to meet with just the partners, or the owners of firms, those people who are doing great and mighty things but have no idea. They've disconnected from the struggles of starting out. I want partners and law firm owners to understand that, yes, your associate may be struggling and need access to support, an evaluation or treatment. I want to see fewer barriers to obtaining that care, including better access to insurance coverage.

We have big things ahead. I see the open door, but it's going to take everybody rallying behind everybody so that we can get this stuff done.

Tate: JLAP is a confidential, non-disciplinary entity. What services does JLAP provide, and what can someone expect when they call?

White-Bazile: When you call JLAP, you will have an assessment. You'll talk to a clinician, or you'll get me, and we'll

do an assessment that evaluates what's going on with you. Not everybody who comes to us automatically goes into treatment. We will assess what's going on with you. You might just need a book. You might just need encouragement. You might just need to be heard. You might need somebody to just listen to what's going on with you. So, you have an assessment, and then we'll guide you from there. We'll be an advocate. We'll hold your hand. We'll support you. We'll let you know what's needed, so that you can get help if there's help that you need.

Sometimes I get lawyers who come in and they don't have gas, and they don't have food, and it's not only that they're unemployed, but they also don't have any money... I understand it, because I've been there. I want to do everything I can to connect people with support. And that's why it's so important for me to have sufficient staff to cover the administrative work and the other work, so that I can get out there and do what I'm called to do.

Tate: If someone reading this knows they need help but feels too overwhelmed to reach out, what do you want that person to know?

White-Bazile: I want them to know that JLAP is here to help. If I hear someone is in trouble and too overwhelmed to reach out, I want to do everything I can to connect that person with support. Wherever they are and whatever they're facing, I want them to know they do not have to face it alone.



NEW MALPRACTICE POLICY

with Special Bundled Rates Available

Effective 01/01/2026, the Louisiana State Bar Association (LSBA) has endorsed Old Republic Lawyers Professional ("ORLAW") as the new insurance provider for the Lawyers Professional Liability Program administered by Gilsbar. As an AM Best A+ rated carrier, ORLAW brings program experience and unique policy enhancements to Louisiana law firms.

Learn more at gilsbar.com/lsba-members-insurance-program

LSBA Elections: First Election Ballots Available Nov. 2

Several leadership positions are open in the 2026–27 Louisiana State Bar Association (LSBA) election cycle. Balloting will be conducted electronically only, as approved by the LSBA Board of Governors and provided for in the Association's Articles of Incorporation. No paper ballots will be provided.

On Monday, Sept. 14, notice of the action of the Nominating Committee and self-qualification forms for positions on the Board of Governors, LSBA House of Delegates, Nominating Committee and American Bar Association House of Delegates will be provided to the membership.

The deadline for receipt of nominations by petition and qualification forms is Monday, Oct. 12. First-election ballots will be available to members on Monday, Nov. 2, and the deadline for casting votes is Monday, Nov. 16.

Positions to be filled in the 2026–27 elections are:

Board of Governors (three-year terms beginning at the adjournment of the 2027

LSBA Annual Meeting and ending at the adjournment of the 2030 LSBA Annual Meeting) – one member each from the Sixth, Seventh and Eighth Board of Governors districts.

LSBA House of Delegates (two-year terms beginning at the commencement of the 2027 LSBA Annual Meeting and ending at the commencement of the 2029 LSBA Annual Meeting) – delegates from each of the 20th through 42nd Judicial Districts, in accordance with the LSBA Articles of Incorporation.

Nominating Committee (15 members serving one-year terms beginning at the adjournment of the 2027 LSBA Annual Meeting and ending at the adjournment of the 2028 LSBA Annual Meeting) – District 1A, Orleans Parish, four members; District 1B, parishes of Plaquemines, St. Bernard and St. Tammany, one member; District 2A, East Baton Rouge Parish, two members; District 2B, Jefferson Parish, two members; District 2C, parishes of Ascension, Assumption, East Feliciana, Iberville, Lafourche, Livingston, Pointe Coupee, St. Charles, St. Helena, St.

James, St. John the Baptist, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana, one member; District 3A, Lafayette Parish, one member; District 3B, parishes of Acadia, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, St. Martin, St. Mary and Vermilion, one member; District 3C, parishes of Allen, Avoyelles, Evangeline, Grant, LaSalle, Natchitoches, Rapides, Sabine, St. Landry and Vernon, one member; District 3D, parishes of Bossier and Caddo, one member; and District 3E, parishes of Bienville, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Red River, Richland, Tensas, Union, Webster, West Carroll and Winn, one member.

American Bar Association House of Delegates (candidates must be ABA members) – three delegates from the membership at large. Delegates will serve two-year terms beginning at the adjournment of the 2027 ABA Annual Meeting and expiring at the adjournment of the 2029 ABA Annual Meeting, as provided in Paragraph 6.4(e) of the ABA Constitution.

If runoff elections are necessary, ballots will be available Monday, Dec. 7, and must be cast by Thursday, Dec. 17.

For voting and qualification purposes, a member's preferred mailing address in the LSBA membership database will determine the applicable district. A member may not be a candidate for or hold more than one LSBA office at the same time, although service on the Nominating Committee, ABA House of Delegates or as an LSBA section officer is not included in that restriction.

For more information on the election procedures and the schedule, go to: www.lsba.org/goto/elections.

House Resolution Deadline is Dec. 29 for 2027 Midyear Meeting

The Louisiana State Bar Association's (LSBA) Midyear Meeting is scheduled for Wednesday through Friday, Jan. 27–29, 2027, at the Renaissance Hotel in Baton Rouge. Please note that these dates differ from previous years. The meeting agenda was adjusted to avoid scheduling conflicts.

The deadline for submitting resolutions for the House of Delegates meeting is Tuesday, Dec. 29. (The House will meet on Friday, Jan. 29, 2027.)

Resolutions by House members and

committee and section chairs should be mailed to LSBA Secretary Bradley J. Tate, c/o Louisiana Bar Center, 601 St. Charles Ave., New Orleans, LA 70130-3404. All resolutions proposed to be considered at the meeting must be received on or before Dec. 29. Resolutions must be signed by the author. Also, copies of all resolutions should be emailed (in MS Word format) to LSBA Governance Coordinator Jen France at jen.france@lsba.org.

Attorneys, Judges Participate in Law School Professionalism Orientations

The Louisiana State Bar Association's Committee on the Profession presented its annual Law Student Orientation on Professionalism programs at Southern University Law Center on Aug. 12 and the Louisiana State University Paul M. Hebert Law Center on Aug. 13.

LSBA President Curtis R. Joseph, Jr. addressed first-year law students at both programs. Committee on the Profession Chair Barry H. Grodsky provided an introduction and overview.

Southern University Law Center Chancellor Alvin Washington welcomed participants to the Southern program, where Louisiana Supreme Court Justice John M. Guidry also addressed students.

At LSU, Professor John M. Church welcomed participants. Young Lawyers Division Chair Christopher J. Sellers Jr. joined Joseph in addressing the students, followed by remarks from Louisiana Supreme Court Justice William H. Burris.

Following the opening presentations, students divided into smaller groups to discuss ethics and professionalism scenarios with volunteer attorneys and judges.

Inaugurated in August 2000, the orientation has become an annual LSBA project conducted in cooperation with Louisiana's law schools. The schools' deans, faculty members and admissions staffs assist the Committee on the Profession with organizing the programs.

Attorneys and judges volunteering for the 2026 programs included:

Louisiana State University Paul M. Hebert Law Center

H. Kent Aguillard
Bradley J. Aldrich
Russell W. Beall
Fred Sherman Boughton, Jr.
Warren E. Byrd II
Hon. Marilyn C. Castle (Ret.)
Donald G. D'Aunoy, Jr.
Shannon S. Dartez



LSU Paul M. Hebert Law Center Professionalism Orientation on Aug. 13, 2026.



Southern University Law Center Professionalism Orientation on Aug. 12, 2026.

S. Guy deLaup
Stephen W. Glusman
Lila Tritico Hogan
Katherine L. Hurst
John T. Joubert
Sheral C. Kellar
David A. Lowe
Wendell Jay Luneau
Hon. J. Michael McDonald (Ret.)
Frederick Menner, Jr.
Gregory K. Moroux, Jr.
Jennifer W. Moroux
Hon. Pamela A. Moses-Laramore (Ret.)
Victoria V. Olson
Michael H. Rubin
Rene I. Salomon
Maggie Trahan Simar
Wayne T. Stewart
Vernon W. Thomas
Lykisha R. Vaughan
Hon. Trudy M. White (Ret.)
Marina J. Wilson

Southern University Law Center

Hon. Ernestine L. Anderson-Trahan
Brett L. Bajon
Virginia Gerace Benoist
Hon. Paula A. Brown
Kayla A. Cutno
Hon. Jerry Edwards, Jr.
Steven J. Farber
Roxie F. Goynes
Michael L. Harris
Roderick A. James
Sharon B. Kyle
James B. Letten
Martin K. Maley, Sr.
Lisa M. Parker
Cynthia N. Reed
Marta A. Richards
La Koshia R. Roberts
Michael H. Rubin
Ike Spears
Drake M. Vargas

Children's Law Committee Releases New Trauma-Informed Practice Guide

The Louisiana State Bar Association's Children's Law Committee has released a new resource, Trauma-Informed Approach: Best Practices for Children's Attorneys, designed to support Louisiana attorneys representing children in child welfare, delinquency and mental health matters.

The guide provides an overview of trauma and how it may present in children of different ages, along with practical guidance for building trauma-informed attorney-client relationships. It also addresses ways attorneys can reduce the risk of retraumatizing children during the litigation process and recognize and manage vicarious trauma in their own practices.

The resource is intended for children's attorneys throughout Louisiana and may also be useful to court-connected professionals, law school clinics and others working with children involved in the legal system.

View the guide at: www.lsba.org/goto/atjtraumainformedpracticeguide or find out more at www.lsba.org/atj.

LBLS Recertification Applications Have Been Mailed

The Louisiana Board of Legal Specialization has mailed Recertification Applications to those Specialists whose certification is due to expire on December 31, 2026. The completed application together with a check payable to the Louisiana Board of Legal Specialization in the amount of \$100 should be forwarded to the LBLS office c/o Mary Ann Wegmann, Specialization Director, 601 St. Charles Ave., New Orleans, LA 70130, no later than Tuesday, Nov. 3, 2026, to avoid penalties.

If you have any questions, please contact Mary Ann Wegmann, Specialization Director of the LBLS at (504) 619-0128 or email maryann.wegmann@lsba.org.

LBLS Application Deadlines for Board Certification

The LBLS is accepting applications for board certification in seven (7) specializations – appellate practice, employment law, estate planning and administration, family law, health law, labor law and tax law – from Nov. 1, 2026 through Feb. 28, 2027. The LBLS is accepting applications for business bankruptcy law and consumer bankruptcy law board certification from Jan. 1, 2027 through Sept. 30, 2027.

The next application period for board certification in these seven (7) areas will run from Nov. 1, 2026 to Feb. 28, 2027. If interested in applying for board certification during the 2027 application period, you may submit your name and area of specialization to be included in the list of prospective applicants.

The LBLS is currently accepting applications for business bankruptcy law and consumer bankruptcy law certification from Jan. 1, 2026 through Sept. 30, 2026.

In accordance with the Plan of Legal Specialization, a Louisiana State Bar Association member in good standing who has been engaged in the practice of law on a full-time basis for a minimum of five (5) years may apply for certification. Further requirements are that each year a minimum percentage of the attorney's practice must be devoted to the area of certification sought, passing a written examination to demonstrate sufficient knowledge, skills and proficiency in the area for which certification is sought and five (5) favorable references. Peer review shall be used to determine that an applicant has achieved recognition as having a level of competence indicating proficient performance handling the usual matters in the specialty field. Please refer to the LBLS standards for the applicable specialty for a more

detailed description of the requirements for application, viewable online at www.lsba.org/documents/Specialization/LSBAPlanofLegalspecialization2017.pdf.

In addition to the above, applicants must meet a minimum CLE requirement for the year in which application is made and the examination is administered:

► Appellate Practice – 15 hours of appellate practice

► Employment Law – 15 hours of employment law

► Estate Planning and Administration – 18 hours of estate planning and administration

► Family Law – 15 hours of family law

► Health Law – 15 hours of health law

► Labor Law – 15 hours of labor law

► Tax Law – 18 hours of tax law

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

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

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

Anyone interested in applying for board certification should contact LBLS Specialization Director, Mary Ann Wegmann, email maryann.wegmann@lsba.org, or call (504) 619-0128.



Going Further *Together!*

Our team of consulting professionals has decades of experience addressing complex accounting, financial and business issues in litigation matters and other disputes. And our recent merger with Mauldin & Jenkins means we are now backed by a deeper bench of consulting resources to provide attorneys and their clients with high quality analysis and expert witness testimony in trials and depositions.

Our Services

Expert Witness & Litigation Support

- Expert Witness Testimony
- Lost Profits & Commercial Damages
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- Breach of Contract
- Bankruptcy & Restructuring
- Tax Controversy
- Wrongful Death
- Wrongful Termination
- Estate & Trust Disputes

Forensics & Fraud

- Fraud Detection & Prevention
- Asset Tracing & Recovery
- Embezzlement Loss Quantification
- Internal Controls & Compliance
- Cybersecurity Examinations

Valuation & Transaction Advisory

- Shareholder & Owner Disputes
- Mergers & Acquisitions (M&A)
- Quality of Earnings (QofE)
- Estate & Gift Tax Valuation
- Succession & Exit Planning
- Lost Business Value
- Community Property Partitions
- Deferred Compensation
- Eminent Domain

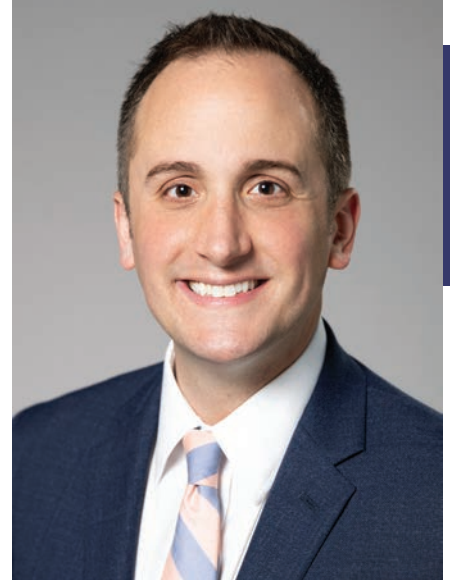
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Young Lawyers & Leadership

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



There's a certain comfort that comes with being a new lawyer. Of course, it's an uneasy comfort. The reality of just how much you have to learn about how the law is actually practiced sets in pretty quickly. But there is something reassuring about knowing the buck doesn't stop with you. A mistake is likely to invite an uncomfortable interaction with your boss, but that's why they're in charge. They make the final call.

Sometimes I wonder when all that changed. I've been in-house with Ochsner Health for just over ten years now. I've worked my way up the corporate ladder from individual contributor—a term I had never heard of before I was one—to assistant vice president. Today, I supervise a team of eight attorneys and legal professionals. But despite having had a boss in every job I've ever had, becoming someone's boss felt anything but natural.

When you think “young lawyer,” you probably think of the newest members of our profession, but at least by the LSBA's definition, a young lawyer is anyone under the age of 40 (or admitted to practice for fewer than five years). That means a young lawyer can be found in many phases of their career. As I mentioned in my prior articles, young lawyers find themselves fresh off the bar exam and newly admitted; they find themselves making that first leap of faith from one job to the next in search of greater fulfillment.

But at the other end of the young lawyer spectrum—a place I frequently forget I'm approaching—you find young lawyers in leadership: partners, shareholders, executive committee members, managing members and even an assistant vice president. I'll confess, it can be an odd place to find yourself.

I've had a lot of organizational leadership experience and have even held the top spot a time or two. But leading a fraternity, a sports league or a committee is different. At Ochsner, I'm fortunate to lead a team of smart, dedicated and ambitious people. But that creates a real responsibility. They could take their talents anywhere, but by some chance, we find ourselves working together. The ambition that used to drive my own day-to-day performance is often eclipsed by the responsibility I feel to ensure they feel supported in all the ways necessary for them

to be successful in their own career goals.

The truth is that I don't end every day with a feeling of absolute assurance that I got it right. In fact, I spend an inordinate amount of time—though, maybe it is the right amount of time—wondering how I can do better.

In some ways, it reminds me of those first days as an associate. I was always looking for the perfect solution to the problem. It would take years for me to accept that that rarely exists. Good lawyering is often doing the best you can for your client with the resources you have available to you. So too is good leadership.

As a transactional attorney—a negotiator—I'm never more uncomfortable than when I'm advocating for myself. But interestingly, the responsibility of advocating for my team couldn't feel more different. In fact, I see it as part of my job. The easy part of the job is identifying and praising good work. The hardest part, especially when you lead a talented team like mine, is continuously creating new opportunities for them to grow and advance. But if that's not the focus, what's the point? I like to think that, if it was easy, they would have given the job to someone else.

I don't know when this kind of leadership will feel natural, if ever. I suspect that, much like with other aspects of the profession, over time, you learn not to let perfect be the enemy of good.

The opportunity to be in a position of leadership while actually influencing someone else's career trajectory is a deeply humbling responsibility. To do it while still trying to grow into and advance your own career adds to the challenge. But, again, if it was easy, they probably would have given the job to someone else. Young lawyers are uniquely positioned for the challenge. We're close enough to the experience, perhaps even going through a parallel experience ourselves, to lead with empathy and compassion. For millennials, who make up a supermajority of young lawyers, we are the bridge between very different generations, including the newest generation entering the workforce.

Continued next page

CHAIR'S MESSAGE & YLD SPOTLIGHT

YOUNG LAWYERS SPOTLIGHT

Archelle B. Taylor **New Orleans, LA**

Archelle B. Taylor is a native of Louisiana and currently serves as a Judicial Law Clerk in New Orleans Civil District Court for Judge LaKeisha N. Jefferson. In her role, she conducts legal research, drafts bench memoranda, proposed judgments and court rulings, and assists the court in resolving complex civil litigation and domestic law matters. Her experience has strengthened her skills in legal writing, litigation support and judicial analysis while providing valuable insight into courtroom practice.

Taylor earned her juris doctor from Southern University Law Center

and her Bachelor of Science from Louisiana State University New Orleans. Prior to and throughout law school, she served as a high school science teacher in underserved communities, reflecting her long-standing commitment to education and public service.

Taylor is passionate about professional excellence, public service and the continued advancement of the legal profession. She is a member of the Louisiana State Bar Association, the New Orleans Bar Association, the Greater New Orleans Louis A.



Archelle B. Taylor

Martinet Legal Society, the National Bar Association and the National Bar Association Women Lawyers Division. She values mentorship, life-long learning and building meaningful relationships within the legal community.

In her community, Taylor serves with the Junior League of New Orleans and volunteers with pro bono legal clinic initiatives, further demonstrating her commitment to expanding access to justice.

Outside of her legal work, Taylor enjoys maintaining a wellness-focused lifestyle, attending local festivals and spending time with family and friends.

YLD Chair's Message, Continued from page 186

For the Young Lawyers Division, the audience for much of our programming is young lawyers toward the beginning of their careers, but I think some of our most impactful programming occurs when our speakers, moderators and fa-

cilitators are other young lawyers who are at the forefront of the profession, leading and advancing the law.

Leading is hard, but that's why young lawyers do it. If I've learned anything in this first decade of practice, when in doubt, lean in. The more you care and the more you try, the more you succeed. It's inevitable. Success in leadership is rarely measurable at the end of each day,

but when you look back on the months and the years, it becomes easier to see your impact. Apprehension and uncertainty are normal—imposter syndrome is real—but when someone believes in your leadership potential, take that endorsement as a reminder to believe in yourself.

Again, if it was easy, young lawyers wouldn't do it.



LOUISIANA STATE BAR ASSOCIATION YOUNG LAWYERS DIVISION VIRTUAL PROFESSIONAL DEVELOPMENT SEMINAR

Thursday, December 3, 2026 • 8 a.m. to Noon • up to 4.0 CLE credits

Join the LSBA Young Lawyers Division virtually for its annual Professional Development Seminar! A valuable program created specifically for young lawyers seeking practical guidance, professional growth, and strategies to enhance their legal practice. The seminar is open to young lawyers only, for a cost of \$50.

ARTIFICIAL INTELLIGENCE FOR LAWYERS: Friend, Foe or Both?

As artificial intelligence (AI) becomes more common in legal practice, lawyers must use these tools carefully and consistently with their ethical duties. Generative AI (GenAI) can help lawyers brainstorm, summarize and draft, but it can also produce inaccurate or fabricated information, often described as “hallucinations.” This article focuses on two core risks: relying on GenAI outputs without verification and disclosing client confidences through improper use of GenAI platforms.

Louisiana Law on Lawyer Use of AI

In January 2024, the general counsel for the Louisiana Supreme Court issued an open letter to the Louisiana State Bar Association addressing lawyers’ use of artificial intelligence. The letter explained that the existing Louisiana Rules of Professional Conduct (LA RPCs) are “robust and broad enough to cover the landscape of issues presented by AI in its current forms.” LSBA Public Opinion 19-LSBA-RPCC-021 likewise

cautions that a lawyer “must consider the benefits and risks associated with using technology in representing a client” and must exercise “reasonable care to protect client information and to assure that client data is reasonably secure.” So, let’s explore how lawyers can use AI in a professional and ethical manner.

The Lawyer’s Duty of Truthfulness

Several LA RPCs require lawyers to be truthful, including Rule 3.3, Candor Toward the Tribunal; Rule 4.1, Truthfulness in Statements to Others; and Rule 8.4, which prohibits dishonesty, fraud, deceit or misrepresentation. A lawyer may violate these rules by filing pleadings or motions containing GenAI-generated citations that are inaccurate or fabricated. Courts have repeatedly warned that AI tools are not a substitute for legal research and that lawyers remain responsible for every citation and legal assertion they submit.

Recent sanction cases illustrate the danger. In one federal criminal case¹, court sanctioned a defense attorney who

filed motions containing hallucinated cases generated by GenAI and not independently verified. The court emphasized that fabricated citations waste party and court resources, delay proceedings, harm those falsely associated with nonexistent opinions and undermine public confidence in the judicial system.

To meet their obligations, lawyers must understand GenAI’s limitations. Law firms should consult legal-tech specialists, review bar guidance and learn from peer experience before adopting any tool. GenAI may assist with idea generation or preliminary drafting, but it cannot replace independent legal judgment. Lawyers should treat GenAI like an inexperienced law clerk: useful, but requiring careful supervision. Every case citation, statute, regulation and factual assertion generated by GenAI must be verified before use.

Safeguarding Client Information

Another significant risk is the inadvertent disclosure of client information.

LSBA Member Services

The mission of the Louisiana State Bar Association (LSBA) is to assist and serve its members in the practice of law. The LSBA offers many worthwhile programs and services designed to complement your career, the legal profession and the community.



In the past several years, the legal profession has experienced many changes. The LSBA has kept up with those changes by maturing in structure and stature and becoming more diverse and competitive.

**For more information,
visit www.lsba.org**

Lawyers may create confidentiality or privilege problems by uploading client documents or sensitive facts to public GenAI platforms. Some public tools reserve the right to use submitted information to train their models, creating the possibility that client information could later be exposed or used in responses to others. Courts may also view the disclosure of confidential material to an open platform as a waiver of attorney-client privilege.

LA RPC 1.6 requires lawyers to make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client. Lawyers can still benefit from GenAI, but only if they choose tools and practices that protect client information.

Before entering client information into any GenAI platform, law firms should review the tool's terms and conditions, privacy protections, data-retention practices and use of submitted information. Ideally, firms should use a closed GenAI system accessible only to an approved community. When using public tools, lawyers should describe issues as hypotheticals, avoid sensitive data and make facts generic enough to prevent reidentification.

For example, anonymized facts may be acceptable in a public GenAI

prompt, while entire complaints, medical records, privileged emails or other client-specific documents should not be uploaded to an open platform.

Lawyers should also warn clients not to use AI tools in connection with their legal matters without first consulting counsel. In a recent federal case², a client used AI to analyze possible defense strategies and sent the resulting materials to his lawyer. After the government seized the materials, the court rejected claims of attorney-client privilege and work-product protection because the AI tool was not an attorney. The decision highlights the risk of unsupervised client use of AI.

Client Consent

Law firms using GenAI should obtain informed client consent at the outset of the representation and document that consent in an engagement letter or other writing. Clients should understand when and how the firm may use AI, what safeguards will apply and any limits on the client's own use of AI. They should not first learn of the firm's use of GenAI through a data-breach notice or other adverse event. Please see pages 8-9 of Old Republic's "the Law Firm Letters Toolset: Part 1" at www.orlawyers.com/letters-toolset-part-one for sample en-

gagement letter language concerning the use of AI.

Conclusion

Properly supervised, GenAI can be a helpful tool for lawyers. Used carelessly, it can create ethical violations, confidentiality problems, privilege disputes and avoidable professional liability exposure.

To view the full version of this article, visit www.orlawyers.com/ai-forlawyers.

Footnotes

1. U.S. v. McGee, 2025 WL 2888065 (S.D. Ala. Oct. 10, 2025).
2. U.S. v. Heppner, No. 1:25-cr-00503-JSR (S.D.N.Y. Feb. 17, 2026).

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, Ginty is also a prolific writer on topics related to legal ethics and lawyer professional responsibility. (sginty@orlawyers.com; Chicago, IL)



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SETTLEMENT AUTHORITY: CONFIRM IT IN WRITING

Introduction: A Twenty-Eight-Second Cautionary Tale

Twenty-eight seconds. That is the duration of the phone call that ultimately cost a national personal injury firm more than \$4.3 million. In *Wyrosdick v. Morgan & Morgan Atlanta, PLLC*, AAA Case No. 01-25-0001-6505, an arbitrator found that the Morgan & Morgan attorney settled Robert Wyrosdick's truck-accident claim for \$45,000 based on what was described as a 28-second phone conversation in which the client supposedly authorized the settlement. Wyrosdick denied that any settlement discussion occurred during that call. There were no contemporaneous notes, no confirming email, no text message and no entry in the firm's case-management system documenting that authority to settle was given.

The arbitrator awarded \$450,000 in compensatory damages, \$250,000 for emotional distress, over \$413,000 in attorneys' fees, and \$3.15 million in punitive damages against both the firm and the individual attorney.

The Wyrosdick arbitration is not a Louisiana case, but the cautionary lesson it delivers could not be more relevant to Louisiana practitioners. Louisiana law is unequivocal: The decision whether to settle belongs exclusively to the client, and the authority to enter a compromise must be given expressly. Moreover, a settlement reached without client authority is not enforceable.

Louisiana Framework

Louisiana law is clear that a client's settlement authority must be express, not implied.



Rule 1.2(a): The Client Decides

Rule 1.2(a) of the Louisiana Rules of Professional Conduct provides that “[a] lawyer shall abide by a client’s decision whether to settle a matter.” This is not a suggestion. It is a mandatory directive that places the settlement decision squarely and irrevocably in the client’s hands. The lawyer’s role is to advise, counsel and recommend; the client decides.

Civil Code Article 2997(5): Express Authority for Compromise

Civil Code article 2997(5) provides that “[a]uthority must be given expressly to . . . enter into a compromise or refer a matter to arbitration.” La. Civ. Code art. 2997(5). A compromise is itself defined as “a contract whereby the parties, through concessions made by one or more of them, settle a dispute or an uncertainty.” La. Civ. Code art. 3071. Because a compromise must be “made in writing or recited in open court,” La. Civ. Code art. 3072, and because

Article 2993 provides that “when the law prescribes a certain form for an act, a mandate authorizing the act must be in that form,” settlement authority from the client should be in writing, although Louisiana courts have recognized that express oral authority, if proven, may suffice.

Authority to Negotiate Is Not Authority to Settle

Louisiana’s appellate courts have drawn a bright line between authority to negotiate and authority to accept a settlement offer. In *Coppage v. Transdev Services, Inc.*, 2020-0419 (La. App. 4 Cir. 3/19/21), 320 So.3d 1206, the 4th Circuit held that the general authority granted to an attorney in an attorney-client contract of employment to “settle” the client’s case constitutes only authority to negotiate a settlement, not authority to bind the client to a particular deal. The court emphasized that an attorney’s signature alone is insufficient to establish a valid compromise under Article

2997, and that the opposing party assumes the risk of failing to verify that the attorney has the client's specific authorization.

The 5th Circuit reached the same conclusion in *Porche v. Porche*, 23-471 (La. App. 5 Cir. 4/24/24), 386 So.3d 695, holding that a draft consent judgment signed only by the attorneys was unenforceable without the client's "clear and express consent." The 3rd Circuit, in *Lemoine v. Thornton*, 2013-889 (La. App. 3 Cir. 2/12/14), 161 So.3d 666, reversed a trial court's enforcement of a settlement where the attorney had a "firm belief" that he had client consent but nothing more.

The distinction between authority to negotiate and authority to accept a settlement is one that every Louisiana practitioner should understand. A standard engagement agreement that authorizes the attorney to "negotiate and settle" the client's claim does not, standing alone, empower the attorney to bind the client to a specific settlement amount. As the 4th Circuit explained in *Coppage*, such language gives the attorney authority to engage in settlement discussions, exchange offers and counter offers, and explore the parameters of a potential resolution. But the final decision to accept any particular offer remains with the client.

This distinction has practical implications. An attorney who receives a settlement offer must communicate it to the client, explain its terms and consequences, and obtain the client's specific, informed authorization before accepting. The attorney cannot simply exercise professional judgment that the offer is a good one and accept on the client's behalf. Even if the attorney sincerely believes that the client would approve, or where the client has previously expressed a willingness to settle at a certain figure, the attorney must obtain express authority for the specific offer on the table.

The Duty to Communicate Settlement Offers: Rule 1.4

Rule 1.4 of the Louisiana Rules of Professional Conduct imposes five distinct communication obligations on Louisiana lawyers. Among them: The

lawyer must promptly inform the client of any decision or circumstance requiring the client's informed consent, must keep the client reasonably informed about the status of the matter and must provide sufficient information to permit the client to participate intelligently in decisions concerning the representation. La. R. Prof'l Conduct 1.4(a)–(b).

In the settlement context, Rule 1.4 requires the lawyer to communicate every settlement offer to the client, regardless of whether the lawyer believes the offer is reasonable. The preferred practice, as commentators have emphasized, is to communicate all settlement offers in writing as well as verbally, and to confirm the client's acceptance or rejection of any offer in writing. *See* 1 La. Prac. Pers. Inj. § 6:81. Failure to advise a client of a settlement offer may expose counsel not only to disciplinary action but also to malpractice and fiduciary-duty liability. *See Teague v. St. Paul Fire & Marine Ins. Co.*, 2007-1384 (La. 2/1/08), 974 So.2d 1266 (attorney's paramount duty is to the client; fiduciary duty to exercise care, skill and diligence of prudent attorneys).

Practical Recommendations

First, always confirm settlement authority in writing. This is the single most important recommendation in this article, and it applies without exception. Whether authority is initially conveyed in a face-to-face meeting, a telephone call or a text message exchange, the lawyer should follow up with a written communication that memorializes the client's authorization to settle at a specific amount or within a specified range. The writing need not be elaborate. A one-page "Acknowledgement of Settlement Authority" specifying the authorized dollar amount is sufficient. The key is that the document exists, that it is signed or acknowledged by the client, and that it is preserved in the client's file.

Second, document the client's understanding of all material terms. Settlement authority is not merely about a dollar figure. The written confirmation should reflect that the client understands the gross settlement amount, the contingency fee that will be deducted, any outstanding costs or expenses, any known liens

(medical provider liens, Medicare or Medicaid liens, subrogation interests), and the approximate net recovery the client will receive. Documenting this understanding at the time authority is given protects the lawyer against subsequent claims that the client did not appreciate the financial implications of the settlement. As the Wyrosdick arbitration vividly demonstrated, the failure to ensure client understanding of the full financial picture can be as damaging as the failure to obtain authority itself.

Third, confirm the rejection of settlement offers in writing. The duty to document is not limited to settlements the client authorizes. When a client rejects a settlement offer, the prudent lawyer should send a confirming letter or email that memorializes the client's decision. This protects the lawyer against later claims that the offer was never communicated, that the client was not informed of the amount or that the client did not understand the consequences of rejection.

Fourth, re-obtain authorization to settle whenever there is a material change in the settlement terms. Settlement negotiations can be fluid. Each material change in the terms of the proposed settlement requires fresh authorization from the client.

Fifth, do not rely on general engagement-agreement language as settlement authority. A standard engagement agreement that authorizes the attorney to "negotiate and settle" the client's case is, as *Coppage* shows, only authority to negotiate, not settle. When a specific offer is on the table, the lawyer needs specific, documented authority to accept it.

Brian J. Lindsey practices at Kean Miller in Lafayette with a focus on offshore energy, maritime and complex civil defense litigation. His experience includes Jones Act claims, personal injury and property damage matters, vessel collisions and allisions, contract and indemnity disputes, and insurance coverage issues. A former insurance adjuster and federal judicial extern, Lindsey also serves as a 15th Judicial District delegate to the Louisiana State Bar Association House of Delegates and is on the Practice Assistance Committee.



THE GRIEF WE DON'T TALK ABOUT: WHY CHANGE IS SO HARD FOR LAWYERS

I've been thinking a lot about change lately, and why we avoid it even when we know it's good for us.¹

Change can feel hard because we rarely finish processing the last big thing at work before the next one arrives. We're still catching our breath from the last trial or MSJ, all while implementing updates in the law into our workflows. Then we do it all again the next day.

As lawyers, we navigate uncertainty and fraught relationships every single day; that creates an exhaustion that's difficult to repair. For over 25 years, I've watched so many incredible lawyers procrastinate, putting off what they *knew* would be good for them in the long run: firing a client, taking better care of themselves, finding a better job, leaving a partner who didn't support them the way they deserved. Amazing, bright, trailblazing humans stayed stuck, telling themselves it's not "that" bad or it's not "worth" the effort or risk to change. But what they don't tell us in law school is that this discomfort comes to work with us, too. It impacts whether we're able to be an impartial, competent professional. It wrecks our ability to be zealous advocates while still being fair to the opposing party and their counsel in the way the Rules of Professional Conduct envision.

If procrastination is the avoidance of one emotion, then putting off a necessary change at work avoids a cluster of them: shock, denial, anger, bargaining, depression. We don't normally talk about it this way in the legal profession, but I'd proffer that grief isn't only for death. Grief is what happens any time an expectation goes unmet, and for us lawyers, that's an everyday occurrence.

In a prior piece here in the *Louisiana Bar Journal*, I wrote about the four types of expectations attorneys navigate: expectations we have of ourselves; expectations we have of others; expectations others have of us; and expectations we *assume* others have of us. What I didn't have space to say then is that every time one of those

expectations goes unmet, we feel a form of grief, but we don't call it that. Instead, we say stress, disappointment or "a bad week." But it's grief; and change, by definition, unsettles all four types of expectations at once. Change shows us the truth of what we thought we'd have, who we thought we'd be, and where we thought we were headed when we became attorneys.

This matters for the legal profession because unprocessed grief doesn't just sit on the backburner; it shows up as the very things we complain about: burnout, short tempers, extreme pressure, poor decision-making, incivility. When we're stuck in a job, on a case, or even in a version of our career we don't want anymore, we don't have the bandwidth to be our most competent, ethical and professional selves. Rule 1.1 of the Louisiana Rules of Professional Conduct requires competence, but competence isn't only legal knowledge; it's *judgment* — and judgment suffers when we're running on fumes.

As a Licensed Master Social Worker and an attorney, I sit at an unusual intersection. Social workers are helping professionals, and we're taught early and often about secondary trauma: the toll of absorbing someone else's pain, again and again, until it becomes your own. But lawyers are helping professionals too, whether we think of ourselves that way or not. We absorb our clients' worst moments, even when we try not to, but we were never taught to call it secondary trauma or how to handle it.

Like trauma, grief is cumulative; it doesn't reset with each new case, each new client, each new year. It stacks, and that accumulation plays a direct role in our capacity to be the professionals we want to be, the ones we once *dreamed* we'd be. It's not only our clients' pain we're carrying; it's our own. It's time we consider that we, too, might be grieving a profession we thought we'd get, and that unprocessed grief might be interfering with our capacity to be professional and ethical, or even to be the "professional" we're expected to be.

Knowing this, I'd like to offer a reframe: This doesn't mean something's wrong with *you*; it's a sign something **matters** to you. You can honor that without staying stuck in it, if you're willing to unpack it. A few practices that might help:

1. Name it. Call it what it is: Grief. Not stress or burnout or a bad week.

2. Trust your instinct. Waiting for certainty isn't always risk-averse; it can also be a way to avoid change.

3. Let go of the sunk cost. Yes, you invested time, money and energy into a direction, but you're allowed to change your mind.

We're risk management professionals; we help clients weigh short-term discomfort against a lifetime of consequence every day, and it's high time we extend ourselves the same counsel. Before we can be zealous advocates for our clients, we have to be willing to advocate for ourselves. That starts with being honest about what we're feeling and why. The Bar has resources when you're ready; the Judges and Lawyers Assistance Program is a great place to start!

FOOTNOTE

1. This article is a modified excerpt from a current work-in-progress. All Rights Reserved. All opinions are the author's and do not reflect the LSBA. © Sheila M. Wilkinson, LMSW, Esq.

Sheila M. Wilkinson is an attorney, licensed master social worker, coach, consultant, and educator for lawyers of all kinds — retired, litigating and recovering. She helps kind, caring, mission-driven professionals reconnect who they are with how they work, so they can have the working relationships they deserve. Sheila splits her time between New Orleans and Brussels, serves several nonprofits in the Greater New Orleans area, and currently sits on the LSBA Committee on the Profession and CLE Committee. She uses humor, transparency and empathy to create genuine connections, and you'll likely hear her laugh before you see her trademark curls. Connect with Sheila at sheilawilkinson.com/lawyers.





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SUIT UP FOR THE FUTURE HIGH SCHOOL SUMMER LEGAL INSTITUTE AND INTERN PROGRAM

The Louisiana State Bar Association's (LSBA) Suit Up for the Future High School Summer Legal Institute and Intern Program had another successful year, with 19 students completing the program. The three-week program was held June 8, 2026 – June 26, 2026, and included abridged law school sessions; job shadowing opportunities at law firms, courts, and agencies; and tours of courts and agencies.

The LSBA Suit Up for the Future program is an award-winning Diversity Pipeline program and a 2013 American Bar Association Partnership recipient.

During the program, students prepared written memorandums to support their oral arguments. Oral arguments were presented on the last day of the program to a panel of judges at the U.S. District Court, Eastern District of Louisiana.

Congratulations to the Suit Up 2026 winners for the Best Oral Argument and Memorandum: Matthew A. Vasquez (Best Defense Memorandum – Morning); Jaedon C. Phillips (Best Defense Oral Argument – Afternoon); Gracie Huang (Best Prosecution Oral Argument – Afternoon); Kelli N. Carlson (Best Defense Oral Argument – Morning); and Amira K. Shekarri (Best Prosecution Oral Argument – Morning and Best Prosecution Memorandum).

The success of the Suit Up program would not be possible without dedicated volunteers:



Legal Research & Writing Session

Karina A. Coronado; Cat N. La; Professor Emily A. Bishop, Director of the Lawyering Program and Professor of Practice, Loyola University New Orleans College of Law, New Orleans; Amira K. Shekarri



Intern Emma M. Bonney, Suit Up Alumni 2024, The Catholic University of America, Washington, DC; Intern Tyler D. Bickham, Suit Up Alumni 2025, Patrick F. Taylor Science & Technology Academy, Avondale; Intern Emma R. Graff, Suit Up Alumni 2021, LSU Paul M. Hebert Law Center, Baton Rouge; Jackson C. Lane; Justin E. Davis; Ava C. Addison; Amira K. Shekarri; Marley G. Price; Curtis R. Joseph, Jr., LSBA President, Partner, Blanchard, Walker, O'Quin & Roberts, APLC, Shreveport; Jaedon C. Phillips; Taha Z. Azam; Owen Moller; Kelli N. Carlson; Jonathan Varkey; Matthew A. Vasquez; Intern Angelica H. Rodriguez, Suit Up Alumni 2025, Louisiana State University, Baton Rouge. Hon. Eva J. Dossier, Magistrate Judge, U.S. District Court, Eastern District of Louisiana, New Orleans; Denia S. Aiyegbusi, Diversity Committee's Pipeline to Diversity and Outreach Subcommittee Co-Chair; Ethan T. Kihm; Dylan S. Jefferson; Sophie Z. Cao; Jaden D. Williams; Christopher R. Taylor; Gracie Huang; Emma J. Bordelon; Cat N. La; Karina A. Coronado; Intern Malaysia R. McAfee, Prairie View Agricultural and Mechanical University, Prairie View, TX.

Diversity Committee, Pipeline to Diversity and Outreach Subcommittee Members: Denia S. Aiyegbusi, Co-Chair, CNA Insurance, New Orleans; Tiffany L. Delery, Co-Chair, Chehardy, Sherman, Williams, Recile & Hayes, L.L.P., New Orleans. Instructors: Professor Emily A. Bishop, Director of the Lawyering Program and Professor of Practice, Loyola University New Orleans College of Law, New Orleans; Professor Angela A. Allen-Bell, B.K. Agnihotri Endowed Professor, Southern University Law Center, Baton Rouge; Professor Jeffrey C. Brooks, Assistant Professor of Professional Practice, LSU Paul M. Hebert Law Center, Baton Rouge.



Tiffany L. Delery, Diversity Committee's Pipeline to Diversity and Outreach Subcommittee Co-Chair, Chehardy, Sherman, Williams, Recile & Hayes, New Orleans; Hon. Eva J. Dossier, Magistrate Judge, U. S. District Court, Eastern District of Louisiana, New Orleans; Denia S. Aiyegbusi, Diversity Committee's Pipeline to Diversity and Outreach Subcommittee Co-Chair; Curtis R. Joseph, Jr., LSBA President, Partner, Blanchard, Walker, O'Quin & Roberts, APLC, Shreveport.



Approaches to Justice Session

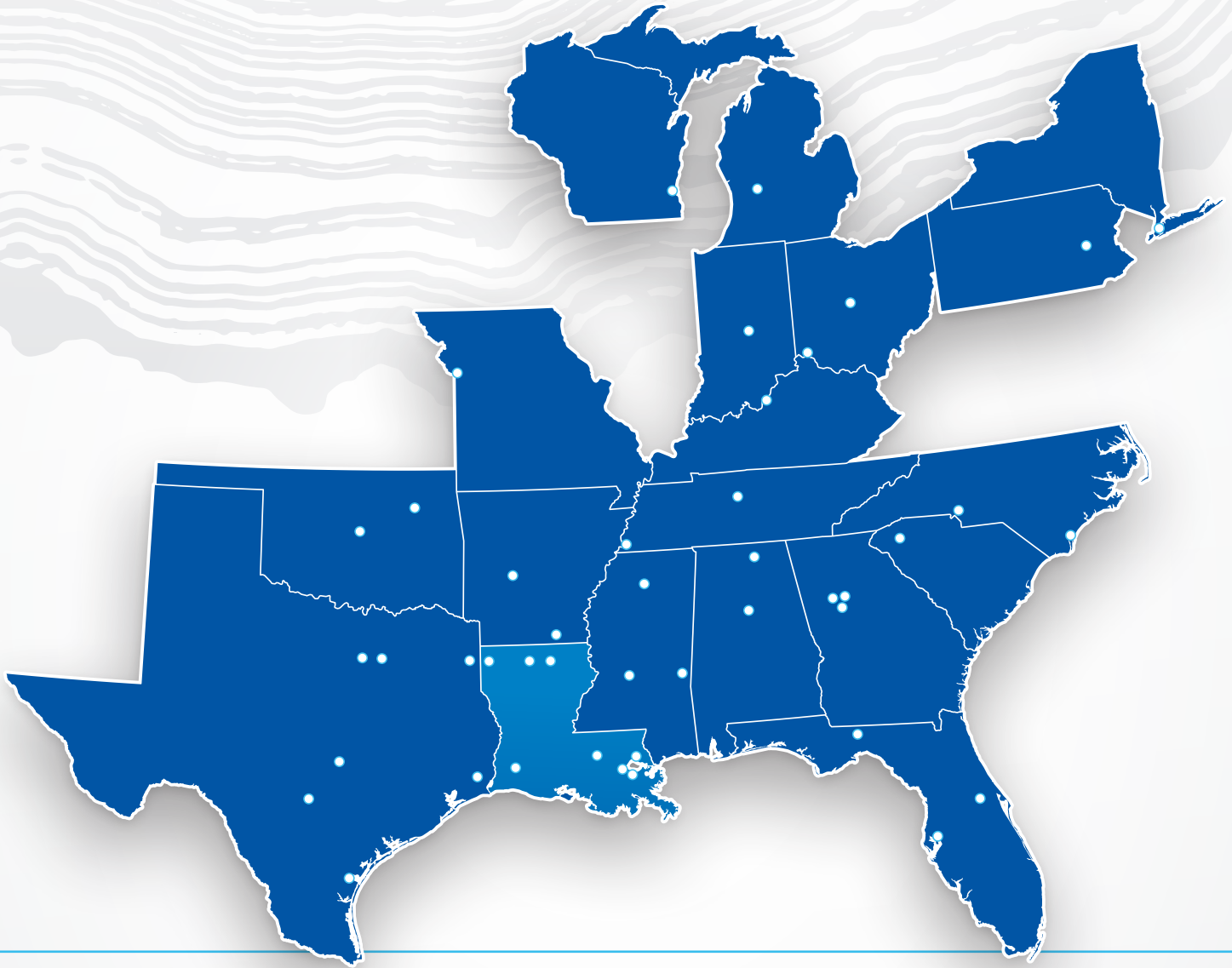
Taha Z. Azam; Owen Moller; Jaedon C. Phillips; Professor Angela A. Allen-Bell, B.K. Agnihotri Endowed Professor, Southern University Law Center, Baton Rouge; Justin E. Davis; Jackson C. Lane



Oral Argument Workshop: How to Deliver an Oral Argument

Ava C. Addison; Cat N. La; Professor Jeffrey C. Brooks, Assistant Professor of Professional Practice, LSU Paul M. Hebert Law Center, Baton Rouge; Amira K. Shekarri; Dylan S. Jefferson; Justin E. Davis

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Judges' Panel: Hon. Karen Wells Roby, Just the Beginning (JTB), Magistrate Judge, U. S. District Court, Eastern District of Louisiana, New Orleans; Hon. Rhonda J. Goode-Douglas, Orleans Criminal District Court, Section E, New Orleans; Orleans Parish Civil District Court (Hon. Sherryl M. Howard, Division N; Hon. Jennifer M. Medley, Division F, New Orleans).

Tour Presenters: Loyola University New Orleans College of Law, New Orleans (Kimberly Jones, JD, Associate Dean of Admissions; Emir Bailey, Law Admissions Counselor). Tulane University Law School, New Orleans (Tracie N. Ransom, JD, Assistant Dean for Equity, Diversity & Inclusion; Julia M. Spencer, JD, Assistant Director of Admission; Emily Wojna-Hodnett, JD, Assistant Dean of Students). Hon. Tracey E. Flemings-Davillier, Section B, Orleans Criminal District Court, New Orleans; Daniel L. Engelberg, Chief District Defender, Orleans Public Defender's Office, New Orleans; Orleans Parish District Attorney's Office, New Orleans (Jason R. Williams, District Attorney;

Micah R. Ince, Chief of Staff); Louisiana Supreme Court, New Orleans (Associate Justice Piper D. Griffin, Louisiana Supreme Court, Seventh District; Chief Justice John L. Weimer III, Louisiana Supreme Court, Sixth District; Trina S. Vincent, Deputy Judicial Administrator for Community Relations, Louisiana Supreme Court; Miriam Childs, Director, Louisiana Supreme Court Library); Hon. Karen Wells Roby, Just the Beginning (JTB) Coordinator, Magistrate Judge, U.S. District Court, Eastern District of Louisiana, New Orleans.

College and Law School Admission Presentations: Blair R. Boles, Assistant Director of Admissions at the LSU Paul M. Hebert Law Center, Baton Rouge; Southeastern Louisiana University, Hammond (Jack Durocher, Admissions Counselor; Kyle Hidalgo, Admissions Counselor); Nicholls State University, Thibodaux (Daniela Maldonado-Mejia, Admissions Counselor; Tai Battle, Admissions Counselor); Roth Coats, Assistant Director of Admissions, Tulane University Office of Undergraduate Admissions, New Orleans; Ja'Ryan D. Berryhill, 2025 Suit Up Alumnus, Edna Karr High School, New Orleans.

Special thanks to our lunch sponsors: Tulane University Law School and Shake Shack Canal (Drew Neillie, Regional Marketing Manager, and Anthony Paniagua, Assistant General Manager).

Interns: Tyler D. Bickham, Suit Up Alumni 2025, Patrick F. Taylor Science & Technology Academy, Avondale; Emma M. Bonney, Suit Up Alumni 2024, The Catholic University of America, Washington, DC; Emma R. Graff, Suit Up Alumni 2021, LSU Paul M. Hebert Law Center, Baton Rouge; Angelica H. Rodriguez, Suit Up Alumni 2025, Louisiana State University, Baton Rouge;

Malaysia R. McAfee, Prairie View Agricultural and Mechanical University, Prairie View, TX; Sia P. Mirpuri, Suit Up Alumni 2024, University of California, Los Angeles, CA.



Justin E. Davis; Christopher R. Taylor; Curtis R. Joseph, Jr., LSBA President, Partner, Blanchard, Walker, O'Quinn & Roberts, APLC, Shreveport; Taha Z. Azam



College and Law School Admission Preparation Workshop (Personal Statement Tips). Dylan S. Jefferson; Emma J. Bordelon; Blair R. Boles, Associate Director of Admissions, LSU Paul M. Hebert Law Center, Baton Rouge; Jaden D. Williams



College and Law School Admission Preparation Workshop (Personal Statement Tips). Amira K. Shekarri; Cat N. La; Roth Coats, Assistant Director of Admissions, Tulane University Office of Undergraduate Admissions, New Orleans; Matthew A. Vasquez; Owen Moller



Julia M. Spencer, J.D., Associate Director of Admission, Tulane University Law School, New Orleans



Kimberly Jones, MS, J.D., Associate Dean of Operations & Enrollment Management, Loyola University New Orleans School of Law, New Orleans

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REPORTING DATES 8/18/26 & 8/4/26

REPORT BY DISCIPLINARY COUNSEL

Public matters are reported to protect the public, inform the profession and deter misconduct. Reporting date Aug. 18, 2026.

Decisions

Brandon Anthony Brisco, Saint Rose (2026-B-0502), **suspended from the practice of law for one year and one day, with all but thirty days deferred. Following the active portion of suspension, Brisco shall be placed on probation for a period of two years**, by order of the Louisiana Supreme Court on June 25, 2026. JUDGMENT FINAL and EFFECTIVE June 25, 2026. *Gist:* Respondent violated Rules 1.1(b), (c), 5.5(a), 8.4(b), and 8.4(d) of the Rules of Professional Conduct.

Charles E. Brumfield, Jr., Breaux Bridge (2026-B-00614) **consented to a one year and one day suspension from the practice of law with all but ninety days deferred. It is further ordered that Respondent be placed on a one-year probation subject to the conditions set forth in the petition**, by order of the Louisiana Supreme Court on June 25, 2026. JUDGMENT FINAL and EFFECTIVE June 25, 2026. *Gist:* Respondent neglected legal matters, failed

to communicate with clients, mishandled his trust account, engaged in dishonest conduct and engaged in conduct prejudicial to the administration of justice.

Lionel Burns, Jr., New Orleans (2026-B-0166), **permanently disbarred** by order of the Louisiana Supreme Court on April 9, 2026. JUDGMENT FINAL and EFFECTIVE June 25, 2026. *Gist:* Knowingly failed to disclose forgeries to court, made false statements of material fact, failed to supervise a non-lawyer, and engaged in conduct prejudicial to the administration of justice.

Jonathan Gardere Carter, Metairie, (2025-B-0715) **the one-year period of probation imposed against respondent in *In Re: Carter*, 25-0715 (La. 6/25/25), 412 So.3d 209, has been extended for a one-year period which coincides with his Feb. 5, 2026 agreement with the Judges and Lawyers Assistance Program**, by order of the Louisiana Supreme Court on June 25, 2026. JUDGMENT FINAL and EFFECTIVE April 16, 2026.

Taylor Wayne Casey, Jacksonville,

FL, (2026-B-00374) **enjoined for a period of one year and one day from seeking admission to the Louisiana Bar or seeking admission to practice in Louisiana on a temporary or limited basis, including, but not limited to seeking *pro hac vice* admission before a Louisiana Court**, by order of the Louisiana Supreme Court on May 27, 2026. JUDGMENT FINAL and EFFECTIVE June 10, 2026. *Gist:* Respondent failed to abide by his clients' decision regarding choice of counsel, failed to withdraw from the representation after his clients terminated his services, and failed to protect the interests of his clients upon his termination.

Clark R. Cosse III, Baton Rouge (2026-OB-00624) **transferred to disability inactive status**, by order of the Louisiana Supreme Court on May 28, 2026. JUDGMENT FINAL and EFFECTIVE May 28, 2026. *Gist:* Cosse cannot practice law pending further orders from the Court.

John Q. Davis, Coushatta (2026-OB-00702) **transferred to disability inactive status**, by order of the Louisiana Supreme Court on June 10, 2026. JUDGMENT FINAL and EFFECTIVE June 10, 2026. *Gist:* Davis cannot practice law pending further orders from the court.

Timothy Baron Holden, New Orleans (2026-B-0197) has been **suspended from the practice of law on an interim basis**, by order of the Louisiana Supreme Court June 18, 2026. JUDGMENT FINAL and EFFECTIVE June 18, 2026. *Gist:* Respondent may not practice law until further order of the court.

continued on page 200

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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 August 2026.

Respondent	Disposition	Date Filed	Docket No.
Hatch, James Andrew	Immediate Interim Suspension	07/14/26	26-901
Holden, Timothy B.	Immediate Interim Suspension	07/30/26	26-1179
Ruffin, Tanzanika Q.	Immediate Interim Suspension	06/16/26	26-686
White, Julie Brown	[Reciprocal] Suspension, fully deferred	06/16/26	26-776

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 August 4, 2026.

Respondent	Disposition	Date Filed	Docket No.
Gregory Joseph St. Angelo	Disbarred (Reciprocal)	6/10/2026	19-mc-00112
Timothy Holden	Suspended (Reciprocal)	7/7/2026	26-mc-00047
Ralph E. Hood	Suspended (Reciprocal)	7/15/2026	26-mc-00048
Charles E. Brumfield, Jr.	Suspended (Reciprocal)	7/9/2026	26-mc-00049

Discipline continued from page 198

Ralph E. Hood, Baton Rouge (2026-B-00635), **suspended from the practice of law for one year and one day**, by order of the Louisiana Supreme Court on June 25, 2026. JUDGMENT FINAL and EFFECTIVE June 25, 2026. *Gist*: Hood was arrested for driving while intoxicated.

Gregory Joseph St. Angelo, New

Orleans, (2026-B-0360) **permanently disbarred from the practice of law**, by order of the Louisiana Supreme Court on May 19, 2026. JUDGMENT FINAL and EFFECTIVE June 2, 2026. *Gist*: Respondent plead guilty to one count of conspiracy to commit bank fraud, a felony under federal law, thereby violating Rules 8.4(b) and 8.4(c) of the Rules of

Professional Conduct.

Brian D. Williams, Marrero (2026-OB-00599) has been **conditionally re-admitted to the practice of law, subject to a two-year probationary period with conditions**, by order of the Louisiana Supreme Court on June 25, 2026. JUDGMENT FINAL and EFFECTIVE June 25, 2026.

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ADMONITIONS

1 Rule Violation 1.1(b) – (Competence) – a lawyer is required to comply with the minimum requirements of continuing legal education as prescribed by Louisiana Supreme Court rule.

1 Rule Violation 5.5(a) – (Unauthorized Practice of Law) – a lawyer shall not practice law in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.

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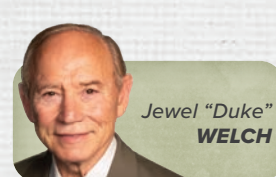
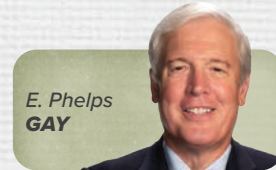


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Subchapter V Bankruptcy Voting Rules Clarified in *In re Hisaw*

On June 5, 2026, Judge John W. Kolwe of the U.S. Bankruptcy Court for the Western District of Louisiana issued a significant decision, *In re: Hisaw*, Case No. 25-50479 (Bankr. W.D. La. 6/5/26), 2026 WL 1640815, resolving several questions under Subchapter V of Chapter 11. The decision confirmed the debtor's "Third Amended Plan of Reorganization" over the objection of the United States Trustee regarding voting mechanics, third-party injunctions, a proposed debtor "savings fund" and the

timing of discharge.

The debtor's plan contained eleven classes, seven of which were impaired. Five impaired classes voted to accept, but two impaired classes did not cast ballots at all. The debtor argued the plan should still be confirmed as consensual under 11 U.S.C. § 1191(a), relying on two Southern District of Texas decisions, *In re: Franco's Paving LLC*, 654 B.R. 107 (Bankr. S.D. Tex. 2023), and *In re: Hot'z Power Wash*, 655 B.R. 107 (Bankr. S.D. Tex. 2023), which had excluded non-voting classes from the § 1129(a)(8) acceptance calculation.

Judge Kolwe declined to follow *Franco's Paving* and *Hot'z Power Wash*, instead joining reported decisions from Wisconsin, Georgia, Florida, Texas and South Carolina bankruptcy courts. The court concluded that § 1129(a)(8) presents only two possibilities for each class — either acceptance or non-impairment — and when no creditor in a class votes, the class simply has not accepted the plan, regardless of any arithmetic dif-

ficulty in applying § 1126(c). Because two impaired classes did not vote, the court sustained the U.S. Trustee's objection to consensual confirmation under § 1191(a).

The court then turned to the alternative possibility of nonconsensual confirmation under § 1191(b), which permits confirmation notwithstanding §§ 1129(a)(8), (10) and (15) if the plan does not discriminate unfairly and is fair and equitable as to each non-accepting impaired class. The court found the plan fair and equitable to secured and unsecured creditors alike, as the debtor dedicated all projected disposable income to a five-year payment stream, and found the plan's default remedies and feasibility showing adequate. The court accordingly held the plan confirmable under § 1191(b), subject to two required amendments discussed below.

The plan also sought a temporary injunction barring creditor actions against guarantors, insiders and affiliates of the debtor unless and until a plan default oc-



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curred. The U.S. Trustee objected on the grounds that the provision was effectively a nonconsensual third-party release, which is not permitted. The court found the reasoning of *In re: Miracle Restaurant Group, LLC*, No. 24-11158, 2025 WL 1400915 (Bankr. E.D. La. May 13, 2025), persuasive, concluding that the 5th Circuit's decision in *Feld v. Zale Corp.*, 62 F.3d 746 (5 Cir. 1995), permitting temporary injunctions of non-debtor actions in "unusual circumstances" remains valid even after the Supreme Court's decision in *Harrington v. Purdue Pharma L.P.*, 144 S.Ct. 2071 (2024), and the 5th Circuit's decision in *Highland Capital Management Fund Advisors, L.P. v. Highland Capital Management, L.P.*, 132 F.4th 353 (5 Cir. 2025), both of which concerned permanent third-party releases rather than temporary ones. Because the injunction was limited to closely related non-bankrupt parties, was important to the debtor's reorganization and affected creditors who had voted to confirm the plan, the court overruled the U.S. Trustee's objection on this point.

The court sustained two further objections. First, it rejected the debtor's proposed "Savings Fund," which would have let the debtor accumulate over \$50,000 during the plan rather than dedicating those funds to creditors, and found that the debtor had not shown the funds were "necessary for the continuation, preservation, or operation" of the business as required to exclude them from disposable income under § 1192(d). Second, the court rejected discharge after three years despite a five-year payment obligation, holding that under § 1192 discharge must await completion of all payments due within the court-fixed period, here five years.

Hisaw aligns the Western District of Louisiana with the majority approach on a recurring and previously unresolved Subchapter V question: whether a non-voting impaired class defeats consensual confirmation. Louisiana practitioners now have guidance within the district that silence from an impaired class is not the equivalent of acceptance, foreclosing reliance on the Texas-based minority approach. On temporary

third-party injunctions, *Hisaw* expressly adopted the reasoning of *In re Miracle Rest. Grp., LLC*, a 2025 Eastern District of Louisiana decision concluding that *Zale Corp.*'s allowance of temporary, plan-contingent injunctions survived both *Purdue Pharma* and *Highland Capital Management*. This creates a clear majority of districts in Louisiana that permit the use of temporary injunctions in such a manner.

The *Hisaw* decision is instructive for Louisiana bankruptcy practitioners. First, debtors' counsel should not assume passive or unresponsive creditor classes can be treated as accepting; solicitation and ballot follow-up with every impaired class is essential to preserve the possibility of consensual confirmation under § 1191(a). Second, practitioners seeking or attacking temporary injunctions protecting guarantors or affiliates should build a record showing the existence or absence of close relatedness and necessity to plan feasi-

bility, tracking the *Zale Corp./Miracle* framework. Third, any plan provision allowing a debtor to retain funds outside of plan payments — such as a reserve or savings or emergency fund — should be supported by a specific showing that the funds are necessary for business continuation, preservation or operation under § 1192(d), or it risks being stripped from the plan. Finally, discharge timing should be aligned with the actual length of the payment period fixed by the court, since a discharge date inconsistent with a longer payment term is unlikely to survive objection under § 1192.

— **Christopher T. Caplinger**
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Standing in Federal Environmental Suits

In the recent matter of *Center for Biological Diversity v. U.S. Department of Transportation*, 180 F.4th 796 (5th Cir. 2026) (CBD), the 5th Circuit Court of Appeals presented a concise review of what it takes to have standing in challenges to permitting for alleged environmental harms. In *CBD*, several environmental groups sued the United States seeking to upend a permit for a floating liquified natural gas facility planned for siting off the coast of Vermilion Parish. In this case, each of the environmental groups identified members of their organizations as individuals who had suffered harm as a result of the U.S.'s permitting. As the court noted, as long as a single member of an organization can demonstrate an injury in fact that is traceable to the challenged federal action, the organization has standing to represent its remaining members.

In *CBD*, the court held that none of the representative members of the organizations could demonstrate injury in fact and, even if they had identified injuries, those injuries were not reasonably traceable to the permitting decision in this matter. This reality, discussed more below, prohibited the court from examining the merits of the case.

Among the alleged harms from the representative organization members were impaired health, enjoyment of property, impacts to recreational and commercial fishing, harms to whales, additional greenhouse gas emissions and detrimental impacts on scientific research. However, the court found that, while legitimate concerns, none of these allegations rose to the level of an injury in fact for standing purposes in this case. The court characterized these allegations as "broad concerns" that lack particularized harm to any of the organizations' members. Moreover, the court noted that, in addition to the litigants lacking injury in fact, none of them could convincingly trace the concerns to the challenged action. In other words, but for the challenged action, the court observed that the same harms and concerns would likely continue to exist. Importantly, the court observed that "[g]eneralized concerns for wildlife, greenhouse-gas emissions, and environmental quality cannot itself establish standing." *Id.* at 805. Additional allegations from at least two more representative plaintiffs fared no better in the court's analysis. Ultimately, this case was dismissed on standing grounds, although the court definitely acknowledged that organizational standing could be met. However, it simply was not in this case.

— Ryan M. Seidemann, Ph.D.

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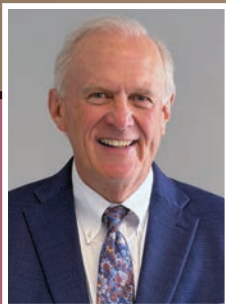
Custody – Non-Parents

Whitman v. Director, 26-0169 (La. App. 5 Cir. 07/17/26), 2026 WL 2075593 (unpublished).

Jeffrey Director sought supervisory review of multiple orders issued by the trial court in an action for emergency temporary custody and sole custody of his five children brought by their maternal grandparents, Wayne Whitman and Diane Whitman. Among other assignments of error, Director challenged the trial court's refusal to vacate the emergency temporary custody order under La. C.C.P. art. 3945 and its award of joint custody to a non-parent under La. C.C. art. 133.

The 5th Circuit granted the writ application in part and denied it in part, reversed and rendered judgment. The court first held that the trial court abused its discretion in denying Director's motion to vacate the emergency temporary custody order. The court explained that La. C.C.P. art. 3945 requires the trial court to commence the custody hearing within 30 days after issuing the emergency temporary custody order and to complete the hearing and render judgment within 45 days. Under no circumstances is the emergency temporary custody order valid and legally enforceable after 45 days. The Dec. 15, 2025, emergency temporary custody order expired by operation of law on Jan. 30, 2026, and therefore became null and void.

The 5th Circuit also held that the trial court committed legal error in awarding joint custody to Director and Wayne Whitman under La. C.C. art. 133. The court explained that the trial court's ruling failed to address the threshold determination that the Whitmans proved by clear and convincing evidence that an award of custody to Director would result in substantial harm to the children.



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Conducting a de novo review, the 5th Circuit concluded that the Whitmans failed to satisfy that burden and found that awarding joint custody to Wayne Whitman constituted “a gross infringement of Mr. Director’s parental rights over his children.”

Custody – Joint Custody Implementation Plans

Reine v. Clement, 25-0819, (La. App. 1 Cir. 07/09/26), ___ So.3d ___, 2026 WL 2028842.

Garrett Reine appealed a judgment designating Megan Clement as the domiciliary parent of the parties’ children, challenging the scope of the trial court’s domiciliary parent designation as beyond the pleadings. Ms. Clement answered the appeal, challenging both the restrictions placed on her authority as domiciliary parent and the award of equal physical custody.

The 1st Circuit amended the judgment and affirmed it as amended. The court first rejected Reine’s argument that the trial court lacked authority to designate a domiciliary parent, explaining that La. R.S. 9:335 requires the designation of a domiciliary parent whenever joint custody is decreed unless there is an implementation order to the contrary or other good cause shown. The court further concluded that Reine placed the issue of legal custody before the trial court by seeking relief concerning the children’s school enrollment, thereby placing the domiciliary parent’s educational decision-making authority before the court.

The 1st Circuit next held that the trial court’s judgment violated La. R.S. 9:335(B)(3) by placing unwarranted restrictions on Clement’s authority as the domiciliary parent. The judgment improperly required the children to undergo an educational evaluation and required the parties to confer regarding future school enrollment, despite making

no specific finding that Clement’s decision to enroll the children in the Silliman Institute was not in their best interest or that Reine’s preferred schools were a better choice. Relying on *Thibodeaux v. Thibodeaux*, 25-0972 (La. 8/6/25), 415 So.3d 932, the court further concluded that the challenged provisions could not constitute a valid implementation order because they failed to allocate any legal authority or responsibility to Reine.

Contempt

Duplantis v. Duplantis, No. 25-0654, 2026 WL 2035813 (La. App. 3 Cir. 07/15/26).

Kortney Duplantis appealed a judgment modifying custody, changing the parties’ domiciliary parent designation, holding her in contempt and sanctioning her counsel with an award of attorney fees. Among other things, she argued that the trial court erred in treating the hearing officer’s recommendation as an enforceable interim order before the

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judge signed an order adopting it.

The 3rd Circuit vacated the judgment and remanded. The court held that, pursuant to La. Dist. Ct. Rule 35.8, when a party objects to a hearing officer's recommendation, the recommendation does not have the effect of a court order unless and until the judge signs an order adopting it as a temporary order. No valid temporary order had been signed when the motion for contempt was filed, leaving no legal basis for the contempt judgment or the sanctions imposed against Ms. Duplantis and her counsel.

Post-Separation Family Violence Relief Act

Cedotal v. Smith, No. 26-0482, (La. 06/25/26), ___So.3d___, 2026 WL 1831533.

Brandon Cedotal sought supervisory review of the 1st Circuit's judgment reversing a trial court custody judgment after concluding that the trial court

committed legal error in finding that he had successfully rebutted the presumption against custody under La. R.S. 9:364(B). The appellate court found that the record did not establish that the domestic-abuse-intervention program Cedotal completed satisfied the requirements of La. R.S. 9:362(3) and conducted a de novo review of custody.

The Louisiana Supreme Court granted the writ application, vacated the 1st Circuit's judgment and remanded the matter to the trial court for an expedited evidentiary hearing. The court held that the existing record was insufficient to determine whether the domestic-abuse-intervention program Cedotal completed complied with the requirements of La. R.S. 9:362(3). The determination of whether Cedotal's domestic-abuse-intervention program complied with La. R.S. 9:362(3) was critical to whether he successfully rebutted the presumption against custody under La. R.S. 9:364(B) (1). The court directed the trial court to make a factual finding on the program's

compliance, supplement the record and return the matter to the court of appeal for reconsideration.

Justice Hughes dissented, reasoning that testimony and evidence introduced without objection, including Cedotal's testimony and certificate of completion for a domestic-violence-offender-treatment program following the Duluth Model, supported the trial court's finding that he complied with the applicable law. He further concluded that the mother's challenge to the sufficiency of that compliance was raised for the first time on appeal and that the trial court's factual finding should have been reviewed under the manifest error standard rather than remanding for further evidentiary development.

Druilhet v. Copeland, 25-0707 (La. App. 3 Cir. 07/02/26), ___So.3d___, 2026 WL 1905522.

Bilytha Druilhet sought and obtained a permanent protective order against Mace Copeland under the Post-

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Separation Family Violence Relief Act (PSFVRA) after alleging multiple incidents of domestic abuse during the parties' marriage. The trial court awarded Druilhet sole custody of the parties' child, denied Copeland visitation until he satisfied the requirements of La. R.S. 9:364 and permanently enjoined him from abusing, harassing or contacting Druilhet and the child. Proceeding pro se, Copeland appealed, arguing, among other things, that the trial court improperly adjudicated custody and visitation in a protection-from-abuse proceeding and failed to conduct a best-interest analysis before awarding custody and denying visitation.

The 3rd Circuit affirmed. Addressing Copeland's argument that custody and visitation were improperly decided in a protection-from-abuse proceeding, the court noted that the LPOR forms expressly place custody at issue in such proceedings. The court further observed that Copeland received the pleadings, participated in the proceedings and fully litigated the custody issues before the trial court. Accordingly, the record did not support his claim that custody and visitation were adjudicated without notice or due process.

The court also rejected Copeland's contention that the trial court failed to conduct a best-interest analysis. In doing so, the 3rd Circuit emphasized that, although courts must still determine a child's best interests in cases involving family violence, the analysis differs from the traditional best-interest inquiry under La. C.C. art. 134(A). Rather, La. C.C. art. 134(B) requires courts to determine custody and visitation in accordance with the PSFVRA. Applying that framework, the court found no abuse of discretion in the trial court's award of sole custody to Druilhet or its denial of visitation until Copeland satisfied the statutory requirements for future visitation.

— **Elizabeth K. Fox**
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No Duty to Mitigate Emotional Distress Damages in Title VII Cases

A plaintiff alleging that an employer “engaged in unlawful intentional discrimination” in violation of Title VII of the Civil Rights Act of 1964 (Title VII) is entitled to compensatory damages, including for emotional distress. 42 U.S.C. § 1981a(a)(1), (b)(2)-(3). Whether Title VII plaintiffs have a duty to mitigate their emotional distress was an unresolved issue in the federal 5th Circuit. In *EEOC v. SkyWest Airlines, Inc.*, 181 F.4th 536 (5 Cir. 2026), the 5th Circuit determined that no such duty exists.

Procedural Background

Sarah Budd, a former parts clerk for SkyWest Airlines at the Dallas-Fort Worth International Airport, was subjected to pervasive and persistent sexual harassment, including rape “jokes,” overtly sexual comments and suggestions about selling her into prostitution. The harassment escalated after Budd complained to her supervisor, causing “extreme emotional distress” so severe that she needed to take medical leave. The harassment resumed immediately after Budd returned

to work. She complained to corporate HR, which placed her on paid administrative leave and then investigated her allegations. Budd ultimately accepted an offer of early retirement from SkyWest because “she feared the environment would be the same.”

The EEOC sued SkyWest on Budd's behalf under Title VII, and a federal jury awarded Budd \$2 million in punitive damages and \$170,000 for compensatory damages, including emotional distress (reduced to \$130,000 in accordance with Title VII's statutory cap). SkyWest moved for a new trial based in part on the jury's “award[ing] compensatory damages without considering Budd's failure to mitigate her emotional harm” because the district court “rejected its requested instruction on mitigation of damages.” *EEOC v. SkyWest Airlines, Inc.*, No. 3:22-CV-1807-D (N.D. Tex. Mar. 4, 2025) (SkyWest I), at **6-7, 2025 WL 697660. The district court denied SkyWest's motion for a new trial on this basis because its “reading of Title VII does not support the inference that Title VII claimants have a duty to mitigate their *emotional harm*” and thus the court's “refusal to give the requested instruction was not error.” *SkyWest I* at *8.

The 5th Circuit's Holding Regarding Emotional Damages

SkyWest appealed *SkyWest I* on several grounds, including its “entitle[ment] to a new trial on damages because the district court failed to instruct the jury to limit compensatory damages for noneconomic loss, like emotional distress, based



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on Budd's failure to mitigate those damages." *EEOC v. SkyWest Airlines, Inc.*, 181 F.4th at 543. SkyWest claimed that Budd "could have taken steps to mitigate her mental and emotional damages by seeking therapy or taking medication." *Id.*

The court rejected the 5th Circuit's argument on two grounds. First, the court concluded that Title VII's statutory scheme precludes mitigation of emotional distress damages because "the statute includes a mitigation requirement for backpay, but not for compensatory damages, [which] signals Congressional intent to exclude a duty to mitigate for compensatory damages." *Id.* at 544. Second, the court rejected SkyWest's claim that mitigation of emotional damages is "a well-established common law principle" that applies even absent express Congressional intent. *Id.* at 545. The court explained that SkyWest framed the duty to mitigate damages "far too broadly" because "[t]he question is not whether well-established common law principles created a duty to mitigate damages, but whether that duty extended to emotional distress. It did not." *Id.* As such, the circuit joined the "majority of federal courts answering this question [that] have held that Title VII plaintiffs have no duty to mitigate damages for emotional distress." *Id.*

— **Justine Geiger Daniel**
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Contingent Fees And Attorney Misconduct

In re MMA Law Firm, PLLC, 26-0161 (La. 6/29/26), ___ So.3d ___, 2026 WL 1862008.

The Louisiana Supreme Court answered a set of certified questions from the U.S. District Court for the Southern District of Texas addressing whether, and how, an attorney may recover contingent fees and costs when the representation ends prematurely amid allegations of misconduct. The decision supplies a framework of statewide importance for fee disputes between predecessor and successor counsel.

The dispute arises from the collapse of McClenny Moseley & Associates, PLLC (MMA), a Houston-based firm that entered contingent-fee contracts with thousands of Louisiana residents pursuing hurricane- and storm-related property-damage claims after Hurricane Ida. In response to concerns about the firm's handling of those claims, multiple courts stayed MMA's cases or sanctioned its attorneys, and the Louisiana Supreme Court suspended the license of MMA's lead Louisiana attorney and stayed the firm's Louisiana state-court cases. *See id.* at *2. MMA subsequently filed for bankruptcy and, as the certifying court explained, either withdrew from or

was discharged from virtually all remaining cases, with successor firms assuming the representations and resolving many of the claims. MMA then asserted claims for fees and costs against successor firms out of the settlement proceeds. The claim giving rise to the certified questions was filed against Morris Bart, LLC. *See In re: MMA Law Firm, PLLC*, Civil Action NO. 4:24-CV-4446 (S.D. Tex. 2/4/26), 2026 WL 770618.

The Louisiana Supreme Court emphasized the limited nature of its role. The certified questions were framed hypothetically; no court has made any factual finding that MMA, its lawyers or its agents actually committed misconduct, and the parties dispute the allegations. Consistent with its authority on certified questions, the court made no factual findings and confined itself to deciding the questions of Louisiana law presented, leaving all fact finding to the federal district court.

Who may assert absolute nullity. The court first held that a successor firm sued by a predecessor for fees and costs may raise the defense that the predecessor's earlier misconduct renders its contingent fee contract an absolute nullity. Louisiana Civil Code article 2030 provides that an absolute nullity "may be invoked by any person or may be declared by the court on its own initiative," and a "person" includes a juridical entity. Because absolute nullities operate with respect to all members of society and are not confined to the parties to the transaction, a successor firm is entitled to raise the defense.

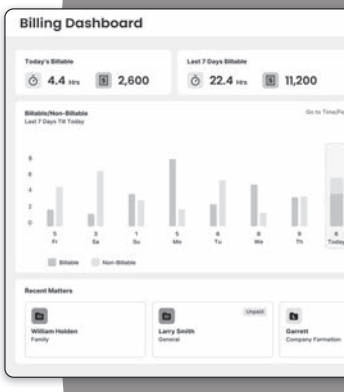
Effect of misconduct on the contract. The court distinguished between misconduct in the formation of the contract and misconduct during its performance. A contingent-fee contract entered as the result of unethical or illegal conduct — specifically impermissible paid solicitation, prohibited fee sharing or the unauthorized practice of law — is absolutely null. Such an agreement derogates from laws enacted to protect the public interest, violates rules of public order and results in conduct prohibited by law and against public policy. The court refused to "place its stamp of approval on such contracts." By contrast, where the parties formed a valid contract and the attorney engaged in misconduct only afterward, the misconduct may con-



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stitute a failure to perform that gives rise to dissolution of the contract but does not render it absolutely null.

Recovery of fees and costs. Consequences follow from that distinction. An attorney whose contract is absolutely null because it was procured through unethical or illegal means is not entitled to recover fees or costs on any basis, including a quasi-contractual or quantum meruit theory. Civil Code article 2033 deems an absolutely null contract never to have existed and bars recovery of a performance rendered under it by a party who knew or should have known of the defect. Rule 7.4(a) of the Rules of Professional Conduct independently prohibits collecting a fee for employment obtained through prohibited solicitation. Where, however, a valid contract was formed and later marred by misconduct, recovery is governed by the framework of *O'Rourke v. Cairns*, 95-3054 (La. 11/25/96), 683 So.2d 697, 702, and *Saucier v. Hayes Dairy Products, Inc.*, 373 So.2d 102, 118. Under that framework, the client owes

only a single contingency fee – the highest ethical percentage to which the client agreed – which is allocated among the attorneys, and the culpable attorney's share is subject to reduction or, in appropriate cases, complete denial based on the nature and gravity of the misconduct.

Against whom recovery lies. Subject to certain requirements, a discharged attorney has a right of action to recover fees and costs against both the former client and the successor firm, grounded in the special privilege afforded by La. R.S. 37:218. As to a claim against the successor firm, recordation of the contingent fee contract is not necessary, but the discharged attorney must provide some form of timely notice before the contingent fee is paid – that is, before the funds lose their identity by being commingled with the successor's own funds and the privilege is extinguished.

Withdrawal versus discharge. The court held that the *Saucier/O'Rourke* fee-allocation framework applies to any termination of the representation, whether by discharge or withdrawal. A withdrawal

may occur through no fault of the attorney or may involve unethical or illegal conduct; where the attorney bears some culpability, an *O'Rourke* reduction or denial is appropriate, particularly where the withdrawal materially and adversely affected the client's interests.

Judge or jury. Finally, the court declined to answer whether a judge or jury should make the *O'Rourke* adjustment. That question is not determined by Louisiana law; in a federal proceeding, the allocation of issues between judge and jury is governed by federal law.

– **Robert J. David**

Gainsburgh, Benjamin, David, Meunier
& Warshauer, LLC
601 Poydras St., Ste. 2355
New Orleans, LA
and

– **Michael J. Ecuyer**

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Meaning of Hotel and Transient Guest for Sales Tax and Occupancy Tax Notice Deficiency

Civeo USA, LLC v. Howard, BTA Docket No. L02026 (4/7/26).

Sun Towing, LLC (Sun), as lessor, entered into a development and lease agreement with LACC, LLC, as lessee. The lease provided that the lessor would construct and install living quarters within a mobile home park in Sulphur, Louisiana, which became known as Acadian Acres. The purpose of the lease was to secure temporary housing for employees and contractors near a worksite.

Sun sold Acadian Acres to Lakeland LLC, and then Civeo USA, LLC acquired Acadian Acres from Lakeland. When Civeo acquired Acadian Acres, there were 100 housing units on the premises. Each unit consisted of four bedrooms and a common area, for a total of 400 beds. Civeo assumed the lease and stepped into the shoes of the lessor. As lessor, Civeo was required to make a minimum number of beds per night available to LACC for use by LACC's employees and contractors.

The units were manufactured homes. Outside each unit was a parking lot with four parking spaces. Each unit's common area served as a consolidated living, dining, kitchen and utility space. Civeo supplied the units with utilities, air conditioning and an internet connection. Civeo also supplied the units with appliances and furnishings, such as bedding, televisions, microwaves, coffee makers, mini fridges, desks, chairs, towels and silverware. The lease required that LACC pay a rate of \$51.81 per bed-night utilized (i.e., occupied).

Hollie Howard, in her capacity as

director for the Calcasieu Parish School Board Sales and Use Tax Department, the Calcasieu Parish School Board Sales and Use Tax Department, and the Southwest Louisiana Convention and Visitors Bureau conducted an audit for the sales-tax periods Dec. 1, 2017, through Dec. 31, 2020. Howard issued a notice of assessment for additional sales tax due attributable to the lease payments. Civeo filed an appeal with the Louisiana Board of Tax Appeals (BTA). In addition, Howard issued a notice of assessment for additional occupancy (hotel/motel) tax attributable to the amounts paid by Civeo pursuant to the lease for the same tax periods. Civeo paid under protest and filed suit at the BTA.

Civeo moved for summary judgment, which Howard opposed. Civeo argued that it neither operated a hotel nor furnished sleeping rooms to transient guests. As a result, Civeo maintained that it was not required to collect sales or occupancy tax on the rental of the units, or the payments made pursuant to the lease.

Civeo operated the physical establishment where visitors were lodged. Civeo checked in new guests, provided them with room keys, hired full-time employees, established facility policies and provided on-suite services such as cleaning and security. Based on these facts, the BTA found that Civeo operated a hotel at Acadian Acres.

LACC's employees physically occupied the rooms at Acadian Acres. The hotel roster showed that none of the employees resided at Acadian Acres for more than a year. The facts showed that the people who stayed at Acadian Acres would not be permanent guests. The BTA held the rooms were occupied by transient guests.

Civeo argued that the occupancy tax notice was statutorily deficient for failing to include notice of Civeo's right to appeal to the BTA as required by the Uniform Local Sales Tax Code (ULSTC), specifically La. R.S. 47:337.51(A)(1). The BTA found that the occupancy tax notice satisfied the criteria to operate and in effect was a sales tax to be subject to the notice requirements imposed under the ULSTC. The ULSTC required that the taxpayer be notified of its right to file an appeal

with the BTA. The occupancy tax notice did not strictly adhere to the statutory requirement and did not have the effect of interrupting prescription. The BTA held the occupancy tax notice was not a final assessment. Despite holding the occupancy tax notice was deficient, the BTA held Civeo failed to demonstrate that the occupancy taxes for the tax period were prescribed.

– **Antonio C. Ferachi**

Immediate Past Chair,

LSBA Taxation Section

Deputy Assistant Secretary,

Office of Legal Affairs

Louisiana Department of Revenue

617 N. Third St.

Baton Rouge, LA 70802

Courts Address Property Tax Sales and Ad Valorem Tax Exemption

In *Pung v. Isabella County, Michigan*, 146 S.Ct. 1590 (2026), the U.S. Supreme Court held that “just compensation” required by the Takings Clause of the Fifth Amendment is measured by the surplus of the price obtained at a tax sale (and not the fair market value) over the property-tax debt.

At issue was the tax sale of the Pung family residence under the Michigan General Property Tax Act, which requires counties to give public notice of the tax sale, to sell the property to the highest bidder and to obtain a judgment of foreclosure from a Michigan court. The home, valued at \$194,400, was sold at a tax sale for \$76,008 to settle a \$2,241.93 debt. Following a suit by Pung, the district court held that the Takings Clause entitled Pung to “the amount of the sale above his debt and no more” and rejected Pung's Eighth Amendment Excessive Fines Clause claim. The 6th Circuit affirmed.

The Supreme Court vacated and remanded the case, with Justice Alito writing the majority opinion for a court that was unanimous in its decision. The

court held that the baseline for measuring “just compensation” following a tax sale is the price fetched at auction rather than the hypothetical fair market value, at least where the sale is fairly conducted in light of the nation’s history of tax sales. Tracing the roots of the surplus-proceeds rule from the Magna Carta to present day, the court reasoned that delinquent owners may be able to take alternative steps such as refinancing the property or selling it themselves to avoid foreclosure and that a fair market rule would render these kinds of tax-enforcement efforts impractical by placing unprecedented burdens on such jurisdictions. Pung’s Excessive-Fines Clause claim was also rejected for the same reasons.

In *Northwestern Louisiana Cancer Center, LLC v. Louisiana Tax Commission*, BTA Docket No. L01968 (5/14/26), the Board of Tax Appeals (BTA) held that a cancer center titled in the name of a wholly owned private subsidiary of a public hospital service district and used for the hospital service district’s public purpose is exempt from ad

valorem taxes as “other public property” under Louisiana Constitution article VII, section 21(A).

In August 2021, the Natchitoches Regional Medical Center (NRMC), a hospital service district and political subdivision of the state, purchased and became the sole owner of Northwestern Louisiana Cancer Center, LLC (NLCC), a private entity. NLCC’s only business activity is the lease of its cancer center and medical equipment to NRMC. On Dec. 27, 2023, NLCC paid its 2023 ad valorem taxes under protest and timely filed a legality challenge before the BTA. Both sides moved for summary judgment.

NLCC argued that it is exempt from ad valorem taxes because it is “owned and used by a political subdivision of the state of Louisiana to carry out a public purpose.” The assessor and sheriff argued that the direct ownership of the cancer center by NLCC subjects it to ad valorem taxes.

The BTA granted NLCC’s motion for summary judgment and denied the mo-

tions filed by the assessor and sheriff, finding that NLCC was exempt because (1) it qualifies as “any other unit of local government” and is therefore a political subdivision under Louisiana Constitution article VI section 44(2), and (2) NLCC and NRMC used the cancer center exclusively for their public purpose of providing medical services and treatment.

– **Jaye A. Calhoun**

Member, LSBA Taxation Section

Kean Miller LLP

909 Poydras St., Ste. 3600

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and

– **Benjamin Mollere**

JD Candidate, Loyola University New

Orleans College of Law

Summer Associate, Kean Miller LLP

and

– **Jacob Broussard**

JD Candidate, Paul M. Hebert Law

Center, Louisiana State University

Summer Associate, Kean Miller LLP

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LAWYERS ON THE MOVE, NEWSMAKERS, PUBLICATIONS

LAWYERS ON THE MOVE

The law firm of Staines, Eppling & Kenney, LLC is pleased to announce that **Claire E. Padilla** has become an Associate of the firm located at 3500 N. Causeway Blvd., Ste. 820, Metairie, LA 70002. Padilla will practice in the areas of maritime and general casualty litigation, including personal injury, property damage, insurance coverage and contract review.

Breazeale Sachse is pleased to announce that **Craig J. Hebert** has joined the firm's Litigation Practice Group in its New Orleans office.

Barrasso Usdin Kupperman Freeman & Sarver, L.L.C. is pleased to announce that **John P. D'Avello** has joined the firm as Counsel.

Richard J. Arsenault has been selected to serve as the 2027 President of The National Trial Lawyers, an invitation-only organization composed of the nation's premier trial attorneys. He

was also recognized as a Martindale-Avvo Rated Top Lawyer for 2026 and included in the Martindale AV Judicial Edition. Neblett, Beard & Arsenault was likewise nominated for 2026 Membership as one of the 10 Personal Injury Law Firms.

John C.D. Griffin and Allison A. Melton are pleased to announce the formation of Melton & Griffin, PLLC. The husband-and-wife team, who have practiced in Shreveport and Tyler, Texas, will focus on plaintiff personal injury, commercial construction litigation, family law and select criminal matters in Louisiana and Texas.

Mouledoux, Bland, Legrand & Brackett in New Orleans, welcomes two new attorneys to their New Orleans location: Of Counsel **Eric R. G. Belin** (maritime, insurance coverage, insurance defense), and Associate **Samantha J. Lopez** (Longshore and Harbor Workers' Compensation Act, Defense Base Act and War Hazards Compensation Act).

Circle K Stores Inc. welcomes **Jeremy A. Bazile** as Senior Legal Counsel in its global legal department. He will manage complex litigation and advise the company on liability, claims strategy and enterprise risk management.

Frank E. Lamothe III has been selected for inclusion in *The Best Lawyers in America*® 2027 for Personal Injury – Plaintiff.

Breazeale Sachse welcomes **Alec B. Keane** and **David A. Peterson** to their Baton Rouge Office and looks forward to the experience, knowledge and perspectives they will bring.

Barrasso Usdin Kupperman Freeman & Sarver, L.L.C. is pleased to announce that **Ryan P. Simoneaux** and **Jordan E. Rice** have joined the firm as associates.

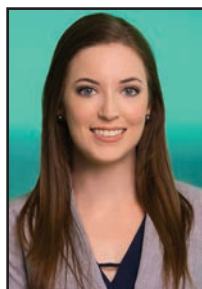
Blue Williams, LLC is pleased to announce that Abigail K. (Abby) Unsworth and Austin W. Lanier have joined the firm as associate attorneys in its Metairie office. Unsworth focuses on



Phillip J.
(Phil) Antis, Jr.



Richard J. Arsenault



Gabrielle A. Ball



Jeremy A. Bazile



Eric R. G. Belin



Joseph E.
(Jed) Cain



Angelina Christina



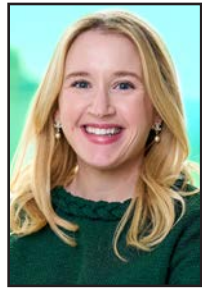
John P. D'Avello



Laurent J.
Demosthenidy



Lillian E. Eyrich



Caitlin J. Flanagan



Harold J. Flanagan

insurance defense, including transportation and trucking litigation. She earned her law degree cum laude from Loyola University New Orleans College of Law, where she received a certificate in Law, Technology, and Entrepreneurship and served on the Loyola Law Review. Lanier practices premises liability, construction law, business formation and transactions, and auto and trucking litigation. He earned his JD from the Paul M. Hebert Law Center at LSU.

NEWSMAKERS

Lawrence G. Gettys has opened Gettys Law Group, a firm representing individuals and families affected by asbestos-related diseases. Gettys has more than 30 years of experience representing victims of mesothelioma, asbestos-related lung cancer and other diseases linked to asbestos exposure, including exposure associated with certain talc products.

Several Fishman Haygood, LLP attorneys in New Orleans have received professional appointments and honors. Sterling S. (Scott) Willis was appointed an adviser to the American Law Institute's Restatement of the Law Fourth, Property; Steven C. Serio was elected a Fellow of the American

College of Mortgage Attorneys; Stephen J. Herman was appointed to the Louisiana State Law Institute Torts and Insurance Committee and elected parliamentarian of the American Association for Justice; H.S. (Tad) Bartlett III was named secretary of the Louisiana Board of Legal Specialization Appellate Practice Advisory Commission; Benjamin D. Reichard was selected for the International Chamber of Commerce Advanced Arbitration Academy for North America; and Margaret M. (Maggie) Daly was elected to the 2026-27 Younger Lawyers Division Board of Directors of the Federal Bar Association's New Orleans Chapter.

Gordon Arata was recognized in the 2026 Legal 500 United States guide in General Commercial Disputes: Mid-Market, and Energy Litigation: Oil & Gas Mid-Market and as a Firm to Watch for Energy Transactions: Oil & Gas Mid-Market. New Orleans attorneys **Phil J. Antis, Jr.** and **Alex B. Rothenberg** were recognized as Leading Partners in General Commercial Disputes: Mid-Market.

Gerald (Jess) Waltman III of Gordon Arata has been selected for the American Bar Association Young Lawyers Division's 2026 On the Rise – Top 40 Young Lawyers.

PUBLICATIONS

2026 Super Lawyers

The Law Offices of Lester J. Gauthier is pleased to announce that **Lester J. Gauthier, Jr.** has been selected for inclusion in the list of Super Lawyers in Criminal Defense for the year 2026.

Chambers USA 2026

► Office Managing Principal and Litigation Manager Charles F. Seemann III; Principal Stacey C.S. Cerrone; Principal Howard Shapiro; Principal René E. Thorne; Of Counsel Robert W. Rachal

2026 Lawdragon 500 X; The Next Generation

► Fishman Haygood, LLP (New Orleans): Elizabeth Blair Schilling and Kaja S. Elmer

2026 Lawdragon 500 Leading Global Tax Lawyers

► Fishman Haygood, LLP (New Orleans): Loretta G. (Lori) Mince



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Flanagan



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James H. Gilbert



Soren E. Gisleson



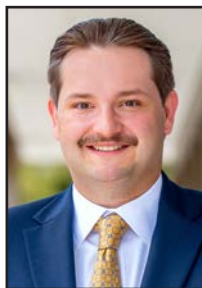
Craig J. Hebert



Anders F. Holmgren



Brian D. Katz



Alec B. Keane



Frank E.
Lamothe III



Samantha J. Lopez



David A. Martinez

*Not licensed in Louisiana.

2026 Lawdragon 500 Global Leaders in Energy

► Fishman Haygood, LLP (New Orleans): Dana M. Shelton, Noel J. Darce and Justin A. Swaim

2027 Best Lawyers

► Breazeale Sachse: Danielle L. (Dani) Borel; Verne Thomas Clark, Jr.; James R. Raines; Melissa M. Shirley

2027 Best Lawyers in America®

► Herman, Katz, Gisleson & Cain: Russ M. Herman, **Brian D. Katz**, **Soren E. Gisleson** and **Joseph E. (Jed) Cain**.

► Mouldoux, Bland, Legrand & Brackett (New Orleans): Wilton E. Bland III, Alan G. Brackett, Ashley M. DeMouy, Gerard J. Dragna, Daniel J. Hoerner, Georges M. Legrand, André J. Mouldoux, C. Michael Parks

► Breazeale Sachse (Baton Rouge): John W. Barton, Jr., Christopher D.

Billings, Danielle L. (Dani) Borel, Robert T. Bowsher, Jude C. Bursavich, David R. Cassidy, Joseph J. Cefalu III, David M. Charlton, Verne Thomas Clark, Jr., Jeanne C. Comeaux, Clay J. Countryman, Carroll Devillier, Jr., David C. Fleshman, Murphy J. Foster III, Gregory D. Frost, Nicole Gould Frey, Emily Black Grey, Timothy W. Hardy, Michael R. Hubbell, Carrie L. Jones, Lance J. Kinchen, John B. King, Eric B. Landry, Kelsey Clark Luckett, Catherine M. Maraist, Jackie M. Marve, Christopher A. Mason, Van R. Mayhall, Jr., C. Stokes McConnell, Jr., Catherine Breaux Moore, Trenton J. Oubre, James R. Raines, Claude F. Reynaud, Jr., Melissa M. Shirley, Thomas R. Temple, Jr., Terrel A. Thomas, B. Troy Villa, Stephen R. Whalen, Douglas K. Williams, Scott D. Wilson.

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► Steeg Law (New Orleans): **Lillian E. Eyrich**; **David A. Martinez**; **Randy Opatowsky**; **Robert M. Steeg**; **Charles L. Stern, Jr.**

► Flanagan Partners LLP is pleased to announce that the 2027 Edition of Best Lawyers®: The Best Lawyers in

America® and Ones to Watch® lists include ten Flanagan Partners attorneys. **Thomas M. Flanagan**, **Harold J. Flanagan**, **Caitlin J. Flanagan**, **Anders F. Holmgren**, **Camille E. Gauthier**, **Laurent J. Demosthenidy**, and **Angelina Christina** have been recognized in the 33rd edition of *The Best Lawyers in America®*.

2027 Best Lawyers:

Ones to Watch® in America

► Flanagan Partners LLP: **Gabrielle A. Ball**, **James H. Gilbert**, and **Jordan B. Redmon** were named in the 7th edition of the Best Lawyers: Ones to Watch in America® list.

► Mouldoux, Bland, Legrand & Brackett (New Orleans): Wilton E. Bland III, Wilton E. Bland IV, Kathryn L. Briuglio, Alex J. Domingue, JoAnn H. John, Michael T. Neuner and Christopher J. Seemann

► Breazeale Sachse (Baton Rouge): Alexa N. Candelora, Adam P. Guarisco, Robert S. Hinyub III, Connor J. Krone, Kelsey C. Luckett, Catherine Breaux Moore, Kristin E. Oglesby, Sarah A. Perkins, Robert M. Schmidt, Charles Christian Szeszycki, Jordan S. Varnado

► Breazeale Sachse (New Orleans): Philip J. Giorlando, Kayla M. Jacob.



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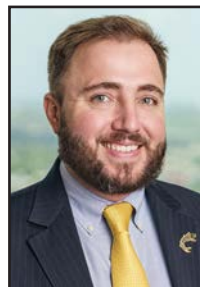
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Gerald (Jess)
Waltman III

Are you a Lawyer on the Move? Do you have news to share?

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.

Leadership LSBA Class Recognized at Annual Meeting

Members of the Leadership LSBA 2025-26 Class were recognized during the June 4 meeting of the LSBA House of Delegates at the 2026 Annual Meeting in Destin, Fla.

Seven class members attended the presentation and received certificates commemorating their completion of the program. The class was led by co-chairs Casey C. Hollins and Garret W. Wick.



Members of the Leadership LSBA 2025-26 Class recognized during the House of Delegates meeting are, from left, Shiena M. Normand Burke, Anna C. Tucker, Taquincia M. Jairles, Shana M. Robertson, Sharita L. Spears, Lauren S. Bennett and Meghan E. Notariano. Class members are joined by 2025-26 LSBA President Edward J. Walters, Jr. and 2026-27 LSBA President Curtis R. Joseph, Jr.



Jennifer Gordon Lampton accepts the 2026 Guardian of Diversity Award on behalf of the A.P. Tureaud American Inn of Court from 2025-26 LSBA President Edward J. Walters, Jr.

Lampton Accepts Guardian of Diversity Award on Behalf of A.P. Tureaud Inn

Jennifer Gordon Lampton accepted the LSBA's 2026 Guardian of Diversity Award on behalf of the A.P. Tureaud American Inn of Court during the June 4 General Assembly at the LSBA's 2026 Annual Meeting in Destin, Fla.

Founded in 2005, the Inn was recognized for its long-standing commitment to diversity, inclusion, professionalism and service. Its programs and outreach initiatives promote access, mentorship and professionalism throughout Louisiana's legal community.



Kellen J. Mathews accepts the 2026 Catherine D. Kimball Award for Advancement of the Administration of Justice on behalf of Hon. Rachelle D. "Shelly" Dick from 2025-26 LSBA President Edward J. Walters, Jr.

Mathews Accepts Kimball Award on Behalf of Chief Judge Dick

Kellen J. Mathews accepted the LSBA's 2026 Catherine D. Kimball Award for Advancement of the Administration of Justice on behalf of Hon. Rachelle D. (Shelly) Dick during the June 4 General Assembly at the LSBA's 2026 Annual Meeting in Destin, Fla.

Dick, chief judge of the U.S. District Court for the Middle District of Louisiana, was recognized for her leadership, commitment to public service and dedication to the fair administration of justice. Appointed in 2013, she was the first woman to serve on the Middle District bench.

41st Annual LBF Gala at The Roosevelt New Orleans

The Louisiana Bar Foundation (LBF) will hold its 41st Annual Gala on Friday, April 16, 2027, at The Roosevelt New Orleans. During the event, the 2026 Distinguished Honorees and the recipient of the Calogero Justice Award will be recognized.

The Gala, the largest fundraiser hosted by LBF, will begin with a Patron Party at 6:30 p.m., followed by the formal program. Additional information is available at raisingthebar.org or by contacting the Louisiana Bar Foundation at (504) 561-1046 or gala@raisingthebar.org.

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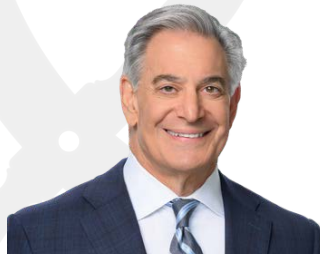
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Short Stories Do the Trick

By Michael J. Mestayer, 2026–27 LBF President



Life is a lot like the practice of law. The more interesting the story you tell, the easier it is to make your point. Since the point of the LBF President's Message is to inform members of the Bar of the LBF's activities and to garner greater support for the LBF, I offer these two short stories.

Cast a Wide Net

Awhile back, I was invited on a fishing trip to Marsh Island on the promise that the "specks are running." When we arrived there, I was astounded at the vast number of alligators that had decided this desolate island was a fine place to settle. Apparently, the speckled trout had the same idea and the trip was poised for promising results. Now, it has been my experience that speckled trout really like live shrimp, so instead of purchasing any before we departed the landing, we decided that we would just use a cast net to retrieve our bait. Smart — right?

Eager to get started, I grabbed the cast net, and in great South Louisiana fashion, made a heaving throw into an area of the canal that looked most promising. The net sailed into the air, formed a perfect circle, and gracefully landed precisely where I had planned. "Awesome," I thought. The only problem was the fact that I had forgotten to hold onto the other end of the line. The result — net lost, alligators all around. Not a good time for a dive to retrieve the net. Except for the dozens of crabs that we caught, it would have been a wasted trip.

So, how does this relate to the

Louisiana Bar Foundation? It occurred to me that the LBF is figuratively the wide net that covers our 70+ grantee organizations who provide free civil legal aid around the State. It is the job of the LBF to hold onto the line that oversees all of that great work to assure that we provide the best use of our resources for a successful catch. Each "throw" allows greater engagement with the community in need.

Each member of the Bar knows best where that need exists in his/her community so that the LBF can net a successful catch and expand the reach of the services that our grantee organizations provide. So, I urge you to grab a net, but hang onto the rope. Become a Fellow of the LBF, join one of our nine Community Partnership Panels throughout the State or simply volunteer at one of the many organizations that the LBF supports. Boiled crabs are great, but speckled trout is better.

A Little Goes a Long Way

It was 1988, and I had just completed a two-week jury trial in Shreveport. It was an emotional case involving a heavy truck rollover accident that left a young wife and daughter without a husband or father. The daughter's testimony left everyone in the courtroom in tears as she recounted how her dad was her hero.

The judge who presided over the case had a remarkable ability to relate to the jurors, the witnesses (including the experts), but more importantly, the lawyers. He was objective, but not cold. Decisive,

but not overbearing. Empathetic, but not emotional. In short, he did his job as one would expect — or hope. I was impressed.

In fact, I was so impressed, that after the appeals were over (*the case settled during appeal*), I wrote to the judge and thanked him for his formal, yet personal handling of the case. Recently, I learned that the judge was in hospice, which saddened me to hear. However, my spirits were immediately lifted after I was informed that the judge was so inspired by my thank-you note that he not only kept the letter, but had it framed. That was over 35 years ago. This brings me to the focus of the story: you know, that circle thing.

Sometimes, the smallest gestures, the ones no one expects, have the greatest impact on another's life. Little did I know that the qualities that inspired me to write that letter would affect its recipient — and, in turn, me — so many years later. As a law school professor, I see the truth of the old maxim in every class: You learn more from teaching than from being taught.

I think that same sentiment holds true for the work of the Louisiana Bar Foundation in dealing with the recipients of our 70+ grantee organizations. Each act of kindness, of assistance, that we perform or help others to perform for our underserved community comes back to us. It might not be a framed letter of thanks, but a kind word, a smile, or a simple handshake that expresses gratitude for simply "doing our job." What could be more simple or rewarding? After all, isn't that what the practice of law is all about — helping others out of a difficult situation? Let's keep that circle going.

TOP YOUNG LAWYERS

LSBA Young Lawyers Division Award Nominations

Deadline: November 5, 2026

Nominations are open for the Louisiana State Bar Association's Young Lawyers Division (YLD) awards. To be eligible for consideration, individual nominees must be current members of the YLD (attorneys who had not yet reached the age of 40 or who had been admitted to the practice of law for fewer than five years as of July 1, 2026) and who are in good standing. Prior winners of an individual award (Top 40 – now Top Young Lawyers, Outstanding Young Lawyer – now Young Lawyer of the Year, Pro Bono, Professionalism) are not eligible to be considered for that award again. Prior finalists of individual awards are eligible to be nominated again. The YLD Council selects award winners from recommendations made by a committee of young lawyers appointed from throughout the state.

AWARD DESCRIPTIONS

► **Top Young Lawyers Awards & Young Lawyer of the Year.** The Top Young Lawyers Awards, previously the Top 40 Award, are given to the state's top young lawyers. One lawyer will be recognized as the Young Lawyer of the Year, previously the Outstanding Young Lawyer Award. The Young Lawyer of the Year will be chosen from the submissions for the Top Young Lawyers Awards. (Top Young Lawyers Awards applicants will automatically be considered for Young Lawyer of the Year and do not need to separately apply.) In making award determinations, the YLD will consider the nominee's professional accomplishments; the nominee's exceptional contributions to the community, bar associations and the legal profession; the nominee's leadership; and the nominee's display of character, professionalism and ethics. Previous recipients of the Top 40 and Outstanding Young Lawyer Award are not eligible to receive the Top Young Lawyers and Young Lawyer of the Year, respectively.

► **Hon. Michaelle Pitard Wynne Professionalism Award.** This award is given to a young lawyer for commitment and dedication to upholding the quality and integrity of the legal profession and consideration towards peers and the general public. The YLD will consider the nominee's commitment to promoting respect for the legal system and profession by exhibiting the highest standards of competence, integrity, civility and ethics as well as a dedication to enhancing professionalism among lawyers.

► **YLD Pro Bono Award.** This award is given to a young lawyer for commitment and dedication to providing pro bono services in the community or the state beyond the nominee's primary job requirements. The YLD will consider the nominee's total number of pro bono hours per year; the impact of the nominee's pro bono work; and the nominee's ongoing contributions that have resulted in the increased access to legal services for Louisiana citizens.

► **Outstanding Local Affiliate.** This award is given to a local affiliate organization that has impacted the lives of young lawyers in an outstanding way. The YLD considers the organization's service to the public; the organization's service to the legal profession; the success of the organization's initiatives that serve the public and the profession; any challenges that the organization overcame; the organization's creative use of resources; the organization's efforts to involve young lawyers in programming and services; and the organization's commitment to inclusiveness and equity.

► **Program of the Year.** This award is given to an organization (bar association, firm or other entity) that has implemented an outstanding program or service that serves the public or the profession, enhances the lives of young lawyers, or was primarily planned by young lawyers. The YLD considers how the organization involves young lawyers; the organization's impact on the public and/or profession; and the organization's innovation, inclusiveness and success.

TO NOMINATE A YOUNG LAWYER

1. Fill out the LSBA Young Lawyers Division 2027 Awards Nomination Form by Nov. 5, 2026. The form asks why the nominee should be considered for the award and specifically addresses the award criteria. Additional attachments for all nominations are encouraged, including résumés, newspaper clippings, letters of support and other materials pertinent to the nomination. Nominations should be detailed and thorough, as award selections are based solely on the information provided in the nomination packets.

2. Any nomination packet that is incomplete or not received by Nov. 5, 2026, will not be considered.

3. All finalists and winners will be recognized at the LSBA Young Lawyers Conference in Spring 2027.

**For questions or more information, contact the Awards Committee Chair
Jana Robinson at Jana.Robinson@drax.com or (318) 372-0382.**

**NOMINATE
ONLINE HERE**



**OR VISIT:
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Standard classified advertising in our regular typeface and format may now be placed in the *Louisiana Bar Journal* and on the LSBA Web site, LSBA.org/classifieds. All requests for classified notices must be submitted in writing and are subject to approval. Copy must be typewritten and payment must accompany request. Our low rates for placement in both are as follows:

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NOTICE

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

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

Notice is hereby given that Brian A. Dragon intends on petitioning for reinstatement/readmission to the practice of law. Any person(s) concurring with or opposing this petition must file notice of same within 30 days with the Louisiana Attorney Disciplinary Board, Ste. 310, 2800 Veterans Memorial Blvd., Metairie, LA 70002.

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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 website.

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If you prefer to charge your listing (Visa, Mastercard or Discover only), please call (504) 619-0131 or (800) 421-5722, ext. 131.

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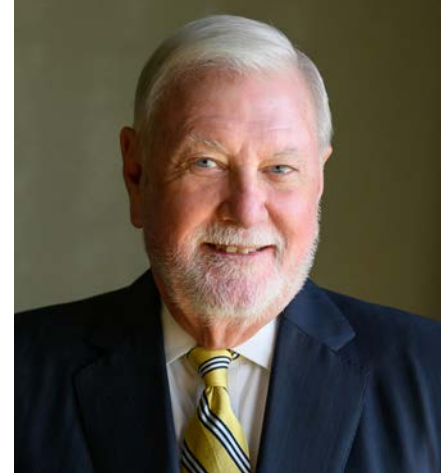
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The Last Word *Ipse Dixit*

TL;DR: Technology Vincit Omnia?

Computer Acronyms or Initialisms for Lawyers

By Edward J. Walters, Jr.



So I am on the 'net reading something really, really important and germane to what we lawyers do for a living, and I see a comment where some lawyer was discussing what he or she felt was a very important legal topic and he (or she) stated, "TLDR."

We're always learning in today's world, right?

I know we use a lot of legal acronyms, in fact, we probably INVENTED most of them: MSJ, JNOV, ERISA, MOU, UCC, CLE and the like.

But, according to Disciplinary Rule 1.1 regarding lawyer competence, we have to stay current in order to properly represent our clients. So we MUST know the current computer acronyms in order to fulfill our obligations under Rule 1.1, RIGHT? Otherwise, we would not know what people are talking about.

Get it?

So we already reluctantly learned what a USB is, what RAM is, what a .jpeg is, right?

Right.

I used to complain that people don't speak anymore in complete sentences, but NOW they don't even communicate in complete WORDS. Everything is an acronym.

So, back to TLDR.

Whatzat?

I know you've been waiting.

Hold onto your seat, it means, "Too Long, Didn't Read."

TLDR!!!

What?!!?!??

We've all had a TLDR article, case or diatribe, but to ANNOUNCE, in public, as a lawyer, that, although you think the issue is really important, and you have an opinion about it, it was too long for you to actually READ the whole thing!?! That's astonishing!

Who creates these acronyms nowadays, anyway?

Well, since we probably started this, let's be on the vanguard of these new acronyms.

The word acronym comes from Greek roots: acro- (meaning "tip" or "beginning") and -onym (meaning "name"), literally describing a name made from the tips (initials) of words, first appearing in English around 1940, borrowed from German Akronym.

While often used for any initial-based abbreviation, technically an acronym is pronounced as a new word (like SCUBA), whereas an initialism is pronounced letter-by-letter (like FBI).

Bet you didn't know that. Now you do.

Impress your friends.

Anyway, we all have learned to endure these computer acronyms and initialisms (pay attention):

CD-ROM: Compact Disc Read-Only Memory

CPU: Central Processing Unit

LCD: Liquid Crystal Display

LED: Light-Emitting Diode

RAM: Random Access Memory

USB: Universal Serial Bus

FTP: File Transfer Protocol

HTTP: Hypertext Transfer Protocol

LAN: Local Area Network

URL: Uniform Resource Locator

VPN: Virtual Private Network

GIF: Graphics Interchange Format

PDF: Portable Document Format

JPEG: Joint Photographic Experts Group

You know these, and use these, but you probably didn't know what the initials stood for, 'til now.

Since we created so many acronyms, and initialisms, here are a few new ones that we hope will catch on:

MADI: My Associate Did It

NMC: Not My Case

HALM: Hired At the Last Minute

HRTC: Hadn't Read The Case

JGIW: Judge Got It Wrong

NOMW: Not On My Watch

WWHT: What Was He Thinking?

WTWSA: What Trial Was She At?

SDYI: Sit Down, You Idiot

JSSS: Judge Said Sustained, Stupid

DFIR: Didn't Find It Relevant

NITR: Not In The Record

FTO: Failed To Object

SHO: Should Have Objected

DUAI: Didn't Use Artificial Intelligence

UAI: Used Artificial Intelligence

SUAI: Shoulda Used Artificial Intelligence

YMBK: You MUST Be Kidding!

I am sure there are more, and there will surely be more, but, since we created most of these acronyms and initialisms, let's be proud of them, because they are our LFELSM (Lawyers Full-Employment Lifetime Security Mechanisms).

EOR: End Of Rant.



Edward J. Walters, Jr. (Walters, Thomas, Cullens, LLC of Baton Rouge) is LSBA immediate past president and former LSBA secretary, LBJ editor and Editorial Board member. He has taught at LSU Law Center for more than 30 years and is the author of Ipse Dixit: Ruminations on a Career at Law. (TLDR: walters@lawbr.net; Baton Rouge)

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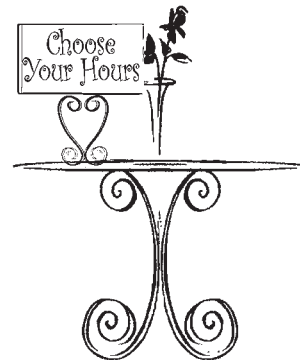
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