



# THE BATON ROUGE LAWYER

THE MAGAZINE OF THE BATON ROUGE BAR ASSOCIATION



**2024 Belly Up with the Bar: Oct. 4**



# Conquering the Maze | Navigating the Twists & Turns that Young Lawyers Face when Practicing Law

**Seminar Description:** This annual CLE seminar provides opportunities for young lawyers to engage with three experienced and diverse panels about what young lawyers should expect when practicing law. The first panel provides insight into how the 19th JDC's Civil, Criminal, Recording and Jury Management Divisions operate and how to negotiate within each division. The second panel provides young lawyers with the do's and don'ts of legal practice, work-life balance and stress management. The third panel provides insights into courtroom operations and judges' expectations of attorney conduct in the courtroom, in a procedural conference and in conversations with judicial support staff.

## 8:30 - 9:45 a.m. — CLERK OF COURT PANEL

**Clay Duke**, Recording Division Supervisor; **John Swearingen**, Civil Division Supervisor; **Donny Caldera**, Criminal Division Supervisor; **Mona Gills Collins**, Jury Management Coordinator

## 9:45 - 10 a.m. — Break

## 10 - 11:15 a.m. — ATTORNEY PANEL

**Marcus Plaisance**, Plaisance Law; **Candace B. Ford**, U.S. Attorney's Office; **Adam Kwentua**, EBR District Attorney's Office; **Ryan Thompson**, EBR Public Defender's Office & Thompson Justice Institute, LLC, Director

## 11:15 a.m. - 12:30 p.m. — JUDICIAL PANEL

**Judge Kelly Balfour**, 19th JDC Deputy Chief - Civil; **Judge William Jorden**, 19th JDC - Civil & Criminal; **Judge Ronald R. Johnson**, 19th JDC - Civil & Criminal; **Commissioner Kinasiyumki "Kina" Kimble**, 19th JDC Commissioner's Court

## Cost Options:

- \$40 for BRBA Young Lawyers Section members
- \$50 for non-section BRBA members
- \$75 for non-BRBA members

**Cancellation Policy:** Registration deadline and deadline to cancel without penalty is 4:30 p.m. Wednesday, Oct. 9, 2024. **"No shows" will be billed.** Fax completed form to: 225-344-4805. Make checks payable to: BRBA, 544 Main Street, Baton Rouge, LA 70801.

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**To register for this CLE seminar online and pay by credit card, go to [www.BRBA.org](http://www.BRBA.org), select the EVENTS tab, then click on EVENT LIST and choose the appropriate event.**

**Young Lawyers  
Section CLE  
8 AM - 12:30 PM**

**Registration: 8 - 8:30 AM**

**Oct. 11, 2024**

This seminar qualifies for  
3.75 hours of CLE credit.

Deadline to register:  
Wednesday, Oct. 9, 2024.

*Location:*

**19th Judicial  
District Court**

300 North Blvd.,  
Baton Rouge, La. 70801  
(11th Fl. - Complex Litigation Room)

## Questions?

Contact Susan Saye for more  
information: [susan@brba.org](mailto:susan@brba.org)  
or 225-344-4803.



## On the Cover

*Belly Up with the Bar is not until Oct. 4, but the committee is hard at work lining up event sponsors and registering cooking teams. On the cover of the July/August 2024 issue is a photo of Belly Up Committee members along with Chef John Folse and Johnny Ahysen from WAFB-TV Channel 9's cooking segment, "Stirrin' It Up." Photographed are (L to R) Chef Folse, Christopher Vidrine, Carlesia C. Bibbins, 2024 Belly Up Chair Cornelius Troy Hall and Ahysen, who will be serving as one of this year's Belly Up competition judges.*

*In photo below, Moroux captured a portion of the "Stirrin' It Up" cooking segment while waiting for the Belly Up Committee's opportunity to use the studio.*

Photography by Kent Moroux.

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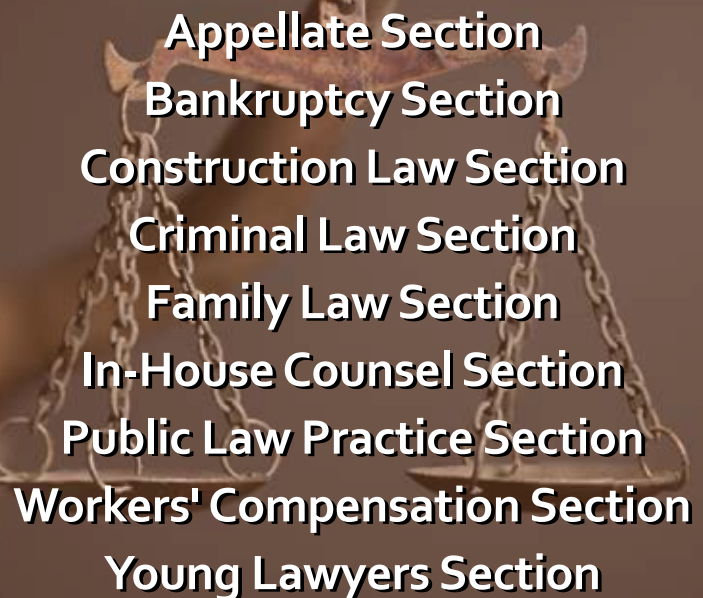
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# Letter from the President

by Luke Williamson

## Summer Doldrums & Disconnecting

When I first entered the practice of law back in 1996, receiving a facsimile transmission was a big deal.

The fax machine, housed in a communal office space with lots of wires running in and out of the machine, sat above a box of green-lined spool-fed paper. When a fax arrived, the machine's whirring reverberated up and down the hallway, and lawyers and staff would congregate gleefully around the machine to see what important document was coming through with such immediacy. Once the fax transmission was complete, we'd laboriously remove the perforated edges from both sides of the green-lined oversized pages to reach a size suitable to be photocopied.

At the time, this was perceived as super high-tech.

In today's legal landscape, we receive PDFs of important documents simultaneously on our handheld and other communication devices in less time than it took to print the first two lines of text on the old fax machine. At any given moment a lawyer might receive an innocuous-looking email containing a link to a cloud-based depository that could contain 100,000 pages of documents. Such document troves, previously delivered via a U-Haul truck in banker's boxes, now arrive as an email just below a DoorDash delivery confirmation or a Wisteria 10%-off-sale notification.

As Bob Dylan sang, "The Times They Are A-Changin'."

I had a "scheduling apocalypse" this spring with the Bench Bar Conference and my daughter's wedding (held at my home), which were two weeks apart. In the lead up to the two events, which were 10 years and 25 years in the making respectively, I worked a combined 80-90 hours a week between the wedding, Bench Bar and my actual job. Whether I was recruiting presenters for the Constance Baker Motley dramatic reading CLE, or planting snapdragons and laying fresh sod, I was slammed.

When I work in my yard, I usually put my cellphone on the hood of my truck. On one particular Saturday, I got a call from the library. My two paintings needed to be picked up, as the show they were in had ended. *Hadn't I received the email?* I jumped in my truck, raced to the library, retrieved the paintings and then continued sanding some freshly laid sod. Hours later, I realized I could not find my phone.

After searching frantically and having my wife call my phone repeatedly as I roamed the house, yard and barn, I realized something was dreadfully wrong. I tried to "find my iPhone," but had to log into my work computer to check my iCloud password—it is *not* saved in a file titled "passwords"—but I could not access it as the dual authentication text went to . . . *my cell phone.*

Eventually, I bought a new phone after finding my destroyed phone (thanks to a good Samaritan on Facebook). My old



Luke Williamson

phone had been smashed to bits after falling off my truck's hood onto Highway 61. I then restored my account after a three-day waiting period to verify that I am actually me.

During the four days without a fully functioning phone, I learned that it is very difficult to practice modern law without one and that you should never forget your iCloud password.

But after 24 hours without constant bombardment of new information, the

freedom of being disconnected from technology was actually glorious.

A fundamental problem exists with how connected we've all become. Our daily lives are dictated by sleek technological devices whose absence makes us feel naked. The last thing we do every night is check our phone; the first thing we do every morning is check our phone. It took me a full day to stop reaching for my phone every time I noticed it was not on me. But, as I slowly adjusted to being incommunicado, I realized how satisfying and freeing it was to live in the moment.

I was away from work for three days for Bench Bar. After scanning, deleting and archiving emails during the three-day conference, it took me over four hours to peruse the 350 remaining emails. I took off two days to prepare for and enjoy my daughter's nuptials, and the same thing occurred. I yearned for the days of the rare and slow-producing fax machine as the only source of new information in a case other than a letter delivered by the U.S. Mail or a call on a landline.

Historically, the practice of law slows down a bit in the summer. Courts used to close during the summer because it was too hot to adjudicate cases in the absence of air conditioning. Some people actually take vacations, yet I did not for the first 10 years of practice.

This year, during the heat-hazed doldrums of a Louisiana summer, I urge you to put away the phone and laptop. Cut the cord for a few days and enjoy the sunset without information overload. The work—countless emails to respond to and hyperlinks to review—will be there when you return, but for a few short days, you can live life without technology (and perhaps with less anxiety).

# Contributors



**Brad Cranmer** practices with Mansfield, Melancon, Cranmer & Dick, LLC, and is the 2024 chair of the Young Lawyers Section.



**Diana B. Gibbens**, judicial administrator of the 19th Judicial District Court, is a Publications Committee member.



**Reagan Haik** is the youth education coordinator for the Baton Rouge Bar Foundation.



**Cornelius Troy Hall**, an associate attorney at Lindsey Scott Law Firm, APLC, is chair of the Belly Up with the Bar Committee and a Publications Committee member.



**Kirk L. Landry**, a partner at Keogh Cox & Wilson, Ltd., is a contributing writer.



**Hillar C. Moore III**, district attorney for the 19th Judicial District serving East Baton Rouge Parish, is a contributing writer.



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**Gail S. Stephenson**, the managing editor of *The Baton Rouge Lawyer*, is the director of legal analysis and writing and the Louisiana Outside Counsel A.A. Lenoir Endowed Professor at Southern University Law Center.



**Luke Williamson**, a partner at Williamson Campbell & Whittington, LLC, is the 2024 president of the BRBA.

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July/August 2024

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# July Bar Luncheon

The next BRBA Luncheon will be Thursday, July 11, 2024, at Ruffino's Catering at De La Ronde Hall, 320 Third St. The BRBA Young Lawyers Section will host the luncheon.

Summer law clerks are invited to attend and qualify to receive the BRBA member rate for the luncheon.

Guest speakers are **Southern University Football Coach Terrence Graves** and **Coach Roman Banks, director of athletics.**

Coach Graves, a native of Norfolk, Virginia, became the 21st head coach for the Southern Jaguars Football program Dec. 13, 2023. Previously, he served as interim head coach for the 50th Bayou Classic as well as assistant



**Terrence Graves**



**Roman Banks**

head coach/special teams coordinator/linebackers coach.

Before coming to Southern, he was the Grambling State University interim head coach and special teams coordinator/linebackers coach; he served four years as assistant head coach and linebackers coach at Mississippi Valley State University; and prior to that, he spent 15 years at Southern University under Coach Pete Richardson.

Coach Banks, who is in his seventh year as the Southern University director of athletics, served previously as both the Interim Director of Athletics and Head Men's Basketball Coach from 2015-2017. During his tenure, Banks has led SU Athletics to 14 championships.

**CANCELLATIONS MUST BE MADE BY NOON WEDNESDAY, July 3, 2024. TO REGISTER, FAX THIS COMPLETED FORM TO 225-344-4505, EMAIL IT TO: SUSAN@BRBA.ORG OR REGISTER ONLINE AT WWW.BRBA.ORG. "NO SHOWS" WILL BE INVOICED.**

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**BAR LUNCHEON: YES, register me for the July Bar Luncheon** at Ruffino's Catering at De La Ronde Hall, which is from 11:45 a.m.-1 p.m. Thursday, July 11, 2024. Cost is \$40 for BRBA members and non-members. Reserve your seat by contacting Susan Saye at the BRBA by noon Wednesday, July 3, 2024. Fax your completed form to 225-344-4805, email it to: susan@brba.org, or register online at www.BRBA.org. Cancellations must be made by noon Wednesday, July 3, 2024. "No shows" will be invoiced.

**BRBA members can register online and pay by credit card: Go to [www.BRBA.org](http://www.BRBA.org), select the EVENTS tab, then click on LIST and choose the appropriate meeting listed.**

# Message to Young Lawyers

## Finding Harmony

by Brad Cranmer, 2024 YLS Chair

*“Happiness is not a matter of intensity but of balance, order, rhythm, and harmony.”*

— Thomas Merton

As the BRBA Young Lawyers Section Chair, I have the privilege of engaging with dynamic legal professionals dedicated to their craft and success. Yet, amidst our professional pursuits, we must not overlook the significance of a balanced work-life dynamic.

The legal field often demands long hours and high-pressure environments. While diligence and hard work are crucial, so is recognizing the value of time beyond the office—with loved ones and in pursuits that bring joy and fulfillment.

A 2017 study by the American Bar Association (ABA) highlighted the toll of imbalanced work-life scales. Lawyers frequently grapple with stress, burnout and mental-health challenges, with approximately 28% reporting symptoms of depression—triple the general population’s rate.

Prioritizing work-life equilibrium yields substantial benefits, particularly in fostering relationships. Spending time with family and friends provides vital support and perspective, fortifying us for professional challenges.

Personal boundaries, such as disconnecting from work, are vital for mental and emotional well-being. In our hyper-connected world, delineating work and personal time guards against burnout and enhances productivity.

Moreover, embracing balance enriches every facet of life. Engaging in hobbies and self-care pursuits isn’t indulgence; it is essential for holistic fulfillment. Investing in well-being outside work rejuvenates our professional endeavors, fueling creativity and success.

Exercise is another crucial component of maintaining balance. Physical activity not only improves physical health but also enhances mental well-being, reducing stress and boosting mood. Whether it’s a morning jog, a yoga session or a quick workout at the gym, incorporating regular exercise into our routine can significantly contribute to our overall sense of balance and vitality.



**Brad Cranmer**

As young lawyers, we possess the power to shape our profession’s culture positively. By advocating for policies that support work-life balance, we create environments where all legal professionals can thrive.

Practical strategies to facilitate balance:

1. **Prioritize and Delegate:** Identify urgent tasks and delegate or postpone non-urgent ones.
2. **Set Boundaries:** Establish clear distinctions between work and personal time.
3. **Practice Mindfulness:** Incorporate mindfulness techniques to alleviate stress and enhance awareness.

4. **Schedule Downtime:** Allocate time for leisure and loved ones; that time is as valuable as work commitments.

5. **Lead by Example:** Champion work-life balance to inspire colleagues and foster a supportive workplace culture.

In my journey as a lawyer, I’ve learned firsthand the transformative power of setting boundaries to safeguard personal time. As a devoted husband and father, I realized that the incessant demands of work were encroaching on the precious moments I wanted to share with my family.

One evening, after a particularly hectic day at the office, I made a conscious decision to enact change. I set a simple yet profound rule: after 6 p.m. on weekdays, my phone would be on “do not disturb” mode, allowing only calls from my loved ones to come through.

Implementing this boundary wasn’t easy at first. The habitual urge to check emails and respond to messages lingered. However, as I immersed myself in quality time with my family—engaging in dinner conversations, helping with homework and enjoying leisurely walks—I realized the profound impact of uninterrupted moments.

Not only did this practice deepen my connection with my family, but it also replenished my spirit, fostering a sense of balance and fulfillment that transcended the confines of work. It taught me that by prioritizing what truly matters, we not only become better professionals but also lead richer, more meaningful lives.



# In my own words

*Editor's note: This article is an opinion piece authored in part by East Baton Rouge Parish District Attorney Hillar C. Moore III. On March 21, 2024, D.A. Moore discussed this matter during a presentation at Taylor Porter. The Baton Rouge Lawyer asked D.A. Moore to write this article.*

by Hillar C. Moore III & Beth Parker

## The Plight of Afghan Prosecutors Who Stood up for the Rule of Law

This August will mark three years since the world watched media coverage of chaotic, gripping scenes from Afghanistan—people flooding into the airport desperate to get out, women with young children in tow, men running alongside planes, even hanging onto their wings during takeoff. The Taliban’s “victory” and the collapse of the Afghan democratic government was swift. In less than 24 hours, the U.S. had evacuated 22,000 citizens, contractors and military personnel, leaving behind more than 3,000 Afghan justice-sector lawyers (prosecutors, judges and criminal-defense attorneys) who were funded and trained by the U.S. and its allies to uphold the rule of law.

Because these justice-sector lawyers were not directly employed by the U.S. government, they were ineligible for the U.S. Special Immigrant Visas (SIVs) program. They were left behind to be ruled and avenged by the same terrorists they had once imprisoned.

While media coverage of Afghanistan has abated and the nation’s attention turned to other disasters, Afghan justice-sector lawyers are being actively hunted and killed, including 36 prosecutors and their family members. A quiet and unassuming law professor and prosecutor was dragged from his home by 15 armed men, tortured and murdered for his role in holding members of the Taliban accountable for terrorism. Another prosecutor was forcefully taken from his car and shot dead by an armed road-patrol group. A former prosecutor and father of three children, who spent two years in Iran, was shot when he returned to Afghanistan. Just this past March, another prosecutor and his father were shot by the Taliban in a home invasion at midnight. The prosecutor was killed, leaving behind his wife and three children.

Since 2001, a U.S.-led international coalition fought terrorism in Afghanistan on two fronts—on the battlefield and in the courts. When the Taliban and other terrorists were arrested in armed conflicts or because of intelligence information, Afghan prosecutors pursued charges against them, leading to the legal imprisonment of almost 50,000 members of the Taliban, ISIS and other terrorist organizations. Nearly all of the current high-ranking Taliban officials served time in prison during those two decades.

In April 2021, President Biden announced a goal to complete the withdrawal of U.S. troops from Afghanistan within a few months. On July 5, 2021, the U.S. began departing Bagram Airfield without telling the Afghan base commander. On Aug.

10, 2021, the White House announced that a Taliban takeover “is not inevitable.” On Aug. 15, 2021, the Afghan government collapsed as the Taliban assumed control of Kabul. On Aug. 26, 2021, two suicide bombings outside the Kabul airport killed 169 Afghans and 13 U.S. soldiers. On Aug. 30, 2021, the last U.S. transport planes departed Kabul. On Aug. 31, 2021, President Biden vowed retaliation against the perpetrators of the airport attack.

After the fall of Kabul in 2021, those who had been prosecuted by the previous Afghan government were released. Now the justice-sector lawyers involved in those prosecutions live in hiding and face starvation and death threats as their colleagues are murdered in retribution for upholding the rule of law.

U.S. prosecutors, under the leadership of the Association of Prosecuting Attorneys (APAinc.org), recently came together to help their Afghan colleagues through Prosecutors for Prosecutors, a campaign to relocate Afghan prosecutors and their families to safe countries. Since the launch of the campaign, desperate pleas for help from former prosecutors in hiding, many with young children, have flooded in. Their stories of fear are similar.

*All my family members are in danger of death like me. The Taliban want to arrest one of my family members to gain access to me.*

*After the fall of the Afghan government, a large number of criminals who were caught and imprisoned due to my presence were released from prisons and they are taking revenge on me and my colleagues.*

*Doing my job according to the penal code I have punished the criminals and put them in jail. While our government collapsed, the Taliban regime released all the prisoners and right now those criminals are seeking me so that my life and the life of my family is in danger.*

*My family and I are in danger of death after the fall of the previous government and collapsing of security system by the Taliban. Criminal prisoners, terrorist and dangerous killer groups leader[s] or members [were] released from jail. My family[s] life including me, my wife and my only daughter are under direct threat from them.*

More must be done to protect those who stood alongside the U.S. and its allies to uphold democracy and the rule of law. If we do not help these justice-sector lawyers, we risk losing

future allies who may hesitate to stand with us in the face of tyranny and oppression.

When speaking to members of our local bar, they cannot believe our allies have been abandoned. Once informed, they express universal dismay and a desire to help.

Here's how you can help:

First, you can contact your U.S. congressional representatives and request passage of the Afghan Adjustment Act with expanded coverage for Special Immigrant Visas for former justice-sector lawyers.

Second, you can help directly by donating to campaigns like Prosecutors for Prosecutors

(apa-pfp.org) and the Afghan Rule of Law Coalition (afghanruleoflawcoalition.ngo) that are actively working to bring justice-sector lawyers to safety.

Third, join me on Sept. 26, 2024, at the Renaissance Hotel in Baton Rouge to raise funds for this effort and hear from guest speaker Chad Robichaux, author of *Saving Aziz*, and others personally involved in the struggle to get former allies to safety.

The U.S. and its allies may have left Afghanistan almost three years ago, but our moral responsibility, particularly as lawyers committed to the rule of law, remains. More than 3,000 justice-sector lawyers are pleading for our help. We can't forget them.

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# Bar News

## Ed Walters Receives Boisfontaine Trial Advocacy Award from State Bar

The Louisiana State Bar Association presented the 2024 Boisfontaine Trial Advocacy Award to Edward J. "Ed" Walters Jr. in June for his long-standing devotion and excellence in trial practice and for upholding the highest standards of ethics and consideration for the court, litigants and counsel. Walters is a past president of the BRBA and a former editor of *The Baton Rouge Lawyer*.

## Young Lawyers Section Has Several Upcoming Sidebar Luncheons Scheduled

The BRBA Young Lawyers Section will hold a Sidebar Luncheon with the First Circuit Court Wednesday, July 10, 2024, at 1600 N. 3rd St., Baton Rouge, Louisiana 70802. The panel of First Circuit judges will focus on writ applications and supervisory review before the court. Deadline to register is Monday, July 8.

The next event in the series will be the YLS Sidebar Luncheon with the U.S. District Court for the Middle District of Louisiana 12-1:30 p.m. Thursday, Aug. 8, 2024, at the Hilton Baton Rouge Capitol Center. This event qualifies for 1.0 hour of CLE credit and is titled "Practicing in the Middle District." See the registration form for this sidebar on page 29.

Another upcoming Sidebar Luncheon with Baton Rouge City Court is from 11:45 a.m. - 1 p.m. Thursday, Oct. 17, 2024, at the Middleton Bar Center. This event qualifies for 1.0 hour of CLE credit and is titled "Do's and Don'ts for Practicing in City Court."

To register for any of the above-mentioned YLS Sidebar Luncheons, please contact Susan Saye at 225-344-4803.

## Next BRBA Bar Luncheon is Thursday, July 11

The Young Lawyers Section will host the next BRBA Bar Luncheon Thursday, July 11, 2024, at Ruffino's Catering at De La Ronde Hall. Serving as guest speakers are Southern University Head Football Coach Terrance Graves and AD Coach Roman Banks. Summer law clerks are invited to attend along with the law partners they work with. Contact Susan Saye at 225-344-4803 or [susan@brba.org](mailto:susan@brba.org) to make your reservation or see the registration form in this issue of *The Baton Rouge Lawyer*.

## Belly Up with the Bar Event is Friday, Oct. 4

Register your cooking team or commit to a sponsorship at this year's Belly Up with the Bar, Friday, Oct. 4, 2024, at the John M. Parker Coliseum on the LSU campus. Cornelius Troy Hall is the chair of this year's event, and Michael Grace is vice chair of the committee. For more information, contact Pamela Labbe at [pam@brba.org](mailto:pam@brba.org), or see our sponsorship and team registration forms on pages 23-24 in this month's issue.



Photographed (L to R) are Tierra Butler (2L at SULC), BRBA Intern Eric J. Roshak (3L at LSU Law), Scott Gaspard and Averi Jones (2L at LSU Law). Gaspard gave a Family Law presentation focusing on divorce and custody to the legal interns of the Baton Rouge Bar Foundation. Butler and Jones, who spent the week learning from the BRBF Pro Bono Project, interned with the LSBA for the summer.



Attending the Young Lawyers Section's Cocktails with the Court event on May 9, 2024, at City Club of Baton Rouge are (L to R) Brittney Reed, Mikaela Picou, Judge Eboni Johnson Rose, Chief Judge John Michael Guidry and Carol Guidry. Picou is Judge Rose's law clerk. Reed is an associate attorney at Kinchen, Walker, Bienvenu, Bargas, Reed & Helm.



Photographed at the 2024 BRBA Bench Bar Conference in Orange Beach, Alabama, are (L to R) BRBA President-elect Monica Vela-Vick, Hayden A. Moore and Judge Judy Moore Vendetto.





Marcus Plaisance, J Cullens, Andree Cullens, Kelley Dick Jr. and Chase Tettleton were crowned as the winning team of Bench Bar Trivia Night. The winning team's name was "Not Taylor Porter."

## Bench Bar Conference Returns to Orange Beach, Alabama

The 2024 Baton Rouge Bar Association Bench Bar Conference returned to Orange Beach April 3-6. By day, registrants earned up to 13 hours of CLE credit. By night, they engaged in friendly competition, including karaoke and a trivia night. This year's Bench Bar Conference co-chairs were Anthony Gambino and Brad Cranmer. BRBA President Luke Williamson broke tradition by singing songs from two different genres of music—country and rap—with minimal help from the band Phat Hat.



BRBA President Luke Williamson and his wife Kati perform the Beastie Boys' "Paul Revere" during the Friday night dinner and dance event (April 4, 2024) at the BRBA Bench Bar Conference. The band for the night was Phat Hat.



Photographed (L to R) are BRBA President Luke Williamson, Bench Bar co-chair Anthony Gambino and Landon Hester.



Placing second at the Bench Bar Trivia Night competition are Taylor Ashworth with Kean Miller, along with Cameron Murray, Vincent "Trey" Tumminello and Peyton Gascon with Taylor Porter. They dubbed their team "Taylor Porter."



Judge Allison Penzato and Judge Chris Hester, who participated in a multi-judge panel discussion on professionalism at the Louisiana First Circuit Court of Appeal, are photographed (above) during their Bench Bar Conference presentation.



Attending the 2024 Bench Bar Conference reception for early arrivals on Wednesday, April 3, are (L to R) Ralph Fletcher, Valerie DeBosier, Kati Williamson, BRBA President Luke Williamson, Amy Lambert and Brad Lambert.





Photographed Wednesday, May 1, 2024, at one of several BRBF Law Day mini-mock trials at the 19th Judicial District Court are BRBA President Luke Williamson (left) and students from a home school group that attended this year's Law Day event.

## BRBF Hosts Democracy-Themed Law Day Event May 1 *by Reagan Haik*

The BRBF held its Law Day activities Wednesday, May 1, 2024, from 9 a.m.-noon. The event began at the Raising Cane's River Center with a Presentation of Colors by Woodlawn High School's JROTC, led by Sergeant First Class Jill J. Pearl, which was followed by a Naturalization Ceremony, conducted by the U.S. District Court for the Middle District of Louisiana.

The Baton Rouge Bar Foundation led the Law Day program, which included on-stage recognition for all attending contest winners. Co-chairs Valerie A. Black and Lori Palmintier presented awards to Law Day contest winners in attendance at the event.

The 16 winners were Ryan Mengelson-Clark, Dafi Weng, Aryav Mehta and Addison Walsh of Episcopal School of Baton Rouge; Yuna Kim, Fionna Lu and Yasmine Hassan of Glasgow Middle School; Charlotte Boudreaux, Joseph Bodin and Julia Troegel of Sacred Heart of Jesus School; Evelyn Lane and Andi Hayes of St. Joseph's Academy; Camille Mendler of St. Jude the Apostle School; Austin Vela-Vick of Westdale Middle School; and Amara Nwabueze and Phoebe Fannin of Zachary High School.

The BRBF-sponsored Law Day competitions include an essay contest, art contest, video/social media contest and a poster contest. All contests included middle and high school categories except the poster contest, which was only for elementary school students. This year's contests followed the American Bar Association's theme "Voices of Democracy."

BRBA President Luke Williamson gave the welcoming message, which celebrated citizenship, democracy and patriotism. By 10:15 a.m., students and instructors from Helix Legal Academy and Cru Homeschool Group headed to Baton Rouge City Court and the 19th Judicial District Court to attend scheduled courtroom sessions, which consisted of mini-mock trials and Q&A opportunities with volunteer judges and lawyers. Six judges, 24 attorneys and seven other legal professionals volunteered to assist with the courtroom sessions.

The mini-mock trial case dealt with separation of powers and was titled *Emmitt Smith, on behalf of the Climate Science Club v. Louisiana High School*.

All courtroom sessions ended by noon, at which point students were dismissed. Volunteers enjoyed lunch donated by the EBR Criminal Justice Coordinating Council.

City Court provided guides from the River Center Theatre to the courthouse to escort groups assigned to three courtrooms. BRBA staff served as guides to escort groups to the 19th JDC, met there by court staff, who escorted them to three 19th JDC courtrooms.

Special thanks to all Law Day Committee members: Naveen Adusumilli, Talya Bergeron, Stanley Bordelon II, Richard Bromfield, Charmane Brooks, Jamie Flowers Jr., Diana B. Gibbens, Niles Haymer, Christopher Jenkins, Quintillis Lawrence, Ross LeBlanc, Tara M. Madison, Rebecca Moreno, Monica Vela-Vick and Jeffrey S. Wittenbrink.



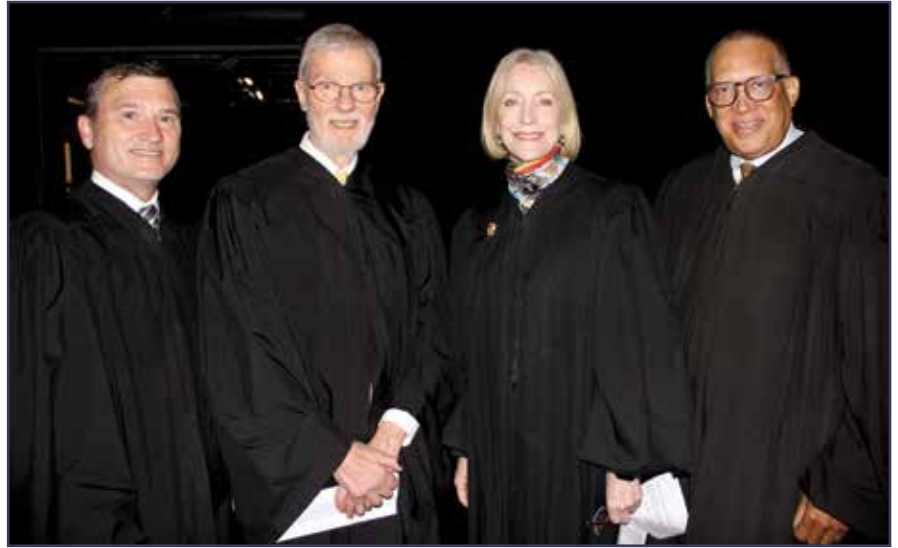
Photographed (L to R) are Past Chair Kelsey Luckett and Danielle L. "Dani" Borel, recipient of the 2023 Judge Joseph Keogh Memorial Award.

### YLS Holds Cocktails with the Court May 9 at City Club of BR

The BRBA Young Lawyers Section held its annual Cocktails with the Court at the City Club of Baton Rouge May 9, 2024, and invited local law clerks, their judges and Young Lawyers Section members.

YLS Past Chair Kelsey Luckett served as the master of ceremonies at this year's event. During the event, Danielle L. "Dani" Borel was presented with the 2023 Judge Joseph Keogh Memorial Award.

Special thanks to the following event sponsors: (Gold) GeauxChiro and Porteous, Hainkel & Johnson LLP; (Silver) Breazeale, Sachse & Wilson, LLP; The CLEVER Group; Kean Miller LLP; Irwin Fritchie Urquhart Moore & Daniels; Mansfield, Melancon, Cranmer & Dick, LLC; Smith, Shanklin, Sosa, LLC; and Williamson Campbell & Whittington, LLC.; (Bronze) Kinchen, Walker, Bienvenu, Bargas, Reed & Helm, LLC; Linda Law Clark; Citizens Bank & Trust; and Magnolia Law Group.



Photographed (L to R) are Magistrate Judge Richard L. Bourgeois, Judge John W. deGravelles, Chief U.S. District Judge Shelly Dick and Judge Brian A. Jackson of the U.S. District Court for the Middle District of Louisiana prior to the start of the Naturalization Ceremony, which kicked off the BRBF 2024 Law Day event.



Photographed are members of the 2024 Law Day Committee, including member Jamie Flowers Jr., co-chair Lori Palmintier and co-chair Valerie A. Black, along with 2024 BRBA President Luke Williamson.



Judge Darrell White (retired) hosted a group of home-schooled children April 17, 2024, at Baton Rouge City Court in courtroom 321. The youth participated in "Classical Conversations," which was a mini-mock trial.



Law Day 2024 contest winners who attended the BRBF Law Day Program accepted their awards on stage in front of their peers and teachers during the event.



## Baton Rouge Lawyers Bring Home Several Pro Bono and Children's Awards from LSBA Ceremony

The LSBA held the 2024 Pro Bono and Children's Law Awards Ceremony Tuesday, May 21, 2024, at the Louisiana Supreme Court Building in New Orleans. While lawyers from throughout the state received recognition, several Baton Rouge Bar Association members walked away with honors.

**Scott P. Gaspard** received the David A. Hamilton Lifetime Achievement Award. **Whitney Peters** received the Law Student Award. **Todd E. Gaudin** received the Friend of Pro Bono Award. Please read a little more about each of these three award recipients.

**Scott P. Gaspard:** A sole practitioner and a qualified domestic mediator, Gaspard has a civil litigation practice with an emphasis in the resolution of domestic conflicts. He is a graduate of LSU Paul M. Hebert Law Center and has previously served as an adjunct professor of clinical studies there, teaching domestic mediation. Gaspard participated in BRBA community outreach programs for over 30 years, working with the Ask-A-Lawyer, Thirst for Justice and Wills for Heroes legal clinics and other Pro Bono Project endeavors.



Scott P. Gaspard

**Whitney Peters**, a May 2024 graduate of Southern University Law Center, is a legal intern with the BRBA who assisted with outreach projects, including the Self-Help Resource Center, Ask-A-Lawyer, High School Mock Trial Competition and Teen Court. She is a recipient of the Brady, Baudin, McKernan and Pendley Civil Rights and Public Service Endowed Scholarship, which is awarded to select second- and third-year students in good standing who demonstrate an interest in civil rights law and public service.



Whitney Peters

**Todd E. Gaudin**, who practices at Gaudin Law Group, Inc., was recognized for his pro bono work in assisting grandparents and children to secure custody and to clarify legal issues that result in securing safety for children. He has helped others adopt in at least 33 Louisiana parishes and 15 other states. Gaudin is a member of the American Academy of Adoption & Assisted Reproduction Attorneys and collaborates with Grand Parent Raising Grand Children and Clean Pelican. Additionally, he is a member of the Belly Up with the Bar Committee.



Todd E. Gaudin

Baton Rouge lawyers who received the Pro Bono Publico award were **Carlesia Carmena Bibbins**, BRBA Past President **Melanie Newkome Jones**, **Derrick McCorey** and YLS Council member **Josef P. Ventulan**.

**Carlesia Carmena Bibbins**, who received her juris doctorate from Southern University Law Center, is an attorney for the Louisiana Department of Health Bureau of Legal Services. She serves on the BRBA Pro Bono Committee and volunteers with the Pro Bono Project's Self-Help Resource Center, Ask-A-Lawyer and Wills for Heroes events. She was recognized at a Top 40 Louisiana Young Lawyer in 2023. Additionally, Bibbins serves on the Belly Up with the Bar Committee.



Carlesia C. Bibbins

**Melanie Newkome Jones**, a graduate of LSU Paul M. Hebert Law Center, has practiced primarily family and civil law for 33 years. She has served on the BRBA Pro Bono Panel for years and has provided over 1,000 hours of legal services to indigent litigants. Jones is now an assistant city prosecutor for the City of Baton Rouge. She was recognized for her dedication to pro bono work and for her more than 100 hours of service to the Thirst for Justice and Ask-A-Lawyer advice clinics.



Melanie N. Jones

**Derrick McCorey** with McCorey Law Firm, LLC, received the LSBA Pro Bono Publico Award in 2021 and again this year for his pro bono work completed in 2024. He handled several wills and successions cases, volunteered for Ask-A-Lawyer clinics and assisted with the Self-Help Resource Center. McCorey practices primarily family law and focuses on meeting the needs of the underserved in East Baton Rouge and surrounding parishes.



Derrick McCorey

**Josef P. Ventulan**, who graduated first in his class at Southern University Law Center, is the ABA Young Lawyers Division representative on the LSBA's Young Lawyers Division Council. As the ABA District Representative, he served an essential role relative to the implementation of the Disaster Legal Services Hotline in response to Hurricane Ida. He is a staff attorney with the Louisiana State Law Institute and has been an adjunct professor with SULC. Ventulan volunteers with Wills for Heroes and the High School Mock Trial Competition. Additionally, he serves on the BRBA Young Lawyers Section Council and the Publications Committee.



Josef P. Ventulan

# An Adjunct Professor's Guide to FERPA

by Gail S. Stephenson

When I was in law school 40 years ago, grades were posted in the law school lobby by Social Security number, but in alphabetical order. Aaron Adams' and Zelda Zebeau's grades were no secret to anyone, nor were anyone else's grades if you possessed a class roster. But things are different today.

The Family Educational Rights and Privacy Act (FERPA) existed when I was in school — it was enacted in 1974 — but it has been amended 11 times.<sup>1</sup> Schools guard students' privacy rights much more zealously these days, with good reason — the penalty for a school's violation of FERPA is loss of federal funding.<sup>2</sup> A student, however, does not have a private right of action and therefore cannot sue the school or a professor under 42 U.S.C. § 1983.<sup>3</sup>

Many practicing lawyers have side gigs as adjunct professors in law schools, undergraduate universities and community colleges. Even if professors don't have to worry about being sued in a § 1983 action if they violate FERPA, professors aren't likely to keep adjunct positions if they subject their employers to a loss of funding. Thus, it behooves all adjunct professors to be aware of some traps for the unwary.

This article is not intended as a treatise on FERPA but is meant to provide some guidelines for handling common scenarios that arise in the course of adjunct teaching. Let's start with grades.

Most final grades today are delivered to the registrar through a computer program, and the school deals with delivering the grades to the students. But what if your co-worker's or your neighbor's son or daughter is in your class? Unless that student's parents can claim the student as a dependent on their tax return, you can't reveal the student's grade to the parents. The best response to "How is my son doing in your class?" is "Why don't you ask him?"

What if a student asks you to write a letter of recommendation? Surely you can say in the letter that the student made an A in your class, right? Wrong — unless

the student has provided the professor with a signed and dated release, you can't reveal his grade. The release must "(1) Specify the records that may be disclosed, (2) State the purpose of the disclosure, and (3) Identify the party or class of parties to whom the disclosure may be made."<sup>4</sup> Some schools provide a release form online, so it's worth checking before you go to the trouble of drafting something on your own.

So what should you do if a student requests a letter of recommendation at the last minute with no signed release? You could just say no, but if you're feeling charitable, keep in mind that no release is required for a professor to reveal anything learned through personal knowledge or observation.<sup>5</sup> You may still write, for example, that a student is collegial, has a good work ethic or acts professionally. Thus, you may just highlight information obtained through observation and avoid discussion of grades. You may also note that the student did quite well in your class without revealing the grade.

A signed release is a good idea if you plan to reveal to the class who made the top grade on class assignments. You might be protected if your school has designated "honors and awards" as a category of directory information.<sup>6</sup> But if you regularly announce the top performers in your class, you should get students to sign a release at the beginning of the semester.

Even if students have given a release to reveal their grades when they are best in the class, you still need to protect the grades for all other purposes. Don't put student papers in a stack for everyone to go through to find their own or pass the papers for a group of students down a row so that everyone in the row can see the other students' grades.

What about photos and videos? FERPA defines "educational records" as "those records, files, documents, and other materials which — (i) contain information *directly related* to a student; and (ii) are maintained by an educational agency or institution or by a person acting for such agency or institution."<sup>7</sup> Photographs or videos may be

considered educational records if “[t]he audio or visual content of the photo or video otherwise contains personally identifiable information contained in a student’s education record.”<sup>8</sup>

The Department of Education (DOE) says in its guidance that if the student’s image is purely background, or if the student is participating in activities open to the public, it’s not protected.<sup>9</sup> But in purely governmental fashion, the guidance also states that whether the image is “directly related” to the student is “often content specific.”<sup>10</sup> The DOE directs schools to “examine certain types of photos and videos on a case by case basis to determine if they directly relate to any of the students.” While it’s tempting for an adjunct professor to take pictures of herself teaching to post on social media, in light of the governmental ambiguity, better practice is to blur the pictures of any students captured in the shots, unless you have a signed release.

Another educational record that should be protected is a student’s entitlement to accommodations under the Americans with Disability Act (ADA). The ADA has its own confidentiality provisions that could be the basis of a separate article. Suffice it to say that the FERPA and ADA confidentiality provisions overlap, and a professor should make every effort not to reveal to the class that a student gets accommodations such as extra testing time.

Teaching is challenging enough without worrying about government rules and regulations, but if you run afoul of them, you won’t be teaching long. When you attend the orientation sessions that universities provide for their adjuncts, pay attention when those rules and regulations are discussed. Paying attention then and observing the FERPA rules mentioned above will save you headaches later and allow you to enjoy the rewarding experience that adjunct teaching can be.

**Teaching is  
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<sup>1</sup> 20 U.S.C. § 1232g.

<sup>2</sup> 20 U.S.C. § 1232g(a).

<sup>3</sup> *Gonzaga Univ. v. Doe*, 122 S.Ct. 2268, 2276 (2002).

<sup>4</sup> 34 C.F.R. § 99.30(b).

<sup>5</sup> See U.S. DEP’T OF EDUC., *Protecting Student Privacy: Frequently Asked Questions*, <https://studentprivacy.ed.gov/frequently-asked-questions> (last visited Feb. 29, 2024).

<sup>6</sup> “Directory information,” such as the student’s name, date of birth and major field of study, is not protected by FERPA if the school has given public notice of the categories of directory information and given parents or students a reasonable time to opt out. 20 U.S.C. § 1232g(a)(5).

<sup>7</sup> 20 U.S.C. § 1232g(a)(4) (emphasis added).

<sup>8</sup> U.S. DEP’T OF EDUC., *Protecting Student Privacy: FAQs on Photos and Videos under FERPA*, <https://studentprivacy.ed.gov/faq/faqs-photos-and-videos-under-ferpa> (last visited Feb. 29, 2024).

<sup>9</sup> See *id.*

<sup>10</sup> *Id.*





## Eye on Evidence

# Understanding and Applying the First Three Exceptions to the Hearsay Rule *by Mary E. Roper*

The first three exceptions to the hearsay rule are present sense impression; excited utterance; and then-existing mental, emotional or physical condition.

Most practitioners and judges are able to identify hearsay. Yet many struggle with identifying when hearsay is *exempt* from exclusion by the hearsay rule.<sup>1</sup> Louisiana Code of Evidence article 803 has 24 exceptions to the hearsay rule that are applicable regardless of whether the declarant is available to testify.<sup>2</sup>

The first three exceptions to the hearsay rule are often used in a shotgun approach by a frantic litigator searching for the right exception to his opponent's hearsay objection in the midst of trial. These exceptions, although distinctly different in definition and application, are somewhat similar on the surface and often overlap.

The *first* exception is titled present sense impression, which is "[a] statement describing or explaining an event or condition made while the declarant was perceiving the event or condition, or immediately thereafter."<sup>3</sup> The temporal aspect of the statement controls whether the statement qualifies as a present sense impression. The statement must be made as the event is occurring and being witnessed, or immediately after.

The *second* exception is excited utterance, which is "[a]

statement relating to a startling event or condition made while the declarant was under the stress of excitement caused by the event or condition."<sup>4</sup> This exception is similar to present sense impression but is distinguishable because the statement does not have to describe or explain an event. The "statement" could be a string of expletives, a groan, a yelp, a shriek, a cheer or a more articulate statement.

The *third* exception is "then existing mental, emotional, or physical condition."<sup>5</sup> This exception is defined as "[a] statement of the declarant's then existing state of mind, emotion, sensation, or physical condition" that is "offered to prove the declarant's then existing condition or his future action." The exception provides examples of what is intended to be covered<sup>6</sup> and clarifies that "[a] statement of memory or belief, however, is not admissible to prove the fact remembered or believed unless it relates to the execution, revocation, identification, or terms of declarant's testament."

In *State v. Moore*,<sup>7</sup> the defense attempted to use the excited utterance exception to admit an alleged statement by an alternative perpetrator to raise reasonable doubt as to who actually committed the murder.<sup>8</sup> On appeal, the First Circuit explained that there are two basic requirements for an excited utterance— "(1) an occurrence or event sufficiently startling to render normal reflective thought processes of an observer inoperative, and (2) the statement of the declarant

was a spontaneous reaction to the occurrence or event and not the result of reflective thought.” In that case, the court held that the exclamation “I’m going to kill you,” purportedly made during a heated argument, did not qualify as an excited utterance, as nothing startling occurred during the fight.

In *State v. Smith*,<sup>9</sup> a bystander wrote down the license plate number of a suspect’s vehicle while observing what appeared to be a robbery in progress. She immediately handed the slip of paper to the victim. The defendant was allowed to introduce the writing on the slip of paper at trial as an excited utterance and as a present sense impression of the unidentified bystander. The robbery was deemed to be a sufficiently exciting event to render the writing reliable, and the act of writing down the license number was considered a spontaneous reaction to the event.

In *State v. Martin*,<sup>10</sup> the Louisiana Supreme Court explained the use of the state of mind exception as it related to a claim of self-defense in a murder case. In that case, a statement of the deceased victim that her husband said he would kill her if she tried to leave him was offered by the prosecution to refute the defendant’s claim of self-defense. The supreme court held that although the statement was hearsay, as it was being offered for its truth, it fell under the exception to the hearsay rule as indirect evidence of the state of mind of the victim, reasoning that she armed herself out of fear and not as an act of aggression.

In personal injury cases, attempts to introduce written statements made by witnesses of accidents as present sense impression exceptions to the hearsay rule have been disallowed because no foundation was laid to establish that, though the statements were made on the day of the accident, the statements were made *immediately after observing* the accident.<sup>11</sup>

When analyzing whether a statement has been made under the stress of a startling event such that it qualifies as an excited utterance, the amount of time that has elapsed between the event and the time of the statement is important.<sup>12</sup> Time alone is not determinative. For example, the Second Circuit found that the passage of 40 minutes after a shooting was insufficient for the declarant to have regained the ability to engage in reflective thought, where the declarant had been shot in the neck and made a spontaneous statement about the shooting as the officer approached her.<sup>13</sup> Conversely, the Second Circuit found that declarants’ statements made only 20 to 30 minutes

after a shooting were not excited utterances, as they were only witnesses to, and not victims of, the shooting.<sup>14</sup> Further, while the speech of the witnesses seemed excited, the statements were not spontaneous, but instead were made in response to questioning by the police.<sup>15</sup> The critical factor in analyzing whether a statement is an excited utterance is whether the declarant had sufficient time to formulate reflective thought before the statement was made but after the startling event had taken place.

The foregoing exceptions are available in your toolbox and should be used to present your case fully where applicable. Make sure you are fully versed in their purposes and how to use them before heading into your next hearing or trial.

<sup>1</sup> La. C.E. art. 802. Hearsay Rule. “Hearsay is not admissible except as otherwise provided by this Code or other legislation.”

<sup>2</sup> The federal counterpart to Louisiana’s hearsay rule is Federal Rule of Evidence 802. The Rule Against Hearsay provides: “Hearsay is not admissible unless any of the following provides otherwise: a federal statute; these rules; or other rules prescribed by the Supreme Court.”

<sup>3</sup> La. C.E. art. 803(1).

<sup>4</sup> La. C.E. art. 803(2).

<sup>5</sup> La. C.E. art. 803(3).

<sup>6</sup> Examples provided are: “intent, plan, motive, design, mental feeling, pain, and bodily health.”

<sup>7</sup> 18-0343 (La. App. 1 Cir. 9/21/18), *writ denied*, 18-1813 (La. 4/15/19), 267 So. 3d 1130.

<sup>8</sup> Other exceptions were discussed but were analyzed in the context of double hearsay, which is beyond the scope of this article.

<sup>9</sup> 285 So.2d 240, 245 (La. 1973).

<sup>10</sup> 458 So.2d 454, 460 (La. 1984).

<sup>11</sup> See *Roberts v. Rudzis*, 13-0538 (La. App. 1 Cir. 5/28/14), 146 So.3d 602, 607, *writ denied*, 14-1369 (La. 10/3/14), 149 So.3d 797; *Thongsavanh v. Schexnayder*, 09-1462 (La. App. 1 Cir. 5/7/10), 40 So.3d 989, 994, *writ denied*, 10-1295 (La. 9/24/10), 45 So.3d 1074.

<sup>12</sup> Most circuits have held that time is the most important factor: *State v. Hester*, 99-0426 (La. App. 5 Cir. 9/28/99), 746 So.2d 95, 106, *writ denied sub nom. State v. Patterson*, 99-3217 (La. 4/20/00), 760 So.2d 342; *State v. McBride*, 00-0422 (La. App. 3 Cir. 11/15/00), 773 So.2d 849, 860, *writ denied*, 01-0294 (La. 2/8/02), 807 So.2d 858; *State v. Williams*, 22-0710 (La. App. 4 Cir. 5/15/23), 368 So.3d 179, 184.

<sup>13</sup> *State v. Blanche*, 47,014 (La. App. 2d Cir. 4/25/12), 92 So.3d 508, 516.

<sup>14</sup> *State v. Patterson*, 50,305 (La. App. 2 Cir. 11/18/15), 184 So.3d 739, 750, *writ denied*, 15-2333 (La. 3/24/16), 190 So.3d 1190.

<sup>15</sup> *Id.*

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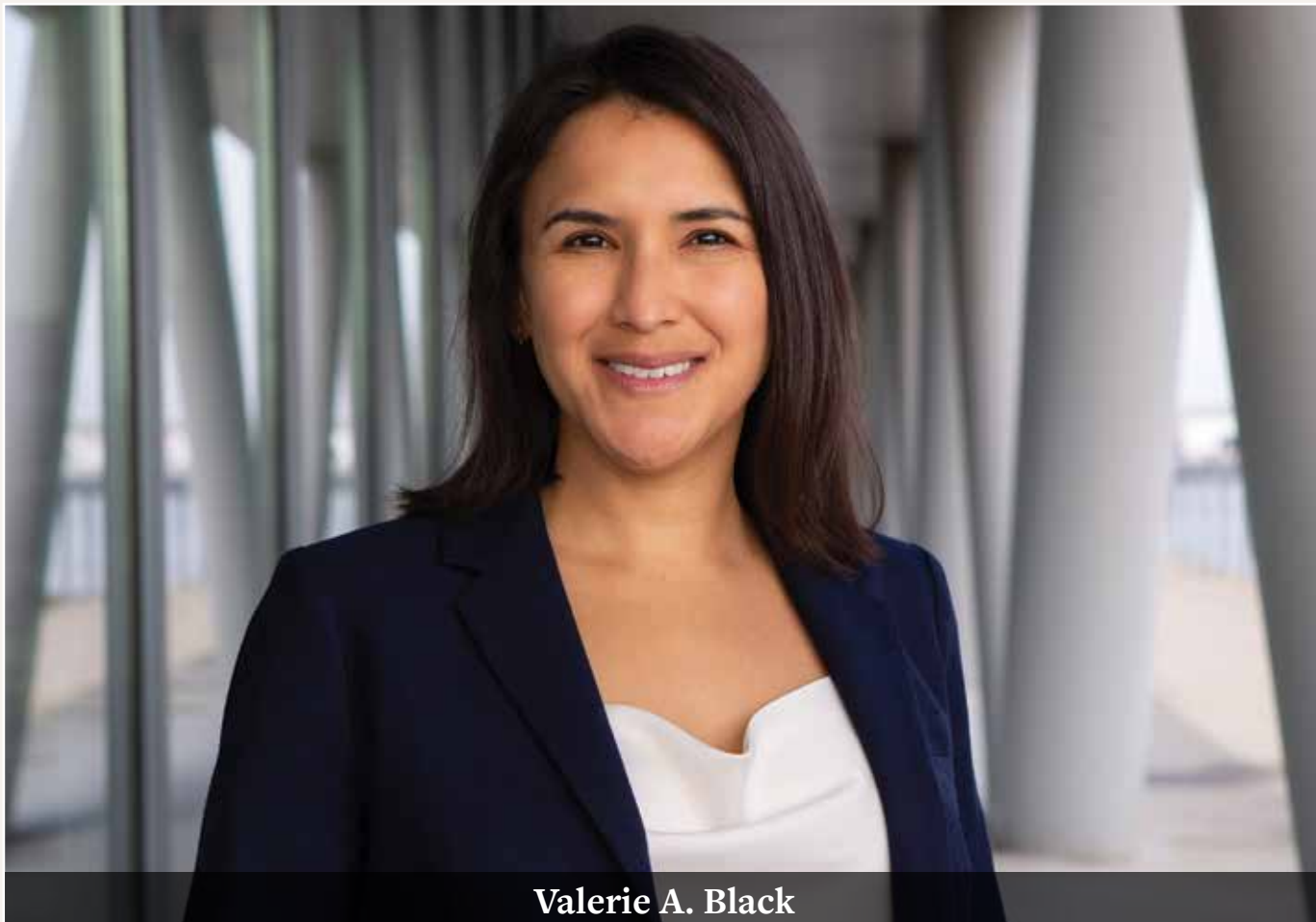
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# Attorney Spotlight

## Interview with Valerie A. Black *by Pamela Labbe*



Valerie A. Black

Southern California native Valerie A. Black works as general counsel with The Water Institute, an independent non-profit applied-research organization. She served as co-chair of the 2024 Law Day Committee and is serving her first term on the BRBA Board of Directors as a director at large. We invited Valerie to answer a few questions for *The Baton Rouge Lawyer*.

**TBRL: What was your first job ever?**

VB: My first job was as a lab assistant in a neurophysiology lab at UCLA. It was all good until I realized that doing experiments on rats made me queasy.

**TBRL: Tell us about your education.**

VB: I majored in marine biology. It had the selling point of a mandatory quarter abroad in Moorea, French Polynesia.

**TBRL: Where did you attend law school?**

VB: Southern Law Center. Go Jags!

**TBRL: What sparked your interest in law?**

VB: I became interested in the law when I was a production manager on films and became familiar with copyright laws and union contracts for actors, directors and crew. I found I enjoyed the contracts and compliance matters as much as reading the film scripts.

**TBRL: Is the practice of law different from you expected it to be when you first entered law school?**

VB: Yes. I don't think any law students realize the number of nuances in the law and navigating legal issues. When I first started practicing with Clary Suba Neale, I would ask Casey Neale, "When am I going to feel confident practicing law?" He'd shrug and say, "That's why they call it practice."

**TBRL: What is your legal practice area or areas?**

VB: As general counsel for The Water Institute, I oversee the day-to-day compliance matters. But the heart of my work involves environmental law and policy projects that range

from flood risk to sea-level rise and many other critical issues facing many of our communities. We work across disciplines to take on these complex environmental and societal challenges holistically. Law is certainly part of that nexus.

***TBRL: What is your favorite part about practicing law?***

VB: In general, I enjoy mentoring others. I relied heavily on my mentors and my law school support group, so it is great to be at a point in my career where I can lift others up. My favorite part about practicing law at The Water Institute is that I get to provide my legal perspective and guidance on complex environmental issues and work with amazing scientists, technology developers, researchers and planners. We share a common vision of more resilient and equitable communities, sustainable environments and thriving economies.

***TBRL: If you were not practicing law, what would be your alternate profession?***

VB: I would host a show on the Discovery Channel or Nat Geo. The style would be Steve Irwin meets “Absurd Planet.” Not that I’ve thought about it much.

***TBRL: Tell us something interesting about yourself that few people know.***

VB: I did stand-up comedy for a while, and my favorite performance was at a venue in Ireland.

***TBRL: You are a new member of the BRBA Board of Directors. What inspired you to run for the board?***

VB: I was inspired to run because while the BRBA has great programs and is an asset to the community and its members, I think I bring a diverse voice to the board based on my background and area of practice. It is my hope that I bring new ideas and perspectives and also inspire others to get involved.

***TBRL: Describe your involvement with the BRBA.***

VB: I am on the Finance Committee. I was also co-chair for Law Day, which we just had May 1 and have already started planning for 2025. I previously volunteered for the Holiday Star Project and Teen Court and am looking forward to doing more with those programs.

***TBRL: Of the programs you listed, which is your favorite and why?***

VB: It’s hard to say which program is my favorite, but Law Day might top the list. It is a wonderful experience to see the Naturalization Ceremony. Law Day exposes high school and middle school students to how the government functions and to the practice of law.

***TBRL: Do you have a bucket list, and if so, tell us a few things that are on that list that you hope to accomplish in the next year?***

VB: I do not have a bucket list. I grew up in poverty, so I’m grateful for what I’ve been able to accomplish and experience. I’ve had an incredibly fulfilling and random life that has taken me diving with sharks (actual sharks, not attorneys) in the South Pacific, exploring Patagonia, boating off British Columbia and participating in numerous other adventures. That being said, I love filling my kids’ buckets and exposing them to different cultures. We are looking forward to a family trip to Japan and Taiwan next year.

***TBRL: What is your guilty pleasure?***

VB: I have a “treat yourself” personality, so I am going to have to say I have a guilty pleasure combo, because if I’m drinking red wine, I’m going to need a piece of chocolate to go with it.

***TBRL: How do you unwind?***

VB: I play tennis to unwind. On the court you can’t really think about your to-do list. I have also started planting native flowers on my lawn and am thoroughly enjoying the variety of pollinators that visit.

***TBRL: What advice do you have for young lawyers or lawyers who are just starting out?***

VB: I have seen young lawyers quit the profession because their first attempt to practice wasn’t the right fit. There are many different ways to practice law and use your law degree, so I encourage young lawyers to 1) give yourself some grace and time to transition into this new career, 2) seek out mentors and 3) if it still isn’t feeling right, explore the full range of career opportunities where your law degree is useful and gives you a sense of purpose and satisfaction.



# Message from the Chair

## Support Youth Ed! Join Us at Belly Up

by Cornelius Troy Hall

As chair of the 2024 Belly Up with the Bar Committee, it is my pleasure to announce that we will celebrate the 26th edition of Belly Up beginning at 6 p.m. Friday, Oct. 4, 2024, at the LSU AgCenter/John M. Parker Coliseum. The planning committee has been organizing this year's event for months, and your support and participation are encouraged.

Last year's event raised over \$27,000 for the Baton Rouge Bar Foundation's youth education programs, and we hope to surpass that figure. So, please join us.

For me, a successful Belly Up is indicated by: (1) attendees having a fun, enjoyable and rewarding experience; (2) our sponsors receiving the most out of the networking opportunities that Belly Up provides them; and (3) our youth receiving both the present and future benefits from the fundraising monies generated by Belly Up.

Although Belly Up was initially established as a BRBA Young Lawyers Section event, it evolved into a stand-alone fundraiser for the Youth Education Programs of the BRBF, and the event has its own planning committee. Programs that rely on this funding include Teen Court, Lawyers in the Classroom, Law Day and the Region III High School Mock Trial Competition, which encompasses 96 schools within 12 Louisiana parishes.

I want to encourage all past and present BRBA members to support our efforts toward making Belly Up 2024 a success.



C. Troy Hall

Support includes serving on the Belly Up with the Bar Committee, registering your cooking team, purchasing Belly Up 2024 event tickets for you and your family, spreading the word about Belly Up 2024 with your social-media contacts, signing up to sponsor the event and encouraging your contacts to be sponsors.

At this family-friendly event, Belly Up attendees are provided a unique and fun way to interact with and meet judges, attorneys and other legal professionals. Belly Up will feature live music, face painting, door prizes, a photo booth and, of course, the competitive

spirit of our food, cocktail and mocktail competitions judged by celebrity/chef judges as well as a People's Choice vote.

To make Belly Up 2024 the event the planning committee and Baton Rouge Bar Association hopes it to be, we ask that you mark your calendars now and plan to join us at Belly Up 2024. Purchase tickets for yourself, your firm, family and friends.

We've included a Belly Up sponsorship form and a team form on pages 23-24 of this issue of *The Baton Rouge Lawyer*. Questions about forms or tickets may be directed to BRBA Communications Director Pamela Labbe at [pam@brba.org](mailto:pam@brba.org) or 225-214-5560. We hope to see, hear and work with you soon. Help us put the "fun" in fundraising and continue to support our youth.

**The 26th annual Belly Up with the Bar  
will be held Friday, Oct. 4,  
at the LSU John M. Parker Coliseum (6-9 p.m.)**

Belly Up is a fundraiser for the Youth Education Programs  
supported by the Baton Rouge Bar Foundation.

**SPONSORSHIPS AVAILABLE**

For more information, contact Pamela Labbe at [pam@brba.org](mailto:pam@brba.org).

# Belly Up with the Bar

Friday, Oct. 4, 2024 | John M. Parker Coliseum | 91 AgCenter Lane  
General Admission: 6 - 9 p.m. | *Note: Balloons are NOT allowed in or near the event venue.*

## SPONSORSHIP FORM

*YES, I want to be a SPONSOR at the level below:*

- |   |  |
|---|--|
| <input type="checkbox"/> PREMIER SPONSORSHIP: \$1,500 | <input type="checkbox"/> THREE SPOONS: \$500 |
| <input type="checkbox"/> FIVE SPOONS: \$1,000         | <input type="checkbox"/> TWO SPOONS: \$300   |
| <input type="checkbox"/> FOUR SPOONS: \$750           |  |

26th Annual  
BELLY UP  
with  
THE BAR



Don't miss the 26th Annual "Belly Up with the Bar" cook-off, beer brewin' party with live music as well as activities for the kids!  
PROCEEDS FROM THIS EVENT BENEFIT THE BRBF'S YOUTH EDUCATION PROGRAMS.  
The BRBF is a 501c3 organization. Donations are tax-deductible.

### SPONSOR INFORMATION: Please print

Sponsor Name: *(as it should be listed in publicity)* \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Company website / URL: \_\_\_\_\_

### PAYMENT METHOD:

- Check enclosed: Payable to Baton Rouge Bar Foundation, P.O. Box 2241, Baton Rouge, LA 70821
- Credit Card: Call the BRBA at 225-344-4803 to process credit card transactions

### 2024 Belly Up with the Bar SPONSORSHIP OPPORTUNITIES:

**Premier Sponsorship (\$1,500)** — Premier sponsors receive 12 total tickets to the event, premier signage at the entrance of the event, two sponsorship tables and/or a cooking booth for team entry in event, public recognition during the event, a digital copy of the BRBA (2,200+ members) database (one-time use), two social-media posts with company logo, company logo on beer cup, and listing on all outgoing news releases/promotional pieces about the event and table signage.

*Please select your choice:*  Two sponsorship tables  A cooking booth  One of each  None

**Five Spoons (\$1,000)** — 8 total tickets to the event, name recognition on signage at the event, sponsorship table or cooking booth for team entry in event, public recognition during event, a digital copy of the BRBA (2,200+ members) database (one-time use), two social-media posts with company logo, company logo on beer cup, and listing on all out-going news releases/promotional pieces about the event and table signage.

*Please select your choice:*  One sponsorship table  A cooking booth  None

**Four Spoons (\$750)** — 6 total tickets to the event, name recognition on signage at the event, sponsorship table or a cooking booth for team entry in event, public recognition during event, a digital copy of the BRBA (2,200+ members) database (one-time use), one social-media post with company logo and listing on all out-going news releases /promotional pieces about the event and table signage.

*Please select your choice:*  One sponsorship table  A cooking booth  None

**Three Spoons (\$500)** — 3 total tickets to the event, public recognition during event, sponsorship table at the event, one social-media post and listing on all out-going news releases/promotional pieces about the event and table signage.

*Please select your choice:*  One sponsorship table  None

**Two Spoons (\$300)** — 2 total tickets to the event, public recognition during event and listing on all out-going news releases/promotional pieces about the event.

*Please complete this information and return with your sponsorship to:*

**BATON ROUGE BAR FOUNDATION • P. O. Box 2241, Baton Rouge, LA 70821**



TEAM ENTRY FORM

# Belly Up with the Bar

COOK-OFF & BREWFEST

EVENT DATE: **Friday, Oct. 4, 2024**

26th Annual  
BELLY UP  
with  
THE BAR



The 26th Annual “Belly Up with the Bar” is a cook-off, brewfest and party with live music—sponsored by the Young Lawyers Section of the Baton Rouge Bar Association. Proceeds from this event will benefit the BRBF’s Youth Education Program.

Team and individual entries are welcome. Judges will select winners in a variety of categories.

**Advance general admission tickets:** \$35 per adult, \$25 per law student, \$15 per child ages 12 to 17, \$5 per child ages 3 to 11.

**Prices at the door** are \$45 per adult or law student; \$20 per child (12-17); \$10 per child (3-11) so buy 'em now!

**All children under 3 get in FREE.**

LOCATION: LSU AgCenter, John M. Parker Coliseum, 91 AgCenter Lane  
(Off Highland Road between S. Stadium Dr. & Parker Blvd.)

DATE: **Friday, Oct. 4, 2024 | General Admission: 6 - 9 p.m.** — mark your calendar!

WHO ENTERS: Anyone who’s willing to cook and serve enough to feed/water our local bar.  
The \$175 per team (up to 5 members) entry fee gets you:  
 (1) in the door to try all the fabulous food and drinks  
 (2) all the beer you care to drink, and  
 (3) the chance to show off your culinary talents

PLEASE COMPLETE THIS FORM. EMAIL IT TO PAMELA LABBE AT **PAM@BRBA.ORG** OR FAX IT TO: **(225) 344-4805**.  
**Registration Deadline: Monday, Sept. 9. Make Checks Payable to: “BRBF” (re: BELLY UP WITH THE BAR)**

TEAM NAME: \_\_\_\_\_

TEAM CAPTAIN: \_\_\_\_\_

CAPTAIN’S LAW FIRM: \_\_\_\_\_

CAPTAIN’S EMAIL ADDRESS: \_\_\_\_\_

CAPTAIN’S MAILING ADDRESS: \_\_\_\_\_

CAPTAIN’S CITY/STATE/ZIP: \_\_\_\_\_

CAPTAIN’S CONTACT NUMBER: \_\_\_\_\_

WHAT YOU’LL SERVE: \_\_\_\_\_

FOR “BELLY UP WITH THE BAR” **TICKET INFORMATION**, PLEASE CONTACT THE BRBA AT (225) 344-4803.

*\*If you are unable to participate or attend, yet you wish to make a donation to the Baton Rouge Bar Foundation’s award-winning Youth Education Program, please make your check payable to the BRBF.*

# *In Memoriam*

## Remembering John Reginald "Reggie" Keogh

(Aug. 10, 1944-June 6, 2023)

by Kirk Landry

Reggie Keogh died last year in Sulphur, Louisiana, at the age of 78. He was well known in the legal community as a defense lawyer, mediator, frequent contributor to *Around the Bar* and a founder of the firm that still bears his name. He was a strong mentor to many of us at Keogh Cox & Wilson, a steady and reliable partner, and a keen businessman.

But Reggie's passions were really outside our profession. Quite the Renaissance man, he had so many hobbies and collections that we weren't sure how he was going to clear out his office when he ultimately retired. He was an intrepid traveler, exploring well over 100 countries, a connoisseur of wine and cuisine, a prolific photographer and a lifelong student of history and culture.

And he did it all his way, without extravagance or pretension.

Reggie was most proud of his family. He leaves his wife Jenny, children Keri, Kim and Scott, five grandchildren that he was especially close to, and one great-grandchild born shortly before he died. It was quite a testament to hear each of his grandchildren eulogize him with poignant and personal stories about his impact on their lives.

Reggie was plagued with many serious illnesses during his last years, but his spirit and wit kept him going through it all. He led a full and satisfying life and will not be forgotten.





# The “New” Court Intervention Program at the 19th Judicial District Court *by Diana B. Gibbens*

It is an exciting time at the 19th Judicial District Court. Several programs that will alter the way criminal justice matters are handled in East Baton Rouge Parish will be implemented this year. Two programs are at the forefront of these changes—the Pretrial Services Program and the Commissioners’ Court.

As the state district court in East Baton Rouge Parish, Louisiana (EBRP), the 19th JDC is confronted daily with the impacts of the increasing crime rate in our community. Traditional criminal justice models of the past no longer best serve the diverse needs of our community. Ancillary issues, including substance abuse, mental health and poverty are factors that cannot be ignored. The intentional engagement in a strategic process with criminal-justice stakeholders has been instrumental in the development of these programs that are intended to address the root cause of many of the criminal justice problems in the EBRP community.

The “new” Court Intervention Program (CIP) provides the organizational umbrella for an array of programs that monitor defendants before trial and connect eligible defendants with community resources and/or problem-solving court programs. This organized structure enables the court to offer specifically tailored resources to assist defendants efficiently and effectively.

## Goals and Objectives

The CIP combines the court’s resources to enhance the reach of the court to address the systemic problems of the rising crime rate in the EBRP community. The program is guided by the following goals:

**Goal #1** To develop policies and procedures for a CIP grounded in evidence-based practices from the moment of booking through all stages of the criminal justice process.

**Goal #2** To reduce the delay in processing mandatory drug testing for certain offenses.

**Goal #3** To reduce time spent in jail by developing interagency protocols to quickly test and identify eligible participants for pretrial and specialty court programs.

**Goal #4** To monitor compliance with specified rules or bail-supervision conditions.

**Goal #5** To connect justice-involved persons with available community resources.

## Estimated Number of Participants Served

It is estimated that 650 bookings flow through the 19th JDC per month, which equates to approximately 7,800 annual bookings. The EBR District Attorney’s office approximates that it received 3,962 referrals in 2022 involving charges that were either listed in La. R.S. 14:2 as crimes of violence or violations of the Controlled Dangerous Substances Law. Additional data compiled through the Clerk of Court places the number of domestic violence matters between 33% to 50% of the total number of matters heard by the 19th JDC each week.

## Program Design and Implementation

The Court Intervention Program at the 19th JDC involves the organization of several related programs to create a comprehensive platform that follows an arrestee from booking through the judicial process. The programs that fall within the scope of CIP include the following:

- Pretrial Services Program
- Pretrial Location Monitoring Pilot
- Commissioners’ Court
- 19th JDC Drug Lab
- Pretrial Diversion and Recovery Program
- Re-Entry Court
- Recovery (Adult Drug) Court
- Veterans’ Treatment Court
- Domestic Violence Intervention Court Pilot

This article will focus on the two new programs that are being implemented in 2024. Future articles will cover the specifics of the problem-solving courts in the 19th JDC.

### *Pretrial Services Program*

The 19th JDC has converted the court’s Bail Bond Program into a fully functioning Pretrial Services Program with the assistance of the Justice Management Institute (JMI). Louisiana Code of Criminal Procedure article 317 defines a pretrial services program as “any organization which is contracted,

Traditional criminal justice models of the past no longer best serve the diverse needs of our community. Ancillary issues, including substance abuse, mental health and poverty are factors that cannot be ignored.

employed, or which receives public funds to perform or provide pretrial services, such as screening of any defendant.” A pretrial services program serves two primary functions—to provide crucial information to judicial officers that assist with the bail decisions and to provide supervision and services to pretrial defendants, according to the National Institute of Corrections. A high functioning pretrial services program can have many positive impacts on local justice systems by identifying risk factors and providing release strategies to manage the defendant’s risk pending trial.<sup>1</sup>

The primary goal of a Pretrial Services Program is to provide the defendant the least restrictive conditions of release that will not negatively impact public safety and will encourage future court appearances. Through the use of a validated-risk-assessment tool, the judicial officer is equipped with valuable information to assist in setting appropriate conditions of release at first appearance (or call-out). A new component of both the pretrial and booking process is a drug screen of certain individuals within 24 hours of booking.<sup>2</sup> These drug screens are not intended to create additional charges but will provide useful information to judicial officers enabling the connection of certain defendants to services for the treatment of substance abuse, mental health or other underlying issues. A clinical needs assessment of those who test positive will further enhance the court’s ability to promote early intervention by referral to substance-use and/or mental-health-treatment services.<sup>3</sup>

Another major improvement in the process involves providing all defendants with an arraignment date during their first appearance and upon release. The overall reduction in costs associated with service of notice of arraignment date will be significant. Further, through the supervision provided by the Pretrial Services Program, the failure-to-appear rate is anticipated to be reduced significantly. The role of the Pretrial Services Officers is to monitor defendants for compliance with conditions of release and to provide supervised defendants with court reminders, job applications and referrals to behavioral health and treatment, when necessary. This supervision will extend throughout a defendant’s pretrial process.

#### *Pretrial Location Monitoring Pilot*

Funding provided through the American Rescue and Protection Act has allowed the 19th JDC to implement a pilot program to set standards for the location-monitoring vendors doing business in EBRP. Once a list of approved providers is developed, these location-monitoring vendors will report on all monitored defendants to a central point of contact for 19th JDC. The pilot will last for two years and is limited to defendants charged with domestic-violence offenses. If successful, the program will be expanded to monitor all defendants subject to location monitoring.

#### *Commissioners’ Court*

Beginning July 1, 2024, the 19th JDC will have a total of four commissioners authorized by La. R.S. 13:711, 712 and 713. All four commissioners will exercise the same power and authority as provided by statute and designated by the full judges of the

19th Judicial District Court. These duties will include criminal, civil and domestic-violence matters. The Commissioners’ Court is at the heart of the CIP and is intertwined with all aspects of the Pretrial Services Program.

The four commissioners will rotate through the following responsibilities: 72-hour callout hearings to set bond; arraignments; domestic-violence protective orders (both civil and criminal); prisoner suits, PCRs and executory process. The specific details of each weekly rotation remain in development at the time of this writing, but as information is finalized, it will be available on the 19th JDC’s website.

An overall goal of these two new programs is to reduce jail overcrowding by decreasing case-processing time, reducing costs associated with pretrial detention, and creating a continuum of care to prevent future offenses and recidivism. As the judicial officers to have first contact with defendants at initial bond hearings, commissioners will also be in a position to make referrals of eligible candidates to community services and/or specialty courts, as deemed appropriate.

#### *19th JDC Drug Lab*

Also forming a part of CIP is the 19th JDC Drug Lab, which plays an important role in the monitoring of defendants throughout the pretrial process. The Drug Lab at the 19th JDC is staffed by four full-time court employees—a lab coordinator and three drug-collection technicians. The mission of the Drug Lab is to provide timely, accurate, scientific immunoassay drug-testing services for the court and any individual or court-related entity requiring a drug screen.

Drug screens are often ordered as a condition of pretrial release or prior to appearance before a commissioner or judge. The analyzer utilized by the Drug Lab is an FDA-approved Siemens Viva Pro E designed to test urine samples and is compliant with all federal and regulatory guidelines. Presently, the system is capable of running a 12-panel screen that includes the following: THC; Cocaine; EtG (Alcohol); Amphetamines; Benzodiazepines; Opiates; Fentanyl; Oxycodone; Heroin; Buprenorphine; Ecstasy; Creatinine Validity. Also available are a hair analysis and methamphetamine and k2 Spice (Mojo) dipstick urine tests.

#### **Problem-solving Courts**

Problem-solving courts (also known as specialty courts) focus on reduction in crime by addressing the underlying problems that contribute to criminal behavior. These courts all use an interdisciplinary team to adjudicate cases and seek to address the root causes of repeated unsafe and criminal behavior. As an alternative to incarceration, program participants receive case management and therapeutic jurisprudence in an effort to reduce recidivism.

Therapeutic jurisprudence is a principle that addresses the defendant’s mental health and well-being beyond just the outward behavioral expression. It is where law and psychology meet in the application of justice. Therapeutic justice originates from David Wexler and Bruce Winick’s idea that legal offenders will be more effectively tried in court when their dignity and mental health are respected.



Recent research demonstrates both positive participant outcomes and cost savings with these types of programs overall. Despite this common goal over the past 30 years, there is still no consistent definition of a problem-solving court.

The 19th JDC implemented its first specialty court,<sup>4</sup> an adult drug court, more than 25 years ago. According to the National Association of Drug Court Professionals, for every dollar invested in drug courts, communities receive an average of \$3.36 in benefits. In 2018, 46 Louisiana Drug Court participants gave birth to drug-free babies, which is a cost savings of \$11,500,000<sup>5</sup> to the state. The 19th JDC is committed to following national standards and employing evidence-based strategies to ensure persons arrested for drug offenses and crimes of violence comply with the law—at all stages during the pretrial phase and post-adjudication—to ensure specialty court participants receive the highest standard of care. Each specialty court program is presided over by a different judge of the 19th JDC and receives referrals from the community, law enforcement, prosecutors, defense attorneys, other criminal court judges and family members.

The primary existing problem-solving or specialty courts at the 19th JDC are:

1. David O'Quin Pretrial Diversion & Recovery Program, *Presiding Judge Don Johnson*
2. Recovery Court, *Presiding Judge Will Jordan*

3. Veterans Treatment Court, *Presiding Judge Ron Johnson*
4. Re-Entry Court, *Presiding Judge Fred Crifasi*
5. Domestic Violence Court Pilot, *Presiding Judge Tiffany Foxworth-Roberts*

Future articles in this series will spotlight each of the problem-solving courts at the 19th JDC. Although most of these programs involve a post-plea model, it is anticipated that the continued development of the Pretrial Services Program will extend the reach of these programs to provide for early intervention for certain defendants.

<sup>1</sup> Nat'l Inst. of Corrs., *Pretrial*, <https://nicic.gov/resources/resources-topics-and-roles/topics/pretrial> (last visited May 16, 2024).

<sup>2</sup> Act 4 from the 2024 Second Extraordinary Session of the Louisiana Legislature now requires a drug screen within 24 hours of booking for all violations of the Uniform Controlled Dangerous Substances Law or a crime of violence as provided in R.S. 14:2(B). This mandatory screening will be paid for with Opioid Abatement funds.

<sup>3</sup> See Substance Abuse & Mental Health Servs. Admin., *Screening, Brief Intervention, and Referral to Treatment (SBIRT)*, <https://www.samhsa.gov/sbirt> (last visited May 16, 2024).

<sup>4</sup> For an explanation of specialty courts, see La. Sup. Ct., *Louisiana Specialty Courts: Frequently Asked Questions*, [https://www.lasc.org/Drug\\_Courts?p=FAQs](https://www.lasc.org/Drug_Courts?p=FAQs) (last visited May 16, 2024).

<sup>5</sup> The medical and related expenses are estimated at \$250,000 per drug-addicted baby in the first year of life per the Office of Justice Systems, 1997.

*See you there!*

## YLS Sidebar Luncheon with First Circuit Court of Appeal

**Registration: 11:30a.m.**  
**Judges' Panel: 11:45 a.m. - 1:15 p.m.**  
**11:30AM - 1:15 PM**  
**Wednesday, July 10**  
**First Circuit Court of Appeal**  
**1600 N. 3rd St., Baton Rouge, La. 70802**

**CLE Information/Speakers:** A panel of judges from the First Circuit will discuss what lawyers need to know to successfully practice before the court. They will give an overview of appellate practice in Louisiana circuit courts and specific tips regarding appellate procedure, with an emphasis on writ applications and supervisory review before the court.

**A box lunch is included with the price.** \$40 for BRBA Young Lawyers Section members; \$50 for BRBA members who are not members of the Young Lawyers Section; \$85 for non-BRBA members. Registration deadline and deadline to cancel without penalty is 4:30 p.m. Monday, July 8, 2024. **"No shows" will be billed.**

**Questions?** Contact Susan Saye for more information: [susan@brba.org](mailto:susan@brba.org) or 225-344-4803.



## YLS Sidebar Luncheon with the U.S. Middle District Court

# Practicing in the Middle District

12 - 1:30 PM | Thursday, Aug. 8, 2024

**Hilton Baton Rouge Capitol Center**  
201 Lafayette St., Baton Rouge, La. 70801

**Speakers:** A panel of district, bankruptcy and magistrate judges from the U.S. Middle District will discuss what young lawyers need to know to practice successfully before the court. Judicial expectations along with the latest jurisprudential developments and local rules will be discussed.

**CLE:** This seminar qualifies for 1.0 hour of CLE credit; networking; lunch.

**Cost Options: Lunch is included with the price**

- \$25 for BRBA Young Lawyers Section members and summer law clerks
- \$30 for BRBA members who are not members of the Young Lawyers Section
- \$60 for non-BRBA members

**Cancellation Policy:** Registration deadline and deadline to cancel without penalty is 4:30 p.m. Thursday, Aug. 1, 2024. **"No shows" will be billed.**

**Questions?** Contact Susan Saye for more information: [susan@brba.org](mailto:susan@brba.org) or 225-344-4803. Fax completed form to: 225-344-4805. *Make checks payable to:* BRBA, 544 Main Street, Baton Rouge, LA 70801.

Bar Roll No. \_\_\_\_\_ Email \_\_\_\_\_

Name \_\_\_\_\_ Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

**FOR BRBA MEMBERS ONLY: To register for this CLE seminar online and pay by credit card, go to [www.BRBA.org](http://www.BRBA.org), select the EVENTS tab, then click on EVENT LIST and choose the appropriate event.**

# Foundation Footnotes

Pro Bono Reports — March and April 2024



**Teen Court Volunteers:** In March 2024, three hearings were held. Volunteers were **Tiffany Carriere**, *First Circuit Court of Appeal*; **Monica Vela-Vick**, *Dugan Law Firm*; and **Naveen Adusumilli** (law student), *Syracuse University College of Law*, and (professor), *LSU College of Agriculture*.

In April 2024, six hearings and one training were held. Volunteers were **Tiffany Carriere**, *First Circuit Court of Appeal*; **Candace B. Ford**, *U.S. Attorney's Office*; **Martha "Mandie" Seale Lucas**, *Louisiana Homebuilders Association GL Trust*; **Jacob McCon**, *Longman Jakuback, APLC*; **Rebecca Moreno**, *Southern University Law Center*; **Monica Vela-Vick**, *Dugan Law Firm*; **Naveen Adusumilli** (law student), *Syracuse University College of Law*, and (professor), *LSU College of Agriculture*; **Jessica Fuqua**, *SULC student*; and **Whitney Peters**, *BRBF intern and SULC student*.

**Region III High School Mock Trial Competition:** Held March 8-9 at the 19th Judicial District Court. Volunteer judges were **Ben Anderson**, **Connell Archey**, **Denis Barry**, **Alexis Breedlove**, **Harley Brown**, **James Bullman**, **Robb Campbell**, **Christie Chapman**, **James Clary**, **Kristen Craig**, **Wendy Edwards**, **John Fenner**, **Caroline Gardner**, **Landyn Gautreau**, **Farah Gheith**, **Judge Erika Green**, **Judge Gail Grover**, **Nicole Hazey**, **Magistrate Judge Scott Johnson**, **Trey Jones**, **Ryan Laurent**, **Ross LeBlanc**, **Laurie Marien**, **Connor McCain**, **Cheyenne Meek**, **Juan Moreno**, **Scott Nettles**, **Melanie Newkome Jones**, **Matthew Nodier**, **Erik Noland**, **Katie Plaisance**, **Henri Saunders**, **Tyler Savoy**, **Jamie Schutte**, **Loren Shanklin**, **Sarah Thigpen**, **Michael Walsh**, **Luke Williamson** and **Kim Wood**.

**Attorneys Accepting Cases:** **Derrick McCorey**, *attorney at law*; **Barrington Neil**, *attorney at law*; **DeVonna Ponthieu**,

*attorney at law*, **Arthur Vingiello**, *The Steffes Firm, LLC*; and **James Word**, *attorney at law*.

**Self Help Resource Center Volunteer:** **Carlesia Carmena Bibbins**, *attorney at law*.

**Spring Pro Bono Project Interns:** **Whitney Graham**, *Southern University Law Center*; **Eric J. Roshak**, *LSU Law Center*.

**Legal Hotline Volunteers:** **Scott Gaspard**, *attorney at law*; **Cherita McNeal**, *attorney at law*; **Lashonda Hubbard**, *attorney at law*; and **James "Jimmy" Zito**, *attorney at law*.

**Ask-A-Lawyer Volunteers:** **Christine Baker**, *attorney at law*; **Stanley Bordelon**, *attorney at law*; **Todd Gaudin**, *Gaudin Law Group*; **Derrick McCorey**, *attorney at law*; **Whitney Peters** (law student), *Southern University Law Center*; **Eric J. Roshak** (law student), *LSU Law Center*; and **Theophile Kadia** (law student), *Southern University Law Center*.

**Managing Your Legal Business Legal Clinic:** Sponsored by AARP of Louisiana, Louisiana Bar Foundation, Southern University Law Center, Baton Rouge Bar Association, Southeast Louisiana Legal Services and Louisiana Appleseed. Volunteers were **James A. Word**, *attorney at law*; **Terrell Dupard**, *Dupard Law Firm LLC*; and **Derrick McCorey**, *attorney at law*.

**Evaluation given from a client regarding Attorney LaKendra D. Sampson:** "Ms. Sampson was very professional. She always addressed my questions and concerns in a timely manner. Thank you!"

*Teen Court is made possible in part by grants from the Louisiana Bar Foundation. The Pro Bono Project is financially assisted by the Interest on Lawyers' Trust Account (IOLTA) Program of the Louisiana Bar Foundation; Southeast Louisiana Legal Services; Family, District and City Court Fees; and the Baton Rouge Bar Foundation.*

## GAIL'S GRAMMAR

Which is the correct verb in these sentences?

When I *was/were* 17, I thought all prelaw majors should study political science.

If I *was/were* able to speak to my younger self, I'd suggest that she study English instead.

I'm sure everyone picked "was" in the first sentence. But what about the second? It's written in the subjunctive mood—the expression of an impossible hypothetical. Thus, the proper verb is "were."

The subjunctive mood is also used with wishes, suggestions and orders and is usually found in a "that" clause. See the second sentence above for an example. In the indicative mood (stating a fact), study would be conjugated *she studies*, but when used as a suggestion, the proper verb is *study*.

### EXAMPLE:

If I *were* queen of the world, I would command that everyone use proper grammar.

*Thanks to John Fenner for suggesting this topic. Send suggestions for future Gail's Grammar columns to Gail Stephenson at [GStephenson@sulc.edu](mailto:GStephenson@sulc.edu) or call Gail at (225) 926-1399.*



# IMPORTANT DATES

JULY 2024						
SUN	MON	TUES	WED	THURS	FRI	SAT
	1	2	3	4	5 *	6 *
7	8	9	10 *	11 *	12	13
14	15	16	17 *	18 *	19 *	20
21	22	23	24	25	26 *	27
28	29 *	30	31			

AUGUST 2024						
SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8 *	9	10 *
11	12	13 *	14 *	15 *	16	17
18	19	20	21 *	22 *	23 *	24 *
25	26 *	27	28	29	30	31

## July

- 4 BRBA Office Closed—Independence Day
- 6 Ask-A-Lawyer, 9 a.m., Bluebonnet Branch of EBRP Library
- 10 YLS Sidebar Luncheon with First Circuit Court of Appeal, 11:30 a.m.-1:15 p.m., First Circuit Court of Appeal; Operations & Finance Committee meeting, 12:15 p.m.
- 11 July Bar Luncheon, Ruffino's Catering at De La Ronde Hall, 11:45 a.m.
- 17 BRBA Board meeting, 6 p.m., Juban's
- 18 Belly Up with the Bar Committee meeting via Zoom, noon
- 19 Publications Committee meeting via Zoom, 8 a.m.
- 26 Youth Education Committee meeting, noon, via Zoom
- 29 Teen Court Hearing via Zoom, 6 p.m. & 7 p.m.

## August

- 8 Middle District Court Sidebar Luncheon, 12-1:30 p.m., Hilton Baton Rouge Capitol Center
- 10 Ask-A-Lawyer, 9 a.m., Goodwood Branch of EBRP Library
- 13 Workers' Comp Section meeting & CLE, 12 p.m., Drusilla Seafood
- 14 Operations & Finance Committee meeting, 12:15 p.m.
- 15 Family Law Section meeting & CLE, 11:30 a.m., Mike Anderson's; Belly Up with the Bar Committee meeting via Zoom, 12 p.m.
- 21 Board of Directors' meeting, 6 p.m., TBA
- 22 Construction Law Section meeting & CLE, 11:30 a.m., Middleton Bar Center.
- 23 Youth Education Committee, 12 p.m., via Zoom
- 24 Teen Court Training Session, TBD
- 26 Teen Court Hearing via Zoom, 6 p.m. & 7 p.m.

# DUTY COURT SCHEDULE

19th JDC Civil Duty Court	
7/01 - 7/12	Judge Balfour
7/15 - 7/26	Judge Moore
7/29 - 8/09	Judge Foxworth-Roberts
8/12 - 8/23	Judge Fields
8/26 - 9/06	Judge R. Johnson

19th JDC Criminal Duty Court***	
6/28 - 7/05	Judge Johnson Rose^
7/05 - 7/12	Judge Smith
7/12 - 7/19	Judge Jordan
7/19 - 7/26	Judge Hines
7/26 - 8/02	Judge Greggs
8/02 - 8/09	Judge Crifasi
8/09 - 8/16	Judge Ray
8/16 - 8/23	Judge Myers
8/23 - 8/30	Judge Johnson Rose^
8/30 - 9/06	Judge Smith

Baton Rouge City Court*	
7/01 - 7/07	Judge Matthews
7/08 - 7/14	Judge Alexander
7/15 - 7/21	Judge Vendetto
7/22 - 7/28	Judge Marcantel
7/29 - 8/04	Judge Temple
8/05 - 8/11	Judge Matthews
8/12 - 8/18	Judge Alexander
8/19 - 8/25	Judge Vendetto
8/26 - 9/01	Judge Marcantel

Juvenile Court	
July	Judge Grover
August	Judge Haney

Family Court**	
7/01	Judge Day (Div. C)
7/02	Judge Russ (Div. D)
7/03	Judge Baker (Div. A)
7/04	HOLIDAY
7/05	Judge Baker (Div. A)
7/08	Judge Day (Div. C)
7/09	Judge Russ (Div. D)
7/10	Judge Baker (Div. A)
7/11, 7/12	Judge E. Green (Div. B)
7/15	Judge Day (Div. C)
7/16	Judge Russ (Div. D)
7/17	Judge Baker (Div. A)
7/18	Judge E. Green (Div. B)
7/19, 7/22	Judge Day (Div. C)
7/23	Judge Russ (Div. D)
7/24	Judge Baker (Div. A)
7/25	Judge E. Green (Div. B)
7/26	Judge Russ (Div. D)
7/29	Judge Day (Div. C)
7/30	Judge Russ (Div. D)
7/31	Judge Baker (Div. A)
8/01	Judge E. Green (Div. B)
8/02	Judge Baker (Div. A)
8/05	Judge Day (Div. C)

Family Court (Continued)	
8/06	Judge Russ (Div. D)
8/07	Judge Baker (Div. A)
8/08, 8/09	Judge E. Green (Div. B)
8/12	Judge Day (Div. C)
8/13	Judge Russ (Div. D)
8/14	Judge Baker (Div. A)
8/15	Judge E. Green (Div. B)
8/16	Judge Day (Div. C)
8/19	Judge Day (Div. C)
8/20	Judge Russ (Div. D)
8/21	Judge Baker (Div. A)
8/22	Judge E. Green (Div. B)
8/23	Judge Russ (Div. D)
8/26	Judge Day (Div. C)
8/27	Judge Russ (Div. D)
8/28	Judge Baker (Div. A)
8/29	Judge E. Green (Div. B)
8/30	Judge Baker (Div. A)

Court Holidays	
Thursday, July 4	Independence Day
Monday, Sept. 2	Labor Day

NOTE: Duty Court changes at 5 p.m. each Friday unless otherwise specified.  
 \*City Court's Duty Court judge is on duty from 8 a.m. on the Monday beginning his/her week of duty until 8 a.m. the Monday ending his/her week of duty.

\*\*Family Court's Duty Court schedule is completely different each day, rotating on Fridays.

\*\*\*19th JDC Criminal Court changes each Friday at noon.

\*Section IV is currently the only section conducting Saturday callout.

**Baton Rouge Bar Association**

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*Attorney David Abboud Thomas is responsible for this ad.*