

Around

THE MAGAZINE OF THE
BATON ROUGE BAR ASSOCIATION

No. 283, January 2014

the Bar



Inside:

A Luta Continua

Attorney spotlight:

Mackenzie Smith Ledet

Thoughts on mediation

Installation ceremony

& reception: Jan. 15


**2014 BRBA President:
Darrel J. Papillion**

**You are invited to attend the BATON ROUGE BAR ASSOCIATION
OPENING OF COURT, MEMORIAL & NEW MEMBER CEREMONY**

REMEMBERING:
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Justice Luther Francis Cole
Edselle Keith Cunningham Sr.
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Mark Henry Sibley
William Seay Strain
David Edward Tippet

**Wednesday,
Jan. 29, 2014**

Begins at 8 a.m. at the
19th Judicial District Courthouse,
11th Floor, 300 North Blvd.



**Opening of Court,
Memorial & New
Member Ceremony**

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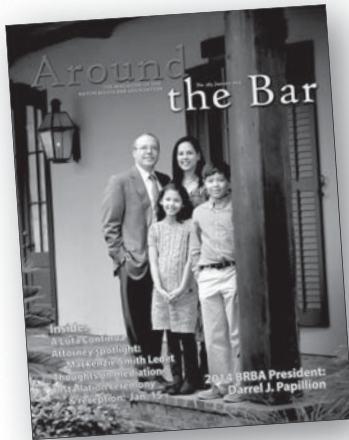
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On the cover:

Featured on the cover of the January 2014 issue of *Around the Bar* magazine are our newest Baton Rouge Bar Association president, Darrel J. Papillion, his wife, Shirley, and their children, Anna Claire and Jude.

Papillion's installation as the 2014 BRBA President will take place Wednesday, Jan. 15, 2014, beginning at 5 p.m. at the U.S. District Court for the Middle District of Louisiana, Russell B. Long Federal Building, 777 Florida St.

Cover photography by Heather Bush.

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JACK PIERCE

C O R R E C T I O N

Yigal Bander wishes to point out that his September 2013 article, "Seizure Exemptions in a Nutshell," contained a critical error. The creditor in a revocatory action does not (since 1985) have to prove intent to defraud. However, as ably pointed out by Wade R. Iverstine in his November 2013 article, "Act 88 Creates an Intent-Based Transfer Avoidance Action," it is now necessary for the creditor to prove intent to defraud if he wants to overcome the three-year preemptive period.

contributors



Michael deBarros has practiced in the labor and employment, insurance coverage, and commercial litigation groups at Kean Miller since 2012.

Vincent P. Fornias, an assistant editor of *Around the Bar*, is a solo practitioner whose practice focus is alternative dispute resolution.



Pamela Labbe is the communications coordinator of the Baton Rouge Bar Association.

Darrel J. Papillion, a partner with Walters Papillion Thomas Cullens, LLC, is the 2014 president of the Baton Rouge Bar Association.



Jay A. Parker of Marks & Lear, APLC, is the 2014 chair of the Bench Bar Conference Committee.

Gail S. Stephenson, an assistant editor of *Around the Bar*, is the director of legal analysis and writing and an associate professor of law at Southern University Law Center.



The BRBF Mock Trial Committee is in need of volunteers to assist with the 2014 High School Mock Trial Competition (Region 3), which will be held March 14-15 at the 19th Judicial District Courthouse.

VOLUNTEER ATTORNEY COACHES, COMPETITION JUDGES & TIMEKEEPERS ARE NEEDED.

To volunteer, contact R. Lynn Smith Haynes at 225-214-5564 or lynn@brba.org.

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For advertising information call Pamela Labbe at 225-214-5560. Display ads should be high-resolution attachments (.PDF), and classified ads as text only. Please email all ad artwork to pamela@brba.org. Publication of any advertisement shall not be considered an endorsement of the product or service involved. The editor reserves the right to reject any advertisement, article or letter.

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The Baton Rouge Bar Association will be the beacon for the full spectrum of the legal profession by fostering professional courtesy; increasing the diversity of the bar and the participation of under-represented groups; maintaining a sound financial base; enhancing and developing member services and community outreach; and promoting and improving the image of the profession.

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letter from the president

BY DARREL J. PAPIILLION

Having to write my first Letter from the President forced me to spend A LOT of time thinking about what to say. I've been a little nervous about it. I read the outstanding letters written by my 10 or so most recent predecessors. Each had a catchy theme or headline — “Wishes and Resolutions” or “A New Hat” or “We Are Family” or “Superheroes.” I needed a theme, but finding one proved elusive. What was I going to say to the more than 2,500 *Baton Rouge Lawyers* who make up the Baton Rouge Bar Association?

If this was one of the TV shows I watched as a kid (back when there were only three stations on television), right about now the picture would get fuzzy. The strange music indicating a dream sequence or time travel would start. I would repeat the words “*Baton Rouge Lawyers, Baton Rouge Lawyers*” over and over. The picture would go from color to black-and-white, and I'd suddenly get a lot younger.

The dream sequence would flash back to the little hamlet of Swords, in rural St. Landry Parish, just outside the city of Eunice, where I grew up before moving to Baton Rouge to attend LSU for college and law school. It would start with me watching the lawyers in my community *being lawyers*, and doing lawyer stuff — trying cases, representing clients, being active in politics and fighting for what they thought was right. It would show me working up the courage to ask Jacques Pucheu (not the *Baton Rouge Lawyer* Jacques Pucheu, but his dad) to talk to my eighth-grade class about being a lawyer. The way back dream sequence would show Morgan Goudeau, Jack Burson, Sonny DeVillier, Don Richard, Richard Millspaugh, James Guglielmo and other St. Landry Parish lawyers being very nice to a high school or college kid who *really* wanted to be a lawyer. I watched these St. Landry Parish lawyers, and I marveled at how the lawyers battled one another in court, before recessing, along with the local judges, to the round table at Opelousas' Palace Café to enjoy a spirited lunch discussion of politics, sports and courthouse gossip, while they tried to “solve all the world's problems.” They were being *Baton Rouge Lawyers*, but I didn't know what that meant. How could I? And, how could Opelousas and Eunice lawyers be *Baton Rouge Lawyers* anyway? I didn't even know any *Baton Rouge Lawyers* yet — or so I thought.

More of that funny, dream sequence music. My first “real job” after law school (not counting clerking for *Baton Rouge Lawyer* Mike McKay and a few others while in school) was working for a Point Coupee Parish

Becoming a *Baton Rouge Lawyer*

lawyer — in New Orleans. Just how does one become a *Baton Rouge Lawyer* working for a Point Coupee Parish lawyer in New Orleans? Stay with me. This lawyer was Justice Catherine D. Kimball of the Louisiana Supreme Court, and I was lucky enough to be her law clerk. Turns out, she was a *Baton Rouge Lawyer*, too, but I still wasn't smart enough, or experienced enough, to know what that meant.


After my clerkship, I joined McGlinchey Stafford in New Orleans. More dream music and that fuzzy dream picture, but the dream is moving forward in time. I'm getting older now, and the picture is getting clearer and is in something that looks like Technicolor. At McGlinchey, I worked for Woody Norwood, McGlinchey's managing partner, originally from Franklin in St. Mary Parish. Woody and the other members of the McGlinchey Products Liability Section were my first teachers in the art of representing clients in court. And, although I didn't know it yet, Woody was a *Baton Rouge Lawyer*, too. New Orleans lawyers often get a bad rap — but there are a few *Baton Rouge Lawyers* in New Orleans. I am forever indebted to Woody, Mark Bodin and the other McGlinchey lawyers who played a big role in my becoming a *Baton Rouge Lawyer*, including Mike Rubin, Rudy Aguilar and Mary Joseph who are (literally) *Baton Rouge Lawyers*.

Almost the last part of the dream sequence ... now the dream is in color, and I've started wearing glasses and going bald, but I'm still not a *Baton Rouge Lawyer*. Past BRBA President Ed Walters, my trial advocacy professor, told me when I graduated from LSU, “One of these days, I am going to call you and offer you a job, and when I do, you'd better take it.” He called. I took the job. I was five years a lawyer, and that was 15 years ago, and possibly a lifetime in the making ... but Shazam, I was a lawyer in Baton Rouge, even if I didn't yet know what it meant to be a *Baton Rouge Lawyer*.

As Ed Walters made clear in an article in this magazine years ago, “*Baton Rouge Lawyer*” is a term of art. It means something special. While it has a lot to do with geography, one doesn't have to be a lawyer in Baton Rouge to be a *Baton Rouge Lawyer*, and, as we all know, one can certainly be a lawyer in Baton Rouge and NOT be *Baton Rouge Lawyer*. *Baton Rouge Lawyers* have a unique way of dealing with one another, the court, our clients and “the bar.” We don't lie to one another; we treat one another with civility and respect; we respect our judges and our clients and we serve one another and the Baton Rouge Bar Association and Foundation.

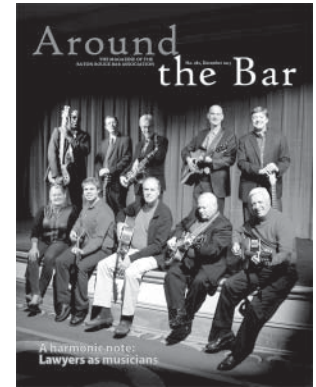
I believe our bar is the way it is, despite its size and despite Baton Rouge's tremendous growth, because we still practice law and treat one another like small town lawyers. Being a *Baton Rouge Lawyer*, wherever you happen to practice, means giving (and sometimes demanding) respect, yet being humble, honest and genuine, and recognizing that your opponents, clients and the courts are all human, and, for the most part, are doing their best to serve their clients and our legal system.

The last part of this little dream sequence is in High Definition, High Resolution, Digital Fiber Optic 2014 everything! Standing on the shoulders of giants (indeed, a few "Superheroes" — from Eunice, to New Orleans, and ultimately home in Baton Rouge), I have been entrusted, for a year, with the sacred duty of being President of all *Baton Rouge Lawyers*. Entrusted with the safekeeping of our history and traditions. It's a big job, and I have many "Wishes and Resolutions," as I look forward to being your 2014 Baton Rouge Bar Association and Foundation president. But, I know I'll have a lot of help — from all of you. After all, we're in this together.

It's going to be a great year for *Baton Rouge Lawyers* everywhere. 

letters

Just read your article, *ipse dixit*, from the most recent *Around the Bar*. I chuckled when I read the line "—not so a magazine sitting on the corner of your desk." Put me in the category of reading within a week of hitting my desk. Even more after moving to Texas, I find *ATB* very informative and entertaining. When I finally do toss it in the plastic-lined filing cabinet, I feel like I am betraying the folks who work so hard to put forth a quality publication if I did not read cover to cover.



Keep up the good work,
Kyle Achee Ferachi
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installation ceremony & reception

New bar leaders to be sworn in at the U. S. District Court for the Middle District of La.

The BRBA will hold an Installation Ceremony & Reception at 5 p.m. **Wednesday, Jan. 15, 2014**, at the **U. S. District Court for the Middle District of Louisiana** in the Russell B. Long Federal Building, 777 Florida Street. Chief U. S. District Judge Brian A. Jackson will preside over the ceremony, which will take place in Courtroom 1 on the third floor.

Darrel J. Papillion will be sworn in as president of the BRBA for 2014. In addition, the 2014 BRBA officers and directors-at-large, Young Lawyers Section officers and YLS Council members will be installed as well as officers of the Bankruptcy, Business/Corporate Law, Construction Law, Family Law, Public Law Practice and Workers' Compensation sections.

During the reception, Michael S. Walsh will present President's Awards to several recipients. In addition, Scotty E. Chabert will present the Judge Joseph Keogh Award to a member of the Young Lawyers Section.

BRBA members and guests who RSVP can attend the installation ceremony and reception for free. **However, only the first 100 RSVPs will be honored, so please register today! Space is limited.**

Please RSVP to Meredith French by Monday, Jan. 13, 2014, at Noon. Fax the form below to 225-344-4805 or email it to meredith@brba.org.

2014 BRBA OFFICERS & DIRECTORS-AT-LARGE



2014 YOUNG LAWYERS SECTION OFFICERS & COUNCIL MEMBERS



Please complete this form and fax this entire page to the BRBA at (225) 344-4805 by Noon, Monday, Jan. 13, 2014.

Bar Roll No. _____ Please check applicable boxes: BRBA member non-member

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RECEPTION — **YES**, register me for the **JANUARY INSTALLATION CEREMONY & RECEPTION** at the U. S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF LOUISIANA, 777 Florida St., which will take place WEDNESDAY, JAN. 15, 2014, at 5 p.m. at no cost for BRBA members and guests. **Only the first 100 RSVPs will be honored. SPACE IS LIMITED.** The installation ceremony will begin at 5 p.m. in Courtroom 1 on the third floor. **An RSVP to Meredith French at the BRBA is required by Noon, Monday, Jan. 13, 2014. Fax to 225-344-4805 or email to meredith@brba.org.**

tales from the bar side

BY VINCENT P. FORNIAS • FOILED ON AISLE D

Your faithful chronicler of dysfunction and depravity is fairly religious when it comes to the arduous monthly task of poring over credit card statements. Thankfully, the vast majority of times the exercise proves unnecessary, but alas, a recent statement caused the “battle stations” alarm to sound in my household.

I will confess that I am an incurable Super Wal-Mart shopper, and would wager that I could easily navigate my way blindfolded through the aisles of its College Drive location. A typical week will find me there at least once or twice, depending on the level of depletion of our various bird feeders, light bulb receptacles and canine stomachs. In that month’s statement review ordeal, I came across an unidentifiable College Drive charge for \$85. No biggie. Sometimes receipts get lost or discarded. But wait. Two lines down there was another identical charge, dated a day later, at a Wal-Mart in Mandeville. Since no one in my household has ever intentionally set foot in a Mandeville Wal-Mart, the inquiry commenced by dialing the 800-number to my card provider, who duly informed me that both charges would be temporarily frozen pending their investigation.

A few weeks later I received in the mail a form letter from my provider, and attached to it were copies of the two \$85 Wal-Mart charge slips, each with a notation of “gift card” and each bearing a squiggly line as a signature. Yes, dear reader(s), I know I’m a lawyer, and like many of us I take great pride in my illegible signature — but these were definitely not my squiggles. Since the form letter further disclosed with great finality that the card company considered the matter closed and would forthwith unfreeze these charges, I leapt to action and called the toll-free number listed on the letter. Before dialing, I cautioned my spouse that I would be out-of-pocket for nigh on the next few hours as I embarked upon what I fully expected to be a menu-hold-transfer telephone marathon to lord knows where.

When someone answered I was surprised by his impeccable American accent. Whoever was training these people at the call center in Mumbai, Bangladesh or wherever had the makings of Professor Henry Higgins in “My Fair Lady.” As I held my breath and commenced what I expected to be a futile soliloquy of my tale of woe leading to the inevitable bureaucratic denial,

I was politely interrupted by the “customer service agent,” who apologized for my inconvenience and announced that the company appreciated my loyal patronage and would immediately delete both charges from the account.

Besides wondering if I had dialed the right number, my head then started spinning with secondary questions. Why had the charges been made for \$85, and not \$86 — or \$186? And why would this thief choose to try to pull the wool over my eyes with, of all places, gift cards from Wal-Mart? Did he not deem me capable of sending them at least from Target? Was I unworthy of something a bit more upscale? Had I become in his eyes George Costanza passing out contribution cards to the bogus “Human Fund?” Talk about a condescending crook!

In due course I got over the insult and repeated my story to to my weekend golf buddies, one of whom told me I had definitely been victimized by someone carrying a scanner that penetrated right through my pants pocket and my wallet to my credit card. He also announced proudly that he had read all about this scam in a recent issue of *AARP magazine*, and that he now carries his wallet wrapped in aluminum foil. Imagining the the fracas he must cause at airport security points, I sat back, secure in the knowledge that this Wal-Mart bandido had met his comeuppance. ▀

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bar news

BY PAMELA LABBE

Cocktails with the Court held in new venue

The BRBA Young Lawyers Section hosted the Cocktails with the Court reception Thursday, Nov. 14, 2013, at the Gallery at Manship. YLS 2013 Chair Scotty Chabert welcomed guests, who enjoyed catering from Relish. Young Lawyers, law clerks and judges were invited to the event. Cocktails with the Court was organized by Mackenzie Smith Ledet and Loren Shanklin. The event was sponsored by Citizens Bank; Tyler & Possa; Walters Papillion Thomas Cullens, LLC; Smith Shanklin Sosa, LLC; and Decuir, Clark & Adams.

Opening of Court, Memorial & New Member Ceremony to be held Wednesday, Jan. 29

Wednesday, Jan. 29, 2014, is the date of the annual Opening of Court, Memorial & New Member Ceremony, which begins at 8 a.m. The event will take place in the ceremonial courtroom on the 11th floor of the 19th Judicial District Courthouse, 300 North Blvd. BRBA members



Citizens Bank Vice President Jim Pergerson, Lillian Grossley of Citizens Bank, 2013 YLS Chair Scotty Chabert, 2014 YLS Chair Laranda M. Walker and Edward Middleton of Citizens Bank were photographed at the Cocktails with the Court reception held Thursday, Nov. 14, 2013.



U. S. District Judge James J. Brady, Christopher K. Jones and Mark Assad attended the Cocktails with the Court reception Thursday, Nov. 14, 2013.

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who have passed away during 2013 will be honored and new BRBA members will be introduced during the ceremony. While there, BRBA members may have their photos taken for bar cards by the Louisiana State Bar Association. In addition, the LSBA is providing the reception.

Contact the BRBA for more information: 225-344-4803.

Volunteer Committee holds appreciation luncheon at Pastime

Members of the BRBA Volunteer Committee were invited to an appreciation luncheon Thursday, Dec. 12, 2013, at the Pastime Lounge in downtown Baton Rouge. Carole McGehee organized the event. Attending the luncheon were Erik Kjeldsen, Kate Mire, Francisca Comeaux, Madison Dewitt, Erin Sayes, Jeanne G. Rougeau and Mac Womack. Mackenzie Smith Ledet and Jeanne Rougeau were thanked for chairing the Volunteer Committee in 2013 during the luncheon.

The 2014 chairs of the Volunteer Committee will be Erik Kjeldsen and Francisca Comeaux.



Competition judges for this year's Belly Up with the Bar event were Jay Ducote, Jim Shannon, Lindsey Holland, Pam Bordelon, Louis Reine, Fr. Bryan Owen, Curt Eysink and Kris Cusanza.

Belly Up with the Bar raises funds for BR Bar Foundation youth-related projects

This year's Belly Up with the Bar event was held Friday, Nov. 1, 2013, at the Stables of Live Oak Arabians. This cook-off and brewfest featured several celebrity judges, a raffle and a live auction. Jennifer Racca chaired the 2013 Belly Up with the Bar Committee, and Donna Buuck served as the staff liaison to the committee.

Winners of the food categories included the following:

- **Best Grub First place:** Gruel and Unusual Punishment (D.A.'s Office) for beef sliders.
- **Best Grub Second place:** Mean Killers (Kean Miller) for pulled pork sliders with caribbean salsa
- **Best Grub Third place:** Keogh, Cox & Wilson for "Habeas Porkus."
- **Most Original:** Watson, Blanche, Wilson & Posner for Twerk Chicken with Blurred Rice and Wrecking Balls.
- **Best of Show:** The Not So Real Housewives of McGlinchey Stafford for 100 Karat Cannolis.
- **Best Law School First place:** Southern University Phi Alpha Delta Tureaud Chapter for shrimp and grits and crème brulee.
- **Best Law School Second place:** Southern University "Hopeas Corpus" for pastalaya and "Hops of Justice."
- **Best Sauce:** B-S-Dub Dynasty (Breazeale, Sachse & Wilson) for "Mrs. Kay's Fat Fries."
- **Silver Spoon (Second Place Best Sauce):** Arpents & Anglers (Ezell Law Firm and Baringer Law Firm) for fried catfish with chipotle remoulade.
- **Silver Whisk (Best Dessert):** Shows, Cali & Walsh for fried cookie dough balls.
- **Most Likely to Result in a Call to Your Liability Carrier (Worst Food):** Koch & Messer for chicken wings.



The District Attorney's Office was the overall winner of the 2013 Belly Up with the Bar event, claiming the traveling trophy. They won the Best Grub First Place Award.



Keogh, Cox & Wilson received the People's Choice Award for Best Food, and Best Grub Third Place at the 2013 Belly Up with the Bar competition.



McGlinchey Stafford received the People's Choice Award for Best Drink and Best of Show for the team's 100 Karat Cannolis.

The People's Choice Awards went to the following:

- **People's Choice, Best Elixir:** The Not So Real Housewives of McGlinchey Stafford for "Whipped Mantinis."
- **People's Choice, Best Food:** Keogh, Cox & Wilson for "Habeas Porkus."
- **Silver Spatula (Second Place Best Food):** Arpents & Anglers (Ezell Law Firm and Baringer Law Firm) for fried catfish with chipotle remoulade.
- **Silver Fleece (Buy Your Votes):** Team Compman (Unger Law Firm) for whole hog.

The following Committee Awards were presented:

- **Silver Fork (Committee Choice for Best Food):** Mayhall Fondren Blaize for Duck & Andouille Gumbo.
- **Best Theme:** Tiffany & Company (Parish Attorney's Office) for Botox Shots.

Belly Up with the Bar Committee members include Jennifer Racca, chair; Andrea Knouse, vice chair; Victor Suane Jr., YLS board liaison; Ben Anderson, Amanda Collura, Charles Davoli, Chris Day, Brandon Decuir, Diangleo Frazer, Shelley Harrison, Blake Leger, Jonathan Mitchell, Marcus Plaisance, Loren Shanklin and Savannah Steele.

This year's celebrity judges were Pam Bordelon, *The Advocate*; Kris Cusanza, Channel 33; Jay Ducote, 225 and *Bite and Booze*; Lindsey Holland, *InRegister*; Jim Shannon, WAFB Channel 9; Curt Eysink, La. Secretary of Labor (Exec. Director of La. Workforce Commission); Fr. Bryan Owen, St. Luke's Episcopal Church; and Louis Reine, President, La. AFL-CIO.

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FORMER SOCIAL SECURITY JUDGE PETER J. LEMOINE

Social Security Disability Law

Offices in Alexandria, Baton Rouge, Cottonport

Adjunct Professor (1994-1997), Northwestern State University

MEMBER: American Bar Association, Louisiana State Bar Association, Baton Rouge Bar Association, Avoyelles Parish Bar Association, National Organization of Social Security Claimant Representatives, Legal Services for Purposes of Disability Committee (Louisiana State Bar Association).

PUBLISHED ARTICLES: "The Worn-Out Worker Rule Revisited,"
"Significant Work-Related Limitations of Function Under §12.05C,"
"Questionable Retirement and the Small Business Owner,"

"Crisis of Confidence: The Inadequacies of Vocational Evidence Presented at Social Security Disability Hearings."

225-922-4551

A Luta Continua

BY MICHAEL deBARROS

The Constitutional Court of South Africa was called to session July 27, 2012. Jerry Ofense Pitsoe (Mr. Phale) nervously awaited his fate. Almost three years earlier, Mr. Phale was charged with murder in Botswana and fled to South Africa, where he was later arrested.

Officials in Botswana received word that Mr. Phale was imprisoned in South Africa and contacted the South African government to seek his extradition. If extradited, Mr. Phale would face the death penalty. But South Africa abolished the death penalty in 1994, and its law required South African officials to seek assurance that the death penalty would not be imposed prior to surrendering him to a country where he would face the death penalty.¹

Botswana steadfastly refused to give South African officials the requisite assurance, and a fascinating legal quandary ensued: The South African Immigration Act allowed illegal immigrants to be held for only 120 days, and South Africa had no legal framework to try Mr. Phale in South Africa. Unsure of what to do, the South African government held Mr. Phale indefinitely. In December 2010, the government informed him that he was to be deported to Botswana. Mr. Phale filed suit to enjoin his deportation shortly thereafter.

The case eventually worked its way to the Constitutional Court and was heard on Feb. 23, 2012. That morning, I robed up, strapped a jabot around my neck, and took my place among my co-clerks in front of the justices' empty seats in the courtroom. Eleven distinct black-and-white hides of Nguni cattle hung behind me,² a large beaded South African flag adorned the back wall,³ light trickled in from cavities in the ceiling and traveled across an inkblot carpet,⁴ and a glass ribbon circled the room⁵ beneath an "unfinished" brick wall.⁶ Outside the court chamber was a neon display that read "A Luta Continua," or "The Struggle Continues."

Court was called to session and my judge, Bess Nkabinde, who was born a Batlokwa princess in Silwerkrans in North West, passed behind me and took a seat among her peers. The public sat elevated,



looking down on the judges, clerks, lawyers and advocates.⁷ Each clerk was seated in front of his or her judge, and the advocates took their turns addressing the court. The court was well aware of the crux of the matter: If Mr. Phale's extradition was denied, South Africa might be perceived as a safe haven for illegal immigrants wanted for serious crimes in other countries. Yet, the South African Constitution afforded Mr. Phale rights to life and human dignity and the right to not be treated or punished in a cruel, inhuman or degrading way.

The court asked Advocate Anton Katz,⁸ who represented Mr. Phale, why Mr. Phale should not be extradited. His answer was simple and concise: After apartheid South Africa, as a nation, turned its back on a very ugly past and committed itself to advancing human rights in all that it did when adopting its constitution. Some of the consequences flowing from that choice may be undesirable, but they are part of the price that South Africa must be prepared to pay as a nation for the advancement of human rights.

On July 27, 2012, the court rendered judgment in favor of Mr. Phale. The court held that the South African government must not only seek, but obtain, a written assurance that persons subject to extradition would not face the death penalty before being extradited. In the landmark opinion, the court reasoned, as follows:

We as a nation have chosen to walk the path of the advancement of human rights. By adopting the Constitution we committed ourselves not to do certain things. One of those things is that no matter who the person is and no matter what the crime is that he is alleged to have committed, we shall not in any way be party to his killing as a punishment and we will not hand such person over to another country where to do so will expose him to the real risk of the imposition and execution of the death penalty upon him. This path that we, as a country, have chosen for ourselves is not an easy one. Some of the consequences that may result from our choice are part of the price that we must be prepared to pay as a nation



Editor's note: Prior to joining Kean Miller in 2012, Michael deBarros served as a law clerk to Chief U.S. District Judge Ralph E. Tyson and Justice Bess Nkabinde, and as an extern to Justice John L. Weimer.

for the advancement of human rights and the creation of the kind of society and world that we may ultimately achieve if we abide by the constitutional values that now underpin our new society since the end of apartheid.⁹



and social ruins of the previous regime. Yet, the court's quest has only begun. The beacon of neon light hanging outside the court's chambers serves as a reminder to all of the court's true purpose: To struggle. As a representative of the people, the court must struggle to advance and remain a vigilant guardian of human rights.

Although the court's decision might be a bitter pill to swallow for many Americans, the results are undoubtedly a product of the thread from which the South African Constitution was woven¹⁰ and the apartheid-era struggles of each individual justice on the court.¹¹

Just as the Colonial Period and American Revolution shaped the rights enshrined in our Constitution, the drafters of the Constitution of South Africa were deeply influenced by their apartheid experiences. As a result, "the advancement of human rights and freedoms is central to the [South African] Constitution" and "is a thread that runs throughout the Constitution and informs the manner in which government is required to exercise its powers."¹² When viewed in this light, perhaps the court's decision not to extradite Mr. Phale is not as unpalatable.

The Constitutional Court is no stranger to contentious issues of this magnitude. Since its first hearing in 1995, it has issued a number of landmark rulings on issues such as the constitutionality of the death penalty and gay marriage; the right of prisoners to vote; the state's duty to provide effective remedies against domestic violence; the constitutionality of statutory exclusions based on race, gender, marital status and sexual orientation; and the right to housing, health care, social security, education, water and procedural fairness.

During my six-month stint at the court, the justices grappled with a number of perplexing legal issues. Among those issues were the propriety of an injunction prohibiting a governmental agency from levying electronic tolls on a major interstate; whether a court may order forfeiture of a residence, as an instrumentality of the offense of unlawful operation of a liquor-selling business, where minor children reside therein; and, whether a mortgagee must actually receive notice of foreclosure before a mortgagor forecloses on the property.

The court has done much to realize the fundamental rights enshrined in the Constitution of South Africa, to advance reconciliation, and to reconstruct the economic

When I received the call to clerk in South Africa in November 2011, I was initially hesitant. Just two months earlier, my clerkship with Judge Ralph Tyson ended and I settled in Texas with my wife and three-month-old child. Uprooting my family was not easy, but, I could not pass on the once-in-a-lifetime experience. In December 2011, we picked up and traveled to South Africa. In hindsight, I'm glad we did. We were greatly enriched by our experiences there, and I enjoyed the opportunity to aid the court in its struggle. My advice to you for this new year is to be bold, do something outside of your comfort zone and discover the unknown. You'll probably be glad you did. ■

¹ *Mohamed v. President of South Africa*, [2001] ZACC 18; 2001 (3) SA 893 (CC); 2001 (7) BCLR 685 (CC).

² An Nguni cattle hide hangs in front of each justice. The Nguni cattle breed is indigenous to South Africa. Although each hide has a different pattern – representing each justice's individualism – the hides are nevertheless from the same breed of cattle – representing that that justices are joined by their oaths to support the same constitution.

³ The beaded flag was hand-made by women from the Eastern Cape. It alludes to traditional beading but does not symbolize a particular ethnic style.

⁴ The courthouse was designed using an "indaba" motif evocative of the tribal tradition of community meetings under the branches of a prominent tree. To accomplish this motif, various slits and shapes were left open when the concrete ceilings were poured, acoustic panels line the walls of the Court Chamber symbolizing clouds in the sky, and the carpets are shaded as though a mix of light and shadows are being cast on the forest ground. The motif embodies the concept that judicial proceedings should be open and transparent and courts should be warm and inviting.

⁵ The "ribbon of light" shows only the feet of those passers-by outside and is at eye-level in the Chamber. The ribbon reiterates the theme of transparency and serves as a reminder to the justices and counsel that justice should not be shut away from the world outside.

⁶ The Constitutional Court is situated on the site of "Number Four," once a notorious prison under the apartheid regime. Hundreds of thousands passed through the prison doors over the years, amongst them Mahatma Gandhi, Albert Luthuli and Nelson Mandela. The southern and eastern walls of the chamber utilize bricks from the demolished Awaiting Trial

Block. Thus, the very bricks that were once used to maintain oppression are now used to help guard fundamental rights.

⁷The court was purposefully designed this way to remind the justices that they are public servants.

⁸The legal profession in South Africa is divided into advocates (barristers) and attorneys (solicitors). No dual practice is permitted. The advocates' profession in South Africa is a referral profession. This means that a client approaches an attorney who, in turn, instructs an advocate.

⁹*Minister of Home Affairs v. Tsebe*, [2012] ZACC 16; 2012 (5) SA 467 (CC); 2012 (10) BCLR 1017 (CC) at para 67.

¹⁰ See, e.g., Dikgang Moseneke, *Remarks: The 32nd Annual Philip A. Hart Memorial Lecture: A Journey from the Heart of Apartheid Darkness Towards a Just Society: Salient Features of the Budding Constitutionalism and Jurisprudence of South Africa*, 101 Geo. L.J. 749 (March 2013) (highlighting the Constitution's (1) emphatically transformative nature;

(2) founding values of constitutional supremacy, the rule of law, and judicial review; (3) explicit obligations on the part of the state to confront structural injustice caused by poverty, disease and inequality; (4) affirmation of diversity; (5) value-drenched constitutionalism; (6) institutional integrity; and (7) adoption of international norms into domestic law).

¹¹All of the Justices rendering the *Phale* opinion were active supporters of the anti-apartheid movement. One of the most active supporters, Justice Dikgang Mosekene, was arrested, detained and convicted of participating in anti-apartheid activity at the age of 15. He was sentenced to 10 years' imprisonment, all of which he served on Robben Island, where he met Nelson Mandela and other prominent political prisoners.

¹²*Kaunda and Others v. President of the Republic of South Africa*, [2004] ZACC 5; 2005 (4) SA 235 (CC); 2004 (10) BCLR 1009 (CC) at para 66.

GAIL'S GRAMMAR

Would you like a fairly painless resolution for the new year? Why not resolve to avoid redundancy in your writing!

Here are a few redundant expressions you can strike from your vocabulary.

Just delete the redundant adjective or adverb every time you are tempted to use one of them.

brief overview • mandatory requirement • patently obvious
short synopsis • sworn testimony • unsuccessfully attempted

Send suggestions for future *Gail's Grammar* columns to Gail Stephenson at GStephenson@sulc.edu, or call Gail at 225-771-4900 (ext. 216).

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message from the chair


BY JAY A. PARKER

If you're like me, you finished getting your CLE hours for 2013 near the end of 2013 and you promised yourself that for 2014 you were not going to wait till the last minute. Well, the Baton Rouge Bar Association has a great way to help you fulfill your 2014 New Year's CLE promise — the 2014 Baton Rouge Bench Bar Conference at the Marriott Grand Hotel in Point Clear, Ala. — and you can sign up for it right now!

What? You've never been to a BRBA Bench Bar Conference!? Well let me tell you what you'll miss if you don't attend the July 24-26, 2014, Conference. You'll miss: 12.5 hours of varied and interesting CLE presented in fast-paced 30-minute increments over three days (half a day each day) presented by exciting and knowledgeable local members of our bar and national speakers of prominence;

Bench Bar Conference returns to the Grand!

an opportunity to get to know your co-members of a great Bar Association and a significant number of judges from Baton Rouge and the surrounding parishes (it's what makes our conference unique); great social events — bands, dances, karaoke (if you dare), meals, golf and tennis; auctions — silent and live — with great items to bid on; sponsors of services you use in your practice everyday; a great hotel with a wonderful spa, pool and of course the Bucky's Birdcage Lounge; very reasonable room rates (*better register now, they won't last!*); a chance to see true singing talent live — 2014 BRBA President Darrel Papillion; movie night; a wine tasting; and so much more!

For more information or to register, go to the Baton Rouge Bar Association website or call. See you there! 

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West's Jury Verdicts – Baton Rouge

Venue/Case Type	Major Injury	Trial Type	Result
<u>East Baton Rouge Parish</u>			
Contracts	Monetary damages	Bench	\$32,562
Labor & Employment	Monetary damages	Bench	\$0
Medical Malpractice	Meningitis, sepsis, osteomyelitis	Jury	\$750,000
Vehicle Negligence	Shoulders, neck, back, hips	Jury	\$59,777
<u>M.D. Louisiana</u>			
Medical Malpractice	Infection to foot following surgery	Jury	\$0

West's Case of the Month

Court Awards Plaintiff \$32.6K in Suit Against Baton Rouge General Contractor

ACR Naylor Ltd. v. Lofton

TYPE OF CASE:

Contracts • Breach
 Contracts • Construction Contracts
 Unfair Competition & Business Practices • Business
 Interference
 Fraud & Misrepresentation • Fraud
 Interference with Economic Advantage

SPECIFIC LIABILITY:

General contractor failed to pay heating and air conditioning contractors pursuant to their agreement and violated the Unfair Trade Practices Act

GENERAL INJURY:

Monetary damages

COURT:

District Court of Louisiana, Nineteenth Judicial District,
 Parish of East Baton Rouge

DOCKET/FILE NUMBER:

590,752

JUDGMENT:

Plaintiff, \$32,562.30

JUDGMENT DATE:

Jan. 11, 2013

JUDGE:

Timothy E. Kelley

ATTORNEYS:

Plaintiff: Dale M. Maas, Dale M. Maas Attorney at Law,
 Baton Rouge.

Defendant (Lofton): Randy B. Ligh, Randy B. Ligh Attorney at
 Law, Baton Rouge.

TRIAL TYPE:

Bench

BREAKDOWN OF AWARD:

\$32,562.30 to plaintiff from defendant Lofton for damages

SUMMARY OF FACTS:

ACR Naylor Ltd., heating and air conditioning contractors located in Baton Rouge, reportedly entered into an agreement with Thomas Lofton, d/b/a BBBRC, to perform repair work on air conditioning systems at O'Reilly Auto Parts stores located in Louisiana.

According to ACR Naylor, Lofton, d/b/a BBBRC, was the general contractor for construction work being performed at the O'Reilly Auto Parts stores and agreed to pay it \$65 per hour, plus costs of parts for services.

ACR Naylor claimed both it and Lofton, d/b/a BBBRC, understood that Lofton would charge O'Reilly Auto Parts for ACR Naylor's work but Lofton would in fact pay ACR Naylor for the work.

During 2009 and 2010, ACR Naylor claimed it performed the services that the parties had agreed upon; however, it was not always paid by Lofton.

ACR Naylor asserted it had sent Lofton, d/b/a BBBRC demands for payments on the outstanding balance of \$33,354.83, but Lofton failed to pay.

ACR Naylor filed a petition against Lofton, d/b/a BBBRC, in the Nineteenth Judicial District Court for the Parish of East Baton Rouge in May 2010. The plaintiff requested the defendant pay the outstanding balance of \$33,354.83, as well as attorney fees and costs.

The plaintiff also argued Lofton's alleged actions and interference resulted in its losing work with O'Reilly Auto Parts; as a result, the plaintiff asserted the defendant should be held liable for such losses.

ACR Naylor further argued the defendant's actions were fraudulent, misleading and oppressive so as to constitute a violation of the Unfair Trade Practices Act.

The plaintiff sought damages for the outstanding balance allegedly due, as well as triple damages pursuant to the Unfair Trade Practices Act.

The matter proceeded to trial with Judge Timothy E. Kelley presiding. In a judgment signed Jan. 11, 2013, Judge Kelley entered judgment in the plaintiff's favor against Lofton in the amount of \$32,562.30, together with legal interest thereon from the date of demand until paid, and all costs of the proceedings.

CASE CITE: 2013 WL 871470

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attorney spotlight

BY PAMELA LABBE

Interview with Mackenzie Smith Ledet

ATB: Where are you from originally, and where did you grow up?

MSL: Born and raised in Natchitoches.

ATB: What was your first job?

MSL: I started as the head page of the Louisiana State Senate at age 18, and was blessed to return to the job each legislative session for five years. It wasn't my first job, but it was the first job that truly changed my perspective on life.

ATB: What was your major as an undergraduate, and where did you complete your degree?

MSL: Business Management, Louisiana State University, E.J. Ourso College of Business.

ATB: Why did you decide to go to law school?

MSL: My goal in attending law school was to develop a career in governmental relations and public policy with a J.D. background. I worked in the Louisiana State Senate and in Washington, D.C., so a career in politics seemed like a natural fit to me. I never dreamed of litigating until I participated in the trial advocacy program at the LSU Law Center. After completing law school, I wanted to further develop my litigation skills so I chose the litigation path. I hope to one day work in both worlds.

ATB: From what law school did you graduate, and when did you pass the bar?

MSL: LSU Paul M. Hebert Law Center, October 2009.

ATB: What are your practice areas?

MSL: Corporate litigation. I am also a registered lobbyist.

ATB: Where are you practicing law?

MSL: Baker, Donelson, Bearman, Caldwell & Berkowitz, PC. Prior to joining Baker, Donelson, I prosecuted criminal cases with the Attorney General's Office. Immediately upon completing law school, I clerked with the Honorable Michael Caldwell of the 19th Judicial District Court.



Mackenzie Smith Ledet

ATB: What is your favorite BRBA/BRBF event?

MSL: Easter Eggstravaganza. Every year the Volunteer Committee collects candy-filled Easter eggs from local attorneys and hosts Easter egg hunts at a number of local schools. The joy on the kids' faces touches me every year.

ATB: What is your guilty pleasure?

MSL: Offshore fishing, wine and bad television.

ATB: Tell us about your family.

MSL: My husband, Stephen Ledet, and I are expecting identical twins in March 2014. We are waiting to find out if we're blessed with two boys or two girls. I have a twin brother (Cameron), who lives in Baton Rouge, and a younger brother (Keaton), who lives in Lafayette. My parents live in Natchitoches.

ATB: You were recently reelected as a Young Lawyers Section Council Member. Tell us about your experience with the YLS of the BRBA.

MSL: It is an honor to serve another year on the Young Lawyers Section with a group of talented, dedicated and hard-working lawyers within our community. We work hard to unite young lawyers within the community by hosting social hours, a cocktail reception with local judges, a CLE during the summer, and a program wherein young lawyers can observe motion days at the 19th JDC — to name only a few events that we host each year. It's important to welcome the new lawyers each year and provide a support system for all young lawyers who are trying to hone their skills, network within the community and develop their respective practices.

ATB: Tell us about what committees or projects you are involved in with the BRBA?

MSL: I served as the co-chair of the Volunteer Committee for the past two years, but recently "passed the torch" to the new chairmen. I also serve on the Holiday Star and Mock Trial committees. ■

I'm a mediator and I'm okay

BY VINCENT P. FORNIAS

Several years ago I received a mediation position paper from a grizzled veteran of courtroom wars. It stated, in pertinent part:

Mrs. Smith has no real loss of wages. She works in an enjoyable job (obviously she is not an attorney—maybe she's a mediator).

While I must admit that many facets of my profession are indeed enjoyable, perception in this case is not exactly reality. Mediating cases for a living entails considerably more than just trading numbers, and those of us who make a living at it do not commit highway robbery. And so with due credit to the immortal Joe South, and with a few thousand now behind me, I invite you for just a few minutes to:

Walk a mile in my shoes
Walk a mile in my shoes
Before you abuse, criticize and abuse,
Walk a mile in my shoes.

Occasionally I am invited to speak in law school settings about the art of mediating. Almost inevitably, someone will come up to me afterward and ask what sort

of training he should obtain to commence a mediation practice. My answer is tantamount to the proverbial "How do you get to Carnegie Hall" inquiry — "Practice, practice, and practice some more." You may be the most intelligent, insightful and persuasive human being ever to walk this earth. You may have attended every ADR course ever offered from Harvard to Pepperdine, to everything in between. But unless you have the essential credibility born of shattered hopes and battle scars in the trenches of the litigation world, you will be up against it in hanging out an ADR shingle. Do not misunderstand this statement. Battle scars alone do not a successful mediator make. There is truly a method to the madness of mediating, and practical academic training is indeed crucial in helping forge a roadmap to consensus. But without the been-there-done-that-got-that-hole-T-shirt foundation, you will be struggling to persuade your parties of the uncertainties of their cause.

So what do successful mediators carry in their ADR "toolbox"? Although there obviously is no black-and-white answer, it is safe to say that the following traits are shared, to some degree, by most:

(1) The right-brained ability not only to listen to

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and digest what is being said, but more importantly, to read between the lines. One wise author described it as “listening with three ears”—to what is said, to what is not said, and to what is under the surface in hidden agendas. A college study found after much experimentation that real oral communication is 55 percent body language, 38 percent word intonation, and a mere seven percent the words actually spoken. I find the latter, if anything, on the high side.

(2) The ability to recognize and then navigate through almost countless “forks in the road” in any given negotiation. As a mediator, you are the symphony conductor. Timing and direction are essential to a good performance. In any one mediation, depending on the emotional circumstances, you may be required to play various and sundry roles at any given time. You may need to be “Saturday Night Live’s” Stuart Smalley character, feeling someone’s pain. Later you may need to be a rodeo clown, jumping into the barrel and taking the bull’s best shot to protect the process. Later still you may need to be Darth Vader, doling out merciless reality checks. Still later you may need to transform into an air traffic controller, influencing the final sequence of arguments and offers that are made. But always — always — you are called to be Yogi Berra, with his wise message that if you come to a fork in the road, you take it.

(3) Humor and optimism cannot be overstated. And again, timing, as with the eternal plight of the stand-up comedian, is everything. This can range from gallows humor (“We’re all in this lifeboat and we all need to bail”), to self-effacement (“I’m playing the idiot in the other room, which comes quite naturally to me”) to Don Rickles-worthy cuts that hit home at an unrealistic position (“The clueless store called. They’re outta you.”) But all of this is framed in the unshakeable optimism that we can get through this, that the process is steadily working. Again, in Yogiesque language, “we may be lost, but we’re making good time.”

(4) Perhaps the most important trait of all is the ability to manage perceptions in a manner most conducive to reaching a consensus. Think of the devoted and protective father in the concentration camp in the Oscar-winning film “A Beautiful Life.” Think of the heroically creative ways he used with his son to describe and make sense of their unspeakable environment. As a mediator, you must foster the notion that every party is doing at least as well as his opponent. You will need to instill a confidence that there is a premium to continuing negotiations through to a settlement. You will have to navigate through the egos of lawyers (imagine that!), the fears and anger of injured victims and the cynicism and insecurities of corporate America. You will encounter both venting and

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vindictiveness and will need to tactfully translate that to “the other rooms.” Expect frequently to feel like a red-rashed runner in the streets of Pamplona. But it is an essential part of your job.

So after reading these words born of trial-and-error, assuming you are still up to the challenge, what are the chances of your doing this for a good living? Alas, not great. One recent law review article analyzed the ADR profession and produced some fairly sobering statistics. Consider an American legal world with more than 17,000 registered members of the American Bar Association’s section on Alternative Dispute Resolution. Consider surveys that of these, about 5,000 to 7,000 call themselves “full-time” mediators. Of these, less than 1,000 earn more than \$200,000 annually. And the million-dollar club? That is the smallest fraternity of all — fewer than 25 in the entire nation. You can always hope Mark Twain was right when he pronounced that “there are lies, there are damned lies — and then there are statistics.”

Still interested? With all humility, I leave you then with Godspeed and with the sage words of two great figures of history — William Shakespeare (of Stratford-on

Avon) and Jim “Catfish” Hunter (of the Oakland A’s and New York Yankees). The former declared:

This above all — To thine own self be true,
And it must follow, as the night the day,
Thou cans’t not then be false to any man.

It means, in a mediation setting, that to succeed, you cannot be anyone but yourself (as seedy and detestable as this may be!). To do otherwise is to invite the disaster of losing your credibility, and therefore your audience. In golf or baseball terms, you must be true to your very own swing arc.

And speaking of baseball, this leads us to the inimitable “Catfish” Hunter, the mustachioed North Carolina farm boy who achieved baseball immortality, who mused: “The sun don’t shine on the same dog’s ass all the time.”

If you do get to do this on a regular basis, don’t ever delude yourself into thinking that you are the perfect mediator for all clients in all cases. No such animal exists. Do what you can when you can — the rest is out of your hands. ■

TEEN COURT OF GREATER BATON ROUGE

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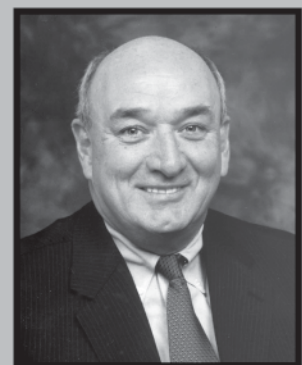
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METAIRIE

January 23 • 7:45-8:45am
One Lakeway Center,
3900 N. Causeway Blvd.

BATON ROUGE

January 24 • 7:45-8:45am
Burden Conference Center at the
LSU Rural Life Museum
4560 Essen Lane



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foundation footnotes

PRO BONO REPORT — NOVEMBER 2013

The Pro Bono Project is financially assisted by the Interest on Lawyers' Trust Accounts (IOLTA) Program of the Louisiana Bar Foundation; Southeast Louisiana Legal Services; Family, District and City Court Filing Fees and the Baton Rouge Bar Foundation. The Financial Literacy seminars are financially assisted by funding from BankcorpSouth Bank.

PRO BONO PROJECT REPORT

We would like to thank all of our Pro Bono Project volunteers for their contributions during the month of November.

The Thirst for Justice volunteers during November were Kari Bergeron, Thomas Gildersleeve, M. Michelle Marney-White, Harry Philips, W. Luther Wilson, T. MacDougall Womack, Taylor, Porter, Brooks & Phillips, LLP; Fred Crifasi; William Davis, McGlinchey Stafford, PLLC; Scott Gaspard; Scott Levy, Adams & Reese; Mary Ann White, Shows, Cali, Berthelot & Walsh, LLP; and James Zito.

The Ask-A-Lawyer volunteers were James Austin, Robert Rieger, Adams & Reese; Todd Gaudin, Kuehne, Foote & Gaudin APLC; Glenn Marcel; Lekiesha McKarry; Jane Thomas; and Prentice White, Southern University Law Center.

The Self Help Resource Center attorney volunteers were Joseph Ballard, Todd Manuel, Entergy Services, Inc.; Ryan Brown, Roedel, Parsons; Nicolette Colly, Louisiana

Dept. of Justice; Jennifer Prescott, deGravelles, Palmintier, Holthaus & Fruge; Melissa Grand, Tracy Morganti, Adams & Reese; Greg Hughes, Southeast Louisiana Legal Services; and Robert Lancaster, LSU Paul M. Hebert Law Center.

Those accepting pro bono cases in November were Terry Bonnie, Terry L. Bonnie, APLC; Booker Carmichael, The Carmichael Firm; Arlene Edwards, Delatte, Edwards & Marcantel; Dean Esposito, Law Firm of Ezim & Associates; Deborah Gibbs; Darius Henderson, The Henderson Firm, LLC; Joanna Hynes; Robin Krumholt, Davoli, Krumholt & Price; Amanda Stout, McGlinchey Stafford, PLLC; Alejandro Velazquez, Phelps Dunbar; and Hany Zohdy.

The Pro Bono Project thanks Scoop Murray of Murray Printing in Natchez, Miss., and McGlinchey Stafford, LLC for their generous donation to the Baton Rouge Bar Foundation made in November. Mr. Murray is the father of BRBA member and Pro Bono Project volunteer Zelma Frederick, McGlinchey Stafford, PLLC. ■



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ATTORNEYS AT LAW

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www.lawbr.net

welcomes Hayden A. Moore



Hayden A. Moore

haydenmoore@lawbr.net
Phone: 225.236.3636
Fax: 225.236.3650

Hayden A. Moore is a new associate at Walters, Papillion, Thomas, Cullens, LLC. She attended law school at Southern University Law Center, where she graduated *cum laude* in 2013. In October 2013, she was admitted to the practice of law in the State of Louisiana. While at Southern, she served as Vice Justice of Phi Alpha Delta and was a student attorney in the Civil Administrative Division of their Law Clinic. While attending Louisiana State University, Hayden obtained two degrees in Political Science and Sociology with a concentration in Criminology, and served as the President of Phi Alpha Delta Law Fraternity International. She is a member of the Louisiana State Bar Association, Wex Malone American Inn of Court and is admitted to practice in the Middle and Eastern Districts of Louisiana. Ms. Moore will be working on the firm's civil litigation matters and looks forward to expanding her legal career in the areas of personal injury and wrongful death, products liability, industrial accidents and medical malpractice.

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19	20	21	22	23	24	25
26	27	28	29	30	31	



*Unless otherwise noted, all meetings will be held at the Baton Rouge Bar office.

Duty Court Schedule

19TH JDC CIVIL COURT

Jan. 1-Jan. 31 Schedule not available

19TH JDC CRIMINAL COURT***

Jan. 1-Jan. 31 Schedule not available

BATON ROUGE CITY COURT*

Dec. 30-Jan 5	Judge Ponder
Jan. 6-Jan. 12	Judge Prosser
Jan. 13-Jan. 19	Judge Temple
Jan. 20-Jan. 26	Judge Wall
Jan. 27-Feb. 2	Judge Alexander

FAMILY COURT**

Dec. 30-Jan. 3	Judge Lassalle
Jan. 6-Jan. 10	Judge Baker
Jan. 13-Jan. 17	Judge Woodruff-White
Jan. 21-Jan. 24	Judge Day
Jan 27-Jan. 31	Judge Lassalle

JUVENILE COURT

Jan. 1-Jan. 31 Judge Taylor-Johnson

*NOTE: Duty Court changes at 5 p.m. each Friday unless otherwise specified. *City Court's Duty Court schedule changes each Monday at 8 a.m. **Family Court's Duty Court schedule changes at 4 p.m. each Friday ***19th JDC Criminal Court changes each Friday at noon*

COURT HOLIDAYS

Wednesday, Jan. 1 New Year's Day
Monday, Jan. 20 Martin Luther King Jr. Day

**Take a
pro bono
case today!**

Contact Robin at 225-214-5561
(robin@brba.org) or
Emily at 225-214-5558
(emily@brba.org) to volunteer.

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BATON ROUGE OFFICE SPACE: Established firm; 201 Napoleon St., Downtown near 19th JDC and Federal courthouses, area for support staff, off-street parking, conference room, copier, phone, fax, internet, etc. Some over-flow work available. Call Scott Gegenheimer: 225-346-8722.

LEGAL ADVERTISING ACCEPTED: *Around the Bar* accepts legal advertising and other forms of advertising, including display and classified ads. For more information, contact Pamela Labbe at pamela@brba.org or 225-214-5560.

WOULD YOU LIKE TO COACH A MOCK TRIAL TEAM? Attorney coaches for area schools are being sought for participation in the Region 3 High School Mock Trial Competition. Also, volunteers are needed to be timekeepers and competition judges. Contact Lynn at lynn@brba.org or 225-214-5564, if you are interested in volunteering or need more information. The competition dates are March 14-15, 2014.

SAVE THE DATE: 9 . 11 . 2014

Law Expo 2014 will take place Thursday, Sept. 11, 2014, at L'Auberge Casino & Hotel Baton Rouge. Mark your calendar! At least three hours of CLE will be available. Any BRBA member who would like to serve on the Law Expo Committee can contact Pamela Labbe at pamela@brba.org or 225-214-5560.

Calendar of Events

Ongoing: Every Wednesday & Thursday, 3-5 p.m., Thirst for Justice takes place at St. Vincent de Paul.

Ongoing: Every Tuesday & Thursday, 10 a.m.-2 p.m., Self Help Resource Center, 19th JDC

- 1** BRBA Office Closed — Holiday
- 8** Pro Bono Committee meeting, 12-1 p.m.
- 9** Mock Trial Committee meeting, 12-1 p.m.
- 13** Finance Committee meeting, 7:30 a.m.; Executive Committee meeting, 8 a.m.
- 15** Bar Leader Installation & Reception, U.S. District Court for the Middle District of La., 5-7 p.m.
- 16** Annual City and Juvenile/Family Court Judges Meeting;
Lawyer Referral meeting, 12-1 p.m.
- 17** Annual City and Juvenile/Family Court Judges Meeting;
JPA activity, Dalton Elementary, 8:30-10:30 a.m.
- 20** BRBA Office Closed — Holiday
- 21** JPA activity, Southern Lab, 12:30-3 p.m.
- 22** Publications Committee breakfast meeting, 8:30-9:30 a.m.;
Youth Education Committee meeting, 12-1 p.m.
- 24** LSBA Mid-Year meeting
- 25** LSBA Mid-Year meeting
- 29** Opening of Court, Memorial & New Member Ceremony, 8 a.m., 11th Floor Ceremonial Courtroom, 19th Judicial District Courthouse



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2014 BRBA CLE SEMINARS & EVENTS

**BRBA BAR LEADER
INSTALLATION
CEREMONY
& RECEPTION
Jan. 15, 2014**

U.S. District Court for the
Middle District of Louisiana,
3rd Floor, Courtroom 1.
Begins at 5 p.m.

**OPENING OF COURT,
MEMORIAL & NEW MEMBER
CEREMONY
Jan. 29, 2014**

19th Judicial District Court,
Ceremonial Courtroom, 11th Floor.
Begins at 8 a.m.

**REGION III HIGH SCHOOL
MOCK TRIAL COMPETITION
March 14-15, 2014**
19th Judicial District Court

**BENCH BAR CONFERENCE
July 24-26, 2014**
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**29th ANNUAL BRBA
LAW EXPO CLE SEMINARS**
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