

THE BAR REVIEW

PUBLICATION OF THE SHREVEPORT BAR ASSOCIATION

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EVENTS AT A GLANCE

2/11	Krewe of Centaur Parade
2/19	Krewe of Highland Parade
2/22	SBA Membership Luncheon – 12:00 p.m. - Petroleum Club
3/2-3	Appellate Advocacy Conference
3/22	SBA Membership Luncheon – 12:00 p.m. - Petroleum Club



From The President

by Nancy Cooper, ngcoop23@gmail.com

As we embark on a new year, perhaps it's time to embark on a new mission. What is our SBA doing for our community? How are we serving each other and our neighbors? What more can we do as lawyers to facilitate communication, resolve conflict, and support family and social stability in our community?

In early January, I was approached by U.S. Magistrate Judge Roy Payne at a Krewe of Justinian function. As we all know, Judge Payne is a longtime supporter of both our SBA and SBF and was integral in the purchase of our Bar Center on Texas Avenue. He asked me what my goals were this year as president of the SBA, and I nervously considered his question for a moment before answering. Was he asking about my realistic goals? Ones I could conceivably accomplish during my short year at the helm? Or was he interested in my long-term – if not outlandish – goals? Far-fetched ideas that I'd love to see evolve over the next decade?

As it turns out, he was genuinely interested in both. After talking with Judge Payne and receiving his encouragement, I've decided to reach for the stars and reveal three goals on my wish list for the SBA, implausible as they may seem.

Goal No. 1: Establish a Dispute Resolution Center (“DRC”) in our Bar Center building for the benefit of the northwest Louisiana community. Following the template of the Bexar County DRC where I served as a volunteer mediator for two years before moving back to Shreveport in 2010, the SBA could work with our district, city and juvenile courts and our local city and parish governments to establish a much-needed and free or affordable mediation service for the people in our community.

The State of Texas has approximately 22 DRCs governed and funded by special legislation authorizing the assessment of filing fees on civil court cases that are designated for a dispute resolution fund (see <https://guides.sll.texas.gov/legal-assistance-organizations/dispute-resolution>). Volunteer mediators – both lawyers and nonlawyers – are then trained and recruited to serve the community by facilitating the resolution of disputes ranging from family law and child custody/visitation matters to landlord-tenant, contract, real estate, consumer-merchant and neighbor disputes. The courts in Bexar County, for example, refer or order a variety of their cases to the Bexar County DRC where volunteer mediators have successfully facilitated agreements between the parties in over 85% of the cases they've received, thereby clearing those cases from the courts' docket.

The Bexar County DRC also offers peer mediation training to help schools establish their own self-sustaining programs designed to improve the conflict resolution skills of students, reduce the number of school disciplinary incidents, and create a more positive school environment.

I would love to see the SBA and area judges, legislators and elected officials come together to establish a DRC for the people in our community. We could tap into the skills and talents of volunteers from the community such as teachers, counselors, social workers, police officers, business owners and financial advisors. Mediation services promote family and social stability, reduce stress and improve communication and human relationships. This is a much needed service that has been unavailable in our area for too long.

Goal No. 2: Collaborate with Southern University Law Center to support the students and faculty in their Shreveport pilot program by facilitating services such as externships, adjunct professors and guest lecturers, trial academies, bar exam preparation, “bridging the gap” seminars, and summer internship/clerkship recruitment.

The New Orleans and Baton Rouge bar associations have had very positive, mutually

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**2023 Shreveport Bar Association
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Continued from pg 1 "From the President"

beneficial relationships with law schools and students for years, so I am excited about the prospect of finally having the same opportunities up here. In the words of the bar directors, they've had "great success" recruiting law students as paid interns for their *pro bono* project work and CLE seminars, as well as volunteers to assist with programs like mock trial and Teen Court. Law students in Baton Rouge and New Orleans are also invited to join the local bar associations, which creates a lot of energy and recruitment opportunities for all involved.

Goal No. 3: Expand the SBA's membership by recruiting more lawyers from nearby cities and parishes. We already have a number of SBA members who do not necessarily practice law in Shreveport, but I want to work harder to encourage and invite even more members from all across northwest Louisiana. Networking and engaging with lawyers throughout the northwest region is very unifying and promotes cooperative working relationships and referrals.

Moreover, I have thoroughly enjoyed getting to know the lawyers and judges and their families from Bossier Parish who serve in our Krewe of Justinian. The Krewe is a marvelous way for our SBA to engage with the families, friends and staff of area lawyers and to cultivate friendships with each other in a relaxed, festive environment. Our Krewe of Justinian is the only legal Mardi Gras krewe in the state, and our participation in Mardi Gras events and parades with the people of Springhill, Minden, Ruston, Grand Cane, Natchitoches, Bossier City, Mansfield and all around our northwest region is an incredible outreach opportunity. As Captain of the Krewe this year, I've attended a ton of these events where people often comment: "I didn't know a bunch of lawyers could be so fun!"

If you have any suggestions about how we can grow our membership and encourage more participation by our current members, please send me a note. For example, if you think we should alter our monthly bar luncheons to different sites, perhaps vary our restaurant venues or include particular CLE topics, we want to know.

So there you have it. My top three goals for our SBA this year and in the coming years. In the Disney/Pixar film *Toy Story*, Buzz Lightyear is a toy Space Ranger who tries to convince a cynical toy cowboy, Woody, that he is in fact a real Space Ranger. Woody responds by ridiculing Buzz, insisting that he's not real, that he's just a toy. But the ever-optimistic Buzz is not discouraged because, as a Space Ranger, his imagination is his only limit. "To infinity and beyond!" becomes Buzz's catchphrase, which is fitting for this Disney/Pixar production since *Toy Story* was the first entirely computer-animated feature film and went on to change the realm of animation forever.

It is my hope that our SBA will grow and expand its mission over the coming years. That our membership will include law students at SULC and more lawyers from across northwest Louisiana. That we will build the framework for and support an independent Northwest Louisiana Dispute Resolution Center. That we will work harder to reach for the stars with new programs and ideas that better serve our community and that more Buzz Lightyears will join the SBA and help guide us to infinity and beyond! Because in the words of Walt Disney: "It's kind of fun to do the impossible."

GOLF/TENNIS TOURNAMENT

Sponsored by Shreveport Bar Association



Save the Date

Tuesday, May 9

1:00 pm - 5:00 pm

**Querbes Park Golf Course
and Tennis Center**

Registration Opens Soon

**Four Person Golf Scramble
and Richard B. King Jr.
Memorial Shootout!**

There was interest last year to include a pickleball tournament. If you want to participate, please contact the SBA office at 318-222-3643 or email dsouthern@shreveportbar.com. We are looking for a pickleball representative to serve on our committee.





**Shreveport Bar Center
625 Texas Street**



Join Us for one or more of our Lunch & Learn sessions in 2023!

**Approved for 3 Louisiana
CLE Credit Hours**

12 pm - 1 pm

April 6

June 15

Aug 24

April 6

Winning at Oral Argument—Tips from the Bench:

Presented by Chief Judge Frances Pitman and Judge Craig Marcotte — Second Circuit Court of Appeal

June 15

Perfecting the Art of Cross-Examination:

Presented by Judge Beth Foote –U.S. District Court, Western District of Louisiana and James McMichael—McMichael & Carter LLC

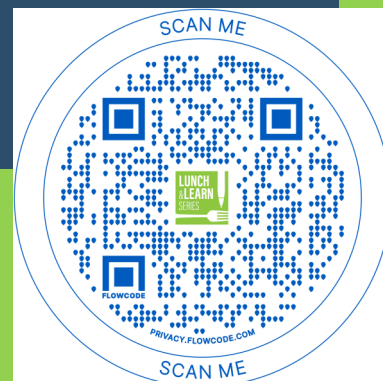
August 24

Refresher on Trying a Civil Jury Trial --- Tips From the Pros:

Presented by Patrick Jackson—Attorney at Law and Larry Pettiette—Pettiette, Armand, Dunkelman, Woodley & Cromwell

To Register visit:

<https://shreveportbar.com/lunch-learn-2023/>



APPELLATE ADVOCACY
THE BAR ASSOCIATION OF THE FIFTH FEDERAL CIRCUIT
SHREVEPORT BAR ASSOCIATION
5TH ANNUAL NORTH LOUISIANA APPELLATE CONFERENCE
March 2-3, 2023

Petroleum Club of Shreveport 416 Travis, 15th Floor
Shreveport, Louisiana

10 Louisiana CLE Credit including Ethics & Professionalism
10 Texas Board of Legal Specialization CLE Credit Approved

Thursday, March 2, 2023

12:00 Noon **Registration**

1:00 P.M. **Tips on Brief Writing and Preparation**
60 minutes **for Oral Argument** *Thomas Flanagan - Flanagan Partners, LLC, Walter D. Woodruff, Editor of the BAFFC Updates, and Allison A. Jones, Downer, Jones, Marino & Wilhite(moderator)*

2:00 P.M. **Fifth Circuit Civil and Criminal Law Update**
60 minutes *Jerry Edwards - First Assistant, U.S. Attorney's Office, and Betty Marak - Assistant Federal Public Defender for Western District of Louisiana*

3:00 P.M. **Break**

3:10 P.M. **The Fifth Circuit Clerk's Office: Tips for**
60 minutes **Managing the Clerk's Office and Information on How the Clerk's Office Can (and Will) Help You**
Lyle Cayce, Clerk of Court, U.S. Court of Appeals for the Fifth Circuit

4:10 P.M. **A Glimpse Behind the Curtain: Judges**
60 minutes **Discuss Inner Workings of How an Appeal Gets Processed – From Oral Argument To Mandate: Q&A session with U.S. Court of Appeals for the Fifth Circuit**
Chief Judge Priscilla Richman, Judge Eugene Davis, and Judge Dana Douglas

5:30 P.M. **Cocktail Hour**

6:30 P.M. **Dinner Honoring Judge Carl E. Stewart Sr.**

11:15 A.M. **Lunch (included with registration)**

12:30 P.M. **Professionalism in Appellate Practice**
60 minutes *Justice Scott Crichton - Louisiana Supreme Court*

1:30 P.M. **Break**

1:40 P.M. **Second Circuit Clerk's Office Operations and**
90 minutes **Procedures** *Robin N. Jones, Clerk of Court, and Brian Walls, First Deputy Clerk - Second Circuit Court of Appeal*

3:10 P.M. **Break**

3:15 P.M. **Ethics in Appellate Practice**
60 minutes *Judge Craig Marcotte and Judge Danny Ellender-Second Circuit Court of Appeal*

Friday, March 3, 2023

8:00 A.M. **Check-In & Continental Breakfast**

8:30 A.M. **Notable Changes in the URCA and Local Rules**
60 minutes *Chief Judge Frances Pitman - Second Circuit Court of Appeal*

9:30 A.M. **Break**

9:45 A.M. **Briefs and Writs** *Kenneth P. Haines,*
90 minutes *Board Certified Appellate Specialist, Certified by the Louisiana Board of Legal Specialization – Weems, Schimpf, Haines, Shemwell & Moore and Jennifer Segner, Central Staff Director - Second Circuit Court of Appeal*

ACCOMMODATIONS:

The Hilton Shreveport Convention Center Hotel
104 Market Street, Shreveport, LA 71101



The SBA has secured a discounted rate block of rooms for Wednesday, Thursday and Friday evening. Call 1-800-445-8667 to make your reservation. The discount code is: "Federal and Shreveport Bar Appellate Conference" or book online:



<https://book.passkey.com/go/BarAppellateConference2023>

REGISTRATION FORM

Complete this form or register online at www.shreveportbar.com

Name _____

Firm _____

Billing Address (Credit Card) _____

City, State, Zip _____

Phone No. _____ Email _____

(Materials will be sent in a link to your email address)

MATERIALS: The registration fee includes course materials provided electronically. PDF materials will be emailed to you for download before the conference. Because neither internet access nor electrical outlets are guaranteed, we suggest that you either print or save the PDF materials to your mobile device and fully charge your batteries before the conference. Be prepared with a mobile device and data plan in case there is no Wi-Fi.

IMPORTANT NOTE: COVID-19 Precautions We take the health and safety of CLE attendees, presenters, and staff very seriously and act to protect them based on the best information available to us at the time. All participants will be required to follow local and state protocols.

FEES: Please indicate below your selection:

TWO-DAY CLE PROGRAM

\$400.00 for Non-SBA Members (\$450 February 24-28)

\$350.00 for SBA and BAFFC Members (\$400 February 24-28)

COCKTAIL HOUR AND DINNER HONORING JUDGE CARL STEWART SR.

\$50.00 (\$60.00 for reservations February 24-28. No dinner reservations will be accepted after February 28

(Cash Bar)

PLEASE REMIT WITH PAYMENT TO:

Shreveport Bar Association • 625 Texas Street • Shreveport, LA 71101



CANCELLATION POLICY:

Cancellation requests must be received in our office in writing (by email or U.S. mail) by Friday, February 24, 2023, to receive a refund less a \$50 cancellation fee. Requests may be emailed to dsouthern@shreveportbar.com or U.S. mail to 625 Texas Street, Shreveport, LA 71101.

For Questions Please Contact the SBA Office at (318) 222-3643.

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Fifth Federal Circuit and Shreveport Bar Association will host a dinner to Honor Judge Carl E. Stewart Sr.

by Allison A. Jones, ajones@dhw-law.com

“I would not have you descend into your own dream. I would have you be a conscious citizen of this terrible and beautiful world.” *-Ta-Nehisi Coates, Between the World and Me.*

Richard Stewart, a postal worker and the father of three sons, including Judge Carl E. Stewart, may never have written a letter to his sons such the one Ta-Nehisi Coates wrote his son in *Between the World and Me*. It is, however, obvious that Judge Carl Stewart’s father and mother, Corine Stewart, both activists in the civil rights movement, taught all their children the lesson of conscious citizenship.

It is with pleasure that the Bar Association of the Fifth Federal Circuit and the Shreveport Bar Association intend to honor Judge Carl E. Stewart at a dinner to be held the evening of March 2, 2023, at the Petroleum Club. We hope you will join us by sending an RSVP using this link: <https://shreveportbar.com/continuing-legal-education/2023-appellate-conference-registration-form/>.

As described in a 2014 *ABA Journal* article, “growing up, [Judge Stewart] was forced to attend segregated schools, required to use ‘colored only’ restrooms and water fountains, and made to sit at the back of the bus. At age 3, Stewart watched as white church leaders blocked his parents’ efforts to buy their first home because they didn’t want black people as neighbors. Retail stores refused to let him try on clothes. Customers at his first job in college routinely used the N-word in front of him. He quietly admits that he continues to experience racial profiling, even today.” Bitterness was not allowed in the Stewart family. Conscious citizenship was demanded, and Judge Stewart is a perfect example of the same.

After receiving his law degree in 1974, Judge Stewart served as a military lawyer, followed by other government service and, then, as a private practitioner. Judge Stewart began his judicial service as a district judge for the First Judicial District Court of Caddo Parish, and later as a judge on the Louisiana Second Circuit Court of Appeal in Shreveport prior to his appointment to the United States Court of Appeals for the Fifth Circuit. Judge Stewart was the first African American to serve on United States Court of Appeals for the Fifth Circuit, and he became the court’s first African American chief judge.



Hon Carl E. Stewart Sr.

Judge Stewart has served on numerous boards and committees. In 2019, the Dwight D. Opperman Foundation presented Judge Stewart with the 35th Annual Edward J. Devitt Distinguished Service to Justice Award, our nation’s highest honor bestowed upon an Article III federal judge. In 2021, the American Inns of Court selected Judge Stewart to receive the A. Sherman Christensen Award for his

distinguished, exceptional and significant leadership to the American Inns of Court movement at the local, state and national levels.

Each of us, in our own lives and in the practice of law, has an obligation to act with courage in upholding and applying the rule of law equally. Judge Stewart’s service provides an example. As civil rights chapters continue to be written with storylines that present new challenges demanding more progress, please join us in pausing to celebrate the example of Judge Carl E. Stewart.

How Write You Are

by Hal Odom Jr., rhodom@la2nd.org

Let's preempt this. It's a term of art in La. civil procedure. In the general vocabulary it means *very assertive* or *leaving no room for debate*; in legal lingo it means *seeking to dismiss an action*. The word is *peremptory*. It is sometimes confused with another word, one meaning *getting there first* or *taking priority*. Consider some recent appearances:

"Foster's counsel ultimately filed a *preemptory exception* of no cause of action, which the trial court granted." La. Civ. L. & Proc. Newsletter (11/30/22), p. 9.

"A lawsuit can also be dismissed through a *preemptory exception* of prescription. For a discussion of the *preemptory exception* of prescription, see Chapter 2." Catherine Palo, 22 La. Civ. L. Treatise (Summary Judgment & Related Termination Motions), 2022 ed., § 6:5.

"Generally, a *peremptory exception* raises an exclusively legal question; however, evidence may be introduced in the trial court to support or oppose a *preemptory exception* of prescription." *Medical Review Panel for Bush*, 2020-0468 (La. App. 4 Cir. 6/2/21), 2021 WL 2217464 (headnote supplied by Thomson Reuters).

In all instances, the writer meant to say *peremptory exception*, as the phrase correctly appears in the actual opinions cited in the *Newsletter* and the headnote. Conceivably, an exception could be *preemptive*; for example, a motion to substitute party plaintiff, if granted, might well supersede or *preempt* a *peremptory exception* of no right of action. For the most part, however, *preemptory* is a term to avoid in legal writing.

Waxing philosophical. The U.S. Fifth Circuit recently branched out from questions of legal philosophy to those of analytic philosophy. In *U.S. v. Palomares*, 52 F. 4th 640 (5 Cir. 2022), the defendant contested a mandatory minimum sentence of 120 months for smuggling heroin. She claimed she was entitled to relief under the First Step Act's "safety valve" provision, 18 U.S.C. § 3553(f), because one of her priors was only a three-point offense.

The statute is negatively phrased. It states that the sentencing court may disregard the mandatory minimum if it finds: "(1) the defendant does not have—(A) more than 4 criminal history points, excluding any criminal history points resulting from a 1-point offense, as determined under the sentencing guidelines; (B) a prior 3-point offense, as determined under the sentencing guidelines; and (C) a prior 2-point violent offense, as determined under the sentencing guidelines[.]"

She argued that she would be ineligible for relief only if her criminal history satisfied all three subsections. The Fifth Circuit disagreed, in a split decision – an opinion, a concurrence and a dissent. The opinion stated that *does not have* applied to each subsection independently; to be eligible, she could not have (A), could not have (B), and could not have (C).

The concurrence, however, dipped into analytic philosophy, saying the proper interpretation of the statute "does not hinge on an inferential rule of Boolean algebra called 'De Morgan's Theorem'" but, rather, on a context-sensitive interpretation of the statute as a whole. So, what in the world is De Morgan's Theorem?



The dissent dug deeper, stating De Morgan's Theorem is "a logical precept which holds that (1) the negation of a conjunction is equivalent to the disjunction of the negations, and (2) the negation of a disjunction is equivalent to the conjunction of the negations." (It cited the *Stanford Encyclopedia of Philosophy*.) The dissent embraced De Morgan, saying that if Congress had intended *not* to apply to each item in the list, it would have joined the list with *or*, not *and*.

For the academically inclined, we would annotate De Morgan's Theorem as follows:

- (1) $\neg(P \& Q) \leftrightarrow (\neg P \vee \neg Q)$
- (2) $\neg(P \vee Q) \leftrightarrow (\neg P \& \neg Q)$
- (3) $(P \& Q) \leftrightarrow (\neg \neg P \vee \neg \neg Q)$
- (4) $(P \vee Q) \leftrightarrow (\neg \neg P \& \neg \neg Q)$

Benson Mates, *Elementary Logic*, 2 ed. (New York, Oxford U. Press, ©1972), p. 105 (an incredibly lucid textbook I used in undergrad, but not really "elementary"). The proof given is for two variables, P and Q; I am not certain about three variables, as appear in § 3553(f). The inference would seem reasonable, but it's not the way De Morgan's Theorem is stated. Also, the concurring opinion is essentially correct: outside the realm of math and symbolic logic, you can't bear down too hard on the precise rules of logic. Now, according to Westlaw, the U.S. Supreme Court docketed Ms. Palomares's petition for certiorari on December 22, 2022. Perhaps SCOTUS will answer, definitively, who wins, De Morgan or pragmatic sentencing.

The most pragmatic advice is always to phrase your contracts, ordinances and statutes *in positive terms*. If the statute said, "The court may disregard mandatory minimum sentences *if the defendant has*" the three conditions, or "if the defendant has *all of the following*" conditions, and rephrased each condition as a maximum, then interpretation would have been much easier.

Remember, it winds up. If your brain isn't hurting from the digression into De Morgan, here is some relief, from a deposition taken in the 26th JDC: "Q. The truck has a *wench* on the front? A. Yes. Q. Do you know how to operate the *wench*? A. Yes." The court reporter is not alone; the Fifth Circuit quoted a pleading as saying a remotely operated vehicle's "handling system, *wench*, A-frame, * * * are all welded to the support vessel." *Halle v. Galliano Marine Serv. LLC*, 855 F. 3d 290 (5 Cir. 2017). Oops.

The word used, *wench*, is archaic for a *young woman* or *farm girl*, especially one of *low moral virtue*, a prostitute! The word intended was *winch*, the *crank or handle* of a revolving machine, or the *machine* itself that *hoists or drags* something. The mnemonic is that you *wind it up*. It was a winch on the Ford F250 and the ROV; let's hope not a wench!



Federal Update

by Chris Slatten, Chris_Slatten@lawd.uscourts.gov

Cite Your Judge's Opinions: District judges once had to submit opinions to West and Lexis if they wanted them published. Some judges rarely did so. But the E-Government Act required courts to provide free online access to written opinions. That kicked in on April 16, 2005, and Westlaw and Lexis began filling their databases with district court decisions. The legal research companies still exercise some (often mystifying) editorial discretion as to what makes the database, but most rulings and R&Rs are there.

Lawyers often overlook this goldmine of information. The most persuasive cites you can offer a district court are from the SCT or 5CA. Ranking just below are decisions by the very judge who is deciding your case. So it is stunning how often lawyers overlook a prior ruling by their judge on the same or similar issue. I think it is quite persuasive to build an argument based on SCT and 5CA authorities, then cap it by pointing out that your judge has already applied those precedents in a similar case.

Identifying the Judge: Some lawyers will write, “*This court* has held *Jones v. Smith*, 500 F.Supp. 1 (WD. La. 2020).” Don’t do that unless the judge assigned to your case wrote the *Jones* decision.

There are multiple judges in the district, and their decisions are not binding on each other. “This court” may or may not have held something in *Jones*. As an example, Judge Walter and Judge Stagg once shared a kitchen, but they did not share the same view on whether a riverboat casino was a vessel under maritime law. It would have been poor advocacy to have a case before Judge Walter and suggest that “this court” held one way and cite the opinion by Judge Stagg.

I suggest that you identify the judge when you cite a WD La. decision. Even if your judge is not the author of the decision, they will often want to know which of their colleagues wrote it. Example: *Jones v. Smith*, 500 F.Supp. 1 (WD. La. 2020) (Cane, J.) or *Able v. Baker*, 2021 WL 12345 (W.D. La. 2021) (McCluskey, M.J.).

If you cite a district court decision from another district, you can leave the name off unless you think the judge has a strong reputation that will add some heft to the citation. Examples might be Judge Gilstrap or Judge Albright on a patent issue, or maybe a district judge who has since ascended to the 5CA. Judge Alvin Rubin’s district court opinions often got that treatment during his era. You can definitely leave the name off if, as once happened to me, the only helpful decision you can find was written by a judge who was impeached and convicted for taking bribes, then sent to prison.

Life Insurance; Suicide-By-Cop: Does a life-insurance policy suicide exclusion include a death resulting from suicide-by-cop? The 11CA tackled the issue in *N. Am. Co. for Life & Health Ins. v. Caldwell*, 55 F.4th 867 (11th Cir. 2022) and said that no American court had decided the question in a precedential opinion.

The insured, near the end of the two-year exclusion period, showed signs of suicidal intent after his wife asked for a divorce. He called his parents to say goodbye, and he told his wife he was waiting for police to come and kill him. The wife warned police that he was armed and wanted to commit suicide-by-cop. When police arrived, he pointed a rifle at them, and they granted his wish.

The case arose under Florida law, but the analysis could apply anywhere. The court looked to dictionaries, scientific journals, and media reports for examples of usage. In the end, “The existence of the term ‘suicide-by-cop’ acknowledges that a person who induces an officer to shoot him has chosen the officer as his instrument in the same way that someone else might have chosen a noose or a needle.” Coverage excluded.

Second Amendment; Possession While Indicted: Courts have struggled with Second Amendment challenges to firearms laws since *New York State Rifle & Pistol v. Bruen*, 142 S.Ct. 2111 (2022). In a local case, Mr. Hardy was indicted for murder and appeared at the 1st JDC for arraignment. He was released on bond. As he and others left the courthouse, a car began to follow. Hardy, allegedly fearing for his safety, retrieved a handgun that was in the car and fired four to six rounds at the other vehicle. The feds indicted Hardy for illegal receipt of a firearm by a person under indictment, in violation of 18 U.S.C. § 922(n).

Hardy filed a motion to dismiss that challenged § 922(n) as a violation of his Second Amendment rights. Judge Walter cited five decisions that had addressed similar challenges. Two found the law constitutional, and three held it was unconstitutional. After a *Bruen* analysis, Judge Walter made the tally 3-3. He found that there was a history of regulation of potentially dangerous persons sufficiently analogous to inditees for the statute to survive review. Hardy’s motion to dismiss was denied, but there are sure to be many similar challenges as this area of law develops. *U.S. v. Hardy*, 22 CR 119, Doc. 35.

RIP Randy Davidson: Randy Davidson (Harvard; LSU Law), a lion of the mineral law bar and my prior boss, passed away in January. As a young lawyer, listening to Randy and Nicky Nix talk about mineral law was like hearing a foreign language. They were on a different level. We will miss Randy’s sharp wit, keen intellect, and contributions to the law.



The Captain Speaks

by Nancy Cooper, ngcooper23@gmail.com

As I sit down to write this on the heels of our *Purple Reign*-themed Grand Bal and our *Breakfast Club*-themed brunch, I'm pretty sure I still have glitter in my hair and confetti stuck to the bottom of my high-heeled white go-go boots. Our Krewe of Justinian Royalty has been shuffling across northwest Louisiana for the past few weeks in ball gowns and tuxedos celebrating Mardi Gras with the Krewes of Sobek, Demeter, Nemesis and Atlas. We've had a photo shoot on a purple motorcycle, we've worn matching embroidered trash jackets and sashes, we've gathered with other area krewes in downtown Shreveport for Twelfth Night, we woke up at 4 AM for a television interview at the Bar Center, and we've paraded down Texas Avenue with the Krewe of Harambee wearing purple wigs and tossing moon pies to the beautiful families lining the streets in celebration of Martin Luther King Day.

Still ahead, before Fat Tuesday on February 21, we will continue celebrating our Louisiana culture with the Krewes of Elders, Excellence, Centaur, Gemini, Dionysos, Ambassadeurs, Barkus & Meow, Oceanus, Harambee and Highland. So many local krewes! Truly, the transformation of Mardi Gras in Louisiana over the centuries is a testament to the determination and the gumption of the groups who came before us, the people who quietly organized their own krewes and parades in the face of discrimination, who marched for equality and recognition while dancing in colorful costumes, who completely thwarted the old guard and revolutionized Mardi Gras into the most powerful front porch project around. And they did it peacefully. With humor and warmth. With music and dance. With parades and doubloons. They did it by winning over the crowd.

As Rogers Nelson (the musician known as Prince and whose father and grandparents are from Webster, Claiborne, Lincoln and Bienville Parishes) sang in his song *Let's Go Crazy*, we gather together "to get through this thing called life." Embracing our Mardi Gras culture in Louisiana indeed brings us together. Literally. In the streets at parades and at the Riverdome in Bossier and the civic centers in Grand Cane and Springhill. Laughing and dancing with people from different neighborhoods, churches and towns. There's no red or blue in Mardi Gras – only purple, green and gold.

This year, our fabulous dukes and duchesses hosted Sunday brunch for our krewe members at the Petroleum Club following Grand Bal, and the '80s theme was *The Breakfast Club*. I thought of a popular quote from that movie, spoken by Ally Sheedy's basket case character, Allison. When the jock Andrew dismally wonders if they'll all grow up to be like their parents, the princess Claire responds, "Not me, ever." But Allison argues that it's inevitable because "when you grow up, your heart dies."

As we approach Fat Tuesday in northwest Louisiana, don't let your hearts die! The Krewe of Justinian and our Float Lieutenant/Captain XXVIII Jimmy Franklin are working hard to decorate our double-decker float for the Centaur and Highland parades. So get outside on your front porch. Gather together with neighbors and make new friends. Embrace the culture and season. Wear a tiara and sequins, or perhaps a purple jumpsuit.

And when it's all over, take a few months to rest and reflect before the Krewe of Justinian marks its THIRTIETH YEAR! Prepare to join the Krewe next spring and let Captain XXX Amy Day guide us all through another remarkable season. As Captain XXIII John Bokenfohr recently put it so well: Membership in the Krewe is about forming relationships. And as lawyers and judges, we can serve our clients and our community much better if we build and maintain good relationships with one another.

I am truly grateful for the people of Justinian and for the friendships I have made. Thank you, King Maury and Queen Susie. Thank you, Dukes Curtis, Chris and Matt and Duchesses Carolyn, Heidi and Michelle. Thank you to their loving Consorts: Glynda, Ford, Barbara, Emily, Nikki, Graham, Drew and Keith. Thank you, KOJ XXIX Family for all the memories. And thank you, SBA and KOJ, for allowing me to serve as Captain XXIX. It has been a privilege and a labor of love.

Happy Mardi Gras 2023, and *laissez les bons temps rouler!*





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Second Circuit Highlights

by Hal Odom Jr., rhodom@la2nd.org

You must show a donation. Ronnie and a business colleague formed a corporation in 1975; Ronnie got married to Wanda in 1998, with a prenup designating some property as separate, some community. Meanwhile, the corporation performed well, splitting into separate entities in 2010. Ronnie paid his colleague \$1.2 million to acquire all 1,000 shares in one of those entities, which became known as Aeon PEC, in which Ronnie was designated president and Wanda treasurer. Ronnie sold a few shares to employees. Then, in 2016, Aeon PEC issued two stock certificates, one showing 500 shares in Wanda's name, the other showing 323 in Ronnie's name. Both certificates were signed by Ronnie as president and Wanda as treasurer.

In late 2018, Ronnie died. His executor (and son from a prior marriage) sought a declaratory judgment to determine how many shares of Aeon PEC Ronnie owned at his death. He asserted that Ronnie acquired all this stock with his separate funds, so all remaining 823 shares were his separate property. The executor argued that without an act of donation, as required by La. C.C. art. 1550, Wanda could not prove that Ronnie gave her those 500 shares. Wanda countered that the stock certificate naming her owner of 500 shares proved those shares were her separate property, and the other certificate showed the 323 shares were community, per the presumption of La. R.S. 12:601. The district court agreed with Wanda, citing the name on the stock certificate, the fact that Ronnie voided a prior stock certificate, their marital relation, Wanda's involvement in Aeon PEC and Ronnie's last will and testament. The executor appealed.

The Second Circuit reversed, *Succession of Goodman*, 54,828 (La. App. 2 Cir. 12/14/22), in an opinion by Judge Stephens. The court outlined the requirement of an authentic act to prove a donation, unless manual donation is permitted by law, La. C.C. art. 1468; the specific requirement for an authentic act to donate investment property, La. C.C. art. 1550; and the presumption of ownership by title on the stock certificate, La. R.S. 12:601. However, the substantive requirements for divestment of stock and proving donative intent override compliance with stock transfer law, *Broussard v. Broussard*, 340 So. 2d 1309 (La. 1976). The court found that certain key facts were simply missing from the record: the prior stock certificate, any act of donation and Ronnie's will. In short, the titling on the certificates was not enough to prove that Ronnie donated those 500 shares to Wanda. The court declared all 823 shares community, allocating 411.5 to Wanda and 411.5 to the estate.

The main lesson is that strict compliance with the requirements for a donation is absolutely critical. The subordinate lesson is that if you rely on other documents (here, a prior stock certificate and the decedent's will), you need to get them in evidence. The surviving spouse went from 661.5 shares of a very valuable corporation to just 411.5.

You must match patient to chart. The 64-year-old Ms. Bogan

had been a resident at Pierremont Healthcare Center for about two months, getting rehab for chronic kidney failure, arterial disease and general bad health. Doctors at University Health (LSU) advised her she needed a heart cath, but she declined until she could consult her regular cardiologist. Then, at 5:41 am one morning, she collapsed at Pierremont. She was unconscious, but medical personnel got her pulse and put her in an ambulance to LSU. Unfortunately, they sent her with the chart of a different person, an 89-year-old patient. Doctors didn't discover this until about two hours later, at which time they promptly sent her to surgery for the heart cath. By that time, however, it was too late; Ms. Bogan survived the surgery but died early the next day.

Ms. Bogan's children applied for a medical review panel, which found that Pierremont's conduct breached the standard of care but that the breach did not affect the ultimate outcome. The children then filed suit against Pierremont, claiming loss of a chance of survival because of sending the wrong chart with the patient. After trial, the jury found Pierremont liable and awarded \$150,000 in damages. Pierremont appealed. The Second Circuit affirmed, *Taylor v. Nexion Health at Pierremont Inc.*, 54,802 (La. App. 2 Cir. 12/14/22), in an opinion by Judge Thompson. The court set out the law of loss of a chance of survival, *Smith v. State*, 523 So. 2d 815 (La. 1988), and noted that the principal issue on appeal was manifest error, *Benefield v. Sibley*, 43,317 (La. App. 2 Cir. 7/9/08), 988 So. 2d 279, *writs denied*. The plaintiffs' lead expert, a cardiologist from Atlanta, Ga., said that if the correct chart had been sent, LSU would have been able to find Ms. Bogan's history in the electronic medical record, the delay resulted in "prolonged ischemic time," and this decreased her chance of survival. By contrast, one of Pierremont's experts, an internist from Lafayette, La., who served on the MRP, opined that having the wrong chart did not delay treatment at LSU; the other, an interventional cardiologist from New Orleans, testified that when Ms. Bogan arrived at the hospital, she was already in such a bad way that nothing could have saved her. The court found no manifest error in the jury's decision to accept the plaintiffs' expert over the defendant's. The court also turned away arguments that Ms. Bogan and LSU were comparatively at fault and that the damages were excessive.

The overall tenor of the testimony was that Ms. Bogan was in very poor health and, after her collapse at Pierremont, in a precarious position. However, the plaintiffs presented evidence that had treatment not been delayed two or three hours while hospital personnel ran down the correct chart, she would have had a better chance – and this is all that is required by *Smith v. State*. Also, it's hard to avoid the notion that unlike a cool, detached MRP, a jury is likely to be influenced by the nature of the breach. The fact that this was an obvious, low-tech and preventable mistake could well have remedied any weakness in the showing of causation.

It's hot in here. While Ms. McGee was renting an apartment in West Monroe, the management installed a new water heater; she complained that the water coming to her tub was too cold, so somebody in maintenance adjusted the temperature setting. On November 15, 2015, Ms. McGee was running a bath when she suffered a grand mal seizure, lost consciousness and fell into the tub.

She had no recollection of the incident, but woke up with serious scalding burns (and permanent scarring) on her left leg and foot. She hired a building inspector who found that within one minute of turning the knob, water came out of the heater at 140° F and out of the faucet at 139°, much higher than the product's own warning (and industry standard) of 125°. She sued the apartment complex for her personal injuries.

The apartments moved for summary judgment asserting that Ms. McGee could not prove (1) the temperature of the water at the time of the incident or (2) that the management knew or could have known of the allegedly dangerous condition. In support, they offered the affidavits of their apartment managers, who said they didn't set the temp to 140°, but no experts. Ms. McGee opposed, filing her building inspector's affidavit, plus that of an anesthesiologist who stated that scalding can result from contact with water over 120° and "burning injury" from exposure to such water "for even brief amounts of time." The district court granted MSJ, finding that McGee could not prove how long she was in the water, or that the burns would not have occurred even in acceptably warm water. Ms. McGee appealed.

The Second Circuit reversed, *McGee v. Ashford Place Apts. LLC*, 54,795 (La. App. 2 Cir. 11/16/22), in an opinion by Judge Stone. The court found nothing to contradict the building inspector's testimony that the water was 140° days after the accident, or the implication that it was that hot on the date of the accident, and nothing to contradict the doctor's testimony that this is what caused her burn injuries. The court also rejected the apartments' contention that Ms. McGee lacked credibility, as such determinations are not suitable for summary judgment disposition, *Marionaux v. Marionaux*, 52,212 (La. App. 2 Cir. 8/15/18), 254 So. 3d 13.

This plaintiff was very well served by counsel who quickly retained two experts who rendered concise, helpful opinions, and inadvertently served by a defense that relied solely on interested lay witnesses. There is probably something to be learned from the differing approaches to this case.

The limits of mandatory reporting. Ms. Jackson thought her 15-year-old daughter, Z.J., had been raped by a 24-year-old man called "Tre," so she brought her to Minden Medical Center to get a rape kit performed. Hospital staff called the police, who came to the hospital and questioned both women. Ms. Jackson told them she had seen Z.J. getting out of Tre's car, but Z.J. said she did *not* have sex and she did *not* want a rape kit. Moments later, however, she said she would take it, just to prove the point to her mother. Officers decided, in the circumstances, that Z.J. did not need a rape kit, and she went home. Later that day, however, she attempted suicide, and her mother brought her back to MMC; after her discharge, she went to the police station and said she had indeed had sex with Tre. Ms. Jackson sued the police department, claiming officers failed to conduct the mandatory investigation of La. Ch. C. art. 615.1 A(1) and, as a result, Z.J. was suffering from dejection and despair. MPD filed an exception of no cause of action, which the district court granted but the Second Circuit reversed, *Jackson v. Minden Police Dep't*, 52,489 (La. App. 2 Cir. 2/27/19), 266 So. 3d 462, *writ denied*.

Back in district court, MPD filed a motion for summary judgment showing that Z.J. denied that any sexual contact occurred, told them she did not want a rape kit, and did not injure herself because of any failure to investigate. Ms. Jackson countered that the duty of Art. 615.1 was mandatory, MPD failed to follow

it, and genuine issues remained whether Z.J. could refuse a rape kit. The district court granted summary judgment, and Ms. Jackson appealed.

The Second Circuit affirmed, *Jackson v. Minden Police Dep't*, 54,799 (La. App. 2 Cir. 11/16/22), in an opinion by Judge Cox. The court acknowledged the statutory duty to conduct a "full investigation," but found that on the summary judgment evidence presented, MPD's failure to obtain a rape kit did not equate to lack of an investigation: Z.J. initially denied any sexual conduct, and her mother only suspected it, facts that made it reasonable for officers to find that no rape actually occurred, and hence no rape kit was needed.

The opinion does not state whether the plaintiff pressed any criminal charges against "Tre." However, the failed civil claim shows that the duty to conduct a full investigation under Art. 615.1 A(1) is subject to some discretion and does not necessarily include a rape kit.

Actual notice counts in open court. KA was born to a drug-addicted mother in St. Bernard Parish; sadly, KA was himself drug-addicted at birth. DCFS filed a child in need of care action, in which Chris was determined to be the child's father. The court in St. Bernard found KA was not in need of care, awarded custody to Chris and dismissed the case. Chris brought the baby to his condo, in Caddo Parish, but found he couldn't properly take care of a six-month-old, so he gave the child to his stepsister, in Bossier City. A year and a half later, the stepsister sued for emergency ex parte custody, contending that Chris was in jail (ag battery, unauthorized entry of an inhabited dwelling, contractor fraud) and could not care for the child; she argued that she needed legal custody to secure the kid's medical and other care. Chris managed to get out of jail for the initial hearing. He appeared pro se and asked for a continuance until he could retain counsel. The court complied, advising Chris to be in court with counsel for trial on October 21.

Predictably, neither Chris nor any lawyer on his behalf showed up on October 21. The stepsister testified that he was back in jail (this time, on a rape charge). After the stepsister put on her case, the court awarded her sole custody, with a ban on visitation by Chris until he could show a negative drug test. Chris appealed, pro se.

The Second Circuit affirmed, *Sanders v. Rodgers*, 54,916 (La. App. 2 Cir. 12/14/22), in an opinion by Chief Judge Moore. Most of Chris's arguments, contesting jurisdiction and venue and asserting manifest error as to best interest of the child, were patently insubstantial and quickly dispatched by the court. However, he raised one facially meritorious claim: he never received formal, written notice of trial, as required by La. C.C.P. art. 1571 A(1) (a) and URDC 9.14 (26th JDC). Indeed, the record contained no written notice of trial. The court found, however, that if the litigant is present in court, asks for a continuance, gets it, and agrees to the new setting, this counts as adequate notice – no additional, written notice is required. *Little v. Pou*, 42,872 (La. App. 2 Cir. 1/30/08), 975 So. 2d 666, *writ denied*.

It's a clear case of substance over form, but the point may be worth remembering if you pick up a case midstream, after the client has been unrepresented for a while. If the client has agreed, in open court, to a particular setting or trial date, there may not be a document to that effect in the paper trail. You will probably have to rely on the client's memory and honesty.

Judge Thompson Appointed to Committee on Judicial Ethics

Judge Jeff Thompson, of the Second Circuit Court of Appeal in Shreveport, has been selected to serve on the Louisiana Supreme Court Committee on Judicial Ethics. The committee responds to inquiries by judges and judicial candidates regarding the ethical implications of their own prospective or on-going conduct. Judge Thompson was selected to serve by the Conference of Court of Appeal Judges, and previously served as a member during his tenure as a district judge with the 26th Judicial District Court.



Judge Barber Elected President of Louisiana City/Parish Judges Association and Appointed to Committee on Judicial Ethics



Judge Brian Barber, of Shreveport City Court, was elected president of the Louisiana City/Parish Judges Association for a one-year term, 2023-2024. The Louisiana City/Parish Judges Association was formed in 1987. The Association is a nonprofit organization created to operate for educational purposes by aiding in the advance of the science of jurisprudence, fostering and promoting beneficial legislation affecting the administration of justice in city, parish and municipal courts in Louisiana, and preventing or discouraging the enactment of legislation inimical thereto or detrimental thereof while cooperating with national, state and local bar associations and other judicial organizations in matters of mutual interest. Judge Barber was also selected in October 2022 to serve on the Louisiana Supreme Court Committee on Judicial Ethics.



FRANCES PITMAN NEW CHIEF JUDGE AT SECOND CIRCUIT

by Hal Odom Jr., rhodom@la2nd.org



Judge Frances Jones Pitman became chief judge of the Louisiana Second Circuit Court of Appeal on January 1, 2023. A formal induction ceremony took place on January 17, 2023, at the First Judicial District Court.

Judge Pitman was first elected to the Second Circuit in November 2012, when she won the Third District, Section 2, Division B seat, and was reelected without opposition in 2022. She was promoted to chief by virtue of seniority when Judge D. Milton Moore III, of Monroe, completed his term at the end of 2022.

“I am honored to serve the people of north Louisiana in this important office,” Judge Pitman said. “Most of all, I want to thank my family for their support, and the voters, for the confidence they have placed in me over the years.”

Judge Pitman is a native of Shreveport (third-generation Shreveport and fifth-generation Caddo Parish), a graduate of Byrd High School, earned a BA in Education & Speech Pathology from LSUS and a Masters in Communications Disorders from LSU Health Sciences Center-Shreveport, and then spent several years as a speech pathologist in local public schools and at LSU HSC. She then went to law school at LSU Law Center, earning her J.D. in 1991, and worked one year as a law clerk at the First JDC, in Shreveport. She then moved to the La. Attorney General’s Office, where she worked from 1992 to 2008, advancing to Chief of the North La. Civil Division. In July 2008, she ran for an open seat on the First JDC, and served on that court until she was elected to the Second Circuit in 2012.

Judge Pitman is married to Judge Mike Pitman, who has served on the First JDC since 2003. She is the mother of Kristen Renda (married to Dr. David Renda) and proud grandmother of Frances and Camille Renda. Judge Pitman is a member of Summer Grove Baptist Church and an active member of the Judge Harry V. Booth-Judge Henry A. Politz American Inn of Court. She is the former cochair of the Shreveport Bar Association’s continuing legal education program, is the incoming chair of the Conference of Court of Appeal Judges of Louisiana, and serves on the La. Judicial College Board of Governors. She is also an avid tennis player, a black belt in Tae Kwon Do, loves gardening, and has been an active runner for many years, completing four marathons, six half-marathons and numerous other events. “I am looking forward to serving the people as their new chief judge. I pledge my best work to their service.”



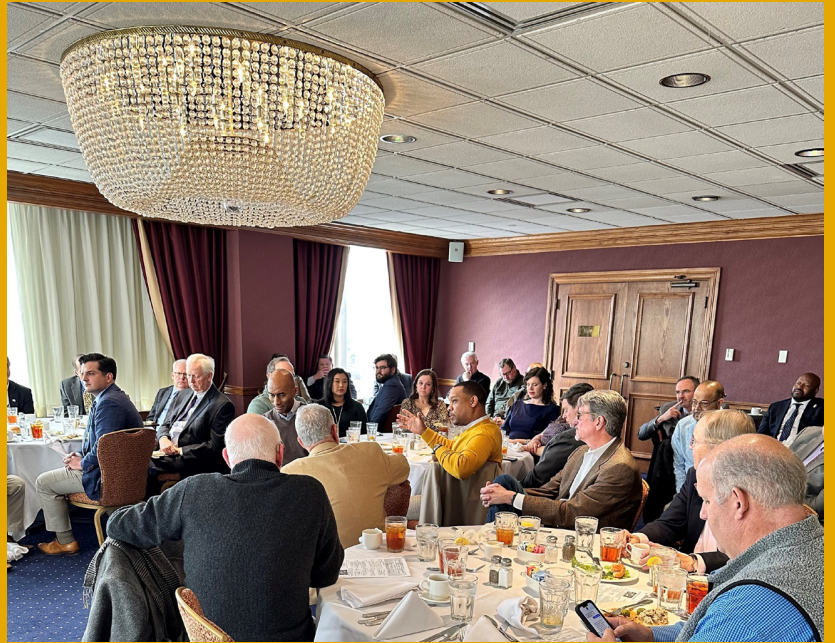
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XXVIII





JANUARY LUNCHEON HIGHLIGHTS



City Attorney

City of Shreveport, Louisiana

Shreveport, Louisiana

Salary: \$140,000-\$160,000

Date Posted: Tuesday, January 24, 2023

Date Closing: Friday, February 24, 2023

Job Description

The City of Shreveport, Louisiana (estimated population 184,000) is seeking a City Attorney. Shreveport is located in the northwest corner of Louisiana and anchors the Ark-La-Tex region, which contains almost 400,000 persons. Shreveport is the transportation and medical hub for northwest Louisiana and portions of east Texas and south Arkansas.

Shreveport's City Attorney is the chief legal officer of the City. The responsibilities of the City Attorney are described in Section 8.03 of the City's Charter, including being "the legal advisor of the mayor and the council and of all offices, departments, commissions, boards and agencies of the city government and shall furnish the mayor, or council or any member thereof, or any office, department, commission, board or agency established by this Charter, or by ordinance, a written opinion on any question of law involving their official powers and duties." In addition, the City Attorney represents the City in person or by an assistant in all litigation.

Shreveport has the strong mayor/council form of government. The City Attorney reports to the Mayor. The position serves as a vital part of the Mayor's administration. Mayor Tom Arceneaux, who serves in a full-time capacity, began his first four-year term on December 31, 2022. He is eligible to serve two terms.

The City Attorney position is currently filled on an interim basis. Mayor Arceneaux chose not to retain the prior incumbent when he took office.

The Mayor has recommended a salary range beginning at \$140,000 for this position. Actual salary amounts, both at employment and thereafter, are negotiated directly with the Mayor and Chief Administrative Officer. There is no formal pay scale for appointed officials.

Pursuant to the City's Charter, the City Attorney must be an attorney-at-law and must have actively practiced his profession in the State of Louisiana for not less than five years immediately preceding his or her appointment.

This position is open until filled and applicants will be reviewed after the closing date of this notice. It requires City Council confirmation, which generally adds about a month to the hiring process.

Applicants who do not already live in the Shreveport area will be expected to reside inside the City limits within a year of employment.

Qualified applicants are asked to submit their cover letter, resume and qualifications to www.CApplications@shreveportla.gov. For further information, please contact Tom Dark, CAO, at tom.dark@shreveportla.gov.

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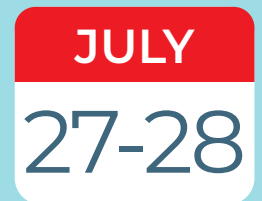
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UPCOMING EVENTS

*2023 SBA MEMBERSHIP LUNCHEONS

12:00 Noon at the Petroleum Club (15th Floor)

FEBRUARY 11

Krewe of Centaur Parade
Krewe of Justinian Participates

FEBRUARY 19

Krewe of Highland Parade
Krewe of Justinian Participates

*FEBRUARY 22

SBA Member Luncheon
Speaker: Judge S. Maurice Hicks Jr.

MARCH 2-3

BAFFC Appellate Advocacy Seminar and
5th Annual North Louisiana Appellate Conference
Cocktail Reception and Dinner
Honoring Judge Carl Stewart Sr.
Petroleum Club of Shreveport

*MARCH 22

SBA Member Luncheon
Speaker: TBD.

You can now use the Amazon Shopping app on your mobile phone to sign up for AmazonSmile and select "Shreveport Bar Foundation Pro Bono Project" as your favorite charity. This is a great opportunity for you to support us through AmazonSmile donations. Do you want to help make a difference while you shop in the Amazon app, at no extra cost to you? Simply follow the instructions to select "Shreveport Bar Foundation Pro Bono Project" as your charity and activate AmazonSmile in the app. They'll donate a portion of your eligible mobile app purchases to us.

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SBA LUNCHEON MEETING — FEBRUARY 22

Petroleum Club (15th Floor) Buffet opens at 11:30 a.m.

Program and Speaker from 12:00 Noon to 1:00 pm.

\$30.00 for SBA members; \$35.00 for non-SBA members. Advance reservation is required no later than 5 p.m. Monday, February 20.



When: 12:00 Noon on Wednesday, February 22

Where: Petroleum Club (15th floor)

Featuring: Judge S. Maurice Hicks Jr.

Please join us on Wednesday, February 22, for our luncheon meeting as we welcome Judge S. Maurice Hicks from the U.S. District Court for the Western District of Louisiana as our guest speaker. Following unanimous confirmation by the Senate, Judge Maury Hicks was sworn in as a United States District Judge for the Western District of Louisiana in Shreveport in June 2003.

He served as the Chief Judge of the Western District of Louisiana from November 2017 to December 2022. He was also the Fifth Circuit's District Judge representative to the Judicial Conference of the United States, the national policy-making body of the federal judiciary, from 2019 to 2022. Before his appointment to the bench, Judge Hicks spent 26 years litigating in Louisiana state and federal courts. He was the founding member of Hicks, Hubley & Marcotte in Shreveport. From 1993 - 2017, Judge Hicks rose through the ranks of the Louisiana Supreme Court Committee on Bar Admissions, beginning as an assistant examiner for Federal Jurisdiction and Procedure, then moving to drafting the Federal Jurisdiction & Procedure component of the bar exam, and later serving as Director of Testing, Director of Accommodations and Chair of the Committee. He is a member of the Louisiana State Law Institute and its Civil Law and Procedure Committee and, he organized the North Louisiana Chapter Federal Bar Association in Shreveport. Judge Hicks is a Past-President of the District Judges Association of the Fifth Circuit and served as a member of the Judicial Council of the Fifth Circuit, the Financial Disclosure Committee, and the Budget Committee of the Judicial Conference of the United States. He is currently serving on the Fifth Circuit Criminal Pattern Jury Instruction Committee. He lectures frequently on Professionalism, Evidence, and Expert Witness issues at various seminars for the Louisiana State Bar Association, Louisiana State University and Loyola Law School CLE programs and various local bar associations. In conjunction with the Open World Program of the Library of Congress, Judge Hicks has hosted international judicial delegations from Russia, Siberia, Tatarstan, Ukraine, Turkey and Armenia. For the past 17 years, he has taught in the Frost School of Business MBA program at Centenary College of Louisiana. He is a Charter member of and currently a Judge Master member of the Harry V. Booth - Judge Henry A. Politz Chapter of the American Inns of Court. Judge Hicks is currently serving as King XXIX of the Krewe of Justinian.

#SHREVEPORTBARASSOCIATION

You may confirm your reservation(s) by email dsouthern@shreveportbar.com,

Phone 222-3643 Ext 3 or Fax 222-9272.

I plan to attend the February Luncheon.

Attorney: _____

Please remember to call and cancel if you are unable to attend.

The SBA pays for each reservation made.

No-shows will be invoiced.

Thank You!