

THE BAR REVIEW

PUBLICATION OF THE SHREVEPORT BAR ASSOCIATION

Volume XXXII, Number 7 • September 2025

INSIDE | SEPTEMBER

President's Message 1

News from the SBA Legal Community
Support Staff Committee..... 3

How Write You Are..... 4

Federal Update 5

Second Circuit Highlights 6

Bar Briefs 8

Announcing the 2026 SBA Officers..... 9

Pro Bono: Do Good Work..... 10

2025 Access to Justice 11

Harry V. Booth – Judge Henry A. Politz
American Inn of Court 13

North Louisiana Appellate Practice
Highlights 14

James C. McMichael Trial Advocacy
Lunch and Learn Series Highlights..... 15

EVENTS AT A GLANCE

9/12 Krewe of Justinian Coronation Bal

9/17-18 Recent Developments
by the Judiciary

9/24 SBA Member Luncheon
12:00 p.m. - Petroleum Club

10/22 SBA and BPAIC Joint Member
Luncheon – 12:00 p.m.
Petroleum Club

From The President

by Elizabeth M. Carmody, elizabeth.carmody@cookyancey.com

The Importance of Adventure and Travel



I hope everyone was able to spend quality time with family and friends this summer. I know our jobs as lawyers never stop but hopefully those of you with children, family and/or friends who endured the academic year were able to take a moment while they were out of school to at least slow down a little bit. I was fortunate enough to share with my daughter the city where I spent my summer abroad after my first year of college (Paris) before I dropped her off at her summer abroad program in Barcelona, Spain. John and I were thrilled to be able to give her the experience she applied for to enjoy.

I left Barcelona on July 5, the morning after I learned of the horrific tragedy of the Guadalupe River flood.

The Hill Country of Texas will always have a special place in my heart having grown up spending time there and having gone to and sent our children to summer camp there. In fact, our daughter spent the first two weeks of June working as a counselor there. This flood hit far too close to home.

My heart breaks for those who lost loved ones in that tragic flood. We recently saw a friend who lives in Houston whose daughter was a counselor at Camp Mystic the term before the flood occurred. Our friend and his family attended the funerals of five children who died in the flood. It is absolutely too much to comprehend and so heartbreaking. Please take a moment to pray or think about those whose lives have certainly changed because of that July 4 flood.

Again, “The clock of life is wound but once ...” Love your people and do not ever miss the opportunity to share meaningful experiences with them or to tell them you appreciate and love them. Make the time to take the trips, go to lunch or make the telephone call. You will never regret doing those things.



My mother encouraged me to go to Aix-en-Provence, France, for summer school after my first year of law school at LSU – the summer after my father passed away. As many LSU law grads who went to summer school in France can attest, we had classes only four days a week so we could take long weekends to travel elsewhere. I cannot thank my mother enough for that opportunity to explore, travel and see so many beautiful parts of the world. The memories I have of the incredible meals eaten and sights seen with friends will last me a lifetime.

As part of the Lead Abroad program that our daughter attended in Spain, she, along with her

Continued on page 2

2025 Shreveport Bar Association Officers & Executive Council

Elizabeth M. Carmody
President

J. Marshall Rice
President-Elect

Gerald M. "Marty" Johnson Jr.
Vice-President

Kenneth P. Haines
Immediate Past President

Garrett Hill
Secretary-Treasurer

Members at Large
Sam Crichton
Heidi Kemple Martin
Hon. Emily S. Merckle
Lance Gordon Mosley II

Hon. Donald E. Hathaway Jr.
Judicial Liaison

Gregory Trompé
President, Young Lawyers' Section

A. Chandler Higgins
President, Women's Section

Holland Miciotto
Captain, Krewe of Justinian

Ranee Haynes
Secretary/Treasurer-Elect

Editorial Board
Dana M. Southern
dsouthern@shreveportbar.com

Hal Odom
rhodom@la2nd.org

Chris Slatten
Chris_Slatten@lawd.uscourts.gov

Shreveport Bar Staff
Executive Director
Dana M. Southern
dsouthern@shreveportbar.com

Pro Bono Coordinator
Lucy Espree
lespree@shreveportbar.com
Pro Bono Coordinator

Outreach Coordinator
Linnae Magyar
lmagyar@shreveportbar.com

Paralegal
Callie Jones
cjones@shreveportbar.com

Staff Attorneys
Mary E. Winchell
mwinchell@shreveportbar.com

Audrius M. Reed
areed@shreveportbar.com

(318) 221-8104
(318) 222-3643 • Fax 222-9272
www.shreveportbar.com

The Bar Association reserves the right, in its discretion, to decline to accept articles and advertisements from any individual, corporation, partnership, entity, group or association, without the necessity of giving a reason for its declination.

SEP 2025



schoolmates, were encouraged to write a note of gratitude to each of their respective parents for being permitted to attend summer school in Barcelona. Her note to us was beautiful, but the best gifts to us were the photos and videos of, and texts about, all the exciting things she was doing while there, the friends she had made and the meals she had enjoyed. Our daughter returned to Louisiana with a new perspective and a greater ability to just "roll with it" and live fully within those precious moments of life.

Traveling is important because it expands our horizons in ways that staying in one place never could. It allows us to step outside our daily routines and experience new cultures, foods, languages and traditions, giving us a deeper appreciation for the diversity of the world. Travel also challenges us – navigating unfamiliar places builds confidence, adaptability and problem-solving skills. As the French novelist Gustave Flaubert once said, "*Travel makes one modest. You see what a tiny place you occupy in the world.*" His words capture how travel humbles us, reminding us that our lives are just one small part of a vast and interconnected whole. Beyond personal growth, traveling creates lasting memories and connections with people and places that shape how we see ourselves and others. In many ways, traveling gives us perspective, reminding us of both how big and how interconnected the world truly is.

As we move forward into the busyness of another academic year and the demands of our work, may we hold on to the lessons that travel, family and even tragedy teach us. Life has a way of reminding us – sometimes gently, sometimes with heartbreaking force – that every day is a gift. Staying present with the people we love, appreciating the small joys and carrying humility in our hearts keeps us grounded no matter where we are. Whether near or far, at work or away, let's not miss the daily opportunities to pause, give thanks and live fully in the moments we are given.



News from the SBA Legal Community

Support Staff Committee Update

by Karen McGee, Committee Chair, kgmcgee2@gmail.com

Membership in this exciting group continues to grow.

Welcome to our three newest members:

Sherry Bell
Rice & Kendig, LLC
Jessica Milam
City Tele-Coin, Inc.

Tiffany M. Green
Gilsoul & Aronson, LLC

Members of the Committee held their first business meeting on May 1, electing officers and committee chairs, and began planning the 2025 calendar. Those holding office are:

Chair	Karen Greer McGee, ACP; Second Circuit Court (retired)
Vice-Chair	Jan Melton, CP/LCP; Hayter Reynolds
Membership Chair	Maria Hawkey; Rice & Kendig Injury Lawyers
Education Chair	Callie Jones; Shreveport Bar Foundation
Secretary	Amber Steele; Richie, Richie & Oberle, LLP
Job Bank Chair(s)	Ronda Bean; Twenty-sixth Judicial District Court and Amanda Matranga; Rice & Kendig Injury Lawyers
Social Media Chair(s)	Kristen Sharp; Ryan E. Gatti and Haley Scally; Miramon Law, Inc.

In June, our members met and shared our “most valuable professional resources” – whether it be people or organizations, computer programs or software, publications or online sources. So much great information was shared and everyone learned a lot. Many thanks to attorney Bill Kendig for sponsoring dinner for this meeting.

In July, the members held a fun social event at Bayou Axe Throwing in Bossier City, sponsored by attorney Ryan Gatti. While playing, the group also worked to finalize our request for a Governor’s Proclamation of National Paralegal Day. Callie Jones was the top axe thrower, and several members were superstars in the Music Bingo contest.

On August 5, LCSSC held a reception to formally recognize August 6 as National Paralegal Day. This day celebrates the work that paralegals do to provide essential support to attorneys, law firms, courts and government agencies. We proudly displayed proclamations from La. Governor Jeff Landry, Shreveport Mayor Tom Arceneaux and Bossier City Mayor Tommy Chandler. Attorney Kenneth Haines sponsored the reception, and our special guest speaker was local legal legend, Carol Paga. Ms. Paga shared how she worked for decades in northwest Louisiana as a one-woman Job Bank, connecting employers looking for legal support staff with those looking for jobs in the legal profession. Honored guests at the reception also included attorneys Kenneth Haines, immediate past SBA President; Elizabeth Mendell Carmody, current SBA President; and J. Marshall Rice, SBA Vice-President. Their continuing support is so appreciated.

For more information on National Paralegal Day, see <https://nala.org/paralegal-info/national-paralegal-day/>.

BIG NEWS! The LCSSC’s LinkedIn page is now up – find us at “Shreveport Bar Association Legal Community Support Staff Committee.” Be sure to “Follow” and watch for more information to be shared on that page. Future plans include a September educational program on the new District Court e-filing rules that go into effect January 1, 2026, and a fall membership drive including visits with local high school students interested in working in the legal profession. Nonlawyers and those working in or whose goal is to work in the legal profession, are encouraged to submit their voting or student membership application to be part of this groundbreaking Committee. As we fully launch the Committee this year, dues for the year 2025 are waived. Watch for SBA Communiqués, emails and The Bar Review for information about professional education, networking and service opportunities.

How Write You Are

by Hal Odom Jr., rhodom@la2nd.org

Auto©orrect alert. A paid legal notice in *The Times* (6/12/25) caught my attention, perhaps for the wrong reason. It began: “Notice is hereby given pursuant to Article 7, Section 23© of the Louisiana Constitution and R.S. 47:1705(B) that a public hearing * * *.” Of course, the subsection referred to is properly cited “Section 23(C),” but the autocorrect function of Word registers a letter C inside parentheses as ©, the copyright symbol. This might be handy in other contexts, but in legal writing the subsection should be correctly identified.

The very next day a different public entity bought the same 3 x 4 space on the same page (3A) but began this way: “Notice is hereby given pursuant to Article 7, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B) that a public hearing * * *” (underline in original). In other words, this entity noticed what autocorrect can do when the author is not paying attention, and then fixed it!

Legal writers can easily avoid this problem by watching the monitor. If you type (+ C +), and see it converted to ©, just backspace over the symbol and Word will quickly return you to what you typed, (C). This is common knowledge; I cannot © it.

Spoiling your spelling. Does something spoil your experience when you read the following passages, from published opinions? “She made no argument regarding *spoilation* of evidence[.]” *State v. Craft*, 22-553 (La. App. 3 Cir. 2/1/23), 355 So. 3d 1237. “Defendant states that *spoilation* strictly involves ‘intentional destruction of evidence.’” *Owens v. Bd. of Supers.*, 695 F. Supp. 3d 750 (M.D. La. 2023). “This is an action for damages based on claims of products liability and intentional *spoilation* of evidence under Louisiana law.” *Daniel v. Biomet Orthopedics Inc.*, 2025 WL 867564 (M.D. La. 2025).

The word intended is *spoliation*, defined as “the intentional destruction or material alteration of evidence.” The much more familiar word *spoil*, which means to diminish the quality of something or let it go bad, seems to take precedence. In all fairness, both words are derived from the same root, the Latin *spolium*, meaning “booty”: *spoil* arrived in English through French, via the Norman conquest, while *spoliate* was a bit of academic vocabulary coined in the 18th century and borrowed straight from classical Latin. Either way, the standard legal term is *spoliation*, as one court discreetly corrected: “By his first argument, ‘Intentional Spoilation [sic] of the Evidence,’ Fobbs argues * * *.” *Fobbs v. CompuCom Syst. Inc.*, 55,173 (La. App. 2 Cir. 9/27/23), 371 So. 3d 1146.

The familiar and indispensable Spell Check will not peg *spoliation*, perhaps because the word is so ubiquitous. Careful writers simply must pay attention and not let careless spelling spoil their writing.

I’m not buying it. The Supreme Court recently related the facts of a juvenile offense: “K.B., who was riding one of the two bikes, ‘began to *peddle* off’ and in doing so crossed Lt. Verret’s driver’s door path.” *State v. KB*, 24-00491 (La. 5/9/25), 408 So. 3d 938. The internal quote marks show the court was quoting the lieutenant’s



written report or a court reporter’s transcript of his testimony; still, the word choice is wrong, but not unprecedented. The police stopped the defendant “on the basis of the illegal manner in which the defendant operated his bicycle against traffic and *peddling* headlong across the paths of oncoming vehicles[.]” *State v. Washington*, 00-1936 (La. 12/15/20), 775 So. 2d 1066. “Instead of *peddling* the bike away from the scene, however, he removed from it a brown paper bag which contained a loaded Arminius Titan Tiger .38[.]” *State v. Journet*, 629 So. 2d 1387 (La. App. 3 Cir. 1993).

The word used, *peddle*, means *sell itinerantly or on the street*, as in a statute that allows farmers in small municipalities (under 25,000 population) “to sell or *peddle* farm produce on the streets, avenues, and alleys and in public places located within the municipality.” La. R.S. 33:4833. It also means *sell controlled dangerous substances illegally*. “Mid-level dealers do not *peddle* dime bags on the street[.]” *State v. Watson*, 47,980 (La. App. 2 Cir. 5/15/13), 135 So. 3d 693.

The word intended is *pedal* – a device operated by foot or to operate a pedal, as to make a bike go. Legal writers usually get this right, as did the author of *State v. KB*, later in the opinion: “Without reason to suspect K.B. of being involved in a crime, evidence that he began to ‘*pedal* away’ cannot support a finding of reasonable suspicion.” (Again, note the internal quote marks!) “She watched as Youngblood *pedaled* his bicycle into his mother’s yard[.]” *State v. Youngblood*, 41,976 (La. App. 2 Cir. 5/9/07), 957 So. 2d 305.

If someone tries to peddle a bicycle, don’t buy it.

Polish those sentences! A few errors popped up in opinions about excessive sentences. Consider:

“Any lesser sentence would *depreciate* the seriousness of the defendant’s crime, which ended a life.” *State v. Clement*, 2023-1356 (La. App. 1 Cir. 12/10/24), 404 So. 3d 739. The arcane term chosen by the legislature in La. C. Cr. P. art. 894.1 A(3) is “*deprecate* the seriousness of the offense.” This unusual word means *express earnest disapproval of* and, in its context and with heavy parsing, seems appropriate. The other word, *depreciate*, means *devalue*, and would also seem suitable. Legal writers simply must remember that discussions of sentencing guidelines must use *deprecate the seriousness*, and probably never use the word anywhere else.

“[The court] determined a lesser sentence would *depreciate* the seriousness of the crimes[.]” *State v. Yetman*, 54,883 (La. App. 2 Cir. 1/11/23), 354 So. 3d 1262 (headnote supplied by Thomson Reuters). Please note, the correct word appears in the body of the opinion; the error is exclusively the publisher’s!

“Any *lessor* sentence than that issued herein would *deprecate* or lessen the seriousness of the crimes committed[.]” *State v. Randall*, 2024-339 (La. App. 3 Cir. 2/5/25), 407 So. 3d 792. The defendant was not a landlord, so we should not consider him for a *lessor* sentence!



Federal Update

by Chris Slatten, Chris_Slatten@lawd.uscourts.gov

Citizenship and Relevant Time: The relevant time for assessing a party's citizenship/domicile for diversity jurisdiction is when the complaint is filed in federal court or—for removed cases—both

(1) when the state-court petition was filed and (2) at the time of removal. *Coury v. Prot*, 85 F.3d 244, 248 (5th Cir. 1996).

It's usually not an issue, but an individual defendant in a recent case changed citizenship after the accident that gave rise to the suit, but the filings from the lawyers were fuzzy about when the guy moved. The court had to order them to file a stipulation (or duke it out) as to his citizenship/domicile on the relevant dates.

This can also be an issue when an LLC or partnership is a party. When you ask your client about the identity and citizenship of the members or partners, be sure to specify the relevant date(s). Membership interests could easily change between the state-court filing and removal, which can be several months apart in some cases.

Court Reporter Glossary: Court reporters do a better job if they know in advance the names of key witnesses and parties, technical or medical terms, and case names (*Faragher-Ellerth*, *Oncale*, etc.) that will be used at trial. In an effort to help them out, WDLA judges will soon include in scheduling orders or pretrial conference minutes a deadline (14 days before trial) to submit a glossary of names/terms. There is an example Real-Time Glossary on the court's website under the tab for Court Reporters & Transcripts.

The glossary requirement applies to all parties, regardless of whether they request real-time reporting services. For those who do want real-time, the same 14-day deadline applies to make the request. The glossary and any request for real-time should be sent to lawd_realtime@lawd.uscourts.gov.

Plaintiff-Friendly Fee Decision: Many attorney's fee decisions seem to take delight in reducing or eliminating fees. That is not the case in *Badon v. Berry's Reliable Resources*, 2025 WL 2206972 (5th Cir. 2025), where you can tell the panel was sick of the defendant's losing arguments and appeals that littered the case from start to finish.

The plaintiffs in the FLSA (overtime; minimum wage) case won at trial on 20 of 21 claims and then sought fees. They submitted trial counsel's affidavit and an affidavit from a local attorney who confirmed that a \$350 hourly rate is reasonable in the Greater New Orleans area. Plaintiffs also cited comparable cases involving attorneys of similar experience and skill in the same geographic area, where courts approved rates at or above \$350 per hour. The district court awarded \$300 an hour, and the 5CA found no abuse of discretion. The 5CA noted that it had earlier "held that \$300 was an appropriate rate both in the Eastern District of Louisiana and in this circuit generally" for an FLSA case.

Defendant BRR also challenged the number of hours billed, but their own aggressiveness bit them. "Even if this case 'did not involve any complex legal issue,' as BRR suggests, the litigation was protracted and contentious—thanks to BRR's own 'frivolous and often wasteful' conduct. Over four years, BRR's obstructive tactics—frivolous motions, combative discovery, and multiple interlocutory appeals—required significant time to address. That time is compensable."

BRR argued that the fees were excessive based on the amount recovered. "BRR claims Plaintiffs recovered only \$32,269.60 in liquidated damages. But that figure omits key components of the judgment. As the record shows, Plaintiffs were awarded at least \$90,431.31, *plus* post-judgment interest exceeding 4% per annum, *plus* liquidated damages—for a total award of at least \$122,700.91. Comparing the fee award to just the liquidated-damages component is misleading."

Badon is unpublished, but it should be noted by plaintiff's lawyers. It is one-stop shopping for several fee-friendly quotes and published decisions.

Federal Enclaves: The Constitution empowers Congress to "exercise exclusive Legislation in all Cases whatsoever, over" Washington, D.C. "and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings...."

Such places are called federal enclaves, and Congress has created thousands of them, including Barksdale AFB (1930) and Hot Springs NP (1904). The law within these places is often mysterious. The civil laws in effect in the state at the time of cession (perhaps in the 1800s) are often applicable, without regard to later changes in state law. Congress has passed the Assimilated Crimes Act, which applies current state criminal law to enclaves when there is no applicable federal law. And it has passed 28 U.S.C.A. § 5001, which applies current state law to wrongful death and injury cases. But there are still many areas where the civil law is trapped in time. DeVeaux, *Trapped in the Amber: State Common Law, Employee Rights, and Federal Enclaves*, 77 Brook. L. Rev. 499 (2012).

The 5CA recently applied the enclave doctrine to wipe out claims by military families at Randolph Air Force Base who sued a private housing provider because of mold and other issues. Many of the state laws the families sued under did not exist when the base was ceded to the feds in 1951, so they did not apply. *Vinales v. AETC II Privatized Hous., LLC*, 146 F.4th 434, 2025 WL 2047953 (5th Cir. 2025).



Second Circuit Highlights

by Hal Odom Jr., rhodom@la2nd.org

Not the triumph of the will. Ms. Baggett passed away in August 2022, leaving a house in Pierremont Acres. Her husband predeceased her and she had no children. Almost nine months later Mr. Fite, her neighbor, filed a petition to be named administrator of her estate, alleging she died intestate and, since her death, he had become a creditor of the estate, as he picked up trash from her yard and incurred costs on his own property due to the deterioration of Ms. Baggett's house. The court named him administrator. Then in April 2024, Mr. Fite filed a petition for eviction and to declare a purported notarial testament invalid. This alleged that Ms. Rhyns, Ms. Baggett's former caretaker, was still living in the house and was asserting a notarial will that Ms. Baggett had executed in 2021: under the will, Ms. Rhyns got the house. Mr. Fite argued this will was invalid because it was not notarized and, further, the notary had tried to fix the defect by filing an affidavit of correction (dated before Mr. Fite's original petition).

Days later, Ms. Rhyns filed her own petition, to probate the will and remove the administrator, asserting that two days after executing the challenged will, Ms. Baggett executed a two-page codicil confirming the provisions of the original, unnotarized will. She asked the court to treat the will plus the codicil as together forming a valid will. Mr. Fite countered that the codicil was invalid because Ms. Baggett signed only the first page, not the second. The parties also exchanged exceptions of no right of action.

After a trial, the district court invalidated both the will and the codicil: the will, because the notary failed to sign it, and the codicil, because the testator failed to sign the final page. The judgment denied all relief sought by Ms. Rhyns and granted Mr. Fite's rule for eviction, ordering her to vacate the property within three days. Ms. Rhyns appealed, and Mr. Fite answered.

The Second Circuit affirmed, *Succession of Baggett*, 56,266 (La. App. 2 Cir. 5/21/25), in an opinion by Judge Marcotte. Ms. Rhyns raised a strong policy argument: the testator's intent is the paramount consideration, and notarial testaments should be liberally construed to give effect to that intent. *Succession of Bruce*, 20-239 (La. 1/27/21), 315 So. 3d 193. Equally strong, however, is La. C.C. art. 1573: "The formalities for the execution of a testament must be observed or the testament is absolutely null." Perhaps the chief formality, under Art. 1577, is that the notary must sign the attestation clause, and this simply did not happen. The leeway of "substantially similar" compliance, in Art. 1577 (2), applies only to the phraseology of the attestation clause, not to the presence or absence of the notary's signature. As for the codicil, it was subject to the requirement that the testator sign "at the end" and "on each separate page," under Art. 1577 (1): this simply did not happen, and it is a defect that nullifies the will, *Succession of Frabbiele*, 24-00091 (La. 12/13/24), 397 So. 3d 391. As a result, the will and codicil amounted to nothing for Ms. Rhyns; she got marching orders to vacate the premises. However, the court denied Mr. Fite's claim for damages, finding the appeal was not frivolous.

The case illustrates the continued importance of knowing, and following, all the formalities for a notarial testament. No doubt because of the circumstances of Ms. Baggett's diminished health and restricted mobility, she and her caretaker secured the services of a "traveling notary" to execute the will and, later, try to fix it. Alas, all the effort was to no avail. I have long wondered about the statutory requirement for notaries public to post a bond every five years

(currently \$10,000, but slated to rise to \$50,000, effective February 1, 2026), under R.S. 35:71; I also wonder whether the bond will be invoked by Ms. Rhyns. Mercifully, licensed attorneys are exempt from the bond (since 1988!), but it's no cause for complacency. A claim like this one would go straight to malpractice.

You must serve: the saga. The Robinsons' daughter, Amarjai, was a student at Morehouse Elementary School, in Bastrop. In September 2023, they filed a suit for damages alleging that Amarjai's teacher, Ms. Heckford, got angry, committed an assault and battery on Amarjai and refused to render any medical assistance; the school failed to notify the Robinsons or call law enforcement about the incident; and, as a result, parents and child suffered mental and emotional distress. The petition named as defendants the Morehouse Parish School Board, its president, six members of the Board and Ms. Heckford. However, the petition requested service only on the president, and not on any other named defendant. Some 4½ months later, the other defendants filed a declinatory exception of insufficiency of service with a motion for involuntary dismissal. After a hearing, the district court granted the exception and dismissed the claims against those defendants without prejudice. The Robinsons appealed.

The Second Circuit affirmed, *Robinson v. Morehouse Parish Sch. Bd.*, 56,289 (La. App. 2 Cir. 5/21/25), in an opinion by Chief Judge Pitman. Under La. C.C.P. art. 1201 C, service of citation shall be requested on all named defendants within 90 days of filing the action; under Art. 1672 C, the penalty for failure to do so is involuntary dismissal. At the hearing in the district court, counsel for the Robinsons candidly admitted the record did not show service on anyone but the president. With that, there was no alternative but to affirm the involuntary dismissal. The court also affirmed a separate judgment sustaining the president's exception of no cause that asserted the immunity of La. R.S. 17:439. Critically, the petition alleged no actions or inactions on the president's part that would have removed him from the immunity.

Ms. Heckford had another student, TW, whose mother, Ms. White, filed a similar tort action alleging the teacher committed assault and battery on her in the classroom. This petition named the same defendants (the School Board, its president, its members and Ms. Heckford) and made the same request for service on the president only. Some 4½ months later, the other defendants filed a declinatory exception of insufficiency of service with a motion for involuntary dismissal, which was granted. Ms. White appealed.

The Second Circuit affirmed, *White v. Morehouse Parish Sch. Bd.*, 56,290 (La. App. 2 Cir. 5/21/25), in an opinion by Judge Stephens. The discussion mirrors that in *Robinson*, with the similar observation that counsel conceded the failure to request service. The court also affirmed the exception of no cause and the dismissal, with prejudice, of the president under R.S. 17:439.

These cases, together with *Franklin v. City of Bossier*, 56,192 (La. App. 2 Cir. 4/9/25), 409 So. 3d 1052 (summarized in the June issue), should hammer home the importance of requesting service on all defendants within 90 days. The courts are serious about Art. 1201.

The problem of the shrinking faculty. In 2006, Grambling State University hired Dr. Nwoha as an assistant professor in its Economics department; in 2012, he gained tenure. That same year, Grambling merged three departments – Accounting, Economics, Computer Information Systems – into one, called AEIS. Some professors had to start teaching classes in the allied programs; Dr. Nwoha taught computer info systems in addition to economics.

Then, in 2017, the Board of Regents decided to discontinue Grambling's Economics degree program, owing to low enrollment and low degree completion rates. Grambling's provost and VP of Academic Affairs recommended terminating two of the four tenured Economics professors, Dr. Nwoha and one other (hired in 2006 and 2009, respectively) and retaining two others (hired in 1980 and 2005). Grambling's president advised Dr. Nwoha by letter of August 1, 2017, that his program was being axed and his appointment would end at the close of the academic year, May 11, 2018; the letter also encouraged him to use the university's "outplacement assistance." Dr. Nwoha taught the next two semesters – Fall 2017 and Spring 2018 – and in April 2018 wrote the president seeking continuation of his position, by a transfer to the Computer Info Systems program, and advising that he would contest his termination. He complained he had more seniority than an accounting/finance professor who was being retained. However, Grambling did not alter its decision.

Dr. Nwoha filed suit in May 2019 against Grambling and its Board, seeking damages for wrongful termination and alleging the Board failed to follow the termination provisions of its own faculty handbook. The defendants filed an MSJ urging that Grambling lacked procedural capacity to be sued and the Board breached no duty to Dr. Nwoha; a second MSJ urged the petition was prescribed. The district court granted both motions, dismissed all claims, and Dr. Nwoha appealed.

The Second Circuit affirmed, *Nwoha v. State*, 56,090 (La. App. 2 Cir. 5/21/25), in an opinion by Judge Hunter. The court parsed several passages from Grambling's faculty handbook, confirming that the school gave Dr. Nwoha the required "not less than two full academic semesters/three full quarters notice prior to termination." The court then rejected the argument that Grambling should have fired somebody other than Dr. Nwoha, specifically a professor in the AEIS department but in a different program, Computer Info Systems, who had less seniority: the handbook simply did not require this. Finally, the court confirmed that a claim for wrongful discharge was, at the time, subject to the one-year prescriptive period for torts, La. C.C. art. 3492. Grambling sent notice of termination on August 1, 2017, advising that his final day would be May 11, 2018; Dr. Nwoha acknowledged this in his letter of April 26, 2018; but he didn't file suit until May 10, 2019. There is no way to turn back the clock.

The court also recognized that since August 1, 2024, the prescriptive period for a tort claim has been extended to *two years*, under new La. C.C. art. 3493.1. Had these events happened seven years later, the action would have been timely. However, given the court's reading and application of the faculty handbook, it is unlikely that Dr. Nwoha could have held onto his post. The reality is that when the numbers are not there, some unfortunate faculty member(s) will be shown the door.

Skirting the 75%. A co-owner of land may grant a valid mineral lease or permit for surveys as to his own undivided interest, but the lessee or permittee may not exercise those rights without the consent of co-owners comprising at least 75% undivided interest in the land. La. R.S. 31:166. (Prior to 2019, 80% was required.) Back in 2008, James and Vernon Mears, owners of 50% interest in a tract in DeSoto Parish, granted a mineral lease to Suncoast, which promptly assigned it to Chesapeake; a year later, Bonchasse Land, the other 50% owner, granted a mineral lease to EXCO, but the latter lease prohibited "surface operations of any kind." Later, Bonchasse acquired the Mearses' 50% interest; as a result, Bonchasse owned 50%, an entity called Bonchasse 3015 owned 25% and an entity called Bonchasse LLC owned the final 25%. In 2022, Chesapeake sued them all, claiming they were interfering with Chesapeake's operations on the property, specifically, the installation of a well pad.

The district court initially granted a TRO, but the matter went to trial on the preliminary and permanent injunction. Evidence showed that the defendants had allowed Chesapeake to enter the property and survey in preparation for a drill site; Chesapeake had filed a permit application with the Dept. of Conservation, spent over \$40 million and sent the defendants multiple emails regarding a "drill site proposal." However, the defendants never responded to these proposals; nevertheless, Chesapeake started building an access road and filed suit five days later. The court found the sides had never reached an agreement to let Chesapeake lay the road and well pad; without this, Chesapeake could not proceed. The court dissolved the TRO and denied injunctive relief. Chesapeake appealed.

The Second Circuit affirmed, *Chesapeake La. LP v. Bonchasse Land & Timber LLC*, 56,287 (La. App. 2 Cir. 5/21/25), in an opinion by Judge Cox. The court distinguished two similar cases, *Nunez v. Wainoco Oil & Gas Co.*, 488 So. 2d 955 (La. 1986), on grounds that those owners "participated" in the plaintiffs' operations, and *Nunez v. Wainoco Oil & Gas Co.*, 606 So. 2d 1320 (La. App. 3 Cir. 1992), on grounds that those plaintiffs' operations had been "temporary" and the damage restored. Consenting merely to the survey was not enough. Further, Bonchasse's silent rejection of the proposal spoke for the 50% interest opposing it; this was not enough to create consent of the 75% undivided interest required by § 166.

I suspect further negotiations will be undertaken.

A little less agency now. Back in April, I wrote about *Succession of Lynch*, 56,052 (La. App. 2 Cir. 2/26/25). A quick synopsis is not really possible, but I'll try. Lynch had executed a will leaving everything to his wife, to the exclusion of his children; simultaneously, he executed durable POA naming his wife as agent and a friend, Nolin, as successor agent; two years later, the wife predeceased him, so Nolin became his agent. Lynch himself was critically ill in the hospital with COVID-19 at the height of lockdowns; some friends advised him he needed to get his affairs in order, but he was quarantined and inaccessible for consultation or signing of documents. Lynch's attorney and Nolin devised a plan to use the durable POA to create a trust and transfer virtually all Lynch's property to it; they executed these documents about four hours before Lynch died, with the result that the estate was almost empty. In the succession case, the district court approved these legal devices: the document creating the trust, the assignment and the warranty deed. The Second Circuit affirmed, reasoning that all were within the powers designated in the durable POA. Judge Thompson dissented.

Lynch's children applied for rehearing, which the Second Circuit granted, now reversing the First JDC (and its own prior opinion), *Succession of Lynch*, 56,052 (La. App. 2 Cir. 7/2/25), in an opinion by Judge Thompson. The new majority found that the instruments and transactions executed right before Lynch's death exceeded the powers conferred in the durable POA; some of the actions bordered on self-dealing; and, most of all, a transcript of the phone call that started the whole enterprise did not convince the new majority that Lynch himself initiated or even contemplated the scheme. (Who would have thought to record the phone call? Apparently, the attorney's younger associate did.) The court nullified the trust, assignment and warranty deed, returning all property to Lynch's estate. Chief Judge Pitman, who authored the original opinion, and Judge Ellender, who signed it, dissented, stressing the district court's vast discretion in interpreting the documents and assessing the motives of the players.

The quick message, for those still reading, is that filing an application for rehearing from a Second Circuit opinion is not just a rhetorical exercise. Sometimes it is successful.



By David Tullis

SECOND CIRCUIT RECOGNIZES EMPLOYEES

The Second Circuit Court of Appeal recently recognized eight employees for their years of service to the court.

Hal Odom Jr., senior research attorney for Judge Danny Ellender, 40 years with the court. Hal originally came to work for the late Judge Bill Norris III in September 1984, first in satellite chambers in the former Ouachita Parish School Board building, in West Monroe, then moving to the Second Circuit's new building in Shreveport in late 1990. After Judge Norris retired, in 2002, Hal went to work for his successor, Judge D. Milton Moore, continuing until Judge Moore's retirement, at the end of 2022. Since January 2023 he has worked for Judge Ellender. Hal has been a coeditor of, and contributor to, *The Bar Review* since 2000, and *La. Bar Journal* since 2007. He is a member of the Judge Fred Fudickar Jr. American Inn of Court, in Monroe, and is a frequent presenter at IOC meetings and SBA seminars.

Jenny Segner, Central Staff director, 35 years. Jenny began in Central Staff, under former Staff Director Bill Lowe, in 1986, and became a research attorney for the late Judge Fred Sexton and, later, for Judge Lemmie O. Hightower. After a stint in private practice, she returned to the court, first under Judge Sexton, and then for terms with Judge Hightower, Judge Bob Kostelka and Judge Jay Caraway, and returned to Central Staff in 2016 as Assistant Staff Director. The court elevated her to Staff Director on September 1, 2022, and she supervises all Central staff attorneys.

Robin Jones, Clerk of Court, 25 years. Robin began with the court in 1998, in Central Staff, left for a few years in private practice, and returned as a research attorney for Judge Kostelka in August 2000, then for his successor, the late Judge John Larry Lolley, in 2003, and for his successor, Judge Jimbo Stephens, in 2017. The court appointed her Clerk of Court/Judicial Administrator in November 2020.

Ann Logan Swearingen, senior research attorney for Chief Judge Frances Pitman, 15 years. Before her time at the Second Circuit, Ann was a staff attorney at the First Circuit, in Baton Rouge, from 1985-1998. She came to the Second Circuit's Central Staff in 2010 and moved to Judge Pitman's office in 2013.

Megan Poljak, research attorney for Judge Jeff Thompson, five years. Megan began her career as a law clerk for Judge Elizabeth Foote, of the Western District of La., and then spent several years in private practice before coming to work for Judge Thompson in 2020.

Ann Rene Hankins, research attorney for Judge Jeff Thompson, five years. Ann Rene was first hired in Central Staff, in 2014, left for several years in private practice, and returned to Central Staff in June 2020. She began working for Judge Thompson in November 2021.

Also acknowledged were **Ashley Stripling** and **Pam Branagan**, for 10 years with the court. Ashley is the judicial assistant to Judge Stephens and earlier worked as a secretary in Central Staff; Pam is the Clerk of Court's administrative assistant.



Receiving recognition for service at the Second Circuit were Ann Logan Swearingen (15 years), Robin Jones (25 years), Hal Odom Jr. (40 years), Jenny Segner (35 years), Ann Rene Hankins (5 years) and Ashley Stripling (10 years). (Photo by Heather Courtney)

SBA MEMBERSHIP SURVEY PRIZE DRAWING WINNER ANNOUNCED



We are pleased to announce that **Mr. Ted Cox** has been selected as the winner of our recent prize drawing. We extend our congratulations to Mr. Cox on this recognition and thank all participants for taking part in the member survey.

Ted was excited to receive his gift certificate as was his golden doodle Heidi when Ted said, “Congratulations Heidi you’ve got a supply of Parina dog house for a year”!



ANNOUNCING THE 2026 SBA OFFICERS

The Officer-Nominating Committee, consisting of the five immediate past presidents of the Shreveport Bar Association, recently met and nominated the following officers who will serve on the SBA Executive Council in 2026.

Vice-President

Gregory H. Batte

Secretary-Treasurer Elect

Meredith Bro

SBA President-Elect **J. Marshall Rice** will automatically elevate to the office of President, **Gerald M. “Marty” Johnson Jr.** to the office of President-Elect, and **Ranee Haynes** will serve as Secretary-Treasurer.

The two Member-At-Large positions (serving in 2026 and 2027) on the Executive Council will be filled by **Heidi Kemple Martin** and **Judge Emily Merckle**.



Gregory H. Batte



J. Marshall Rice



Gerald M. Johnson Jr.



Meredith Bro



Ranee Haynes



Heidi Kemple Martin



Judge Emily Merckle

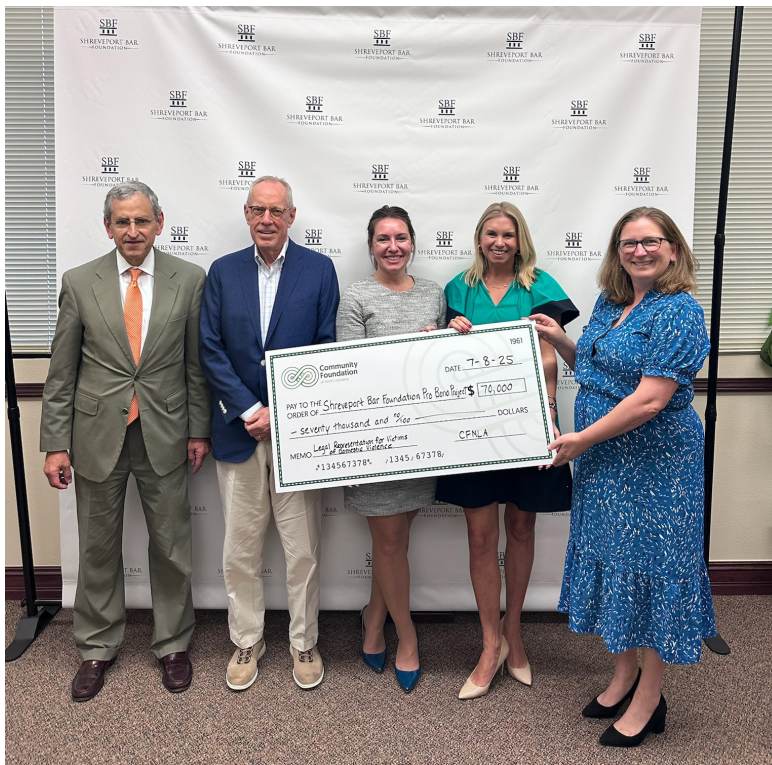


Do Good Work

Hon. Henry A. Politz



Shreveport Bar Foundation Receives Grant from Community Foundation of North Louisiana



L-R Brian Homza, Don Weir, Valerie DeLatte, Allison Foster and Kate Pedrotty

Kate Pedrotty, Director of Community Investment with the Community Foundation of North Louisiana (“CFNLA”) presented a grant to the Shreveport Bar Foundation (“SBF”) Board Members for \$70,000.00. This grant was made possible because of the Colonel and Mrs. John H. Tucker, Jr. Fund, a fund special to CFNLA, as Colonel John H. Tucker, Jr. is the founder of the Community Foundation of North Louisiana. As an attorney, Colonel Tucker worked with clients who sought to leave a financial legacy for the benefit of the Shreveport and Bossier communities. He had a vision of how a cooperative community foundation could provide a means to address the area’s charitable and civic concerns. The groundwork for CFNLA was laid through Colonel Tucker’s thorough research and the interest and determination of a small group of dedicated individuals. For 15 years Colonel Tucker handled the correspondence of the Foundation, dealt with legal matters, and administered the daily operations. Colonel Tucker is known not only as the Founder of CFNLA, but also as a benefactor. When Colonel and Mrs. Tucker died, they left one-third of the principal and income from their residual estate to the Foundation, as well as their McCormick Street residence and most of its contents. The legacy of Colonel and Mrs. Tucker lives on through their philanthropy, their generous donation to CFNLA and, most importantly, the very existence of the Foundation itself. The SBF is very appreciative of CFNLA and of Colonel and Mrs. Tucker. The Community Foundation has donated more than \$591,000.00 to the LRVDV program since 2016.

This grant will help fund our Legal Representation for Victims of Domestic Violence Protective Order Program. The program provides a free attorney to appear in Caddo and Bossier Parish District courts to assist victims of domestic violence in obtaining restraining orders and related orders when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victims.

2025 Access to Justice Pro Bono Award Recipients

The Louisiana State Bar Association Pro Bono Publico Awards Ceremony was held on May 20, 2025, at the Louisiana Supreme Court in New Orleans. The **2025 Louisiana State Bar Association Pro Bono Publico Award** was awarded to **Heidi Kemple Martin** and **Rebecca Vishnefski**.



L-R Justice Jay McCallum, Heidi Kemple Martin, Laura Derbonne, Becky Vishnefski, Lucy Espree, Dana Southern, and Justice Cade Cole

Heidi Martin joined Nickelson Law Firm in 2018. Heidi's family law practice spans custody, divorce, support and community property issues, as well as truancy, protective orders and child in need of care cases. She is licensed to practice law in Louisiana and Texas and consults on cases involving jurisdictional custody and property disputes. Heidi is a dedicated family law attorney and passionate advocate. Her private practice spans areas of family and children's law. In 2016 Heidi was selected as the first staff attorney of the Shreveport Bar Foundation's domestic violence program, and during her years in that role, she championed the rights of hundreds of domestic violence victims in juvenile and district courts. This work sparked her interest in volunteering, specifically, for children who are exposed to domestic violence. She also uses her family law practice experience to give personalized assistance to those for whom she volunteers. Heidi represents individuals and businesses in a broad spectrum of civil matters but primarily focuses her practice on family law. Heidi was recently appointed as a Hearing Officer to the 26th Judicial District Court where she primarily hears protective order cases. Heidi's favorite client was assigned to her through the Pro Bono Project just last year. This particular client was a young woman who suffered from severe mental health issues. This made it extremely difficult for her to understand the divorce process. Heidi's personalized approach to handling this client, including taking the time to answer each and every question, made a significant difference in this woman's confidence when attending court hearings. After her divorce was complete, the client exclaimed, "That wasn't bad at all!" Heidi's goal is to treat every client as though they are her only client regardless of ability to pay. Heidi's volunteerism extends beyond her service to the Pro Bono Project. She regularly, and presently, represents children exposed to abuse by close family members. Heidi drafts free wills for first responders on an annual basis. Since 2015, Heidi has been a consistent volunteer attorney at the Shreveport Bar Foundation's Ask-A-Lawyer clinic, providing free legal advice for the community at large. For several years, she was proud to serve as a volunteer judge for a Northwest Louisiana regional high school mock trial competition.

Heidi has a bachelor's degree in communication studies (2003), and a Master of Science degree in education (2004) from Texas A&M Univ.-Corpus Christ, and a law degree from LSU Law Center (2013), where she won many awards in moot court and trial advocacy competitions. She is licensed to practice law in Louisiana and Texas. Prior to her legal career, Heidi dedicated over six years to shaping young minds as an educator.

Heidi was recognized as the top family law lawyer for Shreveport/Bossier City by *SB Magazine* in 2022. In 2017, Heidi was named a 40-under-40 honoree for the Young Professional Initiative of the Chamber of Commerce. Heidi has served as a member of the executive council of the Shreveport Bar Association for seven years, is the secretary/treasurer of the Shreveport Chapter of the American Inns of Court and serves on the Senate for the Krewe of Justinian, a nonprofit organization of lawyers. She is a former panel member for the Louisiana Bar Foundation's Northwest Community Partnership. Heidi is also a "room parent" and an active member of the parent association of the Cathedral of St. John Berchmans Catholic School.

Heidi has been happily married to her husband Andrew, who is the past president of the Shreveport Bar Foundation, and a partner at Davidson, Summers, Hearne, Martin and Powell law firm. Together, they reside in Shreveport and have one beautiful nine-year-old daughter.

Becky Vishnefski earned her Bachelor of Arts in Public Administration from LSU Shreveport in 1997. She earned her Juris Doctor from LSU Law in 2000. Becky's legal experience is extensive and widely varied. She was an Associate Attorney with Cook, Yancy, King & Galloway in Shreveport, practicing mainly labor and employment law defense. During that time, she also led many training seminars on the Fair Labor Standards Act and the Family Medical Leave Act. Becky clerked for the Honorable S. Maurice Hicks Jr., United States District Court, Western District of Louisiana. During that time, she was also an Assistant Bar Examiner in Federal Civil Procedure. Becky eventually opened her own private practice as the owner of Castillo Law Firm, LLC., a bilingual law firm which represented clients primarily in family law, criminal defense and immigration matters. Becky launched Vishnefski Law Firm, LLC in 2019. Becky represents clients in family law matters such as divorce, child custody, paternal rights, community property and adoptions. She also represents out-of-state and military clients in enforcing and modifying custody judgments from other states. A smaller, more focused practice allows Becky to provide highly personalized service to each of her clients. Becky is also qualified as a family law mediator to help parties resolve their disputes outside the courtroom.

Becky began volunteering with the Shreveport Pro Bono Project in 2020. She and her assistant/husband David have helped numerous clients with their divorces. On several occasions, Becky or her office has reached out to the pro bono project office seeking additional divorce cases to help as much as needed. Becky takes the time to meet with each client to explain the process in each stage of the case and answer questions. In addition to representing pro bono clients, Becky also participates in the Ask-a-Lawyer clinics.

In law school, Becky was the Articles Editor of the *Louisiana Law Review* and also competed on the Moot Court Team, winning Best Brief in the Region. She graduated 8th in her class (top 5 percent) and is a member of the Order of the Coif. After law school, Becky did a one-year federal clerkship with the Honorable Frank J. Polozola, United States District Court, Middle District of Louisiana. She served as Member at Large of the Shreveport Bar Foundation from 2021 to 2023. Becky has also volunteered to represent defendants during state day at the Caddo Parish courthouse. Becky and her husband David live in North Bossier with their four dogs. Their son, Patrick Castillo, and grandson Thomas, live in Shreveport.

The Shreveport Bar Foundation is able to do all that we do because of the support we receive from our grantors, Louisiana Bar Foundation, Acadiana Legal Services Corporation, The Community Foundation of North Louisiana, Carolyn W. and Charles T. Beard Family Foundation, First Methodist Church, Grayson Foundation and the SBA Krewe of Justinian.





Harry V. Booth – Judge Henry A. Politz American Inn of Court

by Judge Mike Pitman, michael.pitman@caddocourt.org

The Harry V. Booth and Judge Henry A. Politz American Inn of Court launched its 2025-2026 Inn year on August 28, 2025, with a Team Leader Meeting and New Member Orientation at the Shreveport Bar Center. The Executive Committee and Team Leaders proudly welcomed 12 new members to the Inn. The new members are Eli Bell, Skylar Dean, Allison Duncan, Joey Greenwald, Connor Hargrave, Rachel Hughes, James Mason, Pamela Mitchell, Silver Sanders, Codi Setters, Ashlin Thomas and Alexandra VanBlaricum.

The American Inns of Court is a prestigious national organization dedicated to fostering professionalism, ethics, civility and excellence in the legal profession. The Booth-Politz Inn, founded locally in 1989-1990 and named after esteemed jurists Harry V. Booth and Judge Henry A. Politz, has earned “Platinum Status” for 10 consecutive years — an honor reserved for the most exemplary chapters nationwide.

Members are organized into diverse teams that collaborate on educational programs and outreach initiatives. The first team event of the year will be a lively legal trivia night at the Petroleum Club on September 25, 2025.

One of the Inn’s signature outreach efforts, Wills for Heroes, provides wills, free of charge, to first responders, showcasing the Inn’s commitment to service beyond the courtroom.

With nearly 30,000 members across 400 chapters nationwide, the American Inns of Court continues to shape the future of the legal profession. The Booth-Politz Inn stands out as a beacon of mentorship, integrity and community in Shreveport and beyond.

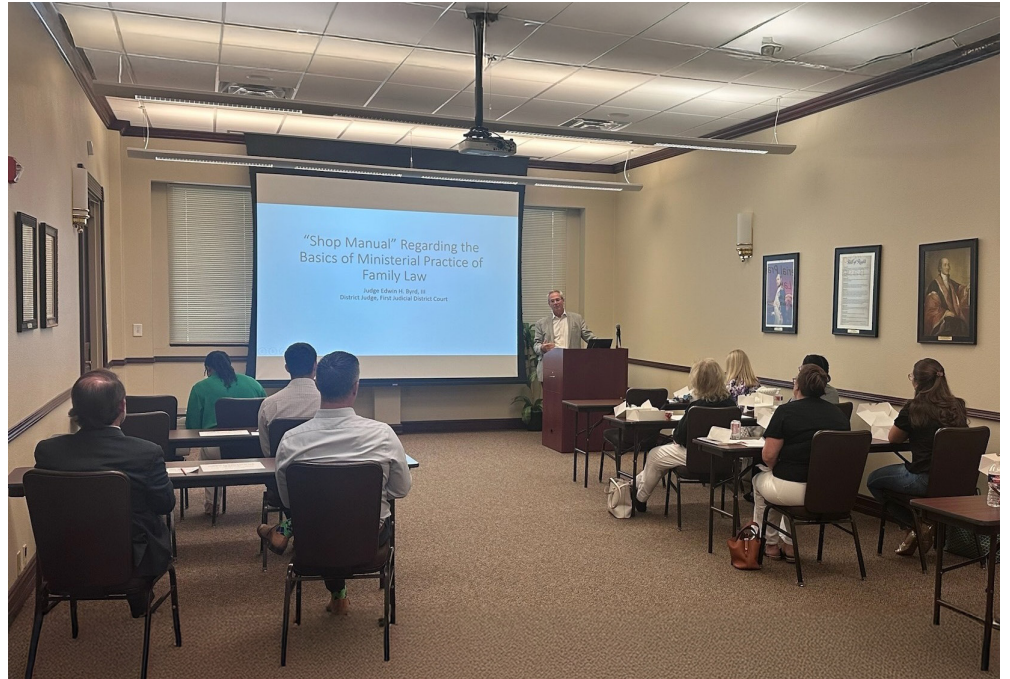


NORTH LOUISIANA APPELLATE PRACTICE *Highlights*



JAMES C. MCMICHAEL JR. SUMMER INSTITUTE TRIAL ADVOCACY LUNCH AND LEARN SERIES

The Shreveport Bar Association recently launched its inaugural **James C. McMichael Jr. Summer Institute Trial Advocacy Lunch & Learn Series**, bringing members together for an engaging and informative continuing legal education experience over lunch. Each event is designed to provide practical trial advocacy while fostering professional connection. We are especially grateful to **The Honorable (Ret.) Scott and Susie Crichton** for their generous sponsorship of the series. Their support makes it possible to deliver meaningful professional development opportunities to our members and strengthen our legal community.



YOUR LEGAL LEGACY

BE IT BIG OR SMALL, YOUR ACTIONS MATTER!

Your gift to the Shreveport Bar Association or the Shreveport Bar Foundation can ensure the long-term sustainability of these organizations and allow them to serve the local bar and community for years to come. The SBA is heavily dependent on CLE revenue, and competition from free classes puts that at risk. Your generous donation or bequest will help the SBA and SBF maintain an executive director, publish The Bar Review, and provide pro bono legal services to domestic violence victims and other deserving clients.

Please remember the SBA and SBF in your planned giving to show your support for our organizations and the services they provide. Your generosity is appreciated.

Contact any of us if you would like to discuss ways to best help our organizations.

Dana Southern
SBA/SBF Executive Director
(318) 222-3643 Ext. 3
dsouthern@shreveportbar.com

Elizabeth Carmody
SBA President
(318) 221-6277
elizabeth.carmody@cookyancey.com

Allison Foster
SBF President
(504) 339-6036
acofoster@gmail.com





Recent Developments By the Judiciary

Sponsored by the Shreveport Bar Association
September 17-18, 2025

HILTON GARDEN INN / HOMEWOOD SUITES - BOSSIER CITY

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

Wednesday, September 17, 2025

- 7:30 A.M. Registration & Continental Breakfast**
- 8:30 A.M. AI Update**
90 minutes *Sarah R. Giglio – Gilmer & Giglio and D. Lee Harville - The Harville Law Firm*
- 10:00 A.M. Break (Refreshments)**
- 10:10 A.M. Oil and Gas Update**
60 minutes *Judge Amy McCartney– Forty-Second Judiciary District Court, Drew Burnham and John Kalmbach - Cook, Yancey, King & Galloway*
- 11:10 A.M. Louisiana Supreme Court and Second Circuit Update**
60 minutes *Judge Danny Ellender and Hal Odom - Second Circuit Court of Appeal*
- 12:10 P.M. Lunch (included with full registration)**
- 1:00 P.M. Recent Developments in Criminal Law**
60 minutes *Judge Jeff Cox - Second Circuit Court of Appeal and Tammy Jump - Bienville Parish District Attorney's Office*
- 2:00 P.M. Break (Refreshments)**
- 2:10 P.M. Ethics**
60 minutes *Associate Justice Cade Cole - Louisiana Supreme Court*
- 3:10 P.M. Break (Refreshments)**
- 3:15 P.M. Tort Update**
60 minutes *William F. Kendig - Rice & Kendig and Alexander Mijalis - Lunn Irion Law Firm*

Thursday, September 18, 2025

- 7:30 A.M. Registration & Continental Breakfast**
- 8:30 A.M. The History of the Free Speech Clause of the First Amendment**
60 minutes *Judge Terry A. Doughty - United States District Court, Western District of Louisiana*
- 9:30 A.M. Break (Refreshments)**
- 9:40 A.M. U.S. Supreme Court Update**
90 minutes *Judge Jerry Edwards - United States District Court Western District of Louisiana and Judge Brady O'Callaghan - First Judicial District Court*
- 11:10 A.M. Professionalism**
60 minutes *Associate Justice Jay McCallum - Louisiana Supreme Court*
- 12:10 P.M. Lunch (included with full registration)**
- 1:00 P.M. Mediation**
60 minutes *Magistrate Judge Kayla D. McClusky - United States District Court, Western District of Louisiana*
- 2:00 P.M. Break (Refreshments)**
- 2:10 P.M. Family Law: How to Enjoy Appearing in Domestic Court– Everything You Need to Know But Were Afraid to Ask**
60 minutes *Judge Edwin Byrd - First Judicial District Court*
- 3:10 P.M. Break (Refreshments)**
- 3:15 P.M. Labor and Employment Update**
60 minutes *Allison Jones - Downer, Jones, Marino & Wilhite and Elizabeth Carmody - Cook, Yancey, King & Galloway*

These are just a few of the comments received from past participants of the *Recent Developments by the Judiciary* seminar: *First rate seminar, do it again next year – Excellent subject matter, speakers and location – This seminar can't be beat, the presenters are excellent - Speakers were professional, timely, prepared, and sometimes downright humorous (refreshing change). Hats off to the planners and the SBA .*

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.

Walk-In Registration: Must pay the late registration price.

Cancellation Policy: Cancellation requests must be received in our office in writing (by email, or U.S. mail) no later than Monday August 18, 2025 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.

Registration Fees:

Full Program

\$425.00 for Non-SBA Members

\$400.00 for SBA Members

Wednesday Only

\$325.00 for Non-SBA Members

\$300.00 for SBA Members

Thursday Only

\$325.00 for Non-SBA Members

\$300.00 for SBA Members

\$75.00 Ethics Only

\$75.00 Professionalism Only

Full refund until August 18, 2025, less a \$50 Administrative Fee

After August 18, Full Credit Less a \$50 Administrative Fee May Be Applied To Future SBA sponsored CLE Seminar For Up To One Year

For Questions and to find out the Special Rate (full program) for Government Employees, Please Contact the SBA Office at (318) 222-3643.

I will attend (please circle all that apply): Full Program Wednesday Only Thursday Only Ethics Professionalism

Please remit with payment to:

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

Credit Card Information Visa American Express Discover MasterCard

Card No. _____ Expiration Date _____

SIC: _____ Amount to be Charged to Card \$ _____

Signature _____



SBA TRIAL ACADEMY

October 23-24, 2025

U.S. District Court Western District of Louisiana

First Judicial District Court

Sponsored by



12.5 Hours CLE Credit
Including 1 Hour Ethics
and 1 Hour Professionalism

U.S. District Court Western District of Louisiana
300 Fannin Street, Shreveport LA

First Judicial District Court
501 Texas Street, Shreveport, LA

The SBA proudly presents its Trial Academy. Judges and attorneys will be giving their time to teach two days of in-court, real-time trial training for young lawyers and experienced lawyers looking to refresh and hone their trial skills.

- Instructional sessions in courtrooms at the U.S. Western District, Shreveport Division and First JDC. Courtroom assignments will be provided.
- Federal and State District Judges presiding over exercises.
- Veteran plaintiff and defense trial lawyers as instructors.
- Mock-trial case materials provided to all participants.
- Participants will conduct opening and closing statements, direct and cross exams of fact witnesses, direct and cross-exams of expert witnesses, with real-time instruction by faculty lawyers and judges.

SCHEDULE:

Thursday, October 23

8:30 a.m.	Check in
9:00 a.m.-Noon	Trial Practice
Noon	Lunch (on your own)
1:00 p.m.-4:15 p.m.	Trial Practice

Friday, October 24

8:30 a.m.	Check in
9:00 a.m.-Noon	Trial Practice
Noon	Lunch (on your own)
1:00 p.m.-4:15 p.m.	Trial Practice

DRESS:

Courtroom attire, please.

CANCELLATION POLICY:

Registration fees will be refunded ONLY if a written cancellation notice is received by October 1, 2025. A \$100.00 administrative fee will be deducted from any refund. Any cancellation made after October 1, 2025 will not be refunded.

ACADEMY TUITION:

NON SBA Members - \$700 SBA Members - \$600
Government Lawyers - \$500

REGISTER ONLINE TODAY! www.shreveportbar.com REGISTRATION

Name _____
Billing Address _____
City, State, Zip _____
Phone No. _____
Email _____

Please charge to my _____ V _____ MC _____ AMX
Card No. _____
Expiration Date _____ SIC#: _____
Signature _____

Please remit with payment to:

Shreveport Bar Association, 625 Texas Street, Shreveport, LA 71101
Questions? Call (318) 222-3643 or Email dsouthern@shreveportbar.com

Multiple Attendee Discount for Firms/Agencies – Firms or agencies sending 3 or more participants receive a \$25 discount for each participant. Discount applies when enrolled under one registration. Government employee discount not eligible for multiple attendee discount. **Registration closes on October 1, 2025. Course materials to be provided to participants by October 6, 2025.**

ACCOMMODATIONS - The Hilton Shreveport Convention Center Hotel, 104 Market Street, Shreveport, LA 71101. The SBA has secured a discounted rate block of room for Wednesday, Thursday and Friday evenings. Call 1-800-445-8667 to make your reservation. The discount code is "**SBA Trial Academy**" or you can book online at <https://book.passkey.com/go/SBATrialAcademy2025>. All reservations must be made by **October 1, 2025**, in order to receive the discounted group rate. The hotel will continue to accept reservations from guests after this date, however, rooms will be at the prevailing rate and subject to availability.

Save the Dates

2025 SBA CLE

17-18

SEPT

**RECENT DEVELOPMENTS BY
THE JUDICIARY SEMINAR**

23-24

OCT

SBA TRIAL ACADEMY

17-18

DEC

**DECEMBER
CLE BY THE HOUR**

**MORE
INFORMATION**

www.shreveportbar.com

JUSTINIAN XXXII



A NEW ORLEANS STATE OF MIND

2025-2026 MEMBERSHIP APPLICATION

Coronation Bal - - - - - September 12, 2025

Grand Bal - - - - - January 16, 2026

Royalty Brunch - - - - - (TBD)

Your membership includes tickets for you and your spouse/guest to attend each event above at no additional charge.

First Name _____ Last Name _____ Spouse/Guest _____

Home Address _____

Office Address _____

Cell Phone _____ Office Phone _____ Email _____

KREWE DUES:

Attorney/Judge and Spouse/Guest Membership (\$350.00) \$ _____

Associate/Nonlawyer and Spouse/Guest Membership (\$300.00) \$ _____

(Associate members include paralegals/legal staff and all nonlawyer members)

Young Lawyer and Spouse/Guest Membership (\$250.00) \$ _____

(Admitted to the Bar for less than five (5) years)

Donation designation for SBF (\$150.00) \$ _____

Make a \$150.00 donation and receive a KREWE OF JUSTINIAN FLAG

TOTAL \$ _____

Make checks payable to: Krewe of Justinian and Mail to: Krewe of Justinian, 625 Texas Street, Shreveport, LA 71101 or pay online at kreweofjustinian.com/join-now/.

JOIN NOW!



Black Tie

Heavy Hors D'oeuvres

Cash Bar

Tickets: \$80



www.kreweofjustinian.com

*Captain
Jimmy Franklin
&
Co-Captain
Sandra Monroe
and the*

KREWE OF JUSTINIAN XXXII
invite you to

NEW ORLEANS
*State of Mind
Coronation
Bal*

Friday, September 12th

Horseshoe Riverdome
Doors Open: 7:00pm
Presentation: 7:30pm



PRO BONO PROJECT DO GOOD WORK



GET INVOLVED

Being involved in Pro Bono is a rewarding experience as you give back to the community, gain experience in the court room, and earn CLE credit.

Contact the SBF office to get involved.

Lucy Espree, Pro Bono Coordinator,
lucy@shreveportbar.com | 318.703.8381.

WED. SEPT 24, 2025
PETROLEUM CLUB OF SHREVEPORT
416 TRAVIS STREET, 15TH FLOOR



LOUISIANA STATE BAR ASSOCIATION
WILL BE AVAILABLE TO TAKE YOUR
BAR CARD ID PHOTO
BETWEEN 11 AM - 12 PM

**This Is A Great Opportunity
To Get Your Bar Card ID**



Nichole M. Buckle



Now Offering Mediation Services

For all civil law matters, including civil rights, personal injury, wrongful death, medical malpractice, mass torts, employment, contracts, business disputes, property disputes, and professional liability.

Trained through Harvard Law School, Program on Negotiation

318-629-0014
nikki@cbbd.law



Attorney at Law

Heidi Kemple Martin



Now Offering Mediation Services

For all family law matters, including custody, child support, spousal support, & property partitions.

Trained through Harvard Law School, Program on Negotiation

318-220-1815
heidi.martin.atty@gmail.com

CLASSIFIEDS

Brief writing/legal research.

Columbia Law School graduate; former U.S. 5th Circuit staff attorney; former U.S. District Court, Western District of Louisiana, law clerk; more than 20 years of legal experience; available for brief writing and legal research; references and résumé available on request. Appellate Practice specialist, certified by the Louisiana Board of Legal Specialization.

Douglas Lee Harville, lee.harville@theharvillelawfirm.com,
(318)470-9582.

Paralegal Needed

The law office of David L. White APLC is looking to hire a paralegal.

Email your resume to:

mary@bossierattorney.com

For questions, contact Mary or Lenae at 747-7023

Acadiana Legal Service Corporation

seeks licensed, full-time staff attorneys to represent low-income and elderly clients with civil legal matters in its 42-parish service area. Offices are in Shreveport, Monroe, Natchitoches, Alexandria, Lake Charles, and Lafayette. Excellent fringe benefits available. Writing sample and cover letter required. Visit www.la-law.org/careers to apply.

ADVERTISE

Your business
or services

HERE!

Call 222-3643
For More Details



Royal Alexander
Attorney at Law

Austin Belleau
Attorney at Law

Amy Brainard
Brainard & Brainard Law Firm

Stephen Folk-Cruthirds
Caddo Parish District Attorney's Office

Rachel Hughes
Second Circuit Court of Appeal

Kathryn Love
Miramonte Law Firm

Jaidyn Meyers
*Faircloth Melton Bash & Green
Alexandria, LA*

FAST TRACK MEDIATION SERVICES
a division of WEEMS, SCHIMPF, HAINES & MOORE (APLC)

Confidentiality Control
A Fair Compromise Cost-Effective

All civil law matters, including personal injury, wrongful death, medical malpractice, professional liability, successions, contracts, mass torts, property disputes, oil and gas, and employment law.

All family law matters, including property partitions, spousal support, child support, and custody.

Call or email us today to schedule your mediation.

(318)222-2100
mediate@weems-law.com

Carey T. Schimpf



Family / Civil Mediator



**Weems, Schimpf,
Haines & Moore**
A Professional Law Corporation

**Accepting Appeal
And
Family Law Referrals**

Certified By Louisiana Board of Legal
Specialization

(318)222-2100
kenny@weems-law.com

Kenneth P. Haines



Board Certified in
Appellate Practice and Family Law

FORMER SOCIAL SECURITY JUDGE

PETER J. LEMOINE

Social Security Disability Law

***Recipient of Social Security Disability Leadership Award:
National Top 100 Social Security Disability Law Firms***

MEMBER: Louisiana State Bar Association, Shreveport Bar Association, Lafayette Bar Association,
Avoyelles Parish Bar Association, National Organization of Social Security Claimants' Representatives

PUBLISHED ARTICLES: "The Worn-Out Worker Rule Revisited", "Significant Work-Related Limitations of Function under SS 12.05C", "Questionable Retirement and the Small Business Owner", "Crisis of Confidence: The Inadequacies of Vocational Evidence Presented at Social Security Hearings", "An Unsolved Mess: Analyzing the Social Security Administration's Methodology for Identifying Occupations and Job Numbers".

(318)717-1995
1-888-468-3741 (Toll Free)



Forensic ACCOUNTING

LITIGATION SERVICES
BUSINESS VALUATION

Forensic accounting includes two crucial areas of Investigation Services and Litigation Services, and it must accomplish the following:

- Detect falsified records and other financial wrongdoing with accounting, auditing and investigative skills.
- Determine truth, form expert opinions, and assist with investigations.
- Provide "expert witness" testimony in any given court case in a way that is comprehensible to the jury.

Chad Garland will accomplish the job, to be sure. He's only a phone call away.

318 220.4416

900 PIERREMONT RD, STE 120
SHREVEPORT, LA 71106
CHADGARLANDCPA.COM

FISCHER & PROCELL ATTORNEYS AT LAW

Chris A. Procell

Licensed in Louisiana and Texas

Accepting referrals for
workers' compensation cases

3421 Youree Drive
Shreveport, Louisiana 71105

Telephone: (318) 869-0304
Fax: (318) 869-4911

Email: chris@fischerprocell.com

Timothy R. Fischer

Of Counsel, Emeritus

RED RIVER PRINT VS DEADLINES

WE WIN EVERYTIME



redriverprint.com



4716 Viking Dr
Bossier City, LA 71111

318.868.3555

**Call us for all
your print needs.**



*2025 SBA MEMBERSHIP LUNCHEONS

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

SEPTEMBER 12

Krewe of Justinian XXXII
Coronation Bal
Horseshoe Casino

SEPTEMBER 17-18

Recent Developments
by the Judiciary CLE
Hilton Garden Inn
Bossier City

*SEPTEMBER 24

SBA Member Luncheon/CLE
Speaker: LSBA President Edward Walters Jr.

OCTOBER 22

SBA and Booth-Politz American Inn of
Court
Joint Member Luncheon/CLE
Speaker: H. Alston Johnson

OCTOBER 23-24

SBA Trial Academy
Tom Staggs Court House and
Caddo Parish Courthouse

*NOVEMBER 5

VETERANS PROGRAM
Speaker: Major General Thomas C. Frilough,
Commanding General
Louisiana Army National Guard and the
Louisiana Air National Guard

NOVEMBER 6

SBA Memorial & Recognition Ceremony
2:00 p.m. at Caddo Parish Courthouse

AMAZON WISH LIST

The Shreveport Bar Foundation is excited to announce the launch of its Wish List program for the Pro Bono Project, Legal Representation for Victims of Domestic Violence programs, and the Shreveport Bar Center through Amazon. This new wish list program allows our supporters to purchase supplies and other items needed to run our programs. This can range from pens (for the AAL clinics) to soap and paper products (for the building)! [Check out the full list of options!](https://www.amazon.com/hz/wishlist/ls/3EW9JTZSJNVEZ?ref=wl_share)

https://www.amazon.com/hz/wishlist/ls/3EW9JTZSJNVEZ?ref=wl_share

Or scan the QR code.



SBA Luncheon Meeting – September 24

Petroleum Club (15th Floor) Buffet opens at 11:30 a.m. Program and Speaker from 12:00 Noon to 1:00 pm.

\$55.00 for SBA members and \$65.00 for non-SBA members. Advance reservations are required by 5 p.m. Monday, September 22



Edward Walters Jr.

When: 12:00 Noon on Wednesday, September 24

Where: Petroleum Club (15th floor)

Featuring: Edward Walters Jr., LSBA President-Elect

*We will honor all past presidents of our
Shreveport Bar Association and
Shreveport Bar Foundation
Sponsored by Cook, Yancey, King & Galloway
This presentation is eligible for 1 hour CLE credit.*

ABOUT THE SPEAKER

Edward J. Walters Jr. is a partner in the Baton Rouge firm of Walters, Thomas, Cullens, LLC. He received a BS degree in accounting in 1969 from Louisiana State University and his JD degree in 1975 from LSU Law Center. Walters served as the Louisiana State Bar Association's (LSBA) secretary and editor-in-chief of the Louisiana Bar Journal in 2012-13. He continues to serve on the Louisiana Bar Journal Editorial Board. He and Michael A. (Mike) Patterson have taught a course titled "Advanced Trial and Evidence" at LSU Law Center for more than 30 years, and he has been a member of the faculty of the Law Center's yearly Trial Advocacy Program since its inception 25 years ago. He was appointed by the Louisiana Supreme Court to serve as a member of the Judiciary Commission of Louisiana from 2017-21. He was the chair of the Commission for 2020. Walters received the LSU Law Center's Distinguished Alumnus Award in 2015, the LSBA's President's Award in 2011, the Louisiana Bar Foundation's Distinguished Attorney Award in 2008 and the Baton Rouge Bar Association's President's Award in 1995, 1998 and 2014. He is a member of the American College of Trial Lawyers, the International Academy of Trial Lawyers and the LSU Law Center Board of Trustees. He is board certified in Civil Trial Advocacy by the National Board of Trial Advocacy. He is the author of the book *Ipse Dixit: Ruminations on a Career at Law*. Walters and his wife, Norma, have been married for 55 years and are the parents of two children. They have four grandchildren. Please join in welcoming Edward Walters as our guest keynote speaker.

The LSBA Member Outreach and Diversity Department will be an exhibitor and onsite to provide LSBA Member photo ID cards.

**JOIN US IN
HONORING ALL
PAST PRESIDENTS
OF THE**

**SHREVEPORT
BAR ASSOCIATION
AND
BAR FOUNDATION**

SEPTEMBER 24

Confirm your reservation(s) by email at dsouthern@shreveportbar.com or by phone at 703-8372.

Please remember to call and cancel if you can't attend.

The SBA pays for each reservation made. No-shows will be invoiced.