

THE BAR REVIEW

PUBLICATION OF THE SHREVEPORT BAR ASSOCIATION

Volume XXIII, Number 3 • March 2016

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EVENTS AT A GLANCE

3/23	SBA Membership Luncheon 12:00 p.m. - Petroleum Club of Shreveport
4/15	May Bar Review Deadline
5/1	SBA Member/Family Day 4 p.m. - East Ridge Country Club
5/3	Give For Good Campaign
5/4	SBA Law Day Luncheon 12:00 p.m. - Petroleum Club of Shreveport
5/6	Red Mass 9:00 a.m. Holy Trinity Catholic Church
5/9	Annual Golf/Tennis Tournament 12:30 p.m. - Southern Trace Country Club



From The President

by Donald E. Hathaway Jr., President, dhathaway@socklaw.com

I have often been asked why we have a local bar association or what benefit there is to one joining our local bar. In the past, I have always pointed to events such as the Golf and Tennis Tournament, our flagship continuing legal education seminar

Recent Developments by the Judiciary, or the Krewe of Justinian. Since becoming president, however, I have been exposed to so many other facets of the bar that I am awestruck at all we do in the Shreveport Bar Association.

The Shreveport Bar Association is so successful because of the people willing to give their time and energy with little or no recognition. One of my first duties as president was to fill the committee chairs for 2016. The task proved to be near effortless as so many were willing to step up to the plate. What has impressed me is the results they achieve with little or no further guidance from me.

Judge Bill Kelly IV (Ret.) agreed to lead the Military Affairs Committee, and they have already met for breakfast at the home of Ted Cox to plan the November 9, 2016 Veterans Program. Now I see why the 2015 program was such an interesting and entertaining event.

In the last edition of *The Bar Review* there were informative articles by Janet Silvie, the Women's Section president. She highlighted a presentation by herself and attorney Hilary Wooley, at the Bar Center, on the Biomedical Research Foundation ("BRF")'s Entrepreneurial Accelerator Program ("EAP"). I received several emails and verbal compliments on their performance and the quality of the presentation.

Marshall Rice, the Professionalism Committee chair, prepared an informative and personal description of Jerry Edwards. Judge Ross Foote, in addition to participating on the Publicity Committee, submitted an article on arbitration. David Tullis provided us with Second Circuit Highlights. Nellie Walton filled us in on what is going on at the Pro Bono Project and, without fail, Hal Odom submitted his ever-present piece, "How Write You Are."

This was just one window into the machinations that propel The Shreveport Bar Association forward. I didn't even get to half of the committees. You will see the product of their efforts in the near future, and they will be recognized soon. I guess what I am trying to illustrate is that a lot of different groups that provide different benefits are constantly striving to make the experience of being a lawyer more rewarding and productive. You too can be involved.

There is always room for more ideas and concepts, and those come from a diverse community. Our bar needs to hear from all of you to benefit any of you. The fact that you have taken the time to read this article shows me you care. Come to the luncheons, CLEs, sporting events, and crawfish boils, and choose an activity to lend your efforts to. Remember, you only get out of your bar what you put into it.

GET INVOLVED!

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Golf and Tennis TOURNAMENT



May 9, 2016
East Ridge Country Club
Shreveport, Louisiana

SHOTGUN & TENNIS START

12:30 p.m.

ENTRY FEES

Golf:
\$600 per team
4-Man Scramble

Tennis:
\$75 per player

LUNCH

11:00 a.m.
included with registration fee

REGISTER

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PRIZES & CONTESTS

GOLF

Overall Low Gross
and Low Net Scores
in each flight
Closest to the hole

TENNIS

Team Prizes will be awarded
Teams chosen the
morning of May 9



RICHARD B. KING, JR. MEMORIAL SHOOTOUT!

Enter to have your team represented in this 2-man, alternate shot contest. \$150 per team. Play begins after the scramble. Only one team will be named KING! Limited to the first 8 attorney teams registered. Call Dana at 222-3643 to register or go to www.shreveportbar.com

REGISTRATION

SHREVEPORT BAR ASSOCIATION - 2016 GOLF & TENNIS TOURNAMENT

Monday, May 9, 2016 at Southern Trace Country Club, Shreveport
Lunch Is Included, Serving at 11:00 a.m. – Awards Given Post Play



RICHARD B. KING, JR. MEMORIAL SHOOTOUT

Enter to have your team represented in this 2-man team golf alternate shot contest. \$150 per team. Play begins after the scramble. Only one team will named KING! Limited to the first 8 attorney teams registered. Call Dana at 222-3643 to register.

GOLF – \$600 per team - Four Person Scramble – Shotgun Start at 12:30 p.m.

REGISTRATION

Captain Name: _____ HDCP/Best Score: _____ Tel: _____

Address: _____ Email: _____

Player 2 Name: _____ HDCP/Best Score: _____ Tel: _____

Address: _____ Email: _____

Player 3 Name: _____ HDCP/Best Score: _____ Tel: _____

Address: _____ Email: _____

Player 4 Name: _____ HDCP/Best Score: _____ Tel: _____

Address: _____ Email: _____

TENNIS – \$75 per player – Play Starts at 12:30 p.m.

NAME: _____ USTA RATING: _____ PHONE: _____

ADDRESS: _____ EMAIL: _____

You will be placed on a Team and Teams will be chosen on Monday morning, May 9

Make check payable to SHREVEPORT BAR ASSOCIATION and mail to:
2016 SBA Golf & Tennis Tournament Registration, 625 Texas Street, Shreveport, LA 71101



Women's Section

by Janet Silvie, jsilvie@caddoda.com

Hello, ladies of the Bar Association. Whether it is history, family or the joys of carnival, I hope this season of love is finding you celebrating all the things in life that matter to you the most. I remain thankful for your commitment to service in our community and your connection with the ladies of the Shreveport Bar.

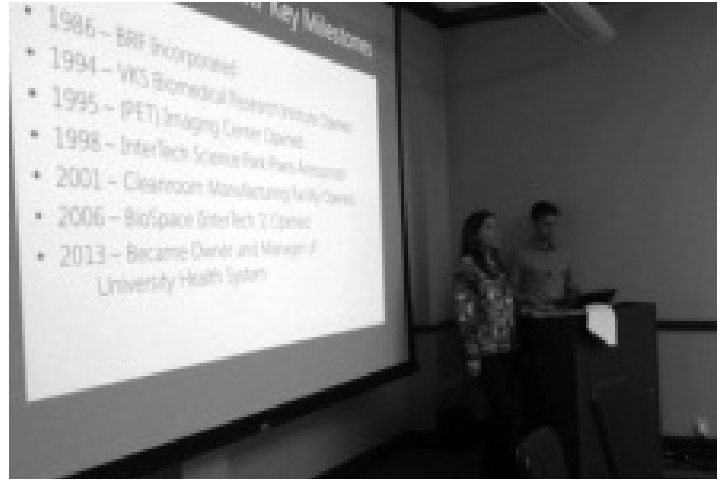
Please take note of past, and future, events:

Amazing Shake



On January 29, 2016, the “Amazing Shake” was held in the Community Foundation Room. The Caddo Parish School Board enlisted the help of the Shreveport Bar Association. Its many members, including the Women’s Section, heeded that call. In total, 41 lawyers participated, with Blanchard Walker having the most volunteers. Caddo Parish Public Schools Superintendent Lamar Goree and District Transformation and Innovation Officer Billy Snow expressed their gratitude for the great support from our legal community for student growth and development.

Referrals and Revenue



On February 11, 2016, the Women’s Section hosted Referrals and Revenue. Attorneys were made aware of the history of the Biomedical Research Foundation, given insight into its goals in the creation of the accelerator program, and presented with a list of needs of its participants. They were then provided with a roadmap on how to participate in, and financially gain from, a legal relationship with those participants.

Thanks to Hilary Wooley and Kiley Grant for a very insightful presentation.

Cocktails and Conversation



On March 31, 2016, at 6:00 pm, reconnect with fellow lady lawyers at Cocktails and Conversation, our casual after-work event at Anvil Bar & Grill. Anvil Bar and Grill is a fun, casual bar & grill that has a fine selection of French, Italian and domestic wines.

Remember to connect with us on Facebook for reminders of upcoming events.

BAR BRIEFS



Hal Odom Jr., center, met with other members of the *La. Bar Journal* editorial board on January 14, 2016, at the JW Marriott in New Orleans, to plan upcoming issues, including one in honor of the LSBA's 75th anniversary and projects with the LSBA Leadership Class. Shown with him are Alainna R. Mire, of the Alexandria City Attorney's office, *La. Bar Journal* editor (left), and Kristine D. Smiley, of Tierney & Smiley LLC, Baton Rouge (right).



Judge Joe E. Bleich, of Ruston, has been appointed judge pro tem of the Second Circuit Court of Appeal. Judge Bleich has served as an elected justice (1996) and an ad hoc justice (1997) of the Louisiana Supreme Court, presided over Division B of the Third Judicial District Court (1982-1996) and represented the 12th La. House district (1980-1982). He is a graduate of Ruston High School, La. Tech and LSU Law Center (JD, 1973)

and has worked in the La. Department of Justice and the Third Judicial District D.A.'s office. He is currently a panelist with MAPS, a member of the Association of Family and Conciliation Courts and, since 2010, he has served "as needed" in an ad hoc or pro tem capacity in 14 different district courts, including those in northwest Louisiana. He has been an adjunct professor at Southern University Law Center and an instructor or lecturer at ULM, La. Tech and Grambling. He is a father of four and a proud grandparent of 10, three boys and seven girls. For those who do not already know him, his name rhymes with "like."

Judge Bleich's appointment is effective from January 16 through April 30, 2016, or until the vacancy created by Judge James Stewart's retirement is filled. He has now sat on three panels of the court's February 2016 argument docket, on February 22 and 23.

On January 29, 2016, the "Amazing Shake" was held in the Community Foundation Room. The Caddo Parish School Board enlisted the help of the Shreveport Bar Association. There were a total of 41 members who participated by engaging Caddo Parish Transformation Zone students in 5 minute conversations and then rated them on their deportment, hand shake, eye contact and conversation. The firm with the largest participation was from Blanchard, Walker, O'Quin & Roberts with 13 volunteers, and Cook Yancey, King & Galloway in second with 11 volunteers. The Community Foundation offered the firm with the largest participation the opportunity to recommend a \$500 education grant to the school or nonprofit organization of their choice. The top students from each of the Transformation Zone schools were trying to earn a spot in the final round of the Amazing Shake taking place in Washington, DC, this May.



Timothy Wynn and Cole Sartin



Stacey Williams and Jerry Edwards



Bernard Johnson and Slattery Johnson



Herschel E. Richard Jr., attorney at Cook Yancey, has been selected by the Louisiana Bar Foundation as a recipient of the 2015 Distinguished Attorney Award. This recognition is given to individuals who have distinguished themselves in their legal career and have brought credit and honor to the legal profession. Richard is a Fellow of the American College of Trial Lawyers, the International Society of Barristers, and the Louisiana Bar Foundation.



The Captain Speaks

by: Susannah O. Stinson, Captain XXII, susie.stinson@neilerwinlaw.com

THAT'S A WRAP!

As all productions come to an end, so must Justinian's 22nd year, **"Justinian Goes To Hollywood."** As I reflect back on this fantastic year, I am reminded why I agreed to be captain in the first place – the people. My Justinian family has grown exponentially since we began Justinian XXII.

Queen Katherine, I could not have gotten a better queen than you. Until the last second of Fat Tuesday, you embodied the spirit of carnival and represented the Krewe and the SBA with such grace and happiness. I hope your year was everything you wanted it to be. You made my year easier and much more fun. Thank you for your service to our Krewe. And thanks for your repeated mantra when I struggled, *"Trust me. I know these things."*

King Edwin, I am so glad you and Alison jumped headfirst into this journey and never looked back! You reigned as King XXII with humor and a humbleness that we all took to heart. You are a grand representative of our Bar Association, and I thank you for all your hard work this year. Don't you dare sell your crown!

Duchesses Emily and Nancy, you were the epitome of Justinian duchesses! Thank you for representing the Krewe at all the many events of ArkLaTex Mardi Gras. Nothing makes all the work worth it like the making of close friends and seeing new friendships spring to life. I hope Justinian has been that for you and will continue to be a part of your futures in our legal community.

Dukes Rich and Thomas, I have so enjoyed getting to know you and your sweet consorts, Ginny and Maggie, this year. Thank you for serving our Krewe and representing us with professionalism. I hope you stay involved with Justinian because Justinian needs two great lawyers and volunteers like you!

Prince Connor and Princess Leigh Anne, thank you for taking time from your school schedules to join us for Justinian XXII. The Shreveport-Bossier community and Justinian family will always welcome you back home with open arms!

Being a captain means nothing if you don't have a fleet. In addition to our royals, I must thank my chairpersons for

all they did for Justinian XXII. Julianna, Marie, Melanie, Brenda, Amy B., Jamie, Amy G., Nikki, Kenny, Yves, Rebecca and Denise, thank you for making my job easier and giving back without question. Layne Clark, thanks for being the best mentor I could have!

You will all forever be a part of my Justinian family.

As I look ahead, I am excited to see the future of Justinian. Incoming Captain John Bokenfohr has already planned an exciting year for Justinian XXIII and the SBA community. I encourage you to join us for our 23rd year, and see why we call Justinian a family.

As they say in Hollywood, **"Cut! That's a wrap!"**

ATTORNEYS

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Shreveport, LA 71101

RESOLUTION OF THE EXECUTIVE COUNCIL OF THE SHREVEPORT BAR ASSOCIATION

WHEREAS, the State of Louisiana is obligated under the Louisiana Constitution and the United States Constitution to provide sufficient funding for criminal indigent defense;

WHEREAS, Public Defender Offices in Caddo and Bossier Parishes in Louisiana have restricted their services and stopped accepting conflict appointments due to insufficient funding;

WHEREAS, Courts in Caddo and Bossier Parishes have been forced to appoint attorneys to represent criminal indigent defendants without compensation in order to avoid a constitutional crisis;

WHEREAS, the Executive Council of the Shreveport Bar Association supports the judiciary and acknowledges that the judicial branch is not at fault for the financial crisis facing the public defense system;

WHEREAS, compelling attorneys to represent indigent criminal defendants without compensation imposes a significant financial hardship on those attorneys in the form of lost opportunity, costs, disruption of their practices, and out-of-pocket expenses;

WHEREAS, compelling attorneys to represent indigent criminal defendants without compensation potentially raises serious ethical issues for attorneys with no prior criminal law experience and for attorneys who have professional conflicts of interest; and

WHEREAS, compelling attorneys to provide uncompensated professional services for the benefit of the State imposes an unlegislated and discriminatory tax on attorneys and arguably violates constitutional protections against the taking of property by the State.

NOW THEREFORE BE IT RESOLVED, that the Shreveport Bar Association urges the Louisiana Legislature to authorize sufficient funding to meet the State's constitutional obligation to provide effective assistance of counsel for indigent defendants in state criminal proceedings.

**APPROVED BY THE EXECUTIVE COUNCIL
OF THE SHREVEPORT BAR ASSOCIATION
ON FEBRUARY 17, 2016**

BILLY J. GUIN, JR.

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2016 SBA Dues Reminder

*Please remember that your
2016 SBA dues are due now.
We don't want to lose you!*



Mark Your Calendar



MARCH 23

SBA Member Luncheon

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

Speaker: Mayor Ollie Tyler

APRIL 15

May Bar Review Deadline

MAY 1

SBA Member/Family Day

4-7 p.m. at East Ridge Country Club

MAY 3

Give For Good Campaign and

Ask A Lawyer Event

Location TBD

MAY 4

Law Day Luncheon

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

Speaker: TBD

MAY 6

Red Mass

9:00 a.m. at Holy Trinity Catholic Church

MAY 9

Annual SBA Golf & Tennis Tournament

12:30 p.m. at Southern Trace Country Club

MAY 13

Criminal Law for Court Appointed

Civil Lawyers Seminar

9:00 a.m. at Caddo Parish Courthouse

MEDIATION AND ARBITRATION OF COMPLEX DISPUTES



Ross Foote



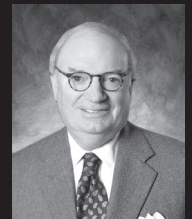
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High School Mock Trial Competition for Region 1

by: Valerie DeLatte, vdelatte@la2nd.org

On February 13, the Judge Richard N. Ware IV, High School Mock Trial Competition for Region 1 was held at the First Judicial District Courthouse. High school students from Caddo Magnet, Huntington and West Monroe presented a full-length argument before a volunteer panel consisting of local attorneys and judges.

The Shreveport Bar Association hosted the event, which provides students the opportunity to develop professional skills outside the classroom and learn more about the legal profession. The students' passionate and skillful advocacy was esteemed by the volunteer attorneys and judges.

The final competition took place between students from Caddo Magnet and West Monroe. After an extremely close final round, Caddo Magnet took First Place for Region 1. Both Caddo Magnet and West Monroe will attend the State Competition on March 12, 2016, in Baton Rouge. A big thank you to all of our volunteers and sponsors!



A Team Photo West Monroe High School (Back L -R) Benji Jones, Brandon Treno, Alex Crigler (Front L-R) Cole Walker, Dalia El-Giar, Grace Mobley, Scott Dorman



B Team Photo West Monroe High School (Back L to R) Christian White, Nick Norris, Joseph Cappo (Front L to R) Tressa Bice, Gabbi Strickland, Jamiel Hawkins



A Team Photo Caddo Magnet High School (Back L-R) Shubhneet Warar, Akeylah Wellington, Geoffrey Vickers (Front L-R) Mary Cash, Shawnteau Ranglin, Ankur Khanna, Sunjay Letchuman



B Team Photo Caddo Magnet High School (L to R) Emily Rose, Ethan Arbuckle, Srihar Chilukuri, Matthew Pinchback, Jemma Clary, Annaclaire McFarland, Kadeyjha Merritt

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Donate on May 3

GIVE FOR GOOD
2016

When you donate to Shreveport Bar Foundation's Pro Bono Project via www.giveforgoodnla.com on May 3 your donation will support victims of violence with obtaining Protective Orders and will assist the indigent with attaining legal help for civil matters.



SAVE THE DATE

SBA Members, Spouses, Significant Other, Children and Grandchildren are invited to

Shreveport Bar Association's Member/Family Day

Presented by the Shreveport-Bossier Bar Auxiliary

Sunday, May 1 from 4:00 to 7:00 p.m. at East Ridge Country Club

Event Sponsored by



LAW WEEK 2016 APRIL 29 - MAY 6

Law Day 2016

MIRANDA

more than words

In 2016 the nation marks the 50th anniversary of perhaps the nation's best known U.S. Supreme Court case, *Miranda v. Arizona*. This year's Law Day theme — Miranda: More than Words — will explore the procedural protections afforded to all of us by the U.S. Constitution, how these rights are safeguarded by the courts, and why the preservation of these principles is essential to our liberty.

Law Week Chairman Brian Flanagan and his committee are working on several events for this year's Law Week activities. If you are willing to serve on the committee, or help out with the events, please email Brian Flanagan at bflanagan@bwor.com.

Friday, April 29 – Presentation to Constitutional Law class at LSU Shreveport;

Sunday, May 1 - SBA Member/Family Day Crawfish Boil at East Ridge Country Club from 4 p.m. - 7 p.m.;

Monday, May 2 – Young Lawyers go to Walnut Hill Elementary/Middle School and Forest Hill Elementary School to talk about the legal system;

Tuesday, May 3 – Give For Good Campaign at Rhino Coffee and Ask A Lawyer Event at the Shreveport Bar Center from 12 Noon -2 p.m.;

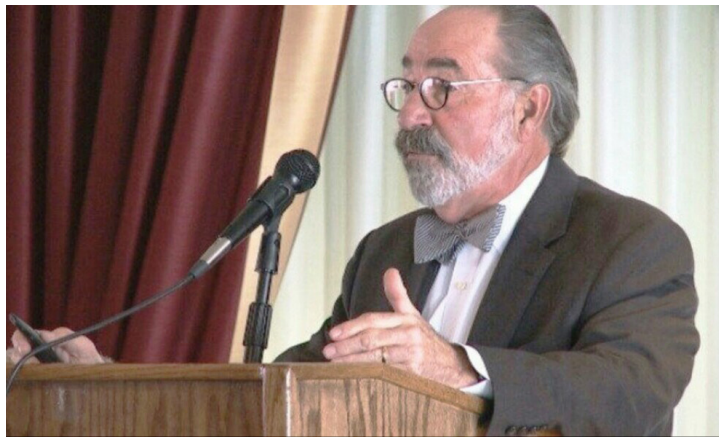
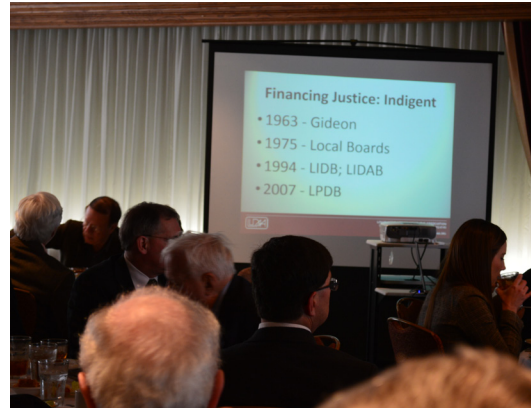
Wednesday, May 4 – Shreveport Bar Association Law Day luncheon at the Petroleum Club of Shreveport with guest speaker Derwyn Bunton, the Chief Public Defender for Orleans Parish;

Thursday, May 5 – High school student event details will be announced soon; and

Friday, May 6 – Red Mass at Holy Trinity Catholic Church

More details on all of these events will be announced in the April Bar Review.

February Luncheon Highlights





Justice Antonin Scalia Passes

by: Larry Pettiette Jr., lpettiette@padwbc.com

Many years ago, members of the Red Mass Society decided that Justice Scalia's appearance in Shreveport could actually happen if he were invited to participate in the Red Mass. Letters were written and telephone calls made. Years passed. The chance that Justice Scalia would come to Shreveport was tied to the fact that he was the supreme court justice assigned to the Fifth Circuit Federal Court of Appeals. The annual Fifth Circuit conference usually occurred in the spring in New Orleans, Houston, or some other nearby large city, so maybe he could combine a Fifth Circuit meeting with a Red Mass visit. When Judge Henry A. Politz became chief judge of the Fifth Circuit, his personal and working relationship with Justice Scalia became the cornerstone of our efforts.

On more than one occasion, I went to Judge Politz's chambers, and he would place a personal phone call to "Nino" to ask the justice to come to a Red Mass in Shreveport. Finally, one day I received a letter from the Supreme Court of United States. It was from Justice Scalia: "I hate to disappoint such a persistent suitor as the Red Mass of Shreveport, I will attend next year's event."

On April 8, 2005, he was true to his word. When Justice Scalia arrived at the airport he was met by myself, Don Miller, Angelo Roppolo, U.S. marshals and Bill Fleming, who was chairman of the Red Mass that year. Bill was orchestrating the many details of housing a supreme court justice (Judge Don Walter's guest bedroom), speeches at a sold-out banquet at East Ridge Country Club, and the celebration of Red



Jerry Edwards, David Hemken, Justice Antonin Scalia, Thomas Pressly and John Nickelson



Justice Antonin Scalia and Judge Michael Pitman



*(front) Carol Tuck and Sr. Pasquina Fraternali
(back) Sr. Concetta Scipione, Sr. Gemma Forlani,
Justice Antonin Scalia, Jimmy Williams and Sr. Sharon Rambin*

Mass itself.

When he stepped off the plane, I approached him about a request from the Sisters of Our Lady of Sorrows at Holy Angels, who are from Italy, and that year's honoree. They requested that Justice Scalia come see them. I explained that he would not have time to do so, but they pressed the invitation, which I extended to the first Italian-American to sit on the Supreme Court. We were told he did not want video or pictures taken, as part of his standing policy. At the airport, he politely told me that he would not be able to go to Holy Angels to visit the sisters, but since they were the honorees of that year's Red Mass he would have his picture taken with them (see insert).

The banquet that night was truly a memorable event. I think about it often. Justice Scalia spoke about St. Thomas More, his ultimate execution by Henry VIII, and why St. Thomas More followed the rule of law and refused to sign the edict allowing the King to marry Anne Boleyn. The details shared by Justice Scalia and the points made transcended the usual storyline and took all who attended on an unusual journey of an often discussed historical event. At the conclusion, Pastor Brady Blade remarked that he wished this had been videotaped and been recorded for future listening by those who could not attend. He has expressed that opinion on more than one occasion since.

After the mass the next day, Justice Scalia allowed the picture with the residents and sisters of Holy Angels. Bill Fleming was able to maneuver the justice to the

photo opportunity, after which Justice Scalia quickly turned and departed to the federal building with a large security entourage in tow. He later attended a luncheon to which many were invited. At the conclusion of the meal, he did not simply rush to the airport for his flight back to Washington, D.C. Instead, he offered to answer any questions that the rather large audience may have. A few seconds of awkward silence followed, so he chided, "C'mon, how often do you have the opportunity to question a Supreme Court Justice about the workings of our Court?" What followed was a lively discussion covering many topics including whether a Louisiana Law School graduate could become a law clerk to a United States Supreme Court Justice. Justice Scalia stayed for over an hour, and I believe he truly enjoyed himself, as all in attendance did as well.

For a while, we continued to correspond with Justice Scalia, letting him know the Red Mass was still taking place and that we very much appreciated his presence. Recently, Sister Gemma and Sister Concetta, sisters at Holy Angels, stopped me after one Red Mass and excitedly told me that they had seen Justice Antonin. I smiled politely and informed the sisters that Justice Scalia had not returned to Shreveport and was not likely to do so. They laughed and told me they did not see him in Shreveport, "We saw him in Sicily."

Associate Justice Antonin Gregory Scalia obviously leaves a large legacy as a judge of the U.S. Court of Appeals for the District of Columbia Circuit, a law school professor and associate justice of the United States Supreme Court, but he also came to Shreveport for the Red Mass. His connection with the Red Mass is how John Nickelson, as a chairman of the Red Mass, with Jerry Edwards and Thomas Pressly, both supporters, were able to snag the rare photo opportunity at the recent Fifth Circuit Judicial Conference this past May in New Orleans. The conference was hosted by our own Chief Judge Carl Stewart, who has been a part of the Shreveport Red Mass from its beginning.

We are grateful to Justice Scalia and the effort he made to come to Shreveport. His presence, remarks and enjoyable wit have been the topic of discussion at many Red Mass gatherings.

This year's Red Mass will be held on Friday, May 6, 2016, at Holy Trinity Catholic Church beginning at 9:00 a.m. and is chaired by Richard Hiller.

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Legal Hist

by Arthur R. Carmody, Jr., ACarmody@wclawfirm.com

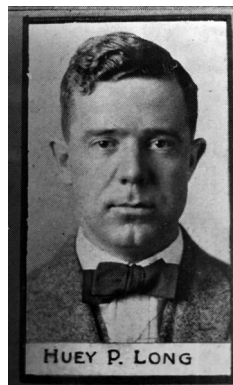
HUEY P. LONG – SHREVEPORT LAWYER 1918-1930

In 1925, the Shreveport Bench and Bar had its group photograph made. It included 112 lawyers and seven members of the judiciary. The centerpiece is federal judge Ben Dawkins Sr., judicial-looking and sporting a somber black bow tie, perhaps a harbinger of Judge Tom Stagg, who knew of no other cravat. Surrounding Judge Dawkins are the three state district judges (Mills, Bell and Stephens), three Second Circuit Court of Appeal judges (Odom, Reynolds and Carver), plus Juvenile Judge Crane and City Judge Samuel.



The 1925 SBA composite photo contained a mere 112 portraits! (The SBA's latest composite, 2011, has 424.) The 1925 original is credited to Shreveport Engraving Co., Plate Makers; Photos by Milburne; and Jimmie F. English, Producer. (Photo by Angie Garbarino)

Fourth from the right, in the fifth row of the local bar, is a photograph of a man who could be fairly called handsome. His chin has a dimple which when smiling gave him a pixie-like look. His eyes are brown, direct and deep-set. He appears full of nervous energy and ready to spring into action, all the while sporting a neatly tied bow tie. His name is Huey P. Long.



Detail of the 1925 composite showing Huey Long's face. This was three years before he was elected governor and eight before he published his manifesto, "Every Man A King."

At that time, Huey was 32 years old, had been a Shreveport lawyer for seven years and a member of the La. Railroad Commission since 1918, which in 1921 became the Public Service Commission. He is flanked in the photograph by his brother, Julius, 14 years his senior, twice to be his short-lived law partner, at times a father figure and idol to Huey, who paid for Huey's education at Tulane. Julius was considered a scholar and intellectual by his family and friends. He followed Huey to Shreveport from Winnfield in 1918 and into his office in the City Bank Building at the northwest corner of Milam and Market Streets, later the site of the Louisiana Bank & Trust Company. It was a respectable business address for the firm of Long and Long.

For Professor T. Harry Williams's 1969 Pulitzer Prize-winning book *Huey Long*, he interviewed hundreds of persons

who knew Huey. All agreed that he possessed "boundless energy, was energetic, hard working, a tough negotiator," and in later life, "adored LSU football." On the other hand, his critics were many and bitter, complaining of his unwarranted personal attacks. "A pompous, chesty, loose mouthed, rattle trap" were the words of a former governor. The largest newspaper in the state would write that he was an "unprincipled liar."

The 1925 photograph includes many lawyers who practiced with and against Huey and were still active in the '40s, '50s and '60s. Among them are Col. John Tucker, David Smitherman, Robert Roberts Sr., Cecil Morgan, George W. Hardy, Pike Hall Sr., Bennett Johnson Sr., Charleton Lyons, F.L. Hargrove, Sidney M. Cook, Ed Blewer Sr., Harry V. Booth and W. Scott Wilkinson, as well as Huey's brother, Julius T. Long.

Julius was a bright, well-read person about whom it was said that he was "born to be a lawyer." He studied law at Tulane but did not graduate; rather, he was recommended by a committee of lawyers appointed by the Supreme Court. This was the customary way in which lawyers were admitted to the bar prior to the 1930s. The committee (there was one for each area of the state) consisted of seasoned lawyers who took the appointment seriously. (Less known is the fact that his brother Earl Long was admitted to the Louisiana Bar in 1925. His "committee" consisted of brothers Julius and Huey. Needless to say, Earl passed.)

It is regrettable that the three principal Long biographies, the second being a well-received book published in 1991 written by the late William I. Hair of LSU, and the third written by Richard White Jr., also of LSU, entitled *Kingfish* and published in 2006,

contain so few comments on Huey Long by members of the bar. Leonard Hargrove, a respected and leading member of the local bar, told Professor Williams that Huey was a formidable adversary, well prepared and able in getting his way with a court and jury. On the contrary, George W. Hardy, then the mayor of Shreveport and later Chief Judge of the Second Circuit Court of Appeal, according to the local papers, referred to the governor as a “poltroon,” “blackguard,” “ruffian” and “despot” while speaking at an anti-Long rally, which under the common law are generally considered fighting words, perhaps warranting a duel or at least a backyard brawl.

Huey Long – The Beginning

Huey Pierce Long was born on August 30, 1893, the seventh of nine children, including four boys, Julius, George, Huey and Earl. They were bright children. Seven, all but Huey and Earl, graduated from high school. Three would become lawyers, two becoming governors of Louisiana as well, with Huey acquiring a national following and becoming a serious threat to unseat Franklin Roosevelt as president of the United States until his life was cut short by an assassin’s bullet in Baton Rouge in 1935. By all accounts he was one of America’s most outstanding politicians, cursed as a dictator and praised as a champion of the poor. He was a product of one of the poorest of the poor north Louisiana hill parishes. From the office of the little-known La. Railroad Commission to the better-known and powerful Public Service Commission, he was elected governor in 1928, and U.S. Senator in 1930.

Huey’s father owned a 320-acre farm outside the town of Winnfield. This home was comfortable, as were its two successors – a far cry from the “tin roofed, pea patch” cabin that his brother Earl referred to in many a political campaign.

From 1918 until his death he was a Shreveport lawyer – well known, successful, and flamboyant – a man to be reckoned with. Yet politically, he would never carry Caddo Parish.

Huey was recognized as bright, aggressive, a quick thinker on his feet, and in Julius’s words “a genius.” He was an average student but a prolific reader and great talker. After finishing the first two years at Winnfield High School, he was expelled due to a petition he circulated complaining about a teacher. As he approached age 17 he decided, based on part-time work in Winnfield, that he was a born salesman and set out on a sales career which covered kerosene, dry goods, groceries, hardware, medicines and above all, Cottolene, a lard substitute made in Houston. His quick wit and ability to think on his feet resulted in his being the leading salesman of this product. To make a sale, he often invoked the Old Testament, pointing out to the rural, churchgoing housewives that Cottolene was Heaven-inspired because it contained no fat or meat product and thus met all Biblical requirements.

When Huey was 18 years old, he was conducting a Cottolene-sponsored cake contest in Shreveport when he met a winsome young woman by the name of Rose McConnell and

was immediately smitten, although it would be two more years before they tied the knot. Rose was attractive, intelligent and an anchor to some of Huey’s excesses. She would be the mother of their three children, Russell, Rose and Palmer, and she lived in their Forest Avenue home in Shreveport until her death in 1970.

Upon marrying Rose in Memphis in 1913, Huey realized that life on the road as a drummer would not leave him time for his political goals and it would be best that he become a lawyer. And so it was that Julius offered to pay his brother’s tuition at Tulane Law School and provide him and Rose an allowance of \$50 a month. Julius had been certified to the Supreme Court by a lawyers’ committee after one year at Tulane and he believed Huey could do the same – which he did.

On May 15, 1915, Huey was admitted to the Louisiana Bar and took the train back to Winnfield. By that time, Julius had been elected District Attorney of Winn Parish. Huey took an office on the 2nd floor of the Winnfield Bank at a rental of \$4 a month. There were three books on his desk – the Civil Code, the Code of Practice and the Bible.

Editor’s Note: This article is a slightly revised version of one that originally appeared in the December 2009 issue of *The Bar Review*. Part 2, “H.P.L. – The Lawyer,” will run next month.



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Monroe Inn of Court Update

by Hal Odom Jr., rhodom@la2nd.org

What's new in the Civil Code: Annuities with a charge

“The best use of annuity with a charge is as a Civil law alternative to the reverse mortgage.” So said Tyler Storms, of Ruston, in his presentation to the Judge Fred Fudickar Jr. AIC at its meeting on February 8, 2016.

The “annuity contract” and “annuity charge” are two of the newest concepts in the La. Civil Code, having been in effect only since January 1, 2013, and are, according to Storms, the first of their kind in the Civilian world. Storms began by describing the former Civil Code provision for “rent of lands,” a vestige of more agrarian times and a transaction not used in the state for over 50 years. The La. Law Institute, of which Storms is a member, began looking at more practical alternatives, particularly to address “predatory” lending practices that tend to “squeeze out” heirs of parents who take reverse mortgages. The revision, found in Articles 2778-2791, represents the La. Law Institute’s innovative solution.

The annuity contract is defined as an agreement by which a party (usually an elderly homeowner) delivers a thing (usually the house) to another (a lending institution or, less commonly, an heir) who binds himself to make periodic payments to a designated recipient (usually the elderly homeowner). The recipient’s right to these payments is called the “annuity.” The annuity may be for a designated period or for the life of recipient, if a natural person, or 30 years, if a juridical person. The annuity charge is a real right in favor of the recipient, may be enforced in accordance with law, and is assignable and heritable.

Storms pointed out that the annuity contract may specify successive or several recipients, an outcome not possible under succession law. Also, it is not a credit sale, and the annuity charge survives a mortgage foreclosure. These aspects,



Before the meeting started, speaker Tyler Storms, right, of Ruston, visited with Inn secretary Mike Street and member Charlen Campbell in the Lotus Club’s lounge area. Tyler served on the LSLI committee that drafted the annuities with a charge legislation and published the first article on it, found at 62 La. B. J. 430 (April-May 2015). Photo by Hal Odom Jr.

Storms suggested, “make it a very versatile tool.”

In response to some skeptical questions, Storms conceded that in its first three years the annuity with a charge had not yet been tested in the field, but he attributed this to the fact that the concept is new and very different from existing property transactions. He also suspected that the lending industry would not embrace it because it was more favorable to the consumer than the

heavily promoted reverse mortgage. Still, he commended the legislature for passing the bill, 2012 La. Acts No. 258, and Profs. Yiannopoulos and Litvinoff (the latter died midway through the process) for conceiving and shepherding it through the Law Institute.

The February 8 meeting was the fifth of the 2015-16 season for the Monroe Inn. Some 24 members were in attendance for the program, officially titled “Resurrection of a Real Right: Annuities with a Charge,” which qualified for one hour of CLE credit. The Inn’s next meeting will be the annual joint meeting with the Harry V. Booth-Judge Henry A. Politz Inn and is tentatively set for March 17 in Shreveport. President Cyd Sheree Page heartily encouraged members to make the drive and enjoy the fellowship and fine food of the joint meeting!



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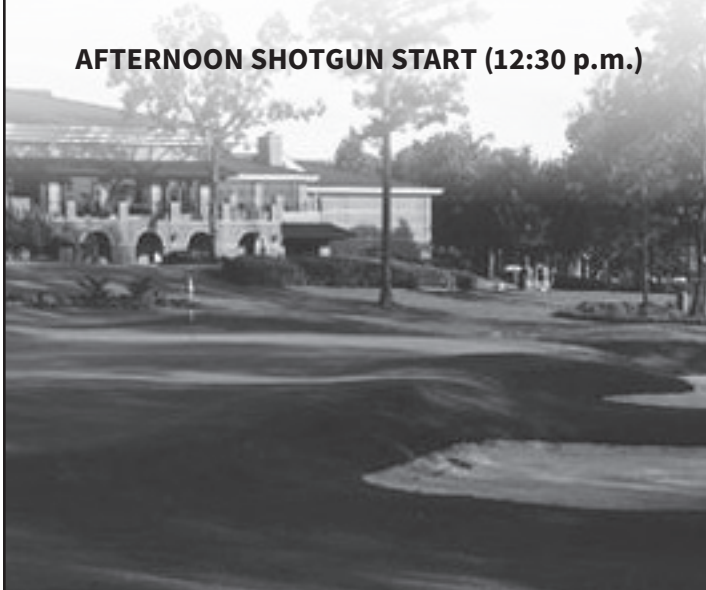
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Monday, May 9, 2016

**Southern Trace Country Club, Shreveport,
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AFTERNOON SHOTGUN START (12:30 p.m.)



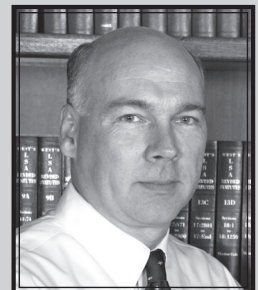
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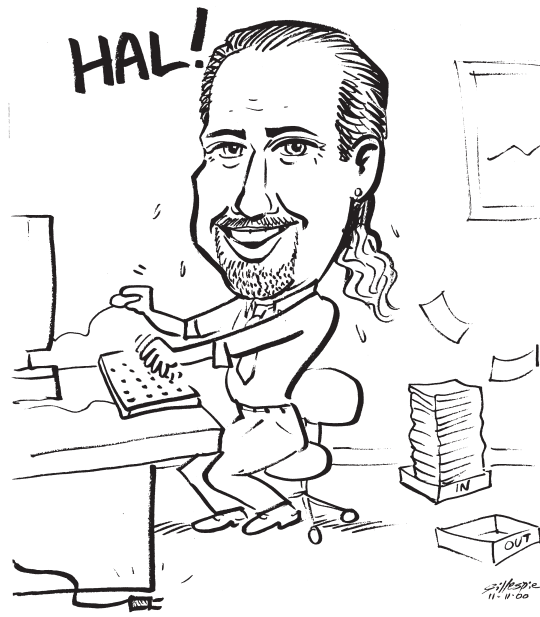


Charles D. Elliott

How Write You Are

by Hal Odom Jr., rhodom@la2nd.org

How's that for service? In case some readers missed it, a state court in New York has approved service of an ex-wife's divorce summons "solely by sending it through Facebook by private message" to her ex-husband's account. The opinion, *Baidoo v. Blood-Dzraku*, 2015 NY Slip Op 25096 (Supreme Court, New York County), relates that the standard method of service is personal delivery to a defendant; then the alternatives are "substitute service," "nail-and-mail" and, least desirably, publication. The court concludes that, ultimately, service must be "reasonably calculated, under all the circumstances, to apprise [the defendant] of the pendency of the action." The court found that Blood-Dzraku had no fixed address, no place of employment, no billing address linked to his prepaid cell phone, and no driver's license. (His wife must have met him online, as he appears to have no corporeal presence.)



benevolently omitted]. Void were prohibited by law."

The first one is at least a homophone for *their*; the second is just a mistake in large print, reflecting badly on the sender, as if spam email and blast faxes didn't already impugn their senders. Spell Check is a splendid tool, but it cannot do all our writing for us! Please reserve a little time for basic proofreading.

All about "me." A reader asks for a refresher course on the proper use of *me* and *I*. The basic rule is very simple. *I* is in the nominative case and is used for the subject (usually the first word) of a sentence. "I will be representing the defendant. I have several pretrial motions." *Me* is in the objective case and is used for the direct object (the word after

the verb) or the object of a preposition. "The court commended *me* for my honesty, but then ruled against *me*."

There are, however, two problem areas.

One is the predicate nominative, a pronoun that appears after the verb *to be*. Because *to be*, also called the *linking verb*, describes not an action but a stationary condition, it does not take an objective pronoun. Examples: "Who is at the door? It is *I*." "It was *I* who called the police." In spoken English, examples like this sound hypercorrect, even pretentious. Very few listeners will correct you for saying, "It's *me*," so know your audience. In formal, written English, it is better to use the nominative, "It is *I* who called the police," or better yet to write around the dilemma, "I am the person who called the police."

The other is the problem of multiple objects. This probably gets embedded from earliest childhood, when you asked your mother, "Can *me* and Johnny get Iceses?" "Can *me* and Martha play in the sandbox?" Quite properly, your mother corrected you, "That's Johnny *and I*," or "Martha *and I*." So early and so ingrained was this admonition that for the rest of your life the impulse is to say the other person's name first, followed by *and I*. Only problem is that it doesn't work when you and your friend are in the objective case! The following are wrong:

- "She had a lot of advice for Nelson *and I*." Take out the Nelson, and you'd never say "advice for *I*."
- "The officer told Harris *and I* to push the car off the paved roadway."
- "She said she saw Smith *and I* in the crowd." But note: "She said Smith *and I* were in the crowd."
- "I can't think of a better outcome for *he and I*." A double error: for *him and me*.

If so, you'll probably hear about it on social media first.

Old Spell Check alerts. These are oldies but goodies:

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SBA LUNCHEON MEETING SERIES – MARCH 23

Petroleum Club (15th Floor) – Buffet opens at 11:30 a.m. Program and Speaker 12:00 Noon
 \$20.00 for SBA members includes lunch with advance reservation
 \$25.00 for Late Reservations (after 5:00 pm the Monday prior to the luncheon) and Non SBA Members



FIRST YEAR-TYLER ADMINISTRATION

- When:** Wednesday, March 23 from 12:00 Noon to 1:00 p.m.
- Where:** Petroleum Club (15th floor)
- Featuring:** Mayor Ollie Tyler

On January 19, 2012, Mrs. Tyler retired from the Louisiana Department of Education. She has spent 43 years in education, serving the children of Louisiana. On Dec. 6, 2014, Shreveport voters elected her as mayor of Louisiana’s third-largest city. Among her primary goals as mayor are to create a safe environment by providing more police presence in crime-ridden neighborhoods and continue the progress of overall crime reduction; stabilize finances by developing an aggressive budget that ensures fiscal sustainability; address the ailing infrastructure with a strategic plan that strengthens the sewer and water systems, repair streets, beautify gateways into the city, and enhance efforts to clean up all areas; and establish an economic development department that works in partnerships with key stakeholders to expand economic opportunities and attract Fortune 500 companies.

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I plan to attend the March luncheon. Attorney: _____

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