THE BAR REVIEW

PUBLICATION OF THE SHREVEPORT BAR ASSOCIATION Volume XXII, Number 8 • October 2015



Lawyers at Leisure:

ON AND OFF THE BALLFIELD

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EVENTS AT A GLANCE

Date	Event
10/15 & 16	Recent Developments by the Judiciary CLE at Hilton Garden Inn Event Center Bossier City
10/15	November Bar Review Ad & Article Submission Deadline
10/28	SBA Membership Luncheon – 12:00 p.m Petroleum Club- Speaker: Professor Paul R. Baier
10/30	Shreveport Bar Foundation Fall Fundraiser at Shreveport Supper Club
11/5	Memorial & Recognition Service- 2:00 p.m. – First United Methodist Church
11/11	SBA Membership Luncheon – (Veterans' Program) - 12:00 Noon



From The President

by Bennett L. Politz, SBA President, blp@blpllaw.com

"Up on the High Road"

The heavy lifting in your bar association is done by the executive director, executive council and committee chairs.

It is impressive to watch the efforts of this group collectively. This talented bunch generate the various activities, programs and functions of the Shreveport Bar Association. They should be commended. Should any lawyer be called upon to serve in the future, give some thought to it. You will find it well worth the effort.

During my father Hank Politz's lifetime he was characterized in a variety of ways. Some were federal judge, trial lawyer, civic leader, political raconteur and storyteller. He was all those things. He was also a great turkey hunter. His seven sons, and numerous "Seahorn" sons, spent memorable times with him and friends deer and turkey hunting on the Seahorn Ranch lease in Crockett County, Texas. The tradition in that country continues with his grandsons and hopefully great-grandsons some 50 years later.

On the Seahorn Ranch, we would hunt the wild turkeys on what was called the "high road" above the draw. A draw, in the West Texas desert, is the place the water drains in heavy rains and oak trees flourish from the moisture, and where turkeys can safely roost at night. Traditionally, we would be spaced 75 yards apart on the high road with instruction to stay put in position for gun safety sake. Of course, the Judge was the driver and the last in position and the rule to stay put did not apply to him. Hunters placed strategically in the draw would catch the birds coming off the roost and send turkeys airborne mostly down the draw with a good number up to the high road. The initial shotgun blasts sent the vast majority of the birds down the draw and up a mini draw escape route to the mesquite flats. The good Judge was always positioned strategically in that mini draw escape route. His success rate was astounding at the end of the high road. As an adult, mind you, I jokingly challenged him, "Pop, you are strategically placing us on the high road and the draw to funnel the birds to you!" With an impish grin his response was, "Son, I wouldn't do that to you boys." The last few times he did it to us boys, he harvested the birds from the driver's seat of the "hunt car," as we called it. He was one crafty turkey hunter.

I reflected on this story recently when I was being unduly recognized for some effort then as I do now. "Folks, I am just up on the high road and they are funneling the birds to me."

Remember - do good work!

Ben

Lawyers at Leisure

by Kenny Haines, haines@weems-law.com

Editor's Note: Depicted on the cover is a photo of a collection of lawyers from Shreveport Bar Association who have chosen participation in youth sports as a means of contributing to the community and as a preferred leisure activity. Do you know of any local lawyers with interesting hobbies, alternative jobs, leisurely activities or community involvement? If so, please send your suggestion to Dana Southern, Executive Director, Shreveport Bar Association for consideration.

"Come on Ref, are you blind!" or "Good Call, Ref." are thoughts expressed to local attorneys Ken Antee, Brian Landry, and Adam Savoie. Lawyers by day, these guys have chosen to be the arbiters of gridiron justice by night.

"Coach, does this mean we're not going to win the championship?" might be the words uttered to the other guys depicted in the photo. These are some guys who chose to devote their spare time to teaching and coaching other people's kids in a particular sport. Some chose baseball, some football, some soccer or lacrosse. There is even a track coach in the bunch, which often caused me to wonder, can you teach someone to be fast? Here's a tip kid, "Run!" Just kidding.

All of these guys have a story to tell. And, since it would take up too much space to tell all the tales, I decided to get them all to give me just one example of their best memory from their sporting exploits.

Some remember specific events, like Ken Antee, who has officiated games at the highest levels of college athletics. Ken recalls the night he officiated a triple overtime game in the Louisiana High School Class A semifinals in which Mangham defeated John Ehret. Adam Savoie refereed an arena football championship, Arena Bowl XXVI. Judge Craig Marcotte recalled the time he took Byrd High School men's soccer team to the playoffs in 2014. Larry Pettiette thinks of his time as a participant in the lawyer's basketball league and defeating some local judge's teams for a championship.

Frank Spruiell and I coached Little League baseball together, lmost always in opposite dugouts. We both enjoyed our experiences as coaches for the Shreveport Little League All-Star teams. Frank's best memory was the team he took to the 10-year-old state championship tournament. Many of his players still play collegiate baseball to this day. I fondly recall July 28, 2006, the night my son went six innings to defeat South Lake Charles in the 10-year-old Little League state championship game. My son and I hung up our cleats long ago.

For some, their fond recollection was not a particular game, person or lesson. Instead, they cited encounters with former players which gave them a great feeling of having accomplished good in the world as important. It's a powerful thing to have

been a positive influence in a young person's life. Ben Marshall smiled when he recounted the time that Austin Tolliver had reminded him of the good times they had on their ball club. Carey Schimpf was reminded of a time he bumped into a young hurdler he coached at Captain Shreve who moved to Texas. The young man just wanted him to know that his coaching had positively impacted his life. My own heart warmed recently when I bumped into a former player and we talked about some of the things that had influenced him to "walk on" to the LSU football team. Brian Landry may have said it best when he said that one of the reasons he continues to referee sports is because "I help to provide the structure for a young man's character to be developed through the actual playing of the game."

Then, there are those like Judge Brian Barber, who look upon their coaching experience as purely competition. He wanted me to say, so I'm saying it like he wanted, that his most memorable experience has been "beating Coach/Judge Craig Marcotte's baseball teams again and again."

Whatever the motivation to participate or recollection of the time spent participating, having lawyers involved in the lives of young people in Shreveport through athletic competition is a good thing. It's something we can be proud to say that our profession, through its members, gives back to the community, and it's something that will continue well into the future.



Judge Brian Barber with his Calvary Championship Rings

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> Women's Section Elizabeth Aycock President

Krewe of Justinian Susannah Stinson Captain

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



TIME

8:00 - 8:30

Young Lawyers' Section

by Ryan Goodwin, rog@lunnirion.com

Calling All Lawyers Who Have Recently Been Admitted to the Practice of Law!

Congratulations to all of the newly admitted attorneys! The Young Lawyers' Section will host a New Lawyers' Orientation & Luncheon at the Petroleum Club on November 5, 2015. The event is free and will include presentations which will count toward your Continuing Legal Education. The schedule is as follows:

TOPICS

Registration

8:30 – 9:30	Professionalism Palooza : presentation by Ben Marshall Jr., <i>Mayer, Smith and Roberts</i> .
9:30 – 10:30	Advice from the Other Side of the Bench : presentation by the Judge Jeanette Garrett, <i>Second Circuit Court of Appeal</i> .
10:30 – 11:30	Louisiana Supreme Court History : presentation by Justice Scott Crichton, Louisiana Supreme Court.
11:30 – 12:30	Lunch and Young Lawyer Panel : Lunch will be served and there will be an open format discussion with a panel of local young attorneys from various backgrounds and practice areas.
12:30 – 1:30	Criminal Appointments in Juvenile and District Court: Where do I start?: presentation by Judge Parker Self, Melissa Fox, Twenty-Sixth Judicial District Court, Judge Paul Young, Caddo Juvenile Court, Donald Hathaway Jr., Sockrider, Bolin, Anglin, Batte & Hathaway, and Alan Golden, Former Public

Following the CLE, we will adjourn to the First United Methodist Church for the Memorial and Recognition Ceremony. Following the ceremony, the Shreveport Bar Association will host a reception for the newly admitted lawyers at the Shreveport Bar Center. For more information on the events of November 5, 2015, or to reserve your place, please contact Dana Southern at 318-222-3643 Ext. 3 or dsouthern@shreveportbar.com.

Defender, First Judicial District Court

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BAR BRIEFS



Judge Karelia R. Stewart

The National Bar Association held its 40 under 40 Awards Luncheon in Los Angeles, California, during the annual meeting and recognized Judge Karelia R. Stewart as one of the Nation's Best 40 Under 40 Advocates. Additionally at the luncheon, Judge Stewart was recognized as one of five distinguished honorees, and she received the Excellence in Leadership Award. The award recipients were selected from a national nomination pool of over 3,000 submissions, and Judge Stewart was the only recipient from Louisiana. The Excellence in Leadership Award was given to signify her diligence to the bench as a new

judge and her reputation in the legal community as consistently treating others with dignity and respect while using her legal talents as a means of serving others. Her peers and colleagues noted that she operates with the highest standards of integrity and service to mankind.



Pro Bono Update



Gernine Mailhes

Since June 2013, the Pro Bono Project has partnered with Legal Services of Northwest Louisiana to handle uncontested divorces, protective orders and successions for clients referred to the Pro Bono Project from Legal Services. This partnership has been very successful, with the Pro Bono Project referring 156 cases to volunteer attorneys in 2014. Thanks to the work of our dedicated volunteers, the partnership has continued in 2015, and needy citizens of our community are helped every

month by volunteer attorneys. If you are interested in volunteering, the Pro Bono Project provides all necessary paperwork, signed and ready to be filed.

Beginning in January 2015, the Pro Bono Project expanded our partnership with Legal Services by assisting in operating joint Ask-A-Lawyer Clinics. We have held two joint Ask-A-Lawyer clinics at the Bar Center and a "Self-Represented" uncontested divorce clinic in Bossier City.

The Pro Bono Project, Legal Services and the YWCA are joining together for several upcoming Pro Bono Week events. We will have a "Self-Represented" uncontested divorce clinic and Living Wills/Medical Power of Attorney in Bossier on October 27 in the History Center at the Bossier Central Library and in Shreveport on October 28 at Atkins Branch of Shreve Memorial Library, 3704 Greenwood Road. Both events are from 5:30-7:30 p.m. These clinics are part of the LSBA "Lawyers in the Libraries" Pro Bono Week events.

If you are interested in volunteering please email Nellie Walton at nwalton@shreveportbar.com.



Women's Section

by Elizabeth Liner eliner@wcglawfirm.com

We hope your fall is starting off nicely. The Ladies of the Shreveport Bar had a lovely time in September getting to know one another a little better on the patio at Ristorante Giuseppe. We discussed what we, the Ladies of the Shreveport Bar, are interested in and what we hope to see our organization doing in the future. If you have thoughts on activities or goals the Women's Section should be undertaking, please don't hesitate to send an email to me at eliner@wcglawfirm.com.

October is Domestic Violence Awareness Month. Some of our Women's Section of the Shreveport Bar Association will be attending several events slated for bringing awareness to this cause. We will also further our commitment to shed light on this issue by participating in local initiatives on domestic violence, including discussions on how to better address the needs of victims in the Shreveport and Bossier communities.

In hopes of keeping the fall fun going for the Ladies of the Shreveport Bar, we are planning a gathering on **October 20, 2015, at 5:30 pm at the Robinson Film Center.** In an effort to develop ties with other women in the Shreveport-Bossier community, we will be inviting other professional women in the community to meet with us as well. So, if you have friends in other professions you would like to invite, the more the merrier. Hope to see you all there.

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Veterans Day Program

The 2015 Veterans Day program will be held on Wednesday, November 11 beginning at 12:00 Noon Sharp at the Petroleum Club (15th floor).

THIS REALLY IS A BIG DEAL!



Since the 1920s, when members of the Shreveport Bar led the effort to create what became Barksdale Air Force Base, all of us in Shreveport/Bossier have known how important the Air Force and Barksdale are to us. For the first time ever, the Air Force has acknowledged how important Shreveport/Bossier and Barksdale are to them.

The Air Force is authorized only nine four-star generals, who command Air Force staffs and major commands at only eight locations around the world. Since July of this year, one of those locations is right here in our community at Barksdale Air Force Base

Our keynote speaker for the 2015 SBA Veterans Day Program will be the first four-star general ever to be permanently assigned to Barksdale, General Robin Rand, Commander, Air Force Global Strike Command. His address to the Shreveport Bar Association will be one of his first opportunities to speak to his new command's host community.

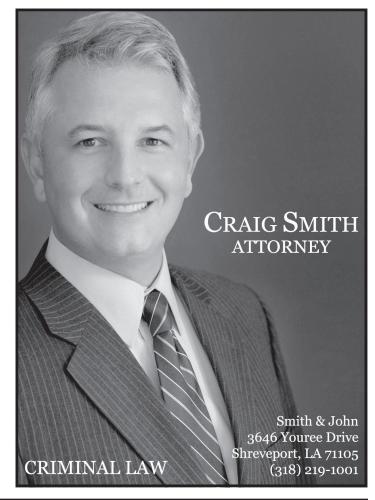
You won't want to miss this one!



DON WEIR, JR.

has been selected as a new member of the National Academy of Distinguished Neutrals, La. Chapter





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Memorial & Recognition Ceremony

Members of the Shreveport Bar Association are encouraged to participate in the annual Memorial & Recognition Ceremony to be held Thursday, November 5 at 2:00 p.m. at the First United Methodist Church in the Main Sanctuary, Head of Texas Street. It is an opportunity for SBA members to honor the deceased and celebrate their contributions to the profession and to the sanctity of law. Their families are also invited and truly appreciate this show of honor and respect. The memorial service is followed by the introduction of new lawyers, which is an important and meaningful kickoff tradition for those just starting to serve the legal profession.

In addition to honoring deceased members and the recognizing of new members, this gathering presents an occasion to reflect on your own legal career and to encourage those who are just entering the profession.

A reception following the Memorial & Recognition Ceremony will be held at the Shreveport Bar Center, 625 Texas Street (one block from the church).

Attention All Attorneys!

New Attorneys will be honored on November 5. Please pass this information along to anyone who passed the Louisiana Bar Exam in 2015.

In connection with the SBA's Memorial & Recognition Ceremony being held on Thursday, November 5, 2015, the following events have been planned for area new attorneys:

8:30 AM – 1:30 PM New Attorney Seminar – Petroleum Club (15th Floor) – Energy "A" Room (Includes Lunch). All new attorneys who have passed the Louisiana Bar Exam in 2015 are invited to attend the seminar.

2:00 PM – Memorial & Recognition Ceremony – Main Sanctuary – First United Methodist Church

Reception immediately following at the Shreveport Bar Center, 625 Texas Street

All attorneys who have passed the Louisiana Bar Exam in 2015 will be recognized during the ceremony. Attorneys and judicial offices are asked to turn in any names of attorneys who have passed the bar to Dana at the SBA Office either by email: dsouthern@shreveportbar.com, telephone (222-3643) or fax (222-9272).

In Memory of:

James Caldwell
James B. Gardner
James "Fleet" Howell
Neilson Scott Jacobs
William "Bill" Nader
Judge Charles Peatross
Judge Charles Scott
Judge Tom Stagg
John Stephens
G. Warren Thornell
Frank Zaccaria

The Shreveport Bar Association and Judges of the First Judicial District Court cordially invite you to attend the annual

Memorial & Recognition Leremony

honoring deceased and
new members of the Bar
Thursday, the fifth of November at
Two o'clock in the afternoon
Main Sanctuary
First United Methodist Church
500 Common Street
Shreveport, Louisiana
Reception to follow
At the Shreveport Bar Center
625 Texas Street Shreveport, Louisiana

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Contact Mike Patterson at 866-367-8620. Or visit the group's website at **www.pattersonresolution.com** for more information and the article, "Getting Your Client and Yourself Ready for Mediation."



BATON ROUGE · NEW ORLEANS · LAFAYETTE · SHREVEPORT · MONROE

Shreveport Bar Association Lunch & Learn CLE

Shreveport Bar Center
625 Texas Street, Shreveport
Friday November 20, 2015
Registration 11:30 a.m.
1.0 Hour Louisiana CLE Credit

12:00 Noon -1:00 p.m.
Karen Tyler, Karen Tyler Reporting
Topic
I'm A New Lawyer! What Do I Do To Impress?

Lunch will be provided for all participants



Name	
Address	
City, State, Zip	
Phone No	Email Address
Registration For SBA Members Non-SBA Mem	- \$50.00
	ease contact Dana Southern at Ext.3 or email: dsouthern@shreveportbar.com
	Please charge to myVisa MC AMX Card No.

SIC:

Expiration Date

Signature

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Spotlight On Professionalism

by Donna Frazier, dfrazier@caddo.org

Dannye Malone was Caddo Parish's first parish attorney. As the originator and

architect of the Caddo Parish Attorney's Office, he started many processes that we still use today in the parish attorney's office. Additionally, since I was appointed parish attorney, Dannye has made himself available to answer questions, give advice and be a sounding board – all actions I greatly appreciate.



Dannye, the second of four siblings and the son of educators, is a Shreveport native and a product of its public school system. He is a lifelong basketball player and was a point guard for Captain Shreve High School – a "big man on campus," I'm told. Dannye was also active in the high school drama club, starring in the musical "Adam and Eve," among other productions; he swears he no longer sings, but if one listens to his

speaking voice, one may be skeptical of that statement. While at Captain Shreve High School, he was influenced by one of his teachers, Mrs. Carrie Williams, to attend Southern University in Baton Rouge, where he graduated from college and then from law school in 1985. Upon law school graduation, Dannye had been recruited to become a JAG officer and was scheduled to be assigned to duty upon passing the bar. While awaiting a duty assignment and bar results, Dannye decided to send out a few resumés, one of which he sent to the City of Shreveport, and he got a bite! Then-City Attorney, Judge Charles Peatross, called him up and said Dannye was needed in the city attorney's office ASAP. Dannye specified he was awaiting bar results, but Judge Peatross told him he could work as a law clerk until he received them. So, Dannye came home, where his family wanted him, and began his career in municipal law as a law clerk in the Shreveport City Attorney's Office. (Ask him to tell you about his desk.)

But that is not the end of the saga. Dannye, displaying his point guard tendencies, orchestrated a little "give and go" between those vying to have him work in their organizations. When Dannye received his bar results three weeks later, he told Judge Peatross that he was leaving for JAG. Judge Peatross then gave Dannye a salary incentive that had Dannye telling his JAG recruiter that he was going to be staying with the city attorney's office. JAG upped the ante and offered to make him a first lieutenant initially and promote him to captain within six months — which came with a certain salary. The city attorney matched that and topped it. JAG then matched that offer and told Dannye he could pick where he would be stationed. Judge Peatross came back with a salary increase that sealed the deal and the rest is history. Dannye worked as an assistant city attorney under city attorneys Judge Peatross, Charles Grubb and Jerry Jones, during

which time he represented the police department, Department of Public Works, the Department of Water and Sewage and the chief administrative officer. It was his representation of the CAO that would lead to his next career move.

In 1993, Judy Durham, former Shreveport CAO, was appointed the first female Caddo Parish administrator. The parish charter provided for the creation of the Office of Parish Attorney. She convinced Dannye to apply for that position, and he was selected by the Parish Commission – a "slam dunk" of a move. In his almost 10 years as parish attorney, Dannye was largely responsible for building the office to what it is today. He assumed responsibility of drafting all legislation, established a review and approval process for parish contracts, still in place today, and also brought all the parish's litigation in-house. The structure of these primary responsibilities of the parish attorney's office still provides the backdrop against which all other legal matters are handled. In 2002, after 17 years in government practice, Dannye became special counsel for Jeansonne & Remondet, and was made partner in that firm in 2003.

For most people, having been the originator and architect of a major facet of local government would be enough. However, in this "third quarter" if you will, Dannye had something else to originate. He left Jeansonne & Remondet in 2005 and opened the Malone Law Firm. While ensuring that his firm provided representation to various local government entities, Dannye represented several companies, including Chesapeake Energy and Millennium Studios. The Malone Law Firm also became home to several attorneys who have since started their own firms and to one who is Shreveport's newest city attorney, William Bradford

But is this the end of making moves? No. Sometimes, as a game unfolds, plays have to be adjusted and it is your point guard, your floor general, who is responsible for making sure the adjustments are made. In his last move, Dannye has come full circle and is working in-house again in local government – as general counsel for the Port of Shreveport-Bossier. Most importantly, he is really enjoying it and considers it a great fit after 30 years of law practice. The issues are familiar, yet different enough to provide just the right amount of challenge. As any basketball fan knows, comfort is highly desired in the fourth quarter.

As the whistle is blown, Dannye, we thank you for all you have provided to Caddo Parish and Shreveport. You've set many of us on a great path and are still taking the time to guide us.

Secret Santa

Please make it a Merry Christmas for a needy child in our community by serving as an SBA Secret Santa. Email secretsanta.sba@gmail.com to sign up.

Last year, the SBA Secret Santa project delivered truckloads of gifts (footballs, clothes, dolls, bicycles, etc.) to dozens of needy children in our community. We want to help even more families in 2015.

If a firm, chambers, or government office volunteers, please include an estimate of the number of children you would like to help. Around Thanksgiving, volunteers will receive an email with the names of their children plus wish lists and information (age, gender, clothing size, hobbies, etc.). What you buy and how much you spend is up to you. Volunteers will deliver their gifts to the Bar Center, and we will take it from there Early volunteers make planning easier and ensure success, so please sign up now.

Questions? Call Kristi Gustavson at 429-1206 or Chris Slatten at 934-4696.

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SEPTEMBER LUNCHEON Highlights





Local American Inn Of Court Awarded Platinum Status

At the annual Inn dinner on Tuesday, September 15, 2015, the Harry V. Booth/Henry A. Politz Inn of Court received platinum status, the highest designation given by the National American Inns of Court. The presentation was made by Executive Director of the American Inns of Court and Brigadier General (retired) Malinda E. Dunn, and received by Inn President Larry Pettiette, Vice-President Brian Landry, and Chief Judge of the United States Court of Appeals for the Fifth Circuit Carl Stewart, who is also the current President of the National American Inns of Court.

The conceptual founder of the American Inns of Court was former Chief Justice Warren Burger who, in 1980, encouraged the formation of an American organization modeled after the English System of Inns which trained young solicitors and barristers. The purpose of the American Inns of Court is to foster professionalism, ethics, civility and legal skills in the practice of law. Currently, there are nearly 400 Inns in the United States.

The Harry V. Booth/Henry A. Politz Inn of Court was established in Shreveport in 1991 by Judges Tom Stagg, Henry A. Politz and Carl Stewart, with attorneys Robert Pugh, Art Carmody, Don Miller and Larry Pettiette. At the dinner, United States District Court Judge Maury Hicks presented a talk on the beginnings of our local Inn.

Memorial tributes were also presented for deceased Judges Tom Stagg and Charles Scott. The family of Judge Stagg present was Mrs. Miki Stagg and Margaret Sour. Alexis Scott represented the family of the late Judge Charles Scott.

The banquet was hosted by the Inn team chaired by Jerry Edwards and Juliana Parks. The team members are: Virginia Alexander, Reggie Abrams, David Szwak, Mark Odom, Joel Pearce, Robert Piper, David Gilmer, Scott Chafin, Daniel Baker, Nikki Buckle, Isaac Khalid, Jessica Cassidy and Joseph S. Woodley. Mark Odom delivered the invocation. Robert Raley, a member of the Inn, provided the music.

John Cox and retired Judge Gene Bryson were recognized for their Senior Master status in the local Inn. Also included in the evening festivities was recognition of the past presidents of the Harry V. Booth/Henry A. Politz Inn of Court whose leadership culminated in the award of platinum status: Honorable Henry A. Politz (1990-1992); Robert G. Pugh (1992-1993); Honorable Charles A. Marvin (1994-1996); Honorable Roy S. Payne (1996-1998); David B. Klotz (1998-2000); Billy R. Pesnell (2000-2002); Honorable Charles R. Scott (2002-2004); Honorable Stephen V. Callaway (2004-2006); Allison A. Jones (2006-2008); Bennett L. Politz (2008-2010); Honorable J. Jay Caraway (2010-2012); and Honorable Mark L. Hornsby (2012-2014).

Special guests at the banquet included immediate past President of the Louisiana State Bar, Larry Shea, current Shreveport Bar President, Bennett Politz, and the new Executive Director of the Shreveport Bar, Dana Southern.



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SHREVEPORT BAR FOUNDATION COSTUME PARTY FRIDAY, OCTOBER 30

The Shreveport Bar Foundation (SBF) will host a Costume Party on Friday, October 30. This event will be held from 8:00 p.m. until Midnight at the Shreveport Supper Club, located at 610 Commerce Street.

Come out and enjoy an evening full of ghostly libations and great food. Music will be provided by the band, Caravan, as we dance the night away, counting down the hours to Halloween. Everyone is encouraged to dress in a costume, though cocktail attire is appropriate as well.

Tickets are now on sale through the SBF's website www. shreveportbarfoundation.org. General admission is \$35 per person and includes food and unlimited domestic beer and wine. Sponsorship VIP bundle is available for \$1,500 and it includes admission for 10 people with 4 liquor tickets per admission, food, unlimited domestic beer and wine, and VIP parking. For more information about the event, including sponsorship opportunities, please contact Courtney Turner at 318-222-3643, extension 2 or email cturner@shreveportbar.

com.

The Costume Party serves to raise funds for the SBF, which provides free civil legal services to the poor through the Pro Bono Project. The SBF's Pro Bono Project also operates community outreach clinics at the Bar Center as well as at mobile clinics at local homeless shelters, a transitional home for veterans, and a domestic violence shelter. The SBF operates a Pro Se Library open to the public at the Bar Center that is staffed by our Pro Bono employees and attorney volunteers.

The Shreveport Bar Foundation is a 501(c)(3) organization formed with the purpose of performing charitable and educational services in the Shreveport and Bossier communities. It is a nonprofit corporation supported by grants, fundraising events, and other selfgenerated revenue.



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Shreveport Bar Association Memorial & Recognition Ceremony

Thursday, November 5, 2015
2:00 PM
First United Methodist Church
Main Sanctuary
500 Common Street

Please note the location and time



2015 Louisiana Federal Courts Admission Ceremony

Obtain Admission to the Eastern, Middle and Western Districts of Louisiana and U.S. Fifth Circuit Court of Appeals

> Thursday, December 3, 2015 4:00 p.m. | Reception following

United States Court House 300 Fannin Street | Shreveport, Louisiana

Applications must be submitted by: November 17, 2015 Please apply at: www.lawd.uscourts.gov

All members of the Bar are invited to attend. Hosted by: The North Louisiana Chapter of the Federal Bar Association



Recent Developments By the Judiciary Sponsored by the Shreveport Bar Association October 15 & 16, 2015 Hilton Garden Inn / Homewood Suites - Bossier City

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

Thursday, October 15, 2015

7:30 A.M. Registration & Continental Breakfast

8:30 A.M. Civil Procedure, Evidence and Writs

60 minutes Judge D. Milton Moore III and Attorney Michael Collum –

Second Circuit Court of Appeal

9:30 A.M. Civil Mediation

60 minutes Attorney Robert Dampf - Perry Dampf Solutions

10:30 A.M. Sponsor Break (Refreshments)

10:45 A.M. Technology Update

60 minutes Attorney Melissa Allen - United States Fifth Circuit Court

of Appeals and Bob Foil - Thompson Reuters

11:45 A.M. Lunch (included with full registration)

1:00 P.M. United States Supreme Court Update 2014-2015 Term

60 minutes Chief Judge Carl E. Stewart – United States Fifth Circuit

Court of Appeals

Break-Out Session 1

(Break-Out Session 1A)

2:00 P.M. Torts Update

75 minutes Attorney Jerry Edwards - Blanchard, Walker, O'Quin

& Roberts

(Break-Out Session 1B)

Juvenile Court Issues

Judge Shonda Stone - Caddo Parish Juvenile Court

3:15 P.M. Sponsor Break (Refreshments)

Break-Out Session 2

(Break-Out Session 2A)

3:30 P.M. Criminal Law for Court Appointed Civil Lawyers

75 minutes Attorney Alan Golden - District Defender, First Judicial District and

Attorney Donald E. Hathaway Jr. - Sockrider, Bolin, Anglin, Batte

& Hathaway

(Break-Out Session 2B)

Service Members Civil Relief Act-Overview and Practice

Attorney John S. Odom Jr. - Colonel USAF (Ret.) Jones

and Odom, LLP

Friday, October 16, 2015

7:30 A.M. Continental Breakfast

8:30 A.M. Helpful Hints from A to Z from Fannin Street

60 minutes Judge Jeanette Garrett - Second Circuit Court of Appeal

9:30 A.M. Recent Updates in Louisiana Oil and Gas Law

60 minutes Patrick H. Martin, Professor Emeritus of Law - LSU Law Center

10:30 A.M. Sponsor Break (Refreshments)

10:45 A.M. Hot Ethics and Frustration by the Louisiana Supreme Court

75 minutes (Ethics Hour)

Justice Jeanette Theriot Knoll, Justice Marcus Clark and Justice Scott J. Crichton - Louisiana Supreme Court

12:00 Noon Lunch (included with full registration or with Ethics/

Lunch/Professionalism Combo Package)

1:00 P.M. A Father's Perspective: Transcending Generations on

60 minutes Professionalism from Baby Boomers to Generation X to

Millennials (Professionalism Hour)

Judge Stephens Winters - Fourth Judicial District Court

Break-Out Session 3

(Break-Out Session 3A)

2:00 P.M. Federal Procedure

75 minutes Magistrate Judge Mark Hornsby - U.S. District Court,

Western District

(Break-Out Session 3B)

Law Practice Management: Avoid Being a Victim of

Employee Theft

Attorney Kelly Long - Flowers & Long, Det. Bobby Herring - Caddo Parish Sheriff's Office, Kim Bailey and Debbie Jones -

Citizens National Bank

3:15 P.M. Sponsor Break (Refreshments)

Break-Out Session 4

(Break-Out Session 4A)

3:30 P.M. City Court Practice and Procedure

75 minutes Judge John B. Slattery Jr. - Springhill City Court, Judge R. Lee

Irvin - Shreveport City Court and Attorney William Bradford -

Shreveport City Attorney

(Break-Out Session 4B)

Successions

Attorney Bennett L. Politz - Booth, Lockard, Politz & LeSage

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REGISTRATION FORM

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Please register me for the following Break Out
Sessions Thursday, October 15
Choose One
2:00 P.M. (Break-Out Session 1A)
Torts Update
(Break-Out Session 1B)
Juvenile Court Issues
Choose One
3:30 P.M. (Break-Out Session 2A)
Criminal Law for Court Appointed Civil Lawyers
(Break-Out Session 2B)
Service Members Civil Relief Act-Overview and Practice
Friday, October 16
Choose One
2:00 P.M. (Break-Out Session 3A)
Federal Procedure
(Break-Out Session 3B)
Law Practice Management: Avoid Being a Victim of Employee Theft
Choose One
3:30 P.M. (Break-Out Session 4A)
City Court Practice and Procedure
(Break-Out Session 4B)
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Monroe Inn of Court Update

by Hal Odom Jr., rhodom@la2nd.org

The Judge Fred Fudickar Jr. American Inn of Court (Monroe, La.) opened its 2015-16 year with a program on professionalism. Cyd Sheree Page, of Voorhies & Labbé in Monroe, presented "What Would Your Momma Say? The Sequel." This was a lively update of her November 2014 presentation, "What Would Your Momma Say? Professionalism vs. Ethics," using popular cinematic franchises to introduce some additional concepts.

The speaker on the video was, of course, Cyd's 93-yearold mother, Yvonne Counselman, who had previously condensed the rules of professionalism into simple epigrams like "Don't cheat" and "Don't be a problem child." For the sequel, Cyd showed Ms. Yvonne popular sequels like "Star Trek: The Wrath of Khan," reinterpreted as "Star Trek: The Wrath of Mom," which Ms. Yvonne summarized as, "You can avoid it if you keep your emotions in check when your opponent acts illogically." "Terminator 2: Judgment Day" was recast as "Termominator 2," with the maxim, "Using good judgment pays off in the end"; "Rambo: First Blood" morphed into "Mombo: First Blood," with the lesson of "How to respond when your opponent draws first blood." Cyd then led a discussion, based on a handout questionnaire, about how the public perception of lawyers has changed over the years, illustrating with clips from older and newer movies. The evolution was not altogether flattering to the profession.

Cyd concluded with the sad news that Ms. Yvonne had passed away on March 30, 2015, shortly after these interviews were made. Cyd and her family were extremely grateful to have excellent video documentation of their fine and level-headed matriarch.

The Judge Fred Fudickar Jr. AIC is marking its Silver Jubilee – 25th year as an organization of the American Inns of Court. Some 38 members and guests were in attendance for the social hour, presentation and dinner, held at the Lotus Club. Cyd is the president of the Inn this year, and Mike Street is serving another year as secretary. The Inn meets monthly from September through April.



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Caddo District Court Veterans Treatment Program

The Caddo District Court Veterans Treatment Program was established in February of this year. This program is a collaborative effort between Volunteers of America, Caddo District Court, Veterans Affairs Office and State Probation and Parole.

To qualify for the program a veteran must be honorably discharged from the military, qualify for veterans benefits and have criminal charges in Caddo or Bossier Parish. The purpose of this program is to help veterans receive treatment for alcohol and drug addiction. Completion of the one-year program will allow the veteran to have his or her record expunged. A mentor acts as a "buddy" to the veteran through the year of treatment. It only requires that the person be a veteran and he/she agrees to volunteer at least one hour a week.

Anyone interested in volunteering as a mentor and all eligible veterans who want to apply for this program can by contacting Gernine Mailhes at gernine.mailhes@voanorthla.com.

A yoga therapy program was recently established through Explore Yoga with Monica Fayard Carlson, E-RYT (Experienced-Yoga Teacher) instructing the class. The Baptiste Foundation is the nonprofit that is funding this class.

The veterans and their support group receive a free yoga session once a week. Recently, Louisiana Department of Veterans Affairs Secretary David LaCerte visited Shreveport and participated in a yoga session. Below are a few pictures from past sessions.



Monica Carlson, David LaCerte & Gernine Mailhes



Monica Carlson giving yoga instruction



Veterans participating in yoga



Judge Craig Marotte in Yoga Pose



Judge Craig Marotte

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OCTOBER 15-16

Recent Developments by the Judiciary CLE
Hilton Garden Inn, Bossier City

OCTOBER 28

SBA Member Luncheon

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

Speaker: Professor Paul Baier, Paul M. Hebert

Law Center

OCTOBER 30

Shreveport Bar Foundation Costume Party
8:00 p.m. at The Supper Club,
610 Commerce Street

NOVEMBER 5

SBA Memorial & Recognition Ceremony 2:00 p.m. at First United Methodist Church

NOVEMBER 11

SBA Member Luncheon

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

Speaker: TBD (Veterans' Program)

NOVEMBER 20

Lunch & Learn CLE
I'm A New Lawyer! What Do I Do To Impress!
12:00 p.m. at Shreveport Bar Center

DECEMBER 15-16

December CLE By the Hour Seminar
Petroleum Club (15th Floor)

DECEMBER 20

Area Law Student Holiday Reception 3:00 p.m. to 5:00 p.m. at Wine Country

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How Write You Are

by Hal Odom Jr., rhodom@la2nd.org

Military incursions. A federal district court recently wrote, "Plaintiff underwent a long and continuous *regiment* of prescription narcotic/pain medication as a result of an unrelated accident that occurred in 2009." An appellate court also enlisted: "Blank alleges that Bell systematically denied him access to his personal gastrointestinal specialist, and to his pre-detention *regiment* of Crohn's medications on his desired timetable." What is out of step here?

The word used, *regiment*, means a large unit of military force, such as U.S. Marines Divisions or Logistics Groups, and components of the U.S. Army Regimental System. As a verb, it means to manage people in a rigid, uniform manner, subject to strict discipline.

The word intended is *regimen*, which means a prescribed course of diet, therapy

or exercise intended to restore (or maintain) health. It is correctly used in these places: "He also reported that he was on a daily Coumadin regimen, so a PT/INR test was conducted." *Gaffney v. Giles*, 2014-0384 (La. App. 4 Cir. 4/29/15), 165 So .3d 1100. "Abilify was added to Plaintiff's medication regimen of Celexa, Benazepril, and Klonopin." *Taylor v. Colvin*, 14-0573 (E.D. La. 6/5/15).

Make sure this unusual error is mustered out of your writing.

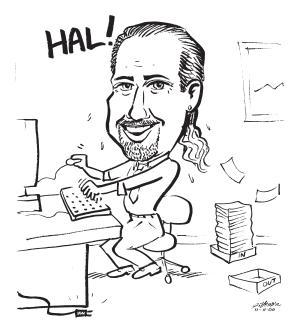
It just keeps spreading. A Louisiana appellate court recently wrote, "Regions further advances that Nine-O-Five benefitted from the Mortgage because, at the time the loan monies were *dispersed* at the [2003] closing, over \$130,000 was *dispersed* to Nine-O-Five as additional working capital." Another court wrote, "This case involves the defendants' use of tear gas to *disburse* a crowd on September 24, 2006, during the Sugar Cane Festival in New Iberia, Louisiana." Some confusion has obviously spread.

When referring to the payout of money, use *disburse*. This word means, etymologically, *out of the purse* – a perfect image for *disbursement*. In the first example, Regions *disbursed* over \$500,000 to the corporation's principals and *disbursed* \$130,000 to the corporation itself. (Oddly enough, the court correctly used *disbursed* in several other places in the opinion!)

When referring to the scattering of all other things, such as disease or crowds, use *disperse*, a word from the same root as *sparse*, which aptly describes the density of the substance once it has been spread over a larger area. "Some localities, for example, have ordinances that require crowds blocking a clinic entrance to *disperse* when ordered to do so by the police[.]" *McCullen v. Coakley*, 134 S. Ct. 2518, 189 L. Ed. 2d 502 (2014).

Quit spreading this careless error!

Rational writing. The vast majority of legal reasoning is purely deductive. This means you should begin with the broadest, most general concepts, such as statements from constitutions or codes, progress to narrower proposition, such as from statutes and regulations, and finally use the most particular statements, usually



from jurisprudence. (In general, this chain of authorities dates back to Aristotle's seminal book *Posterior Analytics*, written around 350 BCE.) The objective of legal reasoning is to show that your position flows naturally from this arrangement of authorities.

Louisiana's civilian tradition exalts codes and statutes over caselaw, but as a practical matter most legal argument is based on jurisprudence. Simply put, you want to find the case with the facts closest to yours. In this system, there is a hierarchy of jurisprudence, going from the most to the least persuasive.

- (1) Case in which a trial court did what your opponent is seeking, and the appellate court reversed it. This is precedent with the implicit threat of reversal, making it the most persuasive.
- (2) Case in which a trial court did what you are asking for, and the appellate court affirmed it. The better the appellate court's reasoning posterior analytics the more persuasive the case.
- (3) Dictum case in which the appellate court mentioned your position but did not utilize it to resolve the case. You can always argue that if the court had considered that position wrong, it would have said so.¹
- (4) Contrary cases under Rules of Professional Conduct 3.3 (a)(2), you are required to "disclose to the tribunal legal authority * * * known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel." In this extremity, you can always advance arguments from dissenting opinions or other sources to argue for a good faith modification or reversal or existing law. This is rarely successful, but sometimes it's all you have.

A Good-Faith Error. A vintage case involving an unpaid wage claim includes this interesting usage: "In the instant case, we think that the amount due plaintiff was subject to a real and *bonified* dispute." *Howk v. Sulphur Motor Co.*, 155 So. 2d 272 (La. App. 3 Cir. 1963). Although that's the way it's pronounced, the term for *in good faith* is *bona fide*, as it correctly appears in La. R.S. 9:4622 and many, many statutes and cases. You might say the phonetic *bonified* is *mala fide*, or just plain bogus!

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¹The first three classes of jurisprudence are appreciatively borrowed from Mark Herrmann's "How To Write A Memo from a Curmudgeon," which originally appeared in 24 Litigation 3 (Fall 1997), but has been extensively reprinted.



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DEADLINE FOR NOVEMBER ISSUE: OCTOBER 15, 2015

SBA LUNCHEON MEETING - OCTOBER 28

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



HOLMES'S SPEECHES AND MORE

When: Wednesday, October 28, 12:00 Noon

Where: Petroleum Club (15th floor)
Featuring: Professor Paul R. Baier

Judge Henry A. Politz Professor of Law, LSU Law Center

Professor Baier, an editor of Harvard Legal Commentary while at Harvard Law School, joined the LSU Law faculty in 1972 after teaching at the University of Michigan Law School and the University of Tennessee College of Law. The Judicial Fellows Commission selected Professor Baier from ten finalists to serve as the U.S. Supreme Court

Fellow for 1975-76, during which time he scripted and narrated "Supreme Court," the first film ever made inside the Supreme Court. This award-winning A.B.A. production was exhibited at the Court for over a decade.

Professor Baier's expertise lies in Constitutional Law, Civil Rights Litigation and Appellate Advocacy. He was a Special Assistant State Attorney General in several U.S. Supreme Court and 5th Circuit cases, including the Louisiana Higher Education Desegregation Case. He served as Executive Director, Louisiana Bicentennial Commission, U.S. Constitution, 1987-91, and was selected as the first Scholar in Residence of the Louisiana Bar Foundation, 1990-92. He is the editor of the memoirs of Justice Hugo Black, *Mr. Justice and Mrs. Black* (Random House 1986), and of *Lions Under the Throne: The Edward Douglass White Lectures of Chief Justices Warren E. Burger and William H. Rehnquist* (Louisiana Bar Foundation, 1995).

Professor Baier is a nationally published playwright, producer and director. Professor Baier is Secretary of the Supreme Court of Louisiana Historical Society. The Louisiana Bar Foundation named Baier its Distinguished Professor 2004. The Tiger Athletic Foundation honored Professor Baier with its prestigious TAF Undergraduate Teaching Award for his teaching in the LSU Honors College (*Honors Colleges and Law Schools: A Decennial Digest*, 32 Legal Stud. F. 915 (2008)). He was voted *Law Professor of the Year* by the Law Center Senior Class of 2010.

Publication of Professor Baier's book, *SPEECHES*, with a foreword by Justice Harry A. Blackmun will be available at the luncheon for **\$24.30**. Professor Baier will inscribe all copies if requested. 20% royalty will go to the Louisiana Bar Foundation's Civil Justice Initiative.



You may confirm your reservation(s) by email, telephone, or fax. Email: cturner@shreveportbar.com Phone: 222-3643 ext 2 Fax: 222-9272

I plan to attend the October luncheon. Attorney: