

Around

THE MAGAZINE OF THE
BATON ROUGE BAR ASSOCIATION

No. 259, September 2011

the Bar

Law Expo & September
Bar Luncheon: Sept. 7

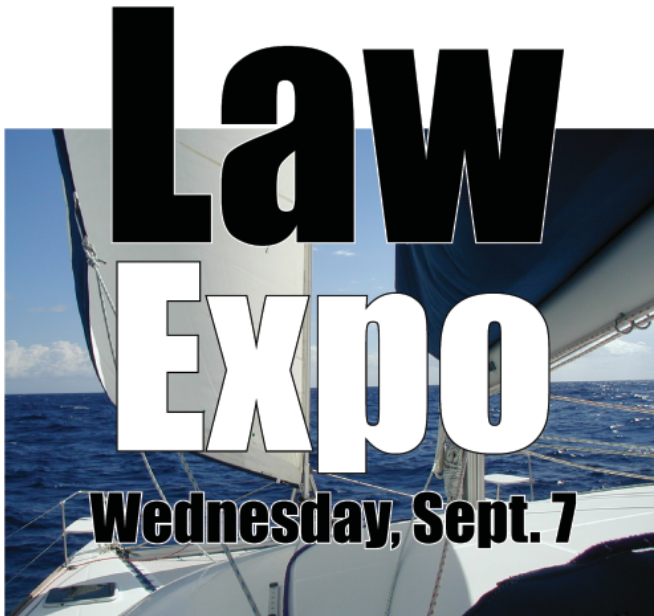


Inside:

Getting to know local
young prosecutors
& public defenders

Social media use
and jury selection

Recognizing National
Recovery Month



Set Sail with the BRBA into the Future



Sept. 7, 2011

**25th Anniversary of
BRBA Law Expo: 8 a.m. - 2 p.m.**

Three hours of Free CLE seminars for BRBA members,
including Professionalism and Ethics

Attend free technology-related informational seminars,
including one provided by an HP representative

Visit with exhibitors and sponsors to learn about
cutting edge products and services
for your law office and life

Network with attorneys and local judges

Enjoy a delicious meal prepared by
BR River Center chefs at the Bar Luncheon

*To register for the September Bar Luncheon or the
CLE seminars, contact the BRBA at 225-344-4803.*

FREE Reception

Camelot Club — 5 to 7 p.m.

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On the cover:

This month's cover image features the crew of the BRBA 2011 Law Expo Committee – (pictured L to R) Alesia Ardoin, Eric Miller, Michael Platte (chair), Jim Raines, Samantha R. Ackers and Whitney LaNasa.

Committee members are standing on the deck of the U.S.S. Kidd, ready to welcome you aboard this year's Law Expo event, which will take place at the Baton Rouge River Center Wednesday, Sept. 7. The theme of this year's event is "Set sail into the future with the BRBA."

Cover photography by Pamela Labbe.



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- 4 Contributors
- 5 Letters
- 6 Letter from the president
"Runaway trains and burning buildings" BY PRESTON J. CASTILLE JR.
- 7 Bar luncheon
- 9 YLS corner
"Belly Up with the Bar is set!" BY AMANDA STOUT
- 10 In their own words
"The practice of criminal defense: Principles of why we fight"
BY ANDRÉ BÉLANGER & BEAU JAMES BROCK
- 11 Message from the chair
"25th Anniversary of Law Expo to feature new venues for expo, bar luncheon and reception" BY MICHAEL PLATTE
- 13 Tales from the bar side
"Signs of the times" BY VINCENT P. FORNIAS
- 15 "Social network information sharing of viral media and its effect on jury selection" BY FRANZ N. BORGHARDT
- 17 "September is National Recovery Month" BY BUDDY STOCKWELL
- 19 Gail's grammar
- 20 "Getting to know some of Baton Rouge's young criminal lawyers"
BY BEAU JAMES BROCK
- 26 West's Jury Verdicts – Baton Rouge
- 28 Bar news
- 34 Nomination forms
- 38 Foundation footnotes

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For advertising information call Pamela Labbe at 225-214-5560. Display ads should be e-mailed as a high-resolution attachment as a .PDF, and classified ads as text only. Publication of any advertisement shall not be considered an endorsement of the product or service involved. The editor reserves the right to reject any advertisement, article or letter.

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letters

What an eye-catching cover to June's *Around the Bar!* When he was in law school, Buddy Stockwell was a promising moot court competitor that I had the privilege of judging. We stayed in touch until his decision to go AWOL. Great story! He's done what so many of us wish we had the guts to do.

Fred T. Crifasi
Attorney at Law

I wanted to follow up with you about the Volunteer Committee's reading sessions at River Oaks. We really

appreciate you taking the time out of your schedule to invest in the future of our members.

Onya Carter
Director of Volunteer Services
Boys & Girls Club of Greater Baton Rouge

Editor's note:
Members of the BRBA Volunteer Committee were asked to read their favorite childhood books to Boys & Girls Club Members between June 13 and July 14, 2011, and several of them obliged. Thanks to Erin Council, Bridget B. DeNicola, Teresa L. Hatfield, Donna Lee and Michael Platte, who volunteered for this great project!

TEEN COURT OF GREATER BATON ROUGE needs attorneys to volunteer to assist with the program.

To find out more, contact Donna Buuck at 225-214-5556 or donna@brba.org or R. Lynn Smith Haynes at 225-214-5564 or lynn@brba.org.



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letter from the president

BY PRESTON J. CASTILLE JR.

Runaway trains and burning buildings

What sort of people jump onto runaway trains and into burning buildings? And the answer is: the certifiably insane or men and women of courage. There is certainly a fine line between the two. In January, the leaders of the Louisiana State Bar Association summoned local bar leaders to a meeting to discuss the dire circumstances of Capital Area Legal Services Corporation. Because of a less-than-favorable audit report, CALSC's federal funding was in severe jeopardy, and the organization was not expected to survive the year. With lots of innocent passengers aboard, this metaphorical train was quickly approaching the precipice.



Preston J. Castille Jr.

A 53-year-old institution was on the brink of collapsing, and it would happen on our watch. Not an easy pill to swallow, and not a great way to begin my presidency. With a sense of foreboding, the "elders" of our state bar expressed their concern for the poor in our community and asked what we wanted to do about CALSC's impending demise.

After weighing several options, the BRBA decided to try to rescue CALSC. Several attorneys and law professors joined the CALSC board to understand first-hand what happened to the organization and hoped to change its fate. With the help of some really great members rotating off, the CALSC board was reorganized and key staff changes were planned. Strategic alliances were formed with the judiciary and the law schools. CALSC reaffirmed its relationship with our Pro Bono Project and joined our efforts to establish a partnership with the LSU School of Counselor Education and SU School of Public Policy to enhance our youth education and juvenile justice program. The organization even began developing a "think tank" to comprehensively address our community's social ills at a deeper, more systemic level. The transformation was exciting notwithstanding the baggage of a blistering 2010 audit report and nagging lawsuits against the beleaguered organization.

I wish I could say we saved the day, that the building didn't burn and the train didn't tumble over the cliff. But, I can't. Too much damage had already been done. Our hope is that the innocent passengers on board will be safe. In the end, the institution we've known as CALSC did crumble. In June, CALSC learned that it would lose its federal funding.

However, with the embers of the burnt building still smoldering and the wheels of the mangled train still spinning, new opportunities, promise and hope have emerged. The federal grant previously given to CALSC was awarded to Southeast Louisiana Legal Services Corporation. All other local funding quickly followed.

Apparently, the national organization was impressed with the strategic initiatives the new CALSC board started. (But not enough to fund the organization.) Unshackled by the baggage of the old CALSC, Southeast picked up where the new CALSC board left off. It immediately met with the bar, the law schools and the judiciary. It signed a new contract, began referring cases to our Pro Bono Project, and began to develop the strategic initiatives started over the last several months with CALSC and our foundation. Hence, the birth of a new era.

Please join me in welcoming our new partner in serving the legal needs of the poor in our community. We mourn the loss of CALSC, but celebrate our new opportunities with Southeast. I thank the feisty team of lawyers and professors who stayed (or jumped onto the train and ran into the burning building) this year. While our sanity is still unconfirmed, our community will be better served because of your courage. ■

september bar luncheon & law expo

25TH ANNIVERSARY OF LAW EXPO EVENT: H. Alston Johnson III to give legislative recap Sept. 7

The BRBA will hold its September Bar Luncheon and Law Expo from 8 a.m. to 2 p.m. **WEDNESDAY, SEPT. 7, 2011**, at the BATON ROUGE RIVER CENTER.

The luncheon, which will be held in Exhibition Hall 2 of the River Center, will begin at 12:30 p.m.

Luncheon speaker H. Alston Johnson III of Phelps Dunbar will provide his annual legislative update. This is Johnson's 26th consecutive year of speaking at this annual event. As he does each year, Johnson will present a legislative recap.

Beginning at 8 a.m., three hours of continuing legal education (CLE) seminars will be held during the Law Expo event – including ethics and professionalism. Please refer to the schedule of seminars below.

The Law Expo celebration will continue after business



hours, from 5 to 7 p.m., with a reception that is being sponsored in part by the CAMELOT CLUB. The reception, which is complimentary for all BRBA members and their guests, will be held at the Camelot Club – 21st floor, Chase Tower South.

Admittance to the bar luncheon is \$30 per BRBA member and \$40 per non-BRBA member. We accept payment in advance and at the door. VISA, MasterCard and American Express are accepted. Fax this form to

225-344-4805 before 4:30 p.m. **Thursday, Sept. 1, 2011**, to register. Checks are payable to the BRBA, P.O. Box 2241, Baton Rouge, LA 70821.

Please help us celebrate the 25th Anniversary of the BRBA Law Expo by attending this year's Law Expo, September Bar Luncheon and the complimentary reception and by supporting the sponsors who support the BRBA.

Please check all appropriate options below and fax this entire page to the BRBA, (225) 344-4805, by 4:30 p.m. Thursday, Sept. 1, 2011.

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

Name _____ Firm _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-mail _____

- LUNCH — YES**, register me for the **SEPTEMBER BAR LUNCHEON** at BATON ROUGE RIVER CENTER taking place Wednesday, Sept. 7, 2011, at a cost of \$30 per BRBA member, and \$40 per nonmember. Lunch will be served at 12:30 p.m., but come early to walk through the exhibition area and register to win door prizes. Reservations may be transferred, but not canceled, after 4:30 p.m. **Thursday, Sept. 1, 2011.** "No shows" will be billed.
- ETHICS** — Register me to attend the ETHICS CLE SEMINAR (1 hour credit), to begin at 8 a.m. Wednesday, Sept. 7, 2011, at the Baton Rouge River Center. SPEAKER: TBA. BRBA members who pre-register by filling out and submitting this form and agree to visit 20 exhibitors at the Law Expo will receive FREE ADMITTANCE to this CLE seminar. Cost of seminar for lawyers who are not BRBA members OR for those BRBA members who do not wish to visit exhibitors is \$40 per person. "No shows" will be billed.
- ELECTRONICALLY STORED INFORMATION : DIGITAL FORENSICS AND E-DISCOVERY** — Register me to attend this CLE SEMINAR (1 hour credit), to begin at 9:45 a.m. Wednesday, Sept. 7, 2011, at the Baton Rouge River Center. SPEAKER: Dr. Gavin W. Manes, CEO/President of Avansic. BRBA members who pre-register by filling out and submitting this form and agree to visit 20 exhibitors at the Law Expo will receive FREE ADMITTANCE to this CLE seminar. Cost of seminar for lawyers who are not BRBA members OR for those BRBA members who do not wish to visit exhibitors is \$40 per person. "No shows" will be billed.
- PROFESSIONALISM** — Register me to attend the PROFESSIONALISM CLE SEMINAR (1 hour credit), to begin at 11:15 a.m. Wednesday, Sept. 7, 2011, at the Baton Rouge River Center. SPEAKER: TBA. BRBA members who pre-register by filling out and submitting this form and agree to visit 20 exhibitors at the Law Expo will receive FREE ADMITTANCE to this CLE seminar. Cost of seminar for lawyers who are not BRBA members OR for those BRBA members who do not wish to visit exhibitors is \$40 per person. "No shows" will be billed.
- COMPLIMENTARY RECEPTION at CAMELOT CLUB** — You are invited to attend a 5 to 7 p.m. reception to be held at Camelot Club on the 23rd floor of the Chase building, off Florida Blvd. Admittance is FREE, but we need to know who to expect. Hope to see you there!

If paying by credit card, please include the following:

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**All THREE CLE seminars are FREE
for BRBA members who pre-register AND
who visit with 20 exhibitors.**



13th Annual

"Belly Up with the Bar" Entry Form

C o o k - o f f & B r e w f e s t

Event takes place Friday, Oct. 21, 2011

WHAT IS IT: The 13th Annual "Belly Up with the Bar" is a cook-off, brewfest and outdoor party with live music—sponsored by the Young Lawyers Section of the Baton Rouge Bar Association. Proceeds from this event will benefit the BRBF's Youth Education Program. Team and individual entries are welcome. Judges will select winners in a variety of categories. Advance general admission tickets are \$20 per adult, \$15 per law student, \$10 per child ages 7 to 12, and FREE admittance to children ages 6 and under. Prices at the door are \$25 per adult or law student, and \$10 per child, so buy 'em now!

WHEN & WHERE: The location is 6513 Perkins Rd., in the lot behind the law offices of Moore, Thompson & Lee. The date is Friday, Oct. 21, 2011, 5 p.m. - until — **mark your calendars NOW!**

WHO CAN ENTER:

Anyone who's willing to cook and serve enough to feed/water our local bar

The entry fee, which is \$100 per team (up to 5 members per team), gets you:

- (1) in the door to try all the fabulous food and drinks
- (2) all the beer you care to drink, and
- (3) the chance to show off your culinary talents

THINGS YOU'LL NEED TO BRING:

- Enough food to serve roughly 300 "sample size" portions
- Any cooking/heating/brewing equipment necessary to serve your entry
 - A team of no more than 5 members
- A sign to indicate what you're making and who is on your team
 - Plastic serving bowls (serving size) or cups

THINGS WE'LL PROVIDE:

Forks and spoons; beer, live music . . . and fabulous prizes

ENTRY FORM — PLEASE FILL OUT THIS FORM AND FAX IT TO: (225) 344-4805 OR MAIL IT ASAP

To: Baton Rouge Bar Association, ATTN: YLS, P. O. Box 2241, Baton Rouge, LA 70821. **Registration Deadline: Oct. 1, 2011.**

(CHECKS SHOULD BE MADE PAYABLE TO "BRBF - BELLY UP WITH THE BAR." CREDIT CARD INFORMATION CAN BE PROVIDED BELOW.) Booths are assigned as forms and payment are received, so submit your form early!

TEAM NAME: _____

WHAT YOU'LL BE COOKING: _____

TEAM MEMBERS: CAPTAIN (1) _____

CONTACT NUMBER & E-MAIL: _____

(2) _____

(3) _____

(4) _____

(5) _____

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FOR "BELLY UP WITH THE BAR" TICKET INFORMATION, PLEASE CONTACT THE BRBA AT (225) 344-4803.

**If you are unable to participate or attend, but you wish to make a donation for the BRBF's award-winning Youth Education Program, please make your check payable to the BRBF.*

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yls corner

BY AMANDA STOUT, YLS COUNCIL CHAIR

As we say good-bye to Summer 2011 and welcome fall (and hopefully some cooler weather), the Young Lawyers Section is working hard to plan one of our most popular events: Belly Up with the Bar.


Our 13th annual Belly Up with the Bar event will be held Friday, Oct. 21, 2011, in the backyard of Moore, Thompson & Lee. This cook-off, beer brewin', outdoor party is always one of the most well-attended YLS events. The event this year will be no different – complete with live music, great food and drinks, fabulous prizes and activities for the kids. Advance tickets will go on sale soon: \$20/adult, \$15/law student, \$10/child (7 to 12) and children under 7 get in free. At the door, the prices increase to \$25/adult.

Space is limited for teams wishing to compete, so be

Belly Up with the Bar is set!

sure to send in your registration form now (see page 8) to reserve your spot.

Proceeds from the event benefit the Youth Education programs, such as the High School Mock Trial Competition, Law Day, Teen Court and Junior Partners Academy. In addition to teams, we are also looking for event sponsors. Committee members are currently seeking financial contributions, door prizes and raffle items. If you or someone you know are interested in sponsoring Belly Up, please contact a committee member or the BRBA.

More information about the event, team registration, sponsorship and serving on the Belly Up Committee can be obtained from Belly Up Chair Vic Suane (victor.suane@keanmiller.com) or Belly Up Staff Liaison Donna Buuck (donna@brba.org). 

SCHEDULE OF FUTURE COMMUNITY JUSTICE SYMPOSIUM & BAR LUNCHEONS:

THURSDAY, OCT. 6, 2011 — OCTOBER BAR LUNCHEON — Joint Luncheon with the BRBA, Louis A. Martinet Legal Society and BRAWA
11:45 a.m. at De La Ronde Hall. PANEL DISCUSSION TOPIC: **THE STATE OF LEGAL EDUCATION**, featuring LSU, SU and Tulane Chancellors: Chancellor Jack Weiss, Chancellor Freddie Pitcher Jr. and Dean David Meyer. Moderator: Preston J. Castille Jr.

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in their own words

BY ANDRÉ BÉLANGER & BEAU JAMES BROCK

Upon entering the hallowed halls of Orleans Parish District Attorney's office, Harry Connick said to me (André), "Welcome to the greatest show on Earth!" then exhorted, "Son, promise me one thing; that you'll never send an innocent man to jail." As a prosecutor, I viewed Connick's statement as a mandate and did what I could to see justice was given especially to those either wrongly accused or arrested with illegally gathered evidence – even those whose criminal history may have been checkered with misdeeds.

Years later, Connick's comments would be fully developed into a personal philosophy that helps to explain why I effectively am able to defend those whom society has deemed "criminals." By the way, I hate that word; it presupposes that everyone arrested did something wrong and I know it is not the case. Everyone assumes anyone arrested is guilty, and this is not true. Below are the 11 principles that Beau Brock and I believe in that make it an honor to defend some of society's most feared and often most neglected members.

I. Nothing is as it first appears — There is always another side than reported by the police. We recently represented the president of an "outlaw motor cycle gang" accused of shooting a former member in a bar. If all we knew about the case was the "gang's" reputation, as documented in books and television, we would draw the conclusion that he should rot in jail. We now know the other side and realize that an injustice had occurred.

II. Prosecuting only the right person — Anyone should be able to defend an innocent man. Nobody should seek to imprison the innocent. An arrest is merely an arrest; it does not mean the person is guilty.

III. Responsibility is to charge only crimes that can be proven — It is fundamentally wrong and unethical to overbill without realistic belief in proving the case merely to intimidate, coerce or threaten those whose liberty is most jeopardized.

IV. Proportionality in sentencing is essential to justice — The authors despise federal sentencing guidelines. We can do a great service to our clients by making sure the penalty they receive is just. Good people do make poor decisions, sometimes. Mandatory incarceration for first offenders in such cases is not the answer to societal woes.

V. All of us are sinners, and we are proudly called to stand for the leper, the adulterer and the thief — The human condition demands we not merely inquire into what and where, but also ask why. The Bible refers to stories of lepers who were thought to be afflicted with their disease due to their unclean spirit, but God reached out to them nonetheless. Who are the pariahs of today's society, and will we have courage to hold out

Author's note: Special thanks to Kellye S. Palermo and Kristin McKinley for assisting in drafting this article.

The practice of criminal defense: Principles of why we fight¹

our hands to them as defense lawyers? This principle also applies to people we represent that we know are guilty.

VI. When we stop to help someone on the side of the road, we don't judge them first — People aren't born evil. Instead, circumstances of youth dictate whether a young person will understand responsibility, have resources to succeed, and if hope and faith are able to burn within his heart and mind.

VII. We represent families and our service for their needs is paramount — In many ways, criminal defense requires an almost Jesuit discipline to each case as each case represents a unique soul in crisis. One must adopt the line from "The Verdict" when assisting in every family's situation: "There are no other cases. This is the case!"²

VIII. The more guilty a man appears, the more he needs me — This is borrowed from the renowned "attorney for the damned," Clarence Darrow. Your client will be viewed as guilty when accused, even before the police have removed the evidence bags from his residence. It is at times like these he needs an attorney unafraid of the hazards the criminal process entails, but also one who will maintain clarity of judgment in determining strategy and tactics in mounting a successful defense.

IX. Be prepared — Jury trials are not won by sizzle, superstition or sensationalism. They are won by thorough preparation and steadfast organization. Even more so, clients are best served in the criminal process by the earliest possible intervention on their behalf by counsel with law enforcement agents and prosecutors. This work is performed by systematic and detailed research into the law of every case, taking the time to investigate all sides of issues and the courage to make a stand before a jury, when necessary.

X. The cause is a professional one, not a personal one — Candor to the court, the prosecutor and your client is the inherent requisite to professionalism in the practice of criminal defense. Ability to separate passion for the case or cause from the personalities of prosecutors is essential to maintain continuing success in this field.

XI. Our republic is defined by ordered liberty, and only criminal defense attorneys defend the rights of those whose life and liberty are most threatened by the power of the government — Being a criminal defense lawyer is a special calling. Who else fights against warrantless searches and confronts accusers? Who else jealously guards your right against self-incrimination, the right to counsel and the right to a speedy and impartial trial? No one other than the criminal defense lawyer. ■

¹ Frank Capra was the filmmaker responsible for the "Why We Fight" series of wartime films shown to U.S. soldiers during World War II. Our article's title is taken in part from this patriotic series.

² The Verdict (1982).

message from the chair

BY MICHAEL PLATTE, LAW EXPO COMMITTEE CHAIR

Where can you earn three hours of CLE for FREE, win great prizes, learn about cutting-edge products and services for your law practice, and eat a delicious meal while catching up with all the new laws established in the last legislative session? Well, I'll tell you: *The 2011 BRBA Law Expo and September Bar Luncheon*.


Don't miss this year's big event, which will be held at the Baton Rouge River Center Wednesday, Sept. 7 starting at 8 a.m. We are celebrating the 25th anniversary of the Law Expo this year! Our theme is "Set Sail with the BRBA into the Future," and, as chairman of the Law Expo Committee, I will serve as your captain.

After the tradeshow and bar luncheon, the celebration continues from 5 to 7 p.m. with a FREE reception at the Camelot Club of Baton Rouge. The John Gray Jazz Trio will entertain guests. Firefly Sweet Tea Vodka will provide tropical adult beverages, and Mockler Beverage Co. will provide beer. Camelot Club, one of our Platinum-level sponsors, will host the reception and will provide wine and a menu of the Camelot Club's most popular dishes.

25th Anniversary of Law Expo to feature new venues for expo, bar luncheon and reception

On behalf of the 2011 Law Expo Committee, I am proud to invite all BRBA members to attend this year's event and to come see what we have to offer at the River Center and at the Camelot Club. I have encouraged my committee to line up interesting sponsors, exhibitors, speakers and door prizes to provide you with a great Law Expo experience (see page 2).

The Law Expo will feature more than 40 exhibition booths, three CLE seminars, and informational seminars – all FREE to BRBA members. Parking is available in the River Center Parking Garage for \$5 per vehicle, or if you are in walking distance, you are welcome to walk on over. The BRBA registration table is at the River Center's River Road entrance, across from the U.S.S. Kidd Veterans Memorial. Lunch is \$30 per BRBA member and will feature a delicious buffet prepared by the seasoned River Center chefs.

I look forward to seeing you Wednesday, Sept. 7, 2011, at the BRBA Law Expo and September Bar Luncheon, and again at the reception. 

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tales from the bar side

BY VINCENT P. FORNIAS



Signs of the times

I don't know, dear reader(s). Blame it on a too hot summer day or too much liberal arts education – or one too many sightings of these insidious “My Child is an Honor Student at ___” bumper stickers. All of a sudden, every sign I see is either laughable or offensive or both.

Driving down S. 19th Street one morning, there appears before me a yellow sign outside a school house, declaring in big block lettering: “SLOW CHILDREN AT PLAY.” There is nothing – not a dash, or a period, or even a semicolon – separating the first word from the rest of the phrase. So, who timed these children? And who cares if they can't run a 4.3 forty? Worse yet, is the message announcing a relative lack of intellectual ability?

Further down the street I stop at a traffic light and directly in front of me is a vehicle manufactured roughly during the second Reagan administration, and taped to its back window on a piece of weathered cardboard is a hand-lettered message: “LICENSE APPLY FOR.” Does it indicate that its current owner fell short of meriting an honor roll bumper sticker?

So off I go and there it is, on a street corner, some

sort of emporium named “FANCY NAIL'S.” Obviously, the sign denotes that the owner is named Fancy and her surname is Nail and that this is his or her place. Right?

I finally make it to the Interstate and notice traffic slowing ahead, impeded by a large, wide tractor trailer designated as “OVERSIZE LOAD.” So just how do I respond to this command that I oversize my load? And why is the size of my load anyone else's business? Mind your own load, why don't you?

But the best was saved for last, in the form of a sighting just outside the premises of Walters, Papillion, Thomas, Cullens, LLC, courtesy of an anonymous, but dedicated tipster who practices nearby. As you can see in the above photo, not only has this firm stolen its checkerboard sign motif from the “Duke, The Studio” business just down Perkins Road – but now they are threatening to expand their formidable operations into the field of juvenile summer camps. Sign up now as Darrel Papillion walks your little nipper through threading his own leather wallet and Abboud Thomas teaches Junior the secret Indian burial dance. ■

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8:00 - 8:15 a.m. **OPENING COMMENTS** (Courtroom 1): Chief Judge Burrell J. Carter and Eugene Groves

8:15 - 9:15 a.m. **SECRETS TO PERSUADING THE COURT: TIPS FOR A SUCCESSFUL WRIT PRACTICE** (Courtroom 1)

— *Speaker: Susan Crapanzano Kalmbach, Administrative General Counsel*

Dual Track Programming

9:20 - 10:20 a.m. (Courtroom 1)

CIVIL TRACK: CIVIL APPEALS — This lively discussion will cover topics such as determining if the ruling is appealable; decretal language for judgments; application of article 1915 and timeliness of appeal. — *Speakers: Judge Jewel E. "Duke" Welch; Julie Richards, Assistant Director – Civil, Central Staff; and Mary Dupuy – Research Attorney, Central Staff*

9:20 - 10:20 a.m. (Courtroom 2)

CRIMINAL TRACK: CRIMINAL ISSUES AFTER THE APPEAL — This session will discuss some of the tricky issues arising in *pro se* motions from represented defendants; applications for postconviction relief; motions to correct illegal sentence; motions for production of documents; and *habeas corpus*. — *Speakers: Jaclyn "Christie" Chapman, Assistant District Attorney – Appellate Division, East Baton Rouge Parish District Attorney's Office, and Janis Kile, Assistant Director – Criminal, Central Staff*

10:30 - 11:30 a.m. (Courtroom 1) — **APPELLATE ETHICS** — *Speaker: Judge John Michael Guidry*

11:30 a.m. - 12:30 p.m. (Courtroom 1) — **THE PERSPECTIVE FROM THE BENCH – EFFECTIVE APPELLATE ADVOCACY** — Tips from the bench will be given during this interactive panel discussion with *Chief Judge Burrell J. Carter, Judge John Michael Guidry, Judge J. Michael McDonald, Judge Page McClendon and Judge Jewel E. "Duke" Welch*. Moderator: Eugene R. Groves

BRBA Appellate Section Member Rates: Early Registration \$115 by 5 p.m. Sept. 2, 2011; Late Registration \$130 after 5 p.m. Sept. 2, 2011;
BRBA Member Rates: Early Registration \$130; Late Registration \$165; **Non-BRBA member rates** — Early Registration \$175; Late Registration \$200.

To register for this seminar, contact the Baton Rouge Bar Association at 225-344-4803 to request a form or download the registration form from the website: www.BRBA.org.

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Social network information sharing of viral media and its effect on jury selection

BY FRANZ N. BORGHARDT



Suppose you have a high profile case that is finally going to trial. It has been in the media for several months and both sides have made public statements expressing confidence in their case and their eagerness for trial.

As trial approaches, you focus your attention on finalizing preparation and readying yourself for the process of jury selection. Each issue of your case has been outlined and hypothetical questions have been lined up because, after all, you cannot pretrial or “track the facts” of your case during the jury-selection process.

On Monday you read the local paper, ironically, through your Internet-connected smart phone, and you see your entire case laid out for the world to see. The story, which is likely front-page news, covers all the facts of your case, including the inadmissible warts that you had worked vigorously to keep out, but are now out there for everyone to see. Of course, you now start getting messages from your colleagues and friends who are excited and are talking about your case with all of their friends.

Maybe the potential jurors who have been waiting for hours with nothing to do won't have read the article. Maybe they don't have data plans on their cell phones or tablet devices. Maybe they aren't curious about what sort of cases they may have been called to serve jury duty for. Maybe their friends, who know they have duty, won't have text messaged them asking, “Are you on this case?” And of course, if they have read or heard about your case in the media, they certainly wouldn't inform their social network of friends, family and acquaintances of their thoughts on your case and how they already see their verdict prior to you ever even asking the first question during the jury-selection process. Of course, their knowledge of both inadmissible and potentially inaccurately reported facts won't in any way prejudice you or your case—they can be fair and impartial.

If you handle any high profile media cases, this is the nightmare that goes hand-in-hand with the simultaneous hope and desire for good press. The viral effect of information sharing has made it necessary to modify and orient jury selection towards the reality of:

1. The venire is likely reading and/or hearing information about your case either prior to arriving at the courthouse or while they wait to be paneled

(sometimes when sitting in the gallery while another panel is examined).

2. There needs to be exploration about what information has been obtained from the media and whether it is going to give rise to a challenge for cause or whether you want to keep and rehabilitate the potential jurors.

3. The information has to be obtained from potential jurors, but has to be extracted in a manner that does not risk tainting the unaware venire members who have not yet been exposed to the media coverage.

4. The entire venire has to be educated and examined regarding seeking information from media sources and also their individual feelings on the veracity of what they read (“Do you believe everything you hear or read from the media?”).

How might you accomplish these things? One solution may be requesting jury questionnaires that ask questions that might ferret out a potential juror's use of various media sources, belief in the sources and knowledge about your case. The benefit to this method would be the increased likelihood of honesty from the potential juror because he may have a perceived comfort that the questionnaire is confidential. Potential jurors don't want to admit they may have done something wrong, even if inadvertently. The disadvantage of this method is that the information obtained from the time the questionnaire was completed to the start of the jury-selection process may be obsolete by the time the potential juror is questioned. The potential juror might not have been exposed to any information at the time of the questionnaire, but could have been since then.

Another method might be to request media-oriented *voir dire* questioning prior to the normal *voir dire* process. The judge could ask a preliminary set of questions directed toward finding venire members that have heard about the case. You don't want them to share their knowledge in front of the entire venire, as that would defeat the purpose of the process. You might ask the individual jurors to sidebar conference outside of the earshot of the rest of the venire or you might ask the court to divide the venire into those who have and those who have not

heard about the case. Potential jurors can then ideally be questioned individually or alternatively in small groups. Both sides could then make challenges for cause based on what information is obtained. The judge has a great deal of discretion in the process and, while this might sound time consuming, it also is less time consuming than having to dismiss 45 to 90 people because some unsuspecting individual blurts out an inadmissible or inaccurate fact that taints the entire venire.

After the media-oriented questioning of who knows what, there still needs to be questioning that educates the potential jurors on the ongoing duty of not bringing outside sources of information into the process, including information obtained from social networking sites. You can request the judge to remind the jurors of this at each break. It is a less invasive approach than, say, taking all of the jury's cell phones away for the trial. Additionally, empower the potential jurors to report instances of other members of the jury bringing in external information to the court. This is also an excellent opportunity to ask potential jurors about what they generally think of information that they receive from media sources: "Do you always believe everything you hear or see? How do you judge credibility of the information? Do you think there are things that are reported that just aren't true but make for good news?"

You also might want to have someone from your office

sit in the audience and watch the venire while a panel is being questioned. Are they using their cell phones or tablet devices? Those individuals might need to be questioned. Additionally, the venire talks to each other during the jury selection process, sometimes in the gallery section. What are they saying? Are they talking about what they read on their cell phone in the bathroom during the break?

Digital information sharing can also be your ally during jury selection and during the trial. Most people now use social networking sites. These sites can be monitored for content during the trial process. Want to know what jurors are thinking? What are they posting on their sites? It is unethical and a crime to hack into a private profile, but something that is posted publicly can be fodder for jury selection. Have you ever considered that potential jurors could be searching your name on a search engine or social networking site? Have you considered that they may even be searching your client? What if your client has posted thoughts on the jury, the case or her attorney?

Viral information sharing will only become more prevalent as access to the technology becomes more convenient. Ignoring this reality may cause you to allow the wrong external information onto your jury and into the decision-making process of your case. Addressing these issues in jury selection are a necessity in the wireless age of media and social networking. ■

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September is National Recovery Month

BY BUDDY STOCKWELL

I grew up in historic New Roads, La., located on picturesque False River in Pointe Coupee Parish. The town is named for the “new road” the Spanish built to connect it to the Mississippi River in 1776. Known as the “Little Carnival Capital” of Louisiana, New Roads really knows how to throw a party, staging Mardi Gras celebrations as early as 1881. It is a terrific place to experience the *joie de vivre* within Louisiana’s remarkably rich culture. And that culture surely includes the use of alcohol.

In my childhood I remember that whenever grownups engaged in “alcohol awareness,” it had nothing to do with the perils of alcoholism. Instead, it involved knowing how big of an ice chest and how much beer was required to drink and drive to a given destination. Or, perhaps it was the proper beer-to-boiled-crawfish ratio while planning an Easter weekend celebration. Alcohol use was simply part of the fabric of my community. There was no public awareness *per se* as to alcoholism back then.

I learned about alcohol (both use and abuse) while growing up in New Roads, but I heard nothing factual whatsoever about the disease of alcoholism. For one thing, very little was known about the science of addiction back then. The general perception was: 1) alcoholics choose

to drink too much; and 2) they are failures by their own doing. Furthermore, even “problem drinkers” were not considered to be alcoholics as long as they had a job, paid their bills and made it to church.

Now I know that those old ways of thinking are patently wrong. Science and research have proven that alcoholism is not a choice at all, any more than hypertension, diabetes, asthma and heart disease are choices. Alcoholism (now designated medically as “alcohol dependence disease”), is the result of a physiological, chemical change in the brain that causes its victims to literally lose the ability to choose whether or not they will drink alcohol and how much. Also, alcoholism routinely takes hold of a victim long before that person’s job is lost.

The bad news is that alcoholism is a chronic, fatal disease that crosses all socioeconomic boundaries and no one is immune to this disease. The good news is that science has removed old stigmas, and alcoholism can be treated. Successful long-term recovery is common – so much so, the Substance Abuse and Mental Health Services Administration (SAMHSA) has designated September as National Recovery Month.

The celebration of National Recovery Month brings

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hope to the legal profession in particular. Lawyers and judges suffer alcoholism at a rate of 20 percent, double the rate of the general population.

As the executive director of the Lawyers Assistance Program, Inc. (LAP), I am especially appreciative of Recovery Month and all it stands for, because each year the Lawyers Assistance Program aids impaired lawyers and judges into recovery, literally saving lives. It's what we do at LAP.

LAP's job is not easy, however. Denial is often a major component of the disease. Lawyers and judges are professionally skilled at deflection and denial. Moreover, law partners and courts often do not know how to recognize the disease or what can be done to help.

Pursuant to the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV), these are the warning signs of alcohol abuse and alcohol dependency:

Alcohol abuse is a diagnosis of a pattern of drinking resulting in harm to one's health, interpersonal relationships, or ability to work. Manifestations of alcohol abuse include the following:

- 1) Failure to fulfill major responsibilities at work, school, or home;
- 2) drinking in dangerous situations, such as drinking while driving or operating machinery;
- 3) legal problems related to alcohol, such as being arrested for driving under

the influence or for physically hurting someone while drunk; and, 4) continued drinking despite ongoing relationship problems that are caused or worsened by drinking. Long-term alcohol abuse can turn into alcohol dependence.

Alcohol dependence (alcoholism) is a diagnosis of a maladaptive pattern of substance use as shown by three or more of the following criteria, noted in a 12-month period:

- 1) Tolerance;
- 2) Withdrawal or use of alcohol to avoid withdrawal;
- 3) Use in larger amounts or for longer than intended;
- 4) Unsuccessful efforts to decrease or discontinue use or a persistent desire to do so;
- 5) Alcohol use as a major focus of time and life;
- 6) Abandonment of social, occupational, or recreational activities;
- 7) Continued use despite recognized psychological or physical consequences.

If you or someone you know is experiencing difficulty with alcohol/drug abuse or dependency, call the Lawyers Assistance Program at 866-354-9334, or e-mail to LAP@louisianalap.com to find out how you yourself can get help or how you can help a colleague in trouble. Also,

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It is paramount to trust that all such inquiries to the Lawyers Assistance Program are absolutely confidential as a matter of law and it is not necessary to give your name. The information you receive from LAP may literally save your life or the life of a colleague.

With that said, make no mistake: I still hold dear my south Louisiana culture and all it stands for. The decree *laissez les bon temps rouler* still represents just as much fun and excitement as always. And while it is obviously not acceptable to load a car with an ice chest full of beer and drink your way across the Louisiana countryside, figuring out a good ratio of beer-to-crawfish for your Easter celebration is still good practice for those who use

alcohol responsibly. In short, Recovery Month does not stop the Carnival; it simply reminds us all that those who are in recovery from alcoholism have something extra to celebrate all year round . . . so let the good times roll! 

GAIL'S GRAMMAR

You're feeling so-so – are you *peckish* or *peaked*? *Peckish* means hungry or irritable. *Peaked* (pronounced pee-kid) means sickly. So if it's 1:30 p.m. and you haven't had lunch yet, you're probably *peckish*. But if you feel like you're coming down with a cold, *peaked* is the proper adjective.

Thanks to Professor Linda Fowler for suggesting this topic. Send suggestions for future Gail's Grammar columns to Gail Stephenson at GStephenson@sulc.edu, or call Gail at 225.771.4900 x 216.

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GETTING TO KNOW SOME OF BATON ROUGE PROSECUTION

The mission of the East Baton Rouge District Attorney's (DA's) office is to seek justice for both rich and poor, high and low. According to Louisiana law, it has the sole authority to decide who, what and how to prosecute those accused of criminal misdeeds. With such great power comes even greater responsibility as the office holds not only the power to affect every citizen's liberty, but literally makes decisions over life and death in special cases with aggravating circumstances. Such cases involving violent consequences perpetrated on the innocent demand EBR Parish prosecutors be honed into highly disciplined, responsible enforcers of proportional justice. Through a series of interviews, I met with young prosecutors to find out how they are meeting this challenge for Baton Rouge as it now is being transformed exponentially from the "big town" we have lived in these past two decades to the largest city in our state.

DAVID deBLIEUX has been a prosecutor with the DA's office since August 2006, and he loves his job.

"Sex crime prosecutions involve all too often the tragic irony of trying to protect your kids from threats when they leave home, only to be blind to the danger within," deBlieux said. He loves the adversarial process inherent in criminal law, and he tries to anticipate how a defense attorney could defeat a case prior to determining a formal charge. When taking a plea agreement, he tries to envision the victim in the case as his neighbor, and poses the following question to himself: "Could I defend what my actions were in this case to my neighbor?" For deBlieux, this is a 24-7 job. "You don't turn it off; I think I've constructed half my opening statements in the shower!"



CHRIS HESTER has been with the office since November 2009. He was always interested since coming out of law school. His father Judge Bob Hester, prior to being elected judge, served successfully for several years as one of our parish's finest prosecutors, and was his beau ideal. "He definitely inspired me to do something similar," Hester said. "As a prosecutor, you get a truer appreciation for the amount of crime in Baton Rouge, and also see what



kind of a difference we all in the justice system can make when committed to serving justice. It's great to get into the courtroom every day and work in such a high volume business that is always dynamic in nature. Never does the music stop."



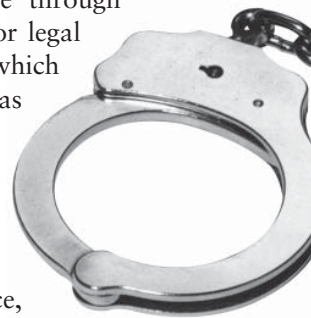
MELISSA MORVANT, who has been with the DA's office for more than five years, said that she always wanted to work there largely based on her father's long-time service as DA of Lafourche Parish. Morvant is fervent in her belief being a prosecutor is more of a calling than a profession. She likes working with people and assisting them in attaining closure through the process. She contrasted it to her prior legal experience in doing toxic-tort defense, which did not captivate her enthusiasm nearly as much as criminal law does.

Her father, District Attorney Cam Morvant, inspired her to pursue her interest in becoming a prosecutor. "I saw the fulfillment he received in working with people and helping them obtain justice, and wanted to do this work myself," Morvant said. "The choices made by perpetrators of crime, especially murder, have far-reaching impacts upon families and even generations across the board."

Being a female prosecutor does present additional challenges, she said, joking that, "BRAVO should do a reality show on the women of the office!" She explained that "the office is much more able to assist in dealing with victims' families through the entirety of the criminal process with the numerous services it now provides."



JERMAINE GUILLORY, who came to the office in February 2010, agrees with Morvant's claim that working there is more than just a job. "Every day you make decisions that affect people's lives; this is an awesome burden, awesome privilege," he said. "I can understand the plight of the people I see, but not necessarily the crime itself."



CONTINUED ON PAGE 22

ROUGE'S YOUNG CRIMINAL LAWYERS

BY BEAU JAMES BROCK

DEFENSE

The defense of a criminal defendant by an advocate may place her or him in unexpected and morally complicated scenarios. Here is a situation: You are charged to represent someone accused of attempted second-degree murder and armed robbery. He has told you his explanation of the facts. One person was shot, no medicals were provided by the prosecutor (as she intends not to introduce them), and nothing was actually stolen, according to your client. Unfortunately, as you turn to the rear of the courtroom, the deputies begin wheeling in the victim, on a gurney;

he's now a quadriplegic, and it is your responsibility to disprove your client's identity before the jury.

Are you ready to tap out of this case? The young men and women of the Public Defender's Office (PDO) never tap out, never step out of the

box; they swing the bat for liberty,

because "the rights of every man are diminished when the rights of one man are threatened."

In Baton Rouge, as in every major city in our republic, the chief responsibility for defending those charged with crimes rests with local public defenders. The PDO in Baton Rouge has its staff in court, in every criminal section, every day of the court's docket in zealous representation of those who are the poorest in our community and whose liberty is most threatened with police action.

By interviewing some of the young members of our PDO, I had the opportunity to learn about them and the significant role they assume for us all, every day.

BEN LaBRANCHE has been with the PDO since May 2007. He was initially drawn to work there for the tremendous experience it provides. "It is exciting with something new every day, with a fast pace in court every day," he said. Through this process, LaBranche has obtained experience in representing a wide variety of individuals accused of the complete spectrum of criminal offenses. "I have learned the impact upon families who are compelled to persevere through the process when one of its members is charged with serious crimes." In addition, he has learned "the terrible lesson as to where the gross majority of crime is occurring in our parish, and unfortunately, it is in areas that have been written off by



a lot of people. Before I was a PD, I never went to places impacted by crime, like North Acadian and Scotlandville, and now through my representation, I have visited our entire city, and embraced all of its citizens and only grown to understand there is hope we can restore by standing for those who most need an advocate."

He has taken a leadership role for the pre-eminent local criminal defense bar as president of Baton Rouge Bar for Criminal Justice (BRBCJ) and CLE chair for the Louisiana Association of Criminal Defense Lawyers (LACDL). LaBranche has been counsel in 14 jury trials and said he has "learned from every one especially after sitting down and discussing the cases with the juries who decided the cases." His dad, long-time litigator Max LaBranche, encouraged him to work for the PDO, and he is most grateful for this guidance. Under Chief Public Defender Mike Mitchell's leadership, he has been given "freedom of action" to make case decisions for his clients. This greatly accelerated his learning curve and provided better service to those whose situations are most dire.



SHEA SMITH, who has been with the PDO for five years, came there to get courtroom experience. "It has given me a lot of confidence in walking into any courtroom to represent anyone in either a civil or criminal case, and I know I can now handle any litigation no matter how complex, in large part, because of my experience at the PDO," Smith said. "I am so proud to work with the professionals at the PDO. Most people don't know the exceptional quality of the people we have. I know some perceive public defenders without high regard, but we work as a team, we are committed, and we all demand of each other the highest degree of excellence. Often, the facts may go against us, but we will never bend to oppressive authority without a zealous defense for those most vulnerable to the excesses of governmental exploitation," he said. An example was his participation in the defense in the face of overwhelming facts on behalf of an Iraq War veteran who had allegedly stabbed his wife in state of heightened anxiety. "When the verdict was read, several women on the jury openly wept. No one died in the case, but no one won when it was over. In talking to jurors afterward, they had deliberated for almost three hours trying to find a way to 'help' the defendant, but

CONTINUED ON PAGE 24

Guillory senses his own cultural burden, at times, when discharging his duty and is not an absolutist when it comes to justice itself. “Law is not black and white,” he reminds himself as he attempts to determine the reason behind perpetrators’ actions in his review of cases. Common questions for Guillory when making charging decisions include: “Does this person have a criminal history? Should this person be charged with a felony for this conduct? Is there a pattern to this conduct or is it an aberration?”

Guillory admitted that his role as prosecutor has impacted his thinking on wider societal concerns. He said that we all share responsibility in better educating our youth about the differences between fundamentally right and wrong conduct.



JOHN RUSSELL joined the office on Aug. 15, 2008. Previously, he worked for six years in private criminal defense practice and, before that, in the Public Defender’s Office for another eight years. He welcomed the opportunity to work with District Attorney Hillar Moore, as he had started his career as a law clerk at Marabella & Moore, a criminal defense firm that Hillar Moore shared with now sitting District Court Judge Anthony Marabella.

“I wouldn’t have believed it myself before I came here, but most of the criminal defense bar has no idea how much work the average ADA has to put in in order to bring a single case to trial. It is far more challenging than I thought it would be,” Russell said.

At one time, Russell believed that the state’s cases were sort of “ready-made” and comparatively easy to win. Nothing, apparently, could be further from the truth. Like his more experienced colleagues, Russell has found that, in some cases at least, getting witnesses and even victims to cooperate with the prosecution can be a real problem. Whether due to fear, intimidation, mistrust of the system, apathy or, even worse, “pay-offs,” a witness’ or victim’s refusal to come to court can be “extremely frustrating, particularly in violent crimes.” He has also found the day-to-day decision making in his new job vastly different from his old work as defense counsel. “With defense, all of your decisions are geared


towards one person: your client. As a prosecutor, you must balance a much wider range of factors in an effort to serve justice.”

This point is highlighted by another misconception that Russell had as a defense attorney – that the lines for prosecutors are clear-cut and in black and white. “The reality is that the lines can be quite blurred,” he said. “Cases involving self-defense or drug addiction, for example, can be quite challenging. You have to work very hard to do the right thing. There is no template.”

His experience on both sides of the bar has provided him with a different perspective from some of the other prosecutors. Russell doesn’t view “criminal justice as a ‘black-hat vs. white-hat’ proposition. Each side plays an absolutely essential role, and it’s the interplay between the two sides that results in a truly fair and balanced system.” Indeed, for Russell, switching counsel tables has reaffirmed this belief rather than undermined it.




LESLIE RICARD joined the office in August 2009. She sees it as an “opportunity to help protect our community.” She had always wanted to be a prosecutor and has seen first-hand “the correlation



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between our high drop-out and our high crime rate.” Leslie comes from Dennis Mills, which is not far from Greensburg. She commuted to Amite to attend high school.

“In Dennis Mills, there is not a lot of exposure for young people to the value of education,” Ricard said. Her commitment to her roots has never wavered, as both she and her brother serve as continuing mentors for young people there. Leslie regularly reaches out to girls of the area to expose them to career opportunities an education might provide by bringing them to the courthouse, doctor’s offices and the capitol. She wants to show them “it’s cool to have a degree” and shares her joy with them and creates hope.

Ricard’s most profound moment came when she was sitting co-counsel on a second-degree murder trial for an event that occurred 25 years ago. Between the time of this murder and the trial, the defendant had actually committed another murder. After the successful guilty verdict, “the victim’s mom was so grateful. She could now sleep at night and didn’t have to wonder anymore, and felt her daughter would now rest in peace,” she said. ■



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could not figure out how to do it,” Smith said.

JASON CHATAGNIER joined the PDO more than five years ago, he said, because “it is the one place for a young attorney to try cases, especially ones no one else will try, whether too complex or involve clients with records requiring a ream of paper from Kinko’s to copy.” Chatagnier is from the small town of Schriever, La., which views nearby Houma as the “big city.”



“I had taken for granted my background, and find myself now standing for, and beside, fellow human beings, who have no one else willing or able to support them,” he explained. His tutelage as a litigator could not have been successful without the leadership provided by Michael Mitchell.

“I am so indebted to Mike,” Chatagnier said. “He has allowed me to become a trial attorney with no handcuffs, and his standards of excellence mandate all of us to be of the highest professional caliber. He is my role model, not only as a defense attorney, but as a leader for the entire Bar and community.”

FRANZ N. BORGHARDT joined the PDO in February 2009. Prior to this, he had been a law clerk for Judge Tony Marabella for 18 months. In law school, he never thought of becoming a defense attorney, but it has been the opportunity of a lifetime to work with the group of lawyers at the PDO.



“I like the opportunity to compete that trial-by-jury provides, and caring about the people we represent gives the process not only added meaning, but added motivation to succeed,” he said. “We face an uphill battle in every conflict as the DA is playing with ‘house money.’ Our job is to not only keep the DA intellectually honest in the process, but many times people are over-charged and are not guilty of the formal charge set forth by them,” he stated.

The PDO is like a giant think tank for Borghardt, and he feels blessed to work in an atmosphere that allows him to “do things you only see on T.V. I live ‘Law & Order’ every day, even though sometimes it is as difficult as ice skating uphill due to the complexities and the caseload.”

Borghardt is a graduate of the Gerry Spence Trial Lawyers College and the National Criminal Defense

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Kyle Ferachi

SARA ANDERSON became a member of the PDO staff of attorneys Jan. 15, 2010, because she always wanted to try cases. For Anderson, trying cases gives her an opportunity to provide the jury with a set of facts that unravel a puzzle to the truth. “Ones that may not be obvious at first blush,” she said. She believes she has been given a real opportunity at the PDO. “Even though I am just out of law school, I now see how the real world works, how judges respond, what victims are looking for and when they may be willing to actually work with defendants who may have wronged them.”



“This is the only job I’ve ever done that does not seem like ‘work.’ I help people ‘win’ not only when a not guilty verdict is read, but when I appear on their behalf, defend their right to confrontation, and allow them to have their day in court,” Anderson said. “My ultimate goal is to be one of the best trial attorneys in our city, and I’m now familiar with representing people experiencing great desperation. When I can help them, it gives me great satisfaction. If I can continue to learn while here, my ability to help other people through the difficulties of divorce and personal injury will only grow stronger.”

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West's Jury Verdicts - Baton Rouge

Venue/Case Type	Major Injury	Trial Type	Result
East Baton Rouge Parish			
Premises Liability	Ruptured lumbar disc	Jury	\$1,589,891
Vehicle Negligence	Neck, back, knee, shoulder, arm	Bench	\$30,183
Vehicle Negligence	Monetary damages	Bench	\$4,918
Vehicle Negligence	Neck and back	Jury	\$23,731
Vehicle Negligence	Lumbar, cervical discs	Jury	Defense

West's Case of the Month

Motorist Injured in Rear-End on Old Hammond Hwy Recovers \$23.7K

Ford v. Mosby

TYPE OF CASE:

Vehicle Negligence • Motor Vehicle v. Motor Vehicle
 Vehicle Negligence • Rear-End
 Vehicle Negligence • Parked/Stalled/Stopped Vehicle
 Vehicle Negligence • Passenger
 Vehicle Negligence • Truck
 Vehicle Negligence • Low Impact/Speed
 Vehicle Negligence • Inattention
 Insurance • Automobile Policy
 Vicarious Liability

SPECIFIC LIABILITY:

Motorist rear-ended another vehicle stopped at a stoplight, causing injuries to the driver of that vehicle and her passenger

GENERAL INJURY:

Lower back and neck injuries; medical expenses; lost wages; lost earning capacity; property damage

COURT:

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

DOCKET/FILE NUMBER:

563,561

VERDICT:

Plaintiff, \$23,730.50

VERDICT DATE:

Oct. 15, 2010

JUDGE:

Wilson Fields

ATTORNEYS:

Plaintiffs: Craig J. Fontenot, Williamson & Fontenot, Baton Rouge; Craig J. Fontenot, Williamson, Fontenot & Campbell, Baton Rouge
Defendants: Paul J. Politz and D. Scott Rainwater, Taylor, Wellons, Politz & Duhe, Baton Rouge

TRIAL TYPE:

Jury

BREAKDOWN OF AWARD:

\$10,000.00 to Ford for pain and suffering
 \$8,730.50 to Ford for medical expenses
 \$5,000.00 to Ford for loss of enjoyment of life

SUMMARY OF FACTS:

Brendyia Ford was stopped at a stoplight at the intersection of South Flannery and Old Hammond Highway in the Parish of East Baton Rouge, La., May 10, 2007, when her vehicle was allegedly rear-ended by Milton Lee Mosby Jr., who was driving a Chevrolet truck owned by Lowe's Home Centers Inc.

At the time of the accident, D.F., Ford's minor child, reportedly was a passenger in her vehicle.

Ford claimed she and D.F. sustained personal injuries in the collision, which included lower back and neck injuries.

Ford filed a lawsuit, individually and on behalf of D.F., against Mosby, Lowe's, and their insurer, American Home Assurance Company, in the Nineteenth Judicial District Court for the Parish of East Baton Rouge, Jan. 29, 2008.

The plaintiff alleged that Mosby negligently caused the accident by operating his vehicle carelessly and inattentively. Ford further alleged that Lowe's was vicariously liable for Mosby's negligence since he was acting within the scope of his employment with Lowe's at the time of the accident.

The plaintiff sought damages for pain and suffering, loss of enjoyment of life, disability, medical expenses, lost wages, lost earning capacity, and property damage.

The plaintiff filed a motion seeking partial summary judgment on the issue of liability. In a consent judgment dated July 17, 2009, Judge Wilson Fields granted the plaintiff's motion to the extent Mosby and Lowe's were at fault for the accident in question. However, the defendants reserved their rights to dispute the plaintiff's alleged damages.

The defendants further contended that the accident was of minor impact and did not cause the extent of the injuries asserted by the plaintiff.

The matter proceeded to a jury trial on the issue of damages in October 2010, with only Ford listed as a plaintiff on the verdict form. The jury returned a verdict in favor of the plaintiff, finding that she had suffered damages as a result of the automobile accident.

Jurors awarded Ford \$10,000 for pain and suffering, \$8,730.50 for medical expenses, and \$5,000 for loss of enjoyment of life.

CASE CITE: *West's J.V. La. Rep.*, Vol. 6, Iss. 9, p. 8 (2011); 2010 WL 5857615

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bar news

BY CHLOE EUSTON

Beer @ da Bar reception series honors BRBA volunteers with beer, pizza and customized mugs

BRBA members gathered at the Middleton Bar Center Thursday, May 12, 2011, to raise their mugs to volunteers who donated time to Baton Rouge Bar Foundation youth education programs this spring. Gail Adkins, Beau Brock, Richard Bromfield, Steve Carleton, Judge Charlene Day, Joanna Hynes, Melanie Newkome Jones, Melanie Fields, Alejandro Perkins and Fred Sliman received BRBA-engraved glass beer mugs in recognition of their service.

The next Beer @ da Bar reception will be held Tuesday, Aug. 23, 2011, at 5 p.m. Honorees are Dr. Laura Choate, Charles Davoli, Dr. Leslie Grover, Matt Tierney, Brooke Barnett, Laranda Moffett Walker and Kyle Ferachi. All BRBA members are invited. Call 225-344-4803 for more information.

Investiture ceremony held for EBR Parish Family Court Judge Charlene Charlet Day in May

Judge Charlene Charlet Day was sworn in as the newest judge in the East Baton Rouge Parish Family Court May 2, 2011, at the 19th Judicial District Courthouse. Judge Lonny A. Myles administered the oath of office, while Judge Annette Lassalle presented Judge Day to the court. The BRBA sponsored the investiture, which was followed by a reception.

Never too early to start practicing your golf swing

The BRBA will host the Ball Maul Golf Tournament Nov. 7, 2011, at University Club. Victor Loraso of Carleton Loraso, LLC, is the Ball Maul Committee chairman. Contact Ann G. Scarle at 225-214-5563 for sponsorship or team registration information.

Pro Bono volunteers honored during ceremony

The Baton Rouge Bar Foundation Pro Bono Project held CLE Palooza June 23, 2011, at the LSU Paul M. Hebert Law Center, which offered up to four hours of free CLE training to attorneys who agreed to take a pro bono case by the end of the year.

A reception followed the CLE training that honored attorneys who have given back to the community by accepting pro bono cases. Joining the Century Club with 100 hours of pro bono service were Dele Adebamiji, Alesia Ardoin, Dale Baringer, Michael Ferachi, Zelma Frederick, Todd Gaudin, Thomas Lane, Peyton Parker, Tara Sims, T.



BRBA President Preston J. Castille Jr. honors Melanie Fields and Gail Adkins at the May 12, 2011, Beer @ da Bar held at the Middleton Bar Center.

PHOTO BY PAMELA LABBE



The investiture of Judge Charlene Charlet Day was held May 2, 2011, in the 19th Judicial District Courthouse. Photographed are (L to R) Judge Todd Hernandez, Judge Chip Moore, Judge Day and Judge Lonny Myles.

PHOTO BY PAMELA LABBE



BRBA President Preston J. Castille Jr. poses after the May 12, 2011, Bar Luncheon with Judges Lisa Woodruff-White, Judge Charlene Day, Judge Trudy White, Judge Toni Higginbotham and Judge Pamela Taylor-Johnson.

PHOTO BY PAMELA LABBE

MacDougall Womack and Kathyryne Wyble. Honored for contributing 200 hours of pro bono service were Thomas Acosta, Arlene Edwards and La'Gretta Fortune Lazard. Cynthia Reed was honored for donating 300 hours of pro bono. H. Michael Aaron and Lisa Leslie Boudreaux were honored for donating 400 hours. Eric Miller has donated 500 hours, while Garth Ridge and Judge Melvin Shortess (Ret.) have completed 600 hours. Melanie Newkome Jones has completed 700 hours of pro bono service, while Linda Law Clark was honored for donating more than 900 hours.

BRBA members who received LSBA Pro Bono Awards were also recognized during the reception. Ayn Stehr was

The BRBA June Bar Luncheon, organized by the Young Lawyers Section, featured a discussion panel of prison wardens. Photographed Thursday, June 2, 2011, are (L to R, front row) Assistant Warden Mary Baldwin Kennedy of the Louisiana Correctional Institute for Women, YLS Chair Amanda Stout, Kristy Davis with WBRZ, Warden Burl Cain; (L to R, top row) BRBA President Preston J. Castille, Warden Dennis O. Grimes of the East Baton Rouge Parish Prison and Whalen H. Gibbs Jr. of the Louisiana Department of Public Safety & Corrections. Davis served as the moderator for this month's discussion.



PHOTO BY PAMELA LABBE



PHOTO BY PAMELA LABBE

Shalonda Wallace Golden, Rokeya Morris, Tavares Walker and Cleveland M. Patterson III attended the pro bono reception June 23, 2011. Patterson was recognized as the recipient of the LSBA Law Student Pro Bono Award. Patterson attends the Southern University Law Center and works for the Baton Rouge Bar Association as an intern.



BRBA President Preston J. Castille Jr. awarded Lilian R. Hangartner a certificate recognizing her as the recipient of the LSBA Law Student Pro Bono Award. Hangartner attends the LSU Paul M. Hebert Law Center.

BRBA President Preston J. Castille Jr. awards Cynthia Reed with a Triple Century Club Award during the pro bono awards ceremony that followed the BRBF CLE Palooza June 23, 2011.



PHOTO BY PAMELA LABBE

Todd Gaudin was honored by Preston J. Castille Jr. for his contribution of 100 hours of pro bono service to the BRBF Pro Bono Project.



PHOTO BY PAMELA LABBE



PHOTO BY PAMELA LABBE

Linda Law Clark, who has contributed more than 900 hours of volunteer pro bono work to the BRBF Pro Bono Project during her legal career, was honored June 23, 2011, by Preston J. Castille Jr.



PHOTO BY PAMELA LABBE

(In photo, left) Seminar speakers Judge Laura Davis and Jeff Wittenbrink visited with attendees after the completion of the BRBF Pro Bono Project's CLE Palooza June 23, 2011, held at the LSU Paul M. Hebert Law Center.

recognized for receiving the Career Public Interest Award, while Doreen Taravella had received the Pro Bono Publico Award. Lilian R. Hangartner, an LSU Paul M. Hebert Law Center student, and Cleveland M. Patterson III, a student attending the Southern University Law Center, were recognized for receiving Law Student Pro Bono Awards.

Pro Bono Committee Chair Ken Mayeaux introduced Vice Chancellor Cheney Joseph, BRBA President Preston J. Castille Jr. and BRBA Executive Director Ann G. Scarle. Castille presented the awards.

Thirst for Justice reaches 10-year milestone

This June marked the 10th anniversary for the Baton Rouge Pro Bono Project's free legal clinic, Thirst for Justice, where anyone seeking legal advice can engage in a free one-on-one consultation with an attorney.

A key player in initiating the program, Judge Melvin Shortess (Ret.) said the idea came to him in a dream. "I just woke up from a dream and said the poor really need more pro bono help in this community," he said. Shortess brought the idea to the BRBA's then-president E. Wade Shows and spoke with Michael Accaldo at St. Vincent de Paul, and his dream became a reality. The program officially began June 5, 2001.

Thirst for Justice is held from 3 to 5 p.m. every Wednesday and Thursday at St. Vincent de Paul, 220 St. Vincent de Paul Pl. At least two attorneys are present at each session of Thirst for Justice. The legal clinic handles civil cases only. Attorneys speak confidentially with clients for about 10 minutes, providing legal advice and often referring cases to a local legal service or to the BRBA Lawyer Referral Service.

The BRBF Pro Bono Committee, chaired by Ken Mayeaux, oversees Thirst for Justice in conjunction with the Pro Bono Project.

BRBA Bench Bar Conference 2011 attendees get to the point at the historic Grand Hotel

The 26th annual BRBA Bench Bar Conference gave members of the bench and the bar a sunny opportunity for networking at the historic Marriott Grand Hotel in Point Clear, Ala. April 28-30, 2011. The jam-packed weekend included a performance by the Benjy Davis Project, a tennis tournament, a golf tournament, and a performance by the Tip Tops and the BRBA president. Participants still managed to squeeze in 10.5 hours of continuing legal education seminars.

BRBA President Preston J. Castille Jr. embraced the role of musical entertainer Friday, April 29. He began with a trumpet solo, then tipped his hat to past BRBA presidents by conducting their vocal performance of an original song based on "We Are the World." To jazz things up, he led a second line in honor of the Bench Bar Boogie Band, which had performed during 19 years of past conferences.



The tennis tournament at the 2011 Bench Bar Conference, which took place April 29, had great participation.



Photographed (L to R) are Jeff Watson, Lawrence Gettys and Chris Jones. Watson and Jones organized the Bench Bar Conference golf tournament and awards ceremony that followed. Gettys' team, which included Judge Lonny Miles and Jamie Rothkamm, placed first in this year's golf tournament.

BRBA President Preston J. Castille Jr. delighted the crowd with his musical talents at the 2011 Bench Bar Conference.





PHOTO BY PAMELA LABBE

Luke Williamson, Doug Cochran, Jackie M. McCreary and Michael McKay sponsored the Saturday night hospitality suite and awards ceremony at this year's Bench Bar Conference.



PHOTO BY PAMELA LABBE

Judge James Brady, the late Chief Judge Ralph Tyson and Judge Jack Dampf (ad hoc) attended the 2011 BRBA Bench Bar Conference. *(Editor's Note: Judge Tyson passed away July 17, 2011, as this issue was going to press.)*



PHOTO BY PAMELA LABBE

Past presidents of the BRBA joined in song at the Bench Bar Conference as the Tip Tops played music in the background and Preston J. Castille Jr. directed with baton in hand.



PHOTO BY PAMELA LABBE

Local judges played an active role in the Friday night performance at the 2011 Bench Bar Conference, dressed in matching T-shirts. As part of Preston J. Castille Jr.'s funeral march, the judges waved yellow BBC handkerchiefs.



PHOTO BY PAMELA LABBE

Barbara Baier, Emily McCune, Michelle Sorrells and Paul Baier traveled to Point Clear, Ala., to attend the 2011 BRBA Bench Bar Conference, which took place April 28-30, 2011.

Abdoud Thomas, a partner of Walters Thomas Papillion, Cullens, LLC, chaired the 2011 Bench Bar Conference Committee. Patrick Broyles, attorney at law, served as vice-chair. BRBA Executive Director Ann G. Scarle and Margaret Johnson assisted the committee in coordinating the event.

Attendees competed in golf and tennis tournaments at Lakewood Country Club. Tennis tournament winners were Chris Jones (first place, male); James Peltier (second place, male); Vikki Dudley (first place, female); and Randi Peltier (second place, female). The Baton Rouge Bar Auxiliary and Dudley DeBosier Injury Lawyers sponsored the tennis tournament.

Winning first place in the Bench Bar golf tournament was the team of Lawrence Gettys, Judge Lonnie Myles and Jamie Rothkamm. The team winning second place included Jeff Watson, Tom Rathmann and Justin Day. The team of Bartley Bourgeois, Abdoud Thomas and Edmund Geiring won third place. The Closest-to-the-Hole competition winners were Judge Lonnie Myles, Amy Lambert and Paul Marks. Winners of the Longest Drive competition were Jeff Watson, Stephen Babcock and Amy Counce. Rathmann Chiropractic Center sponsored the golf tournament.

Conference sponsors were Adams and Reese, LLP; Steve A. Adams; Alliance Title; Amos and Laura Davis; Babcock Partners, LLC; Baker, Donelson, Bearman, Caldwell & Berkowitz, PC; Baton Rouge Bar Auxiliary; Brady Law Firm; BRBA Young Lawyers Section; Breazeale, Sachse & Wilson; Patrick Broyles; Chaffe McCall, LLP; Committee to Elect Hillar Moore; Jill L. Craft; Crawford Lewis; Davoli, Krumholt & Price; DeCuir, Clark & Adams, LLP; deGravelles, Palmintier, Holthaus & Fruge; Downs, Saffiotti & Boudreaux; Dudley DeBosier Injury Lawyers; Dr. Michael J. Goff / Louisiana Health & Injury Centers; Guglielmo, Marks, Schutte, Terhoeve & Love; Hammonds & Sills; Heard, Robins, Cloud & Black; Jones Walker; Kantrow, Spaht, Weaver & Blitzer, APLC; Kean Miller Law Firm; Keogh, Cox & Wilson; Kinchen, Walker, Bienvenu, Bargas & Reed; Law Offices of Ossie

Brown; Lexis Nexis; Long Law Firm; Louisiana State Bar Association; McGlinchey Stafford, PLLC; McGlynn, Glisson & Mouton; Moore, Thompson & Lee, APLC; Newman, Mathis, Brady & Spedale; Oats & Hudson; Pendley, Baudin & Coffin, LLP; Kris A. Perret, Attorney at Law; Perry, Atkinson, Balhoff, Mengis & Burns, LLC; Perry Dampf Dispute Solutions; Phelps Dunbar; Phoenix Consulting Group, LLC; Porteous, Hainkel & Johnson, LLP; Quality Litigation Support, Inc.; Rathmann Chiropractic Clinic; Roedel, Parsons, Koch, Blache, Balhoff & McCollister; Rothkamm Law Firm; Shows, Cali, Berthelot and Walsh, LLP; Steffes, Vingiello & McKenzie; Stone Pigman Walther Wittmann, L.L.C.; Taylor, Porter, Brooks & Phillips, LLP; Tyler & Possa; USDC-Middle District Bench Bar Fund; Vinet & Day, LLC; Walters, Papillion, Thomas, Cullens, LLC; West, a Thomson Reuters business and Williamson, Fontenot & Campbell, LLC.

BRBA program and members were showered with state bar awards in June

The LSBA held its annual meeting June 28-30 in Las Vegas, Nev., which involved an awards ceremony June 28, 2011. This year's list of award recipients included the names of several Baton Rouge attorneys and judges, along

with the BRBA Young Lawyers Section.

Judge William A. Morvant of the 19th Judicial District Court received the LSBA President's Award for his service as chair of the 2011 Criminal Justice Summit. He is the co-chair of the LSBA Criminal Justice Committee.

Edward J. Walters Jr., a partner of Walters, Papillion, Thomas, Cullens, LLC, received the LSBA President's Award for serving as chair of the Lawyers in Transition Committee.

The LSBA posthumously recognized Brace B. Godfrey as the first recipient of the LSBA Human Rights Award. Godfrey died March 13, 2010, at the age of 58.

The BRBA Young Lawyers Section received the LSBA Young Lawyers Section's Service to the Public Award for participation with the BRBF Teen Court of Greater Baton Rouge program. The YLS provides volunteers for Teen Court, a voluntary diversion program that allows youth who commit minor offenses to be judged by a jury of their peers. The program has been in operation since 2006.

Attorney volunteers serve as judges and jury monitors for the Teen Court hearings and trainers for the training sessions. The attorney volunteers also assist the teen volunteers with preparing their cases. The attorneys visit with the defendants and teen volunteers, offering information on law school and legal careers and establishing a personal connection with the teens. ■

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Nomination Form

2012 YOUNG LAWYERS SECTION COUNCIL

This form is to be returned to the Baton Rouge Bar Association office
at P. O. Box 2241, Baton Rouge, LA 70821,
or to 544 Main St. no later than 4:30 p.m. Friday, Sept. 30, 2011.

Please place my name on the ballot for the 2012 Young Lawyers Section Council election. I understand that I must be a regular member in good standing of the Baton Rouge Bar Association, and my 2012 dues assessment must be paid by Thursday, Nov. 10, 2011. Further, I understand that I must be eligible for membership in the Baton Rouge Bar Association Young Lawyers Section. Eligibility is limited to all lawyers under the age of 39, or who have been admitted to the first bar less than five years who pay any dues as set and assessed by the Board of the Baton Rouge Bar Association. Membership in this section terminates automatically at the end of the calendar year within which a member attains 39 years of age or five years after admission to his or her first bar, whichever last shall occur. I understand that this is a working body and that any officer or council member failing to attend three successive meetings of the council shall be asked to vacate his or her position. I also understand that I will bear my pro-rated expense for all YLS meetings.

I wish to run for the position of: Chairman-Elect _____ Council Member (5) _____
Secretary / Treasurer _____

Name _____

Signature _____ Date _____

The November issue of *Around the Bar* will include a listing of all candidates for office. Please complete the following for use in the listing. Use no more than the space allotted. Please submit your photo (as a high resolution .jpg) and this form as a .pdf and e-mail it to: ann@brba.org. You are also welcome to fax your form to 225-344-4805, or mail it to the BRBA office. Your photograph will be used in the pre-election candidate introduction, which will appear in the November issue of *ATB* and on the ballot.

Name _____

Position for which you are running _____

Firm _____

Address _____ City/State/Zip _____

Year admitted to practice _____ Law School _____

E-mail _____

Activity with the Baton Rouge Bar Association _____

Other professional information _____

Nomination Form

2012 PUBLIC LAW PRACTICE SECTION

This form is to be returned to the Baton Rouge Bar Association office at P. O. Box 2241, Baton Rouge, LA 70821, or to 544 Main St. no later than 4:30 p.m. Friday, Sept. 30, 2011.

Please place my name on the ballot for the 2012 Public Law Practice Section. I understand that I must be a regular member in good standing of the Baton Rouge Bar Association, and my 2012 dues assessment must be paid by Thursday, Nov. 10, 2011. Further, I must be a member of the Baton Rouge Bar Association's Public Law Practice Section.

I wish to run for the position of:

- Chair-elect (1)*
- Secretary (1)*
- Council Member (1)* — Local government representative
- Council Member (1)* — Attorney General representative
- Council Member (1)* — Private attorney representative
- Council Member (1)* — At Large representative
- Council Member (1)* — Judicial representative
- Council Member (1)* — Executive Branch representative
- Council Member (1)* — Legislative Branch representative

The mission of the Public Law Practice Section is to address the needs of attorneys practicing before, representing or employed by governmental, regulatory, administrative or other public law entities and to promote professionalism and community outreach.

Position for which you are running _____

Name _____

Signature _____ Date _____

Please complete the following for use as a bio to provide to section members. Use no more than the space allotted. Please submit your photo (as a high resolution .jpg) and this form as a .pdf and e-mail it to: ann@brba.org. You are also welcome to fax your form to 225-344-4805, or mail it to the BRBA office. Your photograph will be used in the pre-election candidate introduction, which will appear in the November issue of *ATB* and on the ballot.

Name _____

Firm/Agency _____

Address _____ City/State/Zip _____

Year admitted to practice _____ Law School _____

E-mail _____

Activity with the Baton Rouge Bar Association _____

Other professional information _____

Nomination Form

2012 FAMILY LAW SECTION SECRETARY

This form is to be returned to the Baton Rouge Bar Association office
at P. O. Box 2241, Baton Rouge, LA 70821,
or to 544 Main St. no later than 4:30 p.m. Friday, Sept. 30, 2011.

Please place my name on the ballot for the 2012 Family Law Section Executive Committee election. I understand that I must be a regular member in good standing of the Baton Rouge Bar Association and a member of the Family Law Section, and my 2012 dues assessment must be paid by Thursday, Nov. 10, 2011. I understand that this is a working body and that any officer or council member failing to attend three successive meetings of the Committee shall be asked to vacate his or her position.

I wish to run for the position of: Secretary _____

Name _____

Signature _____ Date _____

Please complete the following for use as a bio to provide to section members. Use no more than the space allotted. Please submit your photo (as a high resolution .jpg) and this form as a .pdf and e-mail it to: ann@brba.org. You are also welcome to fax your form to 225-344-4805, or mail it to the BRBA office. Your photograph will be used in the pre-election candidate introduction, which will appear in the November issue of *ATB* and on the ballot.

Name _____

Firm _____

Address _____ City/State/Zip _____

Year admitted to practice _____ Law School _____

E-mail _____

Activity with the Baton Rouge Bar Association _____

Other professional information _____

foundation footnotes

PRO BONO PROJECT & TEEN COURT MAY & JUNE REPORTS

PRO BONO PROJECT REPORT

We would like to thank all Pro Bono Project volunteers for their May and June contributions. The Thirst for Justice solo practitioner volunteers were Terry Bonnie, Byron Kantrow, Allen Posey, Judge Melvin Shortess (Ret.) and Emily Ziober.



Thirst for Justice volunteers practicing with firms were Jim Austin, Renee Crasto, Danny Rester and Robert Wooley, *Adams and Reese*; Elisabeth Prescott, *Baker Donelson Bearman Caldwell & Berkowitz, PC*; Jeff Rabb, *Dudley DeBosier*; Charlie Cusimano, *Hebert, Spencer, Cusimano & Fry*; Brian Juban, *Keegan, DeNicola, Kiesel, Bagwell, Juban & Lowe*; Robert Lucky and Michael Malinowski, *The Lucky Law Firm, PLC*; Daina Bray, *Phelps Dunbar*; and Mac Womack, *Taylor, Porter, Brooks & Phillips, LLP*.

Interning with the Baton Rouge Bar Foundation were Ben McDonald; Cleveland Patterson, *Southern University Law Center*; and Clare Svendson.

The Ask-A-Lawyer solo practitioners volunteering in May and June were Durward Casteel, Meredith Durham, Scott Gaspard and Emily Ziober.

Ask-A-Lawyer volunteers from firms were Danny Rester, *Adams and Reese*; John Hopewell, *Certain Title*; Chris Martin, *Jones Walker*; Todd Gaudin, *Kuehne, Foote & Gaudin APLC*; Barbara Baier, *Louisiana Department of the Treasury*; and Jeffrey Wittenbrink, *Rowe Law Firm*.

The following volunteers accepted cases in May and June: Stacy Christophe; Harry Daniels; Vijay

Venkataraman; Christopher Washington; William Shea, *Adams and Reese*; Dale Baringer, *Baringer Law Firm*; Lisa Leslie Boudreaux, *Downs, Saffiotti & Boudreaux*; David Andress, *Grand Law Firm*; Rodney Hastings, *Hastings Law Firm, LLC*; Teresa Hatfield, *The Hatfield Law Office, LLC*; Yuxian Wang, *Kean Miller Law Firm*; M. Janice Villarrubia, *Law Office of M. Janice Villarrubia, LLC*; Gregory Burrell, *Murray & Murray Law Firm*; Alfred Shapiro, *Shapiro and Shapiro*.

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

TEEN COURT REPORT

Barbara Baier, Matthew Belser, Lindsay Watts Sanchez and Crystal Losey French served as judges and jury monitors for the May and June hearings. Graduate students from the LSU School of Counselor Education provided weekly group sessions for Teen Court defendants.

Volunteers are needed to serve as judges for the Teen Court hearings and to assist with training sessions. If you are interested in volunteering, please contact Donna Buuck at 225-214-5556 or donna@brba.org.

Teen Court of Greater Baton Rouge is funded by a grant from the Louisiana Office of Juvenile Justice (formerly the Office of Youth Development), a grant from the Louisiana Bar Foundation's IOLTA program and from the Baton Rouge Bar Foundation. This project is also supported in part by Grant No. 2009-JF-FX-0059 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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Contact Ann G. Scarle
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For classified or display ad rates, contact Pamela at (225) 214-5560 or e-mail: pamela@BRBA.org

September 2011

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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	



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

Duty Court Schedule

19THJDC CIVIL COURT

Aug. 29-Sept. 9 Judge Clark
 Sept. 12-Sept. 23 Judge Bates
 Sept. 26-Oct. 7 Judge Caldwell

19TH JDC CRIMINAL COURT***

Aug. 26-Sept. 2 Judge White
 Sept. 2-Sept. 9 Judge Marabella
 Sept. 9-Sept. 16 Judge Anderson
 Sept. 16-Sept. 23 Judge Erwin
 Sept. 23-Sept. 30 Judge Jackson
 Sept. 30-Oct. 7 Judge Daniel

BATON ROUGE CITY COURT*

Aug. 29-Sept. 4 Judge Wall
 Sept. 5-Sept. 11 Judge Alexander
 Sept. 12-Sept. 18 Judge Ponder
 Sept. 19-Sept. 25 Judge Davis
 Sept. 26-Oct. 2 Judge Temple

FAMILY COURT**

Aug. 29-Sept. 2 Judge Lassalle
 Sept. 5-Sept. 9 Judge Baker
 Sept. 12-Sept. 16 Judge Woodruff-White
 Sept. 19-Sept. 23 Judge Day
 Sept. 26-Sept. 30 Judge Lassalle

JUVENILE COURT

Sept. 1-Sept. 30 Judge Taylor-Johnson

NOTE: Duty Court changes at 5 p.m. each Friday unless otherwise specified.

*City Court's Duty Court schedule changes each Monday at 8 a.m.

**Family Court's Duty Court schedule changes at 4 p.m. each Friday

***19th JDC Criminal Court changes each Friday at noon

COURT HOLIDAYS

Monday, Sept. 5 Labor Day

BEER @ DA BAR QUARTERLY RECEPTION:

TUESDAY, AUG. 23, 2011
 5 - 6:30 P.M.

Middleton Bar Center
 Baton Rouge, LA 70801
 ALL BRBA MEMEBERS ARE INVITED.

Classifieds

SEPTEMBER BAR LUNCHEON & 25TH ANNIVERSARY OF THE BRBA LAW EXPO:

Wednesday, Sept. 7
 8 a.m. - 2 p.m.
 Baton Rouge River Center

Contact the BRBA office at 225-344-4803 to register for the September Bar Luncheon. BRBA members must pre-register for the CLE Seminars and agree to visit with 20 exhibitors to secure the FREE rate.

Also, make plans to attend the FREE reception AFTER the Law Expo at the Camelot Club from 5 to 7 p.m. Come celebrate with us the Law Expo's 25th Anniversary! Call 225-344-4803 to RSVP for the reception.

LAW OR PROFESSIONAL office suites available in well known Perkins Road building. Waiting room with receptionist. Access to various size conference rooms. Area 1 - Large office, with 2 separate rooms for staff. Area 2 - approx. 8 x 10 office. Call Pam at 225-766-1100 for more information.

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BRBA SOFTBALL TOURNAMENT:

Aug. 19-20, 2011
 BREC Highland Road Park
 Register your team today!
 Questions: 225-344-4803

1

Volunteer Committee meeting, 12 p.m.; Thirst for Justice, St. Vincent de Paul, 3-5 p.m.

5

BRBA Office Closed — Labor Day

6

YLS Council meeting, 12 p.m.

7

LAW EXPO & September Bar Luncheon, BR River Center. First CLE starts at 8 a.m.; Luncheon begins at 12:30 p.m. Reception at Camelot Club, 5-7 p.m.;

Thirst for Justice, St. Vincent de Paul, 3-5 p.m.

Expo Reception, Camelot Club, 5-7 p.m.

8

Thirst for Justice, St. Vincent de Paul, 3-5 p.m.

12

Publications Committee meeting, 12 p.m.

14

Ask-A-Lawyer workshop, 9-11:30 a.m., Catholic Charities;

Pro Bono Committee meeting, 12 p.m.;

Thirst for Justice, St. Vincent de Paul, 3-5 p.m.;

Operations & Finance Committee meeting, 3:30 p.m.;

Finance Committee meeting, 4 p.m.

15

FLS Meeting & Judges Panel, City Club of Baton Rouge, 12 p.m.;

Thirst for Justice, St. Vincent de Paul, 3-5 p.m.

16

Appellate Section CLE, First Circuit Court of Appeal, 7:30 a.m.

17

Ask-A-Lawyer workshop, 9-11:30 a.m., Central Library

19

CLE Committee meeting, 12 p.m.

21

Thirst for Justice, St. Vincent de Paul, 3-5 p.m.;

BRBA Board of Directors meeting, Mansurs On the Blvd., 6 p.m.

22

LRIS Committee meeting, 12 p.m.;

Thirst for Justice, St. Vincent de Paul, 3-5 p.m.

27

Youth Education Committee meeting, 12 p.m.

28

Teen Court Committee meeting, 12 p.m.;

Thirst for Justice, St. Vincent de Paul, 3-5 p.m.

29

Bylaws and Elections Committee meeting, 12 p.m.;

Thirst for Justice, St. Vincent de Paul, 3-5 p.m.

30

Self-nomination forms for BRBA are due

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