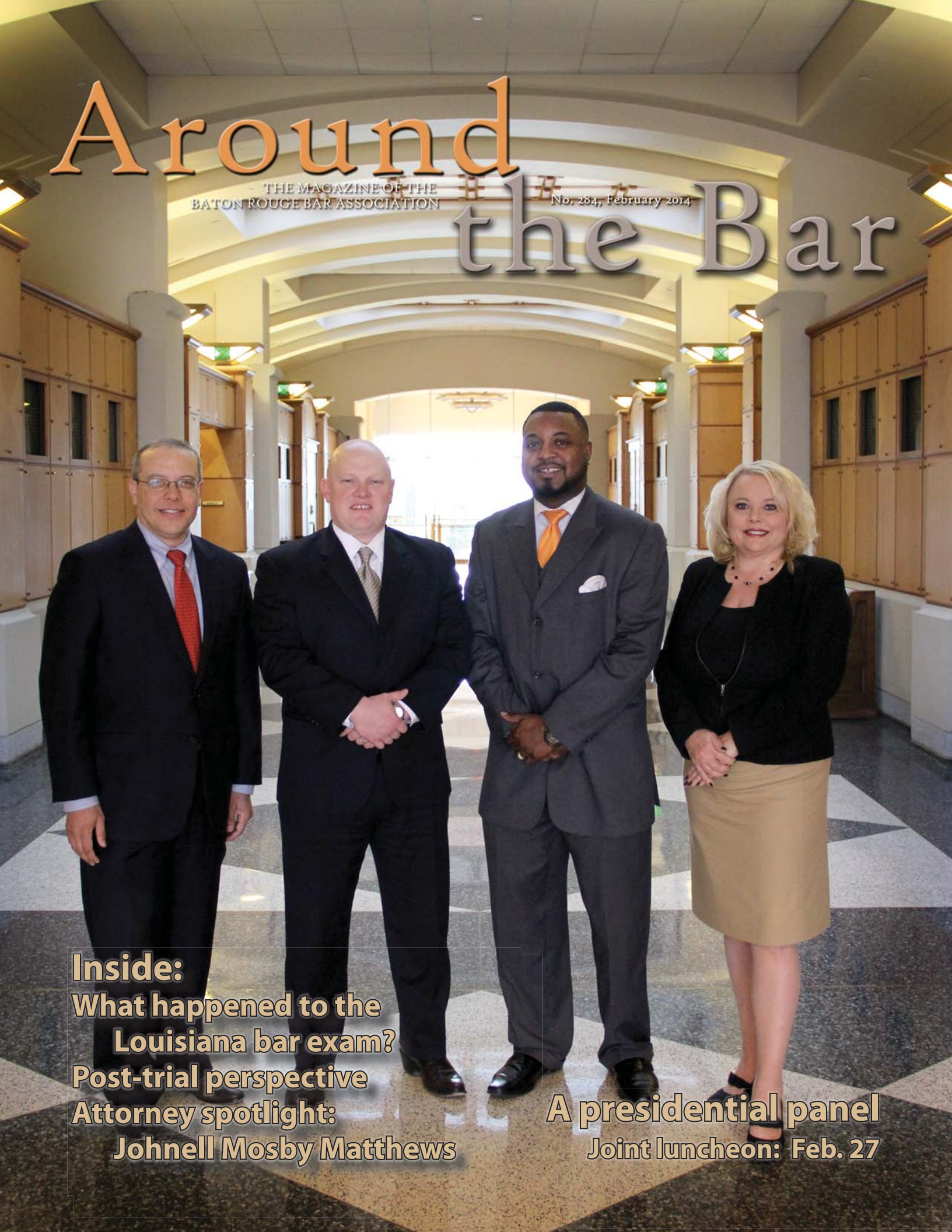
Around the Bar

THE MAGAZINE OF THE BATON ROUGE BAR ASSOCIATION

No. 284, February 2014



Inside:

What happened to the Louisiana bar exam?

Post-trial perspective

Attorney spotlight: Johnell Mosby Matthews

A presidential panel

Joint luncheon: Feb. 27

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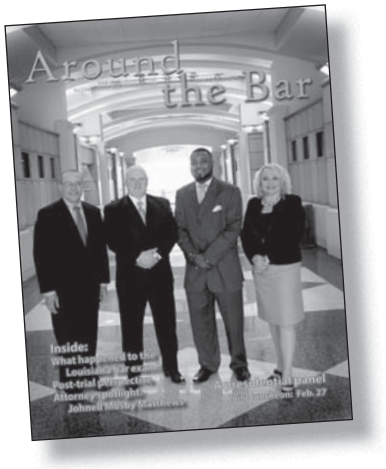
inside

FEBRUARY 2014



On the cover:

Featured on the cover of the February 2014 issue of *Around the Bar* magazine are (L to R) Darrel J. Papillion, president of the Baton Rouge Bar Association; Chase Tettleton, president of the Federal Bar Association, Baton Rouge Chapter; Christopher Hebert, president of the Louis A. Martinet Legal Society; and Jan Reeves, president of the Baton Rouge Association of Women Attorneys (BRAWA).

The four presidents were photographed on the third floor of the Russell B. Long Federal Building, home of the U.S. District Court for the Middle District of Louisiana.

The February Bar Luncheon will be a joint meeting of all four organizations at Juban's Restaurant, 3739 Perkins Road, Baton Rouge, La. 70808, and will take place Thursday, Feb. 27, 2014. We hope to see you there!

Cover photography by Pamela Labbe.

4 Contributors

5 Letter from the president
"Oh, what a long, strange trip it's been ... and it's far from over"
BY DARREL J. PAPILLION

6 President's awards
BY MICHAEL S. WALSH

7 February bar luncheon

8 Tales from the bar side
"The bodyguard" BY VINCENT P. FORNIAS

9 West's Jury Verdicts — Baton Rouge

10 Bar news

12 "What happened to the Louisiana bar exam?" BY SHAWN D. VANCE

14 Gail's grammar

16 "Post-trial perspective of a jury foreperson" BY FRANZ N. BORGHARDT

18 Attorney spotlight
"Johnell's journey" BY JULIE BAXTER

20 "BRBF Holiday Star Project 2013" BY SUSAN KELLEY

21 Foundation footnotes

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JACK PIERCE

The Opening of Court, Memorial & New Member Ceremony has been rescheduled.

The ceremony will take place Wednesday, Feb. 19 at 8:30 a.m. 11th Floor Ceremonial Courtroom, 19th JDC

contributors

Julie Baxter, a contributing writer, is an attorney with the Senate Committee on Judiciary A, Louisiana State Senate.

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Vincent P. Fornias, an assistant editor of *Around the Bar*, is a solo practitioner whose practice focus is alternative dispute resolution.

Pamela Labbe is the communications coordinator of the Baton Rouge Bar Association.

Susan Kelley, the office manager of the Baton Rouge Bar Association, is the staff liaison of the Young Lawyers Section and the Holiday Star Project.

Darrel J. Papillion, a partner with Walters Papillion Thomas Cullens, LLC, is the 2014 president of the Baton Rouge Bar Association.

Gail S. Stephenson, an assistant editor of *Around the Bar*, is the director of legal analysis and writing and an associate professor of law at Southern University Law Center.

Shawn D. Vance is an assistant professor of law at Southern University Law Center. The Louisiana Supreme Court appointed him as SULC's faculty representative on the Court's Bar Admission Advisory Committee.

Michael S. Walsh, past president of the Baton Rouge Bar Association, is of counsel with Taylor Porter.

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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For advertising information call Pamela Labbe at 225-214-5560. Display ads should be high-resolution attachments (.PDF), and classified ads as text only. Please email all ad artwork to pamela@brba.org. 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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The Baton Rouge Bar Association will be the beacon for the full spectrum of the legal profession by fostering professional courtesy; increasing the diversity of the bar and the participation of under-represented groups; maintaining a sound financial base; enhancing and developing member services and community outreach; and promoting and improving the image of the profession.

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letter from the president

BY DARREL J. PAPILLION

PHOTO BY RCL PORTRAIT DESIGN

Oh, what a long, strange trip it's been ... and it's far from over

PHOTO PROVIDED BY AUTHOR

On a fall evening in October 1968, the task of driving my very pregnant mother to the hospital to have her baby (me) fell to my 62-year-old grandfather. His son, my dad, was working on a vessel in the Gulf of Mexico, and my mother was in no condition to drive. Dad would get a helicopter ride home to Louisiana, but not until after I was born the following day.

Why do I start this month's letter with that little story? Simple. I had the great fortune of being born in one of the most important years of the 20th century — 1968. It was the most tumultuous year of the most tumultuous decade of the second half of that century. Martin Luther King Jr. and Bobby Kennedy were murdered. Richard Nixon accepted his party's nomination at the Republican National Convention in Miami. Meanwhile, the Democratic National Convention in Chicago was highlighted by widespread protests, riots and violence. It was an amazing year — feminists threatened to burn their bras while college students really did burn their draft cards all over the country. Apollo 7 and Apollo 8 astronauts orbited the Earth and moon, as war raged on in Vietnam.

Nixon would win the 1968 Presidential election just weeks after my birth. Neither he nor Democratic nominee Hubert Humphrey would win a majority of the popular vote, primarily because Alabama Governor George Wallace, who had previously blocked the school house door in Tuscaloosa, would get 13 percent of the vote as a segregationist, third-party candidate.

I doubt my French-speaking grandfather, a farmer who'd earned his living off the land all his life, was giving much thought to the state of the world in which I would be born in a few hours, and I know my mother had other things on her mind, like getting to the hospital without her father-in-law delivering the baby in his 1965 Chevy pickup. We — my mother and I (and America) — survived and made it safely to 2014.

But, now, nearly a half century later, and nearly 30 years after my grandfather's death, would he recognize the world in which we live today? I doubt it.

Maybe Apollo 7 and Apollo 8 gave him an idea that President Kennedy's promise of putting a man on the moon would soon be realized, but could he have foreseen an end to the war in Vietnam within a few years, or how much America would change in the area of civil rights? Probably not.

Literally and figuratively, America was at war in 1968, both in Vietnam and at home. Like she is today — some of you might say. How could he know what would come?

How could my grandfather know in 1968, when the death of Martin Luther King Jr. was fresh and George Wallace was running a strong campaign in the South, that in less than 50 years, the President of the United States would be an African-American? Indeed, could he have known, or suspected in 1968, that the Chief Justice of the Louisiana Supreme Court, the Chief Judge of the United States Fifth Circuit Court of Appeals, the Chief Judge of Louisiana's Middle District, and the Chief Judge of the 19th Judicial District Court would all be African-Americans — at the same time? In my grandfather's 1968, "colored people," his term, held practically no judicial offices.

Born in 1968, I started life at a time when America was working toward full integration "with all deliberate speed," and I would belong to the generation of post-baby boomers who would have the option — completely unavailable to preceding generations — of living an entirely integrated life. The picture above was taken in 1974, when I was in kindergarten. I am on the bottom row, second from the right. Unlike those who started school just a few years earlier, I was educated in completely integrated schools and an integrated LSU, and I have tried to live a completely integrated and colorblind life. Changes in American society have made that possible. The law made that possible.

This month, in what has become a long-standing tradition, the Baton Rouge Bar Association will host a

joint meeting with the Louis A. Martinet Legal Society, the Baton Rouge Association of Women Attorneys and the Federal Bar Association (Baton Rouge Chapter) to celebrate Black History Month and the greater ideals of diversity and inclusion.

This marks a great opportunity to ponder the role of lawyers in the change our country has experienced since my grandfather's 1968 drive. Many of you had a big part in these monumental changes. Lawyers and judges. Courts and clients. Civil rights suits. Voting rights suits. Equal rights suits. Cases and controversies. Judgments, settlements and consent decrees.

Today, U.S. troops are fighting for our way of life overseas. Others continue to fight for one way of life, or another, at home. Just like in 1968. Health care rights. School rights. Voting rights. Marriage rights. Municipal rights. All kinds of rights. At the end of the day, many of you will play a role in resolving these issues. Lawyers and judges. Courts and clients. Just like always. Some would say, the more things change, the more they stay the same. Maybe. But, whatever the case, lawyers and judges will be in the thick of it.

This February, I invite you all to contemplate how far America has come since 1968. Much remains to be done to achieve the noble goal of a colorblind society, with equal rights and opportunities for all, but our past gives us a lot of reason for optimism.

president's awards

BY MICHAEL S. WALSH

BROWN GREY JONES MILLER RACCA SPURGEON SUANE

I selected seven individuals to receive the 2013 President's Award that I presented during the Jan. 15, 2014, BRBA Bar Leader Installation Ceremony. Here's why I chose them:

- **Emily B. Grey** chaired an excellent Bench Bar Conference in late July 2013 at the Perdido Beach Resort in Orange Beach, Ala. The addition of a silent auction made a great tradition even greater and helped raise funds for the BRBF.
- **Eric R. Miller** served tirelessly on the BRBA Board of Directors.
- **Christopher K. Jones** chaired a successful softball tournament, which featured a Legends game, and a Food Truck Round-Up and new sponsors.
- The BRBF Law Day took place May 1. I'd like to honor this year's chair, **Elizabeth A. Spurgeon**, and vice chair, **Ryan Brown**, for another successful event completed.
- Belly Up with the Bar successfully raised funds for our youth education programs and was a fun time for all involved. For this, I'd like to honor Belly Up with the Bar chair **Jennifer Racca** and YLS liaison to the committee **Victor Suane Jr.**

Members like these make the BRBA the great organization it is. Thanks to all of you for making my presidency a successful one.

Volunteer writers needed to submit substantive legal articles for publication in future *Around the Bar* issues.

Contact BRBA Communications Coordinator Pamela Labbe at pamela@brba.org or 225-214-5560 for more information.

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february bar luncheon

THURSDAY, FEB. 27, 2014

Joint luncheon to feature Judge Janice Clark as speaker

The February Bar Luncheon will take place Thursday, Feb. 27, 2014, at Juban's Restaurant and will be a joint meeting of the Baton Rouge Bar Association, the Baton Rouge Association of Women Attorneys (BRAWA), the Federal Bar Association (Baton Rouge Chapter) and the Louis A. Martinet Legal Society.

19th Judicial District Court Judge Janice Clark will be the featured guest speaker at this month's bar luncheon. She was elected to the bench Oct. 3, 1992, and was re-elected without opposition the following September. Her current term expires Dec. 31, 2014.

Judge Janice Clark

Clark is a 1976 graduate of Southern University Law Center. Prior to joining the court, she ran a private law practice from 1979 to 1992 and served as a staff attorney for the Louisiana Legislative Council and Bayou Lafourche Legal Services in Donaldsonville, La. Clark was elected to the District Court in 1993, where she was appointed Chief Judge in 1999.

Clark was instrumental in expanding the number of African-American judges in Louisiana by suing the state to add redrawn judicial sub-districts in majority black areas. When the suit was filed in 1986, the state had elected five African-American judges; now, there are more than 80. She was honored Sept. 28, 2013, at the annual NAACP Convention in Baton Rouge for her work to improve voting rights for minorities in Louisiana.

Members of all four organizations and their guests may attend the joint luncheon at Juban's Restaurant, 3739 Perkins Road, for $25 per person. **Space is limited, so please RSVP by 4:30 p.m. Friday, Feb. 21, 2014.** Fax the form below to 225-344-4805 or email it to *meredith@brba.org*.

Please complete this form and fax this entire page to the BRBA at (225) 344-4805 by 4:30 p.m. Friday, Feb. 21, 2014.

Bar Roll No._____ Please indicate your membership/affiliation: ❑ **BRBA** ❑ **BRAWA** ❑ **FBA (BR Chapter)** ❑ **Martinet** ❑ **guest**

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❑ **LUNCHEON** — **YES,** register me for the **FEBRUARY BAR LUNCHEON** at the Juban's Restaurant, 3739 Perkins Road, which will take place Thursday, Feb. 27, 2014, at 11:45 a.m. at $25 per person for BRBA members (and members of BRAWA, the FBA – BR Chapter, and the Martinet Society; and $25 per person for guests**. Please reserve your seat by Noon, Friday, Feb. 21, 2014, to Meredith French at the BRBA. Fax to 225-344-4805 or email to meredith@brba.org.** Online registration is also available at *www.BRBA.org.*

To register for this CLE seminar online and pay by credit card, go to www.BRBA.org, select the EVENTS tab, then click on LIST and choose the appropriate meeting.

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tales from the bar side

BY VINCENT P. FORNIAS

The bodyguard

We are indebted to Judge Bob Hester, both for his ironclad memory and for his generosity in sharing the following story about one of the venerated heroes of our legal community, the late Justice Fred Blanche. Hester reports that in his days with the district attorney's office, he attended a meeting with Blanche in Alexandria during which Blanche shared an anecdote involving him and his lifelong comrade, Judge Lenton Sartain, another beloved Baton Rouge jurist.

It seems that both men had grown up in the same Baton Rouge neighborhood, and during a childhood phase that fortunately he outgrew, Fred Blanche operated as the neighborhood bully. On one-too-many occasions he lurked in wait, ready to waylay young Lenton Sartain, demanding the swift surrender of his lunch money. Apparently Sartain, ever the problem solver, found a ready solution to his problem by recruiting a personal guard service in the form of his devoted mother, who dutifully escorted him to school for the next several days with nary a peep from Blanche.

One day in the schoolyard, Lenton decided to attack the heart of the matter and cautiously approached Fred, courageously confronting him as to why on Earth he seemed to dislike him so much as to take away his lunch money. For once in his life, Blanche had no ready surefire retort, concluding that he and Sartain might as well get along.

The hasty truce blossomed into a bond of inseparable proportion, forged through their high school and college years and their joint and able service in the military during World War II. Upon return to civilian life, they were LSU Law classmates who both graduated and then practiced in Baton Rouge. Not surprisingly, both eventually ran for district judgeships, and even less surprisingly, both were elected.

Sartain then preceded Blanche to a seat on the First Circuit Court of Appeal, which brings us to our story. Inevitably, one of district judge Blanche's opinions was appealed and made its way to an appellate panel headed by Sartain, which summarily reversed him. Upon receipt of the appeal court's written reasons, Blanche made his way to Sartain's office for an unannounced visit, but (allegedly), Sartain was not in. When his faithful secretary asked if Judge Blanche desired to leave him a written message on his return, he quickly jotted a brief note, handed it to her, and departed.

Upon Sartain's eventual return to chambers, his secretary informed him that Judge Blanche had dropped by to see him, and that he had left him a note — but that for the life of her, she could not understand what the message meant. It provided:

Dear Lenton:
Don't come to work tomorrow without your mama! — Fred

We know not whether a *sue sponte* rehearing was thereafter granted.

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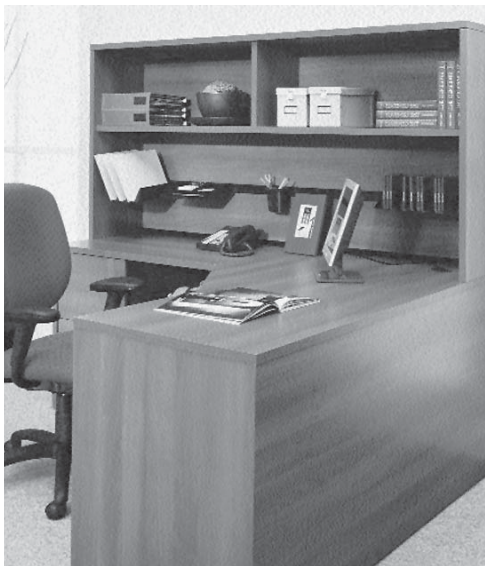

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West's Jury Verdicts – Baton Rouge

Venue/Case Type	Major Injury	Trial Type	Result
East Baton Rouge Parish			
Civil Rights	Arm fracture	Bench	Defense
Medical Malpractice	Loss of vision	Jury	Defense
Vehicle Negligence	Unspecified	Jury	Defense
West Baton Rouge Parish			
Negligent Hiring	Monetary	Settlement	$17,500
U.S.D.C., M.D., La.			
Vehicle Negligence	Neck/back	Jury	$250,000

West's Case of the Month

Jury Rejects Plaintiff's Med Mal, Botched Surgery Claims Against Ophthalmologist

Robert v. Ehrlich

TYPE OF CASE:
Medical Malpractice-Physicians & Health Professionals • Ophthalmologist

SPECIFIC LIABILITY:
Eye surgeon failed to properly perform cataract surgery

GENERAL INJURY:
Loss of vision/injury to left eye, requiring additional surgery; medical expenses

COURT:
District Court of Louisiana, 19th Jud. Dist., Parish of East Baton Rouge

DOCKET/FILE NUMBER: 591,147

RESULT:
Defendants, $0

RESULT DATE: Feb. 27, 2013

JUDGE: William A. Morvant

ATTORNEYS:
Plaintiff: Jean-Paul Robert, Jean-Paul Robert Attorney at Law, Gonzales, La.
Defendants: Herbert M. Mang, Herbert J. Mang Jr., Tara S. Bourgeois and Carey M. Nichols, Mang, Bourgeois LLC, Baton Rouge, La.

RESULT TYPE: Jury

Experts:
Plaintiff: Keith Cangelosi, MD, ophthalmologist, New Orleans, La.
Defendants: Jonathan Nussdorf, MD, ophthalmologist, New Orleans, La.

SUMMARY OF FACTS:
John M. Robert Sr., a 75-year-old male with amblyopia and visual acuity of 20/200 in his left eye, reportedly was a patient of Philip Ehrlich, MD, an ophthalmologist, and sought treatment for extracapsular cataract extraction-phacoemulsification primary implantation of Alcon posterior chamber intraocular in January 2009.

Robert apparently had used the medication Flomax for a two year period in the past, but allegedly discontinued use five years before Ehrlich performed cataract surgery, Feb. 9, 2009.

According to Robert, Ehrlich asked and knew Robert had taken Flomax in the past; moreover, Robert asserted it was widely known that male patients who had taken Flomax in the past were subject to Intraoperative Floppy Iris Syndrome (IFIS) when cataract surgery was performed.

During the cataract surgery on his left eye, Robert said his iris became floppy and prolapsed out of the wound. The iris apparently was reposited with a vicoelastic material and iris spatula, but nothing allegedly was done at this point to secure the iris in its proper position.

The dense portion of the cataract reportedly was broken up and bits of the cataract fell into the back of Robert's eye. A vitrector supposedly was used to remove vitreous gel from the front of the eye, during which time the temporal strands of the iris previously reposited were also removed. Additionally, blood from the torn iris allegedly ended up in the vitreous cavity.

According to Robert, the temporal split of the iris and blood in the vitreous cavity was noted at the end of surgery. George Fivgas, MD, an ophthalmologist, reportedly was brought in the next day to repair and save Robert's left eye.

Robert claimed he sustained loss of vision in his left eye as a result of the cataract surgery.

Robert filed a lawsuit against Ehrlich and his liability insurer, Louisiana Medical Mutual Insurance Company, d/b/a LAMMICO, in the Nineteenth Judicial District Court for the Parish of East Baton Rouge, May 27, 2010. In his petition for damages, the plaintiff alleged Ehrlich was negligent and grossly negligent for breaching the standard of care by failing to properly recognize and protect him from the effects of IFIS, failing to properly advise him on the risks of the surgery and failing to properly restrain his eye during surgery to prevent damage, thereby proximately causing his resulting injuries and damages.

The plaintiff sought damages for his loss of vision, pain due to light intrusion in his eye, pain and suffering, medical expenses, emotional distress, loss of enjoyment of life and embarrassment.

The defendants generally denied the plaintiff's allegations and asserted Ehrlich had met the applicable standard of care in his treatment of Robert.

The case proceeded to a jury trial before Judge William A. Morvant in February 2013. According to court documents, the court granted a directed verdict on behalf of LAMMICO and a directed verdict on the issue of informed consent in favor of Ehrlich, Feb. 26.

Jurors returned a verdict in favor of the defendants, Feb. 27, finding Ehrlich did not breach the standard of care in his treatment of the plaintiff.

Judge Morvant entered judgment in favor of the defendants, March 26, 2013, dismissing the plaintiff's lawsuit with prejudice.

CASE CITE: 2013 WL 2390745

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bar news

BY PAMELA LABBE

Ryan Brown receives Judge Keogh Award during January bar leader installation ceremony

BROWN

YLS Past Chair Scotty Chabert presented Ryan Brown with the Judge Joseph Keogh Award Wednesday, Jan. 15, 2014, at the BRBA bar leader installation ceremony. Brown was also awarded a 2013 President's Award during the ceremony by BRBA Past President Michael S. Walsh.

Bench Bar Conference to take place July 24-26 at the Grand Hotel Marriott in Point Clear, Ala.

The 2014 BRBA Bench Bar Conference Committee is now accepting company and law firm sponsorships for this year's conference. Jay Parker is the chair of the 2014 Bench Bar.

In addition, BRBA members who plan to attend can reserve their hotel rooms by contacting the Marriot Central Reservations at 1-800-544-9933 or www.marriottgrand.com, make their hotel reservations under the following block code: BAABAAA. Once the conference registration material is ready, it will be available online (www.BRBA.org).

For more information, contact Ann at 225-214-5563 or ann@brba.org.

Fall Expo & Conference 2014 venue set; Committee seeks new members

The date of Thursday, Sept. 11, 2014, has been set for this year's Fall Expo & Conference. The event will be held at the L'Auberge Casino & Hotel Baton Rouge again, and will offer BRBA members CLE seminars along with the opportunity to meet with representatives from local businesses.

The BRBA Law Expo Committee, lead by Michael Brassett, is planning the fundraiser event, which seeks sponsorships to raise funds for Association projects.

The staff liaison to the Law Expo Committee is Pamela Labbe. For more information or to join the committee, please contact Pamela at 225-214-5560 or pamela@brba.org.

Check the BRBA website (www.brba.org) periodically for updates.

PHOTO BY PAMELA LABBE

Chief U.S. District Court Judge Brian A. Jackson (right), pictured with law clerks Jessie Stewart, Tamyra Craig and Danielle Davis, attended the reception following the Introduction Ceremony held Dec. 16, 2013, at the U.S. District Court for the Middle District of Louisiana.

Region III High School Mock Trial Competition scheduled for March 14-15 at the 19th JDC

Friday, March 14, and Saturday, March 15, 2014, are the dates of the Region III High School Mock Trial Competition, organized by the Mock Trial Committee and the Baton Rouge Bar Foundation. Tavares Walker is this year's chairman, and the staff liaison of the committee is Lynn S. Haynes. The committee needs attorneys to volunteer as competition judges and timekeepers. Contact Lynn at 225-214-5564 or lynn@brba.org to volunteer.

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The Practicing Law in Baton Rouge CLE Seminar was followed by a Swearing In Ceremony Dec. 16, 2013, at the Russell B. Long Federal Building. Photographed above are 2014 BRBA President Darrel J. Papillion with Hayden Moore and Monica Vela-Vick, associates with his firm.

PHOTO BY PAMELA LABBE

The Federal Bar Association (Baton Rouge Chapter) officially met during the reception and announced its panel of new officers. Above (L to R) are Christopher D. Kiesel (past president), Christopher K. Jones (vice president, Chase Tettleton (president), and Mark L. Barbe (treasurer). The ceremony and reception were sponsored jointly by the FBA and the BRBA.

PHOTO BY PAMELA LABBE

Magistrate Judge Richard L. Bourgeois Jr., U.S. Bankruptcy Judge Douglas Dodd, Chief U.S. District Judge Brian A. Jackson and 2013 BRBA President Michael S. Walsh attended the Introduction Ceremony and Reception.

PHOTO BY PAMELA LABBE

Magistrate Judge Stephen Riedlinger, Donna Gregory and Clerk of Court Nick Lorio attended the Dec. 16, 2013, reception that followed the Introduction to Federal Court Ceremony.

Former Social Security Judge
Peter J. Lemoine

Social Security Disability Law

Offices in Alexandria, Baton Rouge, Cottonport

Adjunct Professor (1994-1997), Northwestern State University

MEMBER: American Bar Association, Louisiana State Bar Association, Baton Rouge Bar Association, Avoyelles Parish Bar Association, National Organization of Social Security Claimant Representatives, Legal Services for Purposes of Disability Committee (Louisiana State Bar Association).

PUBLISHED ARTICLES: "The Worn-Out Worker Rule Revisited," "Significant Work-Related Limitations of Function Under §12.05C," "Questionable Retirement and the Small Business Owner," "Crisis of Confidence: The Inadequacies of Vocational Evidence Presented at Social Security Disability Hearings."

225-922-4551

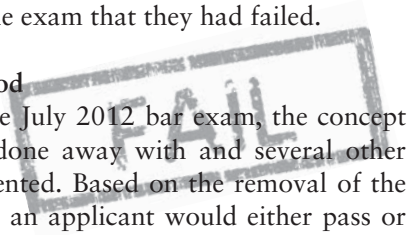
What happened to the Louisiana bar exam?

BY SHAWN D. VANCE

The passage rates of the July 2013 Louisiana bar examination were unsettling, to say the least. The overall passage rate for the state was only 53.34 percent for the July 2013 bar examination. In fact, the passage rates have been troubling since the method for determining whether an applicant passed the bar exam changed. Beginning with the July 2012 bar exam, the method for determining whether an applicant successfully performed on the exam sufficiently enough to gain admission to the practice of law changed substantially. The overall passage rate for the state was 61.19 percent in July 2012, which was a substantial decrease from the July 2011 passage rate (71.73 percent). This decline in performance is also present when viewing only first-time bar takers (July 2013 – 60.36 percent; July 2012 – 66.98 percent; July 2011 – 74.75 percent). As there is no evidence of law schools within the state admitting weaker candidates, it is reasonable to conclude that there may be a correlation between the changes to the bar exam and the decrease in the passage rate. To get a good sense of the significance of the referenced changes, it is valuable to engage in a retrospective review of how we got to this point.

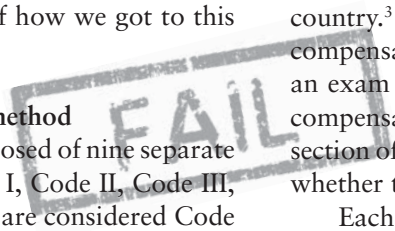
Pre-July 2012 bar exam assessment method

The bar exam has long been composed of nine separate sections. Five of these sections (Code I, Code II, Code III, Louisiana Civil Procedure and Torts) are considered Code sections and the remaining four sections (Business Entities and Negotiable Instruments, Constitutional Law, Criminal Law, Procedure and Evidence, and Federal Jurisdiction and Procedure) are considered non-Code sections. Prior to July 2012, in order to pass the bar exam applicants had to score 70 on at least seven of the nine sections of the exam. In addition, applicants had to pass at least four of the five Code sections. Under this previous assessment method, applicants who passed seven of the nine sections overall, including four of the five Code sections, would gain admission to the practice, assuming all of the "other admission criteria" were met.[1] Applicants who did not pass at least seven of the sections, but who passed at least five of the nine sections without failing more than two of the Code sections, were considered to have "conditionally failed" the exam. Applicants falling in this category was generally referred to as having "conditioned" the bar exam. Applicants who conditioned were not required to retake the entire bar exam, but instead had to retake only the portions of the exam that they had failed.



New assessment method

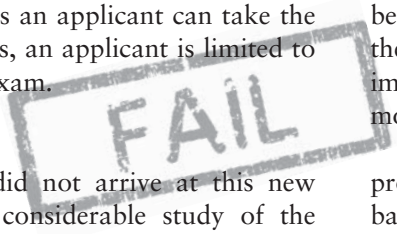
Beginning with the July 2012 bar exam, the concept of conditioning was done away with and several other changes were implemented. Based on the removal of the conditioning category, an applicant would either pass or fail the exam under a new method determined by an order of the Louisiana Supreme Court.[2] Based on the Court's order, applicants could no longer pass or fail an individual section of the exam regardless of the score earned on that section. Instead, an applicant's scores on all nine sections of the bar exam would be viewed collectively to determine if an applicant passed the exam.



This concept of assessment, known as "compensatory scoring," is used by a number of jurisdictions across the country.[3] Compensatory scoring allows an applicant to compensate for a poor performance on one section of an exam by scoring well on other sections. In Louisiana, compensatory scoring simply adds the scores of each section of the exam, and the total score is used to determine whether the applicant passes the exam.

Each section of the Louisiana bar examination is worth 100 points. The Court set the passing score required to gain admission to the bar at a minimum of 650 out of 900 points. This minimal passing score is known as a "cut score." However, Louisiana took the concept of compensatory scoring to another level when it decided to make the Code sections of the exam worth twice as much as the non-Code sections of the exam. So while an applicant has to earn a cut score of at least 650, the method of calculating that cut score was complicated by double-weighting the Code sections of the exam. Thus, in calculating the applicant's score, the scores on the Code sections are multiplied by 1.2 and the scores on the non-Code sections are multiplied by 0.75. The resulting

products are added together to determine the applicant's final score (referred to as a "weighted score"). If the final weighted score is 650 or higher after this mathematical manipulation, the applicant has passed the bar exam. In implementing the aforementioned changes, the Court also set a limit on how many times an applicant can take the bar exam. Under the new rules, an applicant is limited to five attempts to pass the bar exam.



What led to the changes?

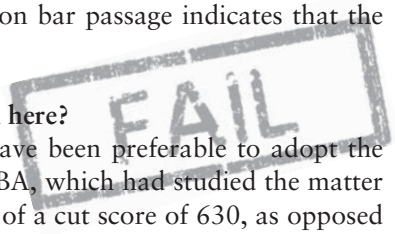
To be clear, the Court did not arrive at this new assessment method without considerable study of the potential impact of the changes. In a recent article in the *Louisiana Bar Journal*, Scott Whittaker and Dona Renegar gave a detailed historical overview of how Louisiana changed the scoring/grading methodology of the bar exam.[4] For quite some time, the Supreme Court has used its Committee on Bar Admissions (COBA) to administer the bar exam and implement the Court's policies with regard to admission to the practice of law.[5] In 2001, the Court created a Testing Committee within COBA, which started a process of gathering information on the bar exam to assess its effectiveness. The Committee sought out the assistance of the National Conference of Bar Examiners (NCBE), which administers several national examinations, including the Multistate Professional Responsibility Exam and the Multistate Bar Exam. The NCBE is known for its data-driven process and the quality of its exams. In 2004, after consulting with the NCBE and conducting an online survey of members of the Louisiana Bar, the Committee submitted a number of questions to the Court for consideration regarding potential changes to the bar exam. The Court also hosted meetings with representatives of the four Louisiana law schools seeking additional input on the possibility of making some augmentation to the bar exam.

COBA secured the services of testing experts to aid them in recommending changes to the bar exam. Once an initial set of recommendations was developed, COBA gathered data for approximately four years to assess how its recommendations would impact the applicants' performance.

To gather additional feedback and to disclose its intentions, COBA developed PowerPoint presentations regarding two different recommendations that it intended to present to the Court. One was a short-term plan and the other a long-term plan for changing the bar exam. These presentations were circulated around the state as COBA sought additional comments and feedback from members of the bar, the four Louisiana law schools and other interested stakeholders.

In 2010, COBA finalized its proposed recommendations for submission to the Court. The Court sought additional information, and the Louisiana State Bar Association (LSBA) conducted a study of the proposed changes and issued a report on its findings. LSBA's report recommended adoption of COBA's short term proposal with certain specific alterations. Two of the most important requested alterations were that the cut score be raised from the 630 proposed by COBA to 650 and that the Code sections be weighted twice as much as the non-Code sections of the exam. On Oct. 19, 2011, the Court issued orders implementing the COBA recommendations with the modifications requested by the LSBA.

The evidence gathered during the aforementioned process indicated that the previous version of the Louisiana bar examination had flaws and that the exam had to be changed so that it would meet acceptable standards for a professional licensure exam. The short-term proposal, which was clearly a Band-Aid approach, is the version of the exam that we are currently using; it was designed to be a temporary fix to the exam while a more comprehensive plan was finalized for implementation (the long-term proposal). The experts retained by COBA and the LSBA all predicted that the recommended changes would result in an across-the-board increase in bar admission. Those predictions have been proven to be incredibly inaccurate, as a review of the data on bar passage indicates that the opposite is true.



So where do we go from here?

I believe it would have been preferable to adopt the recommendation of COBA, which had studied the matter for more than a decade, of a cut score of 630, as opposed to adopting LSBA's recommendation of 650 after only two years of study. An applicant could have passed the bar exam with a total score of 490 before July 2012.[6] Additionally, there was very little study of the impact of double-weighting the Code over the non-Code sections of the exam.

Finally, COBA has used a number of multiple-choice questions on the current exam as it laid the groundwork for requesting the Court to act on its recommendation regarding long-term changes to the bar exam. Unlike the essay questions that are used on the bar exam, these multiple-choice questions are not disclosed to the public. It would be appropriate to determine if applicants are performing worse on the multiple-choice questions than on the essay questions. If applicants are performing worse, the Court may want to consider what is done in many other jurisdictions, which is to scale the scores on multiple-choice questions to how applicants perform on essay questions.

The Court, through COBA, has been meticulously gathering data to assess the impact of the changes to the bar exam. Based on the considerable effort that has been spent on this matter, I believe it likely the Court will implement additional changes to ensure that the exam is the best possible assessment tool for admitting new members to the practice of law. Stay tuned!

[1]Prior to July 2012, in addition to passing the Louisiana Bar Examination an applicant also had to earn a passing score on the Multistate Professional Responsibility Exam (MPRE) and successfully complete a Character and Fitness review by the Committee on Bar Admission.

[2]On Oct. 19, 2011, the Louisiana Supreme Court issued two separate orders regarding the Louisiana Bar Examination. The first order dealt with an applicant who had previously conditioned the exam. The order pointed out that the last opportunity for someone who had conditioned the exam to pass the exam by retaking only the sections that he or she had failed would come to an end after the February 2012 bar exam. The second order implemented a new method for grading the bar exam that is addressed in greater detail within this article.

[3]According to data released by the Committee on Bar Admissions in February 2010 in its PowerPoint presentation of proposed changes to the Louisiana bar examination, 45 of 51 jurisdictions used compensatory scoring.

[4]Scott T. Whitaker and Dona K. Renegar, *The Cause and Effect of Recent Changes to the Louisiana Bar Examination*, 61 La. B.J. 90 (Aug./Sept. 2013).

[5]The duties of COBA are set forth in Louisiana Supreme Court Rule XVII, Section 2, and provides that the Committee must: 1) receive and review applications for admission; 2) inquire into the qualifications of applicants, including whether each possesses the good moral character and fitness required to practice;2 3) undertake testing of applicants to assure minimal legal competence; and 4) report to the Court the names who have met the requirements.

[6]Compensatory scoring was not used in Louisiana before July 2012, but an applicant had to score only 70 on seven sections to pass.

GAIL'S GRAMMAR

Legal writing is all about precision. One way lawyers can write more precisely is by avoiding the word ***notarized,*** which can be ambiguous. If you direct that a document be notarized, do you want it executed as an authentic act before a notary and two witnesses? Do you want it sworn to and signed before a notary? Or do you want a copy of the document copied and certified by a notary? Being clear and precise with language in the beginning will save you a world of aggravation later.

Thanks to Alan Jennings 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 (ext. 216).*

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Post-trial perspective of a jury foreperson

BY FRANZ N. BORGHARDT

What follows is a summary of an interview of a foreperson in a recent double homicide trial in the 19th Judicial District Court. While I had nothing to do with the actual trial, the foreperson was a high school classmate of mine, and he agreed to discuss his experiences of being the foreperson and of finding two defendants in a double homicide "not guilty" (10 votes not guilty, two votes guilty).

ATB: How was the jury foreperson selected?

Foreperson: I was picked as foreperson because I was the first person through the door when we were leaving the courtroom to deliberate. Another juror said that the first person "in" was foreperson. That's why I was selected. There was no magic to it.

ATB: What part of the jury process could have used more explanation?

Foreperson: The part of the process that we wished that we had more instruction on was how to deliberate. The judge read us the law and told us what we were supposed to do, but no one really explained *how* we were supposed to deliberate. It would have been helpful to discuss that in voir dire more. It would have been helpful to know how we were supposed to deliberate and come to a decision. We were looking for a "how to" explanation. Also, it would have been helpful to discuss what to do with jurors who weren't going to follow the law and/or judge's instructions.

ATB: During the deliberations was there a time when you and the other jurors considered coming to a compromise verdict other than "not guilty"?

Foreperson: To be honest, we all felt like these defendants probably did it. The majority of us believed that there wasn't proof beyond a reasonable doubt. We didn't trust the state's witness who had cut a deal, and we believed the police investigation was poorly handled based on inexperience. But we did morally believe they did the crime. The only evidence was a sketch of the defendants. We deliberated for about six hours and we considered compromising with a lesser charge to make the "guilty" jurors feel better about things and to compromise. We asked for the law on manslaughter. We realized that if the state didn't have enough evidence for second-degree murder then it wasn't right to find for manslaughter — it wasn't right and it didn't fit. Two of the four "guilty" jurors then swung to "not guilty."

It was an extremely difficult dilemma—possibly convicting two defendants and them having do life sentences on a weak case where there wasn't enough evidence. On the other hand, we didn't want to find two defendants not guilty and let them walk if they murdered those two victims. Ultimately, we followed the law. We understand why the state brought the case and we believe the prosecutor did everything he could—we thought he did a great job. There was just doubt and it wasn't right to compromise.

ATB: Did it bother you that the defendant didn't testify?

Foreperson: During deliberations, some jurors were bothered by the fact that the defendants didn't testify — they were going to hold it against him. Particularly, one juror who stated that she wouldn't during voir dire (I don't think she was lying, I think she believed she wouldn't.)

ATB: How did you address those jurors?

Foreperson: We sort of policed ourselves. I reminded that juror what the law was, that we couldn't hold it against the defendants. Another juror tried to explain reasons why defendants might not testify that would have nothing to do with being guilty. I don't know how the lawyers could have better drawn that out during voir dire. Again, I believe that the jurors really believed that they wouldn't hold it against the defendants during voir dire.

ATB: Did the jury follow the judge's instructions regarding media?

Foreperson: We really didn't discuss anything that was in the media as the judge told us not to look at anything outside of the evidence. If someone looked up stuff then we certainly didn't discuss it. We were told to not consider outside sources and our electronic devices were taken from us during the trial.

ATB: What misconceptions did you have coming into the trial?

Foreperson: The biggest misconception I had coming into

the trial was my pre-trial view on forensics. I suppose I had a "CSI" view of forensics. Prior to the trial I had one notion of forensics. That quickly changed based on voir dire and the evidence presented. I think the state spent too much time explaining why there wasn't physical evidence on each piece of evidence. That probably could have been shortened. Ultimately, I now have a better appreciation on the difficulty of getting physical evidence and that it isn't always there.

ATB: How did you feel about being told information post-verdict that wasn't admissible at trial?

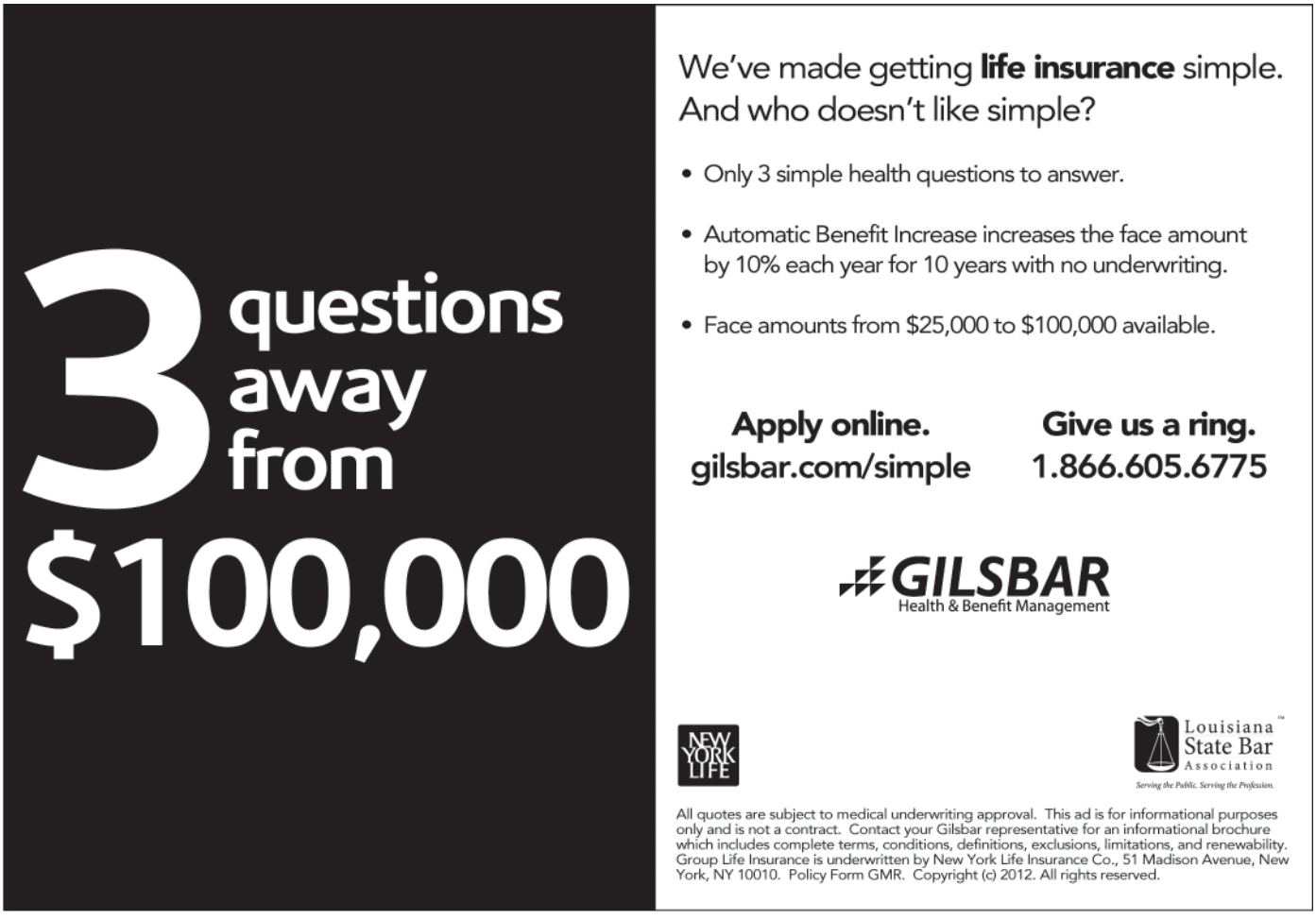
Foreperson: I was glad to be told about facts that were inadmissible after the trial. It seemed to break down the wall between the trial and the outside world. We are glad the District Attorney's office told us. On the other hand, I understand now why we couldn't know certain things as it would have definitely shaped our verdict. It's extremely difficult being faced with the fact that we might have done the wrong thing. It keeps you up at night. The problem is that we had doubt. The state couldn't prove its case. They did a great job, but there just wasn't enough. It was frustrating that this sort of trial was brought forward without more concrete evidence.

ATB: What was the best way that you as jurors organized the evidence? This case was all about the timeline. Could the defendants do what was alleged based on the timeline?

Foreperson: We reconstructed a timeline and that was the biggest reason we voted as we did. We didn't deliberate prior to the end of trial, but it was evident that a lot of people had made up their minds prior. The timeline helped nail down things and helped justify to the "guilty" jurors our position. I must say, that I was very proud of how we treated each other. We respected opinions. We didn't pressure anyone. At one point, we even took a break to reflect on everything and some people prayed. I would want a jury like this if I was accused of such a crime.

ATB: What was the biggest issue the jury had with the case?

Foreperson: The biggest issue we had was that the state's key witness, someone who was possibly in on the homicide, had cut a deal and we didn't find him credible. We understood that "cutting deals" is a necessary part of the justice system, however his story changed three times over the course of the case. His motivation for testifying and inconsistent testimony was a problem. We didn't feel comfortable sending two people to jail for life based on that limited evidence.



BY JULIE BAXTER

Johnell's journey

Just north of Natchez, Miss., right after U.S. Highway 61 turns into 425 and you've driven over the bridge back into Louisiana, U.S. Highway 425 takes you into Vidalia, then Ferriday, and the next stoplight is Clayton, La. That's where Johnell Mosby grew up on her grandmother's — "Miss Pearl's" — 10-acre farm.

"She and her husband bought that farm," Johnell tells me. "They raised geese, chickens, ducks, turkeys and pigs. We picked potatoes, tomatoes and butterbeans." "Mama," as Johnell called the woman who raised her, always told her: "When you grow up, you can be something. You can go to college."

"There was another lady in town who was a teacher," Johnell remembers. "Mama used to tell me that her parents had picked cotton to send her to Grambling." And that is how Johnell became the first person in her family ever to go to college.

When Johnell graduated from Sevier High School in Ferriday in 1968, the school was an all-African-American high school. Some people in her community wanted some of her class to go help integrate Ferriday High, but her grandmother, concerned for her safety, wouldn't let her. Growing up in the small farm community of Clayton, Johnell would often stay overnight with the white family who farmed nearby, and their children were her best friends. In fact, Johnell says she would sometimes ride with her grandmother on the Greyhound bus from Clayton to Opelousas, and just assumed that they all sat on the very back seat because it was a big seat that could fit everyone. She was nine years old when she and her brothers and their neighbors went together to ride the Ferris wheel at the parish fair. When the ride attendant struggled to explain why he wanted Johnell to sit in the same seat with her brothers, and not with her best friend, that was the first time, Johnell says, that she began to understand what race meant in America in the 1960s.

In high school, Johnell made all A's in French – a class she took because "the French teacher was sophisticated." When she graduated, Mama gave Johnell a brand new set of blue Samsonite luggage and released her.

"Mama was done," Johnell explained. "She raised five children not her own. When we turned 18, she had done all she could do, and the rest was up to us." Johnell was already dating Johnnie Matthews, the man she would eventually marry, and that had a lot to do with her choosing Southern University in Baton Rouge, where Johnnie was a sophomore.

When Johnell graduated from Southern in 1972, with two majors — French and English — and a Spanish minor, that blue luggage would come in handy when the French government gave her a scholarship to study at the Sorbonne. She would stay at the Foyer boarding house, near the Notre Dame cathedral, with a roommate from Poland. "It was magnifique!" Johnelle says, smiling.

You get the sense that if she wasn't a grandmother and mother of three, with a thriving law practice here in Baton Rouge with her husband today, that she just might head back to the country where she spent two weeks at the Cannes film festival.

When she returned from France in the fall of 1973, she and Johnnie married and, after a short stint in Radcliff, Ky., with the military, they compromised on Baton Rouge as "not too big, not too small" and came back home. Considering going to law school, but deciding against it, Johnell took a job as the first director of a brand new Blue Cross Blue Shield "medical records department." Soon, though, she left to go back to LSU to complete her master's degree in French Literature. She taught French and English at Baton Rouge High School for five years until her supervisor retired and, still in her 20s, she was supervising foreign language instruction across the East Baton Rouge Parish public school system. Johnell opened French and Spanish teaching programs in every elementary school in the parish.

In 1999, when her Aunt Vi heard that Johnell was again considering law school — this time on a full scholarship at the Southern University Law Center — her aunt said, "Well, that's fine, as long as you stay a teacher." In 2001, the girl who used to walk barefoot on hot gravel in the Concordia Parish summer graduated with honors as a lawyer. She passed the Louisiana bar that summer and, at her husband's suggestion, passed the Mississippi

"I'm an existentialist. As long as we are alive, who we are can't really be defined until we're dead. As long as I'm alive, I still have the opportunity to do, to undo, to become, to unbecome."

bar in February 2002. Today, Johnell handles all of the firm's Mississippi cases. Matthews & Matthews, a practice now more than three decades old with offices in Baton Rouge and Natchez, handles a wide variety of cases typical in a general practice, but concentrates in personal injury cases. Many of those cases are referrals from the couple's extensive network of friends and family members in Concordia, Tensas and Catahoula parishes. In Mississippi, Johnell finds the lessons she learned travelling back and forth between Natchez, Ferriday and Vidalia growing up often come in handy.

"In Mississippi, I often encounter a slight bias from time to time," she admits. "I think it's what they call "home cookin'." I don't think it's racism as much as localism. When you come in from Louisiana, you're a foreign attorney. Mississippi law calls it a 'foreign attorney.'" Yet she tells how many times spending a few moments making friends in a small-town Mississippi courthouse has quickly leveled the playing field for her clients.

This elegant woman who is just as at home in Hattiesburg as in Paris recognizes her life has been a blessing. "Everything revolves around your core as you travel on your road," she says. "Your strength, your wisdom, your understanding comes from that core. It's about having a good heart, moral values, living a clean life, doing right by people, and, above all, putting God first in your life. Whether you're a teacher or a lawyer, I don't really look at one profession or one occupation as better than another. Whatever you do is a means to an end."

For Johnell Mosby Matthews, no woman or man is an island unto themselves along this road of life. "I'm an existentialist. As long as we are alive, who we are can't really be defined until we're dead. As long as I'm alive, I still have the opportunity to do, to undo, to become, to unbecome." A lesson Miss Pearl would be proud to hear from the girl who left Clayton at 18 all those years ago with only a simple set of blue hardside luggage.

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PHOTO BY PAMELA LABBE

Thanks to volunteers who assisted with the Holiday Star Project Gift Distribution Day (Tuesday, Dec. 10, 2013). Photographed (L to R, front row) are Heidi Thompson, Kristi Richard, Joseph Cefalu, Saul Newsome, Druit Gremillion and Hunter Bertrand; (L to R, front row) Susan Kelley, David Kelley, Erik Kjeldsen, Diesel Driving Academy helpers, Vincent P. Fornias, Jordan Faircloth, Diesel Driving Academy helpers, Chris Billings and Eric Lockridge. In the photo below, Jeneba Barrie and Lauren Barletta, students from the LSU Law Center, organized a gift drive and delivered the gifts themselves to the BRBA prior to this year's gift distribution day.

BRBF Holiday Star Project 2013

BY SUSAN KELLEY

This December almost 800 children received holiday gifts through the BRBF Holiday Star Project.

As Holiday Star completed its 22nd year, members of the legal community provided presents to children who would not otherwise receive something during this special time of year. The 2013 Holiday Star Committee was organized by Ryan Brown (chair), Brandi Cole (vice chair), Mackenzie Ledet (board liaison), and Susan Kelley, staff liaison of the committee.

As in the past, the Holiday Star Project worked with area agencies to acquire a list of needy children and their wish lists and clothing sizes. The agencies involved with this year's event were Children's Hospital, Family Services, Gulf Coast Social Services, HAART, Louisiana School for the Visually Impaired, Metro Health, Resurrection Life, St. Anthony's, THRIVE Baton Rouge, VOA Special Services, YWCA Early Head Start, and Grandparents Raising Grandchildren. Something new to this year's project was the "and a book" campaign, which encouraged inclusion of books with the gifts requested by the children.

The Holiday Star Committee would like to give a special thanks to Diesel Driving Academy who volunteered its truck and drivers to help deliver the gifts to the agencies. And the task would never have been completed without the volunteers who help load the bikes and presents into the truck.

Thank you to everyone who was involved with the Holiday Star Project this year. The project brightened the holiday season for many children on that special morning, and it could not have happened without you!

foundation footnotes

PRO BONO & TEEN COURT REPORTS — DECEMBER 2013

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. The Financial Literacy seminars are financially assisted by funding from BankcorpSouth Bank.

PRO BONO PROJECT REPORT

We would like to thank all of our Pro Bono Project volunteers for their December contributions.

The Thirst for Justice volunteers during December were **Scott Gaspard; Deborah Gibbs; Melissa Grand,** *Adams and Reese*; **Byron Kantrow**; **Alexis Luker**, *PPC Mechanical Seals*; and **Allen Posey.**

The Ask-A-Lawyer volunteers were **Todd Gaudin,** *Kuehne*, *Foote & Gaudin APLC*; and **Melissa Grand,** *Adams and Reese*.

The Self Help Resource Center attorney volunteers were **Joseph Ballard, Todd Manuel,** *Entergy Services, Inc.*; **Ryan Brown,** *Roedel, Parsons*; **Nicolette Colly**, *La. Dept. of Justice*; **Tracy Morganti,** *Adams & Reese*; and **Jennifer Gauthreaux Prescott,** *deGravelles, Palmintier, Holthaus & Fruge*.

The following volunteers accepted pro bono cases in December: **Steven Adams**, *Adams Law Office APLC*; **Booker Carmichael**, *The Carmichael Firm*; **Christopher Cascio**; **Catherine Cocchiara**, *Nancy Sue Gregorie, PLC*; **Shannon Fay; Todd Gaudin**, *Kuehne, Foote & Gaudin APLC*; **Michael Guy; Darius Henderson**, *The Henderson Firm, LLC*; **LaShaunte Henry-Martin; Gregory Johnson**, *Law Offices of Gregory Johnson*; **Paulette LaBostrie; Linda Law Clark**, *Decuir, Clark & Adams, LLP*; **Scott Levy**, *Adams & Reese*; **M. Michelle Marney-White,** *Taylor, Porter, Brooks & Phillips, LLP*; **Kenneth Mayeaux**, *LSU Paul M. Hebert Law Center*; **Wendra Moran; Allen Posey**; **Garth Ridge; Vincent Saffiotti**, *Downs, Saffiotti & Boudreaux*; **Arthur Vingiello**, *Steffes, Vingiello & McKenzie*; **Richard Whitworth,** *Boudreaux & Whitworth*.

TEEN COURT REPORT

Yolanda Cezar, Professor Paul Guidry, Raveen Hills, Matthew Nowlin and **Cynthia Vance** served as judges and jury monitors for the November and December Teen Court hearings.

Curtis Nelson and **Monica Vela-Vick,** along with *Southern University Law Center* student **Art Smith,** conducted the Teen Court training session Nov. 25, 2013. A total of 20 teens completed the training session held at the Armed Forces Reserve Center on GSRI Road.

JUNIOR PARTNERS ACADEMY

Wendy Shea and several student volunteers from Southern University Law Center gave presentations to the second- and third-grade classes at Southern University Lab School Nov. 19, 2013.

Steve Carleton, Preston J. Castille Jr., Lisa Freeman, Gail Grover, Jamie Gurt, Raveen Hills and **Wendy Shea,** along with *Southern University Law Center* volunteers **Ebony Morris, David Saterfield** and **Kaleya Harris** met with seven classes at Dalton Elementary School Nov. 15, 2013.

Teen Court of Greater Baton Rouge is funded by funding from the Louisiana Office of Juvenile Justice, the South Burbank Crime Prevention District and the Baton Rouge Bar Foundation. The Youth Education Program is financially assisted by the Interest on Lawyers Trust Account (IOLTA) of the Louisiana Bar Foundation.

Yigal Bander
Attorney at Law

Representing Professionals in Disciplinary Actions

8075 Jefferson Highway, Baton Rouge, Louisiana 70809
Phone: (225) 383-9703 Fax: (225) 383-9704

The BRBF **Mock Trial Committee** needs volunteers to assist with the 2014 High School Mock Trial Competition (Region 3)
March 14-15
at the 19th JDC.

COMPETITION JUDGES & TIMEKEEPERS ARE NEEDED

To volunteer, contact R. Lynn Smith Haynes at **225-214-5564** or **lynn@brba.org.**

February 2014

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For classified or display ad rates,
contact Pamela at (225) 214-5560
or email: pamela@BRBA.org

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

Duty Court Schedule

19TH JDC CIVIL COURT

Feb. 3-Feb. 7	Judge Morvant
Feb. 10-Feb. 14	Judge Kelley
Feb. 17-Feb. 21	Judge Kelley
Feb. 24-Feb. 27	Judge Hernandez

19TH JDC CRIMINAL COURT***

Jan. 24-Jan. 31	Judge White
Jan. 31-Feb. 7	Judge Marabella
Feb. 7-Feb. 14	Judge Anderson
Feb. 14-Feb. 21	Judge Erwin
Feb. 21-Feb. 28	Judge Jackson
Feb. 28-March 7	Judge Daniel

BATON ROUGE CITY COURT*

Jan. 27-Feb. 2	Judge Alexander
Feb. 3-Feb. 9	Judge Ponder
Feb. 10-Feb. 16	Judge Prosser
Feb. 17-Feb. 23	Judge Temple
Feb. 24-March 2	Judge Wall

FAMILY COURT**

Jan 27-Jan. 31	Judge Lassalle
Feb. 3-Feb. 7	Judge Lassalle
Feb. 10-Feb. 14	Judge Baker
Feb. 17-Feb. 21	Judge Woodruff-White
Feb. 24-Feb. 28	Judge Day

JUVENILE COURT

Feb. 1-Feb. 28	Judge Richey

*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, Feb. 17	President's Day
Tuesday, March 4	Mardi Gras Day

Classifieds

LAW OFFICE SHERWOOD FOREST AREA, ideal for solo practitioner up to three offices with room for secretary. Common office building with three attorneys. Ample parking. High ceilings. Includes water, lawn, and electricity. Phone system in place and included. Copier/ Fax/Internet included. Pricing from $550. Call Greg at 225-266-4130 to see.

BATON ROUGE OFFICE SPACE: Established firm; 201 Napoleon St., Downtown near 19th JDC and Federal courthouses, area for support staff, off-street parking, conference room, copier, phone, fax, internet, etc. Some over-flow work available. Call Scott Gegenheimer: 225-346-8722.

SAVE THE DATE: 9 . 11 . 2014
Law Expo 2014 will take place Thursday, Sept. 11, 2014, at L'Auberge Casino & Hotel Baton Rouge. Mark your calendar!
At least three hours of CLE will be available. Any BRBA member who would like to serve on the Law Expo Committee can contact Pamela Labbe at pamela@brba.org or 225-214-5560.

IMMEDIATE OPENING FOR LITIGATION attorney with at least three years of experience to handle defense and plaintiff cases through trial. Smaller office with relaxed, result-oriented work environment. Compensation more than competitive. Submit confidential resume only to *lbolinde@olindelaw.com*.

TRANSACTIONAL ATTORNEY: Kean Miller LLP is seeking a transactional attorney with 2-4 years substantive experience in the areas of mergers & acquisitions, complex industrial and commercial transactions, leases, employment agreements, non-competition agreements and entity formation and governance. This associate attorney will assist in transactional work, advise clients on corporate and business law issues and compliance matters, including preparation and negotiation of agreements, opinion letters and other documents, related research, due diligence, development and maintenance of client relationships. Superior academic credentials, coupled with strong written, interpersonal and communication skills are required. Candidates should be able to work in a team, but also be able to handle significant individual responsibilities. Submit resume, cover letter and law school transcript to *recruiting@keanmiller.com*. Competitive pay, excellent benefits and a collegial work environment. All inquiries will be kept highly confidential.

Calendar of Events

Ongoing: Every Wednesday & Thursday, 3-5 p.m., Thirst for Justice takes place at St. Vincent de Paul.

Ongoing: Every Tuesday & Thursday, 10 a.m.-2 p.m., Self Help Resource Center,19th JDC

5 Law Expo Committee meeting, 8:30 a.m.

12 Finance Committee meeting, 7:30 a.m.;

Executive Committee meeting, 8 a.m.;

Pro Bono Committee meeting, 12-1 p.m.

15 Ask-A-Lawyer, Baker Branch Library, 3501 Branch Rd., 9:30-11:30 a.m.

17 CLE Committee meeting, 12-1 p.m.

18 JPA activity, Southern Lab, 12:30-3 p.m.

19 Opening of Court, Memorial & New Member Ceremony, 8:30 a.m., 19th JDC, 11th Floor, Ceremonial Courtroom;

YLS Council meeting, 12-1 p.m.;

Board meeting, 6-8 p.m., Juban's

20 Family Law Section CLE & Meeting, 12-2 p.m.

21 JPA activity, Dalton Elementary, 8:30-10:30 a.m.

24 Bench Bar Conference Committee meeting, 12-1 p.m.;

Teen Court Hearing, Armed Forces Reserve Center, 8110 GSRI Road, 6-8 p.m.

26 Youth Education Committee meeting, 12-1 p.m.

27 February Bar Luncheon — A joint meeting of the BRBA, BRAWA, FBA (BR Chapter) & Louis A. Martinet Legal Society, 11:45 a.m.-1 p.m., Juban's Restaurant; Speaker: Judge Janice Clark

W. Ross Foote • E. Phelps Gay • Michael A. Patterson • Michael W. McKay • Patrick S. Ottinger

The Patterson Resolution Group offers dispute resolution services in complex cases to businesses and individuals across Louisiana and the Gulf South. Group members include four former presidents of the Louisiana State Bar Association and a retired district court judge. The members have substantive experience in disputes in areas such as:

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

BATON ROUGE • NEW ORLEANS • LAFAYETTE • SHREVEPORT

2014 BRBA EVENTS

OPENING OF COURT, MEMORIAL & NEW MEMBER CEREMONY [RESCHEDULED]
Feb. 19, 2014
19th Judicial District Courthouse,
11th Floor, Ceremonial Courtroom

FEBRUARY BAR LUNCHEON
(JOINT LUNCHEON OF THE BRBA, BRAWA, FBA - BR CHAPTER & MARTINET SOCIETY)
Feb. 27, 2014
Juban's, Begins at 11:45 a.m.
Speaker: Judge Janice Clark

REGION III HIGH SCHOOL MOCK TRIAL COMPETITION
March 14-15, 2014
19th Judicial District Court

MARCH BAR LUNCHEON
March 27, 2014
Juban's, Begins at 11:45 a.m.
Speaker: Lt. Gen. Russel L. Honoré

NATIONAL LAW DAY
May 1, 2014
Baton Rouge River Center Theatre

BENCH BAR CONFERENCE
July 24-26, 2014
Point Clear, Ala. • Marriot Grand Hotel

29th ANNUAL BRBA LAW EXPO CLE SEMINARS
(3.0 HOURS OF CLE — ETHICS AND PROFESSIONALISM)
Sept. 11, 2014
L'Auberge Casino & Hotel
Baton Rouge • 777 L'Auberge Ave.

16th ANNUAL BELLY UP WITH THE BAR EVENT [DATE: TBA]
Live Oak Arabians Stables, 5 p.m.

Call for more information:
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Baton Rouge Bar Association
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Baton Rouge, LA 70821

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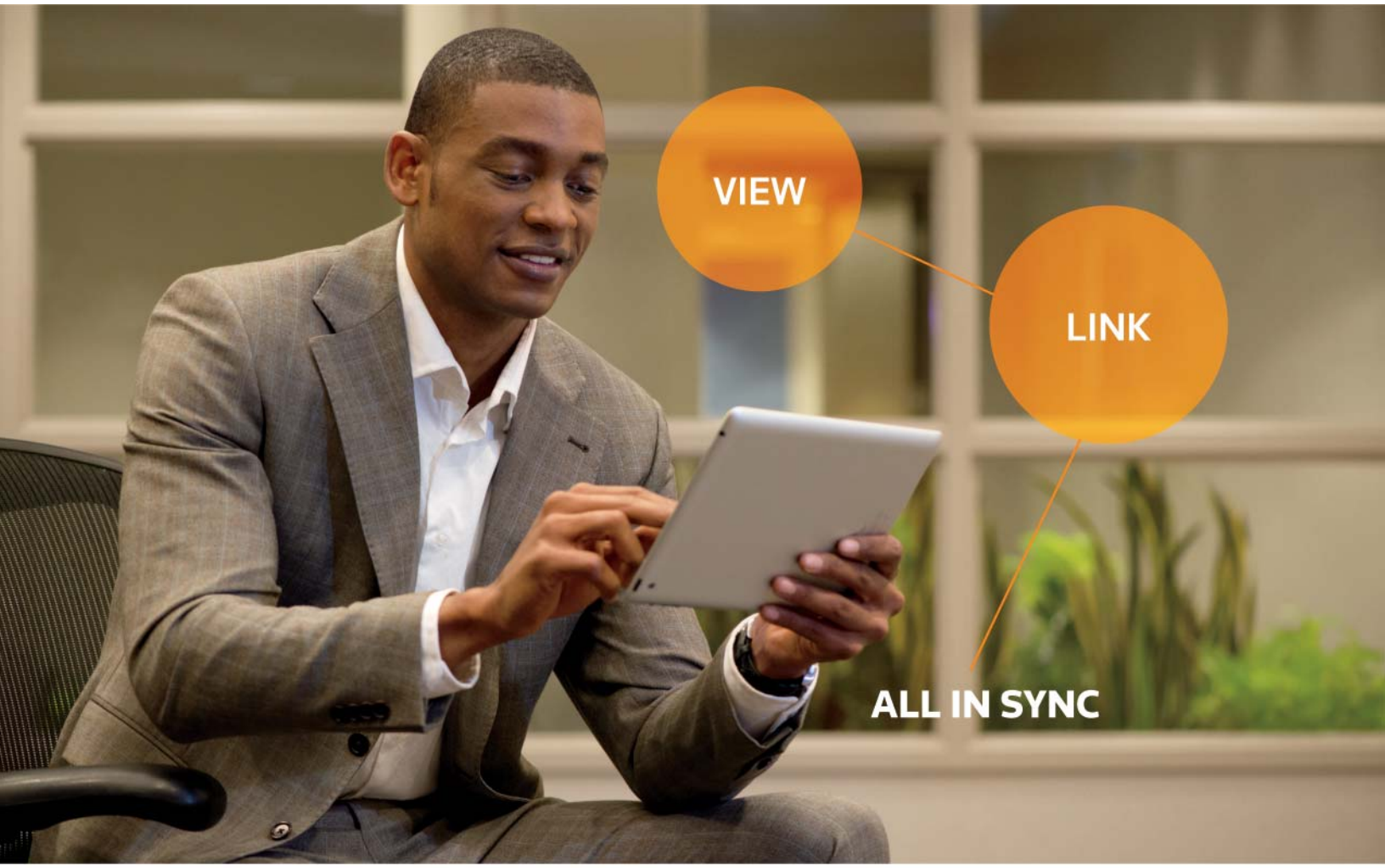

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