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2017 Bench Bar Conference

July 26-29

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Thank you to our Sponsors
The BRBA Bench Bar Conference takes place July 26-29, 2017, at the Hilton Sandestin Beach Golf Resort & Spa in Miramar Beach, Florida.

This year’s conference has a reality-television theme, and the committee co-chairs are Jordan Bollinger (right) and Hayden A. Moore (left). This year’s judicial co-chair is Judge Bill Morvant. Register today to attend BRBA Bench Bar Conference 2017! Online registration is available.

Cover artwork by Margot May.
Flood Insurance Claims?
I am a Baton Rouge attorney with over 10 years of experience in litigating flood insurance claims exclusively, and I am accepting referrals of existing flood cases. If you are having difficulty navigating this very complex federal program and would prefer to refer your cases to an experienced team, please contact:

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CORRECTION
In the March 2017 issue of Around the Bar magazine, Jack M. Dampf was incorrectly identified as a senior partner with Dampf, Thibaut & Hessburg, LLP. Instead, Dampf practices with Dampf Hessburg Edwards Thibaut Ayde ll. We regret the error.
Spring is the season for rebirth, renewal and growth. It is a time when people plant flowers, clean house, and break out the sundresses and sandals, seersucker and white bucks. Here at the Baton Rouge Bar Association, spring is also a great opportunity for us to renew our commitment to providing members with valuable programs and services.

This deliberate assessment of our member services is essential, because we have smart, hard-working members who have a choice in whether or not to be a part of this association. The practice of law is changing, and the BRBA must evolve and grow to continue to meet its members’ needs.

We want to maintain the services and activities that you enjoy, while adding new and valuable programs. Our efforts to evolve and improve are ongoing, but changes are already underway. Here are several new projects that demonstrate our efforts to revitalize the member services we provide:

- **NEW WEBSITE DESIGN** — We are in the process of redesigning our website to give members easier online access to event registration, Around the Bar content, the BRBA member directory, local court information and more. We will launch the new website at the end of the summer.

- **FREE CONFERENCE FACILITIES FOR MEMBERS** — Need meeting space downtown? We are now offering use of the conference rooms at the bar office to our members free of charge. Just call the BRBA staff to reserve.

- **ARTS JUDICATA (Sept. 14)** — This new event will showcase the artistic talents of our members, including paintings, drawings, sculptures, photographs, jewelry, textiles and furniture as it raises funding for the programs of the Baton Rouge Bar Foundation.

- **BENCH BAR CONFERENCE AT SANDESTIN** — To keep things fresh, and in response to comments from attendees, we are hosting our annual Bench Bar Conference in a new location — the Hilton Sandestin in Miramar Beach, Florida. This reality-television themed event will include a great line-up of CLE classes, entertainment by Bag of Donuts and a wonderful opportunity to connect with your fellow lawyers.

What else do you want from your bar association? More section choices, more member discounts from local restaurants and hotels? Do you want more CLE opportunities or different course topics? What can we do to add value to your membership? I invite you to be a part of our evolution — just shoot us a quick email or give us a call to share your thoughts.

The Baton Rouge Bar Association values your membership and your input. We aspire to provide meaningful opportunities where you can connect with your peers, serve your community and elevate the practice of law. I am excited about the upcoming events that we have planned for you. I look forward to seeing you there!
SUPPORT THE BATON ROUGE BAR FOUNDATION.
Plan to attend this art and music festival that celebrates artistic lawyers!
Help us “paint the town rouge” by wearing red.

ARTS JUDICATA
9.14.17 — 6 TO 8 P.M.
@ THE ARTS COUNCIL OF GREATER BATON ROUGE

FOR MORE INFORMATION: 225-344-4803 / WWW.BRBA.ORG
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Lack of clear title delays flood recovery

BY PATRICIA “PATTY” McMURRAY & TARA RICHARD

A major barrier to disaster recovery in the Capital Area is an often overlooked problem — people living in family property passed down through generations without the use of the legal system — with a legal solution.

Many low-income homeowners have not been able to return to their homes since the August 2016 floods, often because they do not have clear title to their property. Many live in or own “heir” property that was passed down by family members informally, outside of the legal system. Without clear ownership, homeowners often cannot access recovery grants, insurance proceeds or loans needed to rebuild and return to their homes.

Families who cannot prove ownership of the place they call home need legal assistance before they can qualify for recovery funds. The property is usually passed down through an informal understanding — often verbally, between relatives. Yet a succession or heirship affidavit needs to be filed in order to legally reflect that transfer. This process used to be expensive and time-consuming. But, thanks to the nonprofit Louisiana Appleseed and its attorney volunteers, now the law provides a cheaper and faster way to get this done.

The really good news is that now, thanks to the Baton Rouge Area Foundation, free legal help for these families to get it done is available through a program called Flood Proof: Free Legal Help for Homeowners with Title Problems. Southeast Louisiana Legal Services is leading the project. Vulnerable homeowners in need of services can call 1-844-244-7871, can walk into SLLS’ 715 St. Ferdinand St. office in Baton Rouge or can learn more at www.FloodProofLa.org. There’s even a mobile phone app for Android and iPhones called Louisiana Legal Help.

Residents in East Baton Rouge, Ascension and Livingston parishes who are unable to prove ownership of their home may be eligible for free legal services through the Flood Proof title clearing project. Attorneys and volunteers with Southeast Louisiana Legal Services, the Baton Rouge Bar Association, LSU Law Center and Southern University Law Center are available to help residents take legal steps to prove ownership of their homes.

If families do not seek help and do not get clear title, recovery in these areas will be delayed significantly because those families will not receive money to rebuild or restore. Blight will become a problem in our neighborhoods. Families will lose property that took generations to acquire. The lack of clear title to property has far-reaching and serious consequences to both individuals and their communities throughout the state. This is never more apparent than after a disaster like the August 2016 floods.

Families that did not flood but live in deceased relative’s house also should take proactive steps and legally transfer title to inherited property — to ensure that clear title passes to the proper heir. Only then can they build wealth and protect their property, helping not only themselves but generations to come and the community at large.

More information can be found on the FloodProofLa.org website. Attorneys interested in volunteering for the Flood Proof title-clearing collaborative should call Robin Kay at the Baton Rouge Bar Foundation Pro Bono Project at 225-214-5561.

In-House Counsel Section CLE
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AND LSU ADVISOR PROFESSOR OF LEGAL ETHICS SKIP PHILLIPS
— CONTACT KELSLIE@BRBA.ORG OR 225-344-4803 FOR MORE INFO. —
Interview with Hayden A. Moore

ATB: Tell us about your education.

HAM: I attended St. Aloysius School and St. Joseph's Academy. I earned a degree in political science from LSU in 2009. I decided to take a “victory lap” and earned a second degree in sociology with a concentration in criminology in 2010. I went to Southern University Law Center and earned my JD in 2013.

ATB: Where are you from?

HAM: I was born and raised in Baton Rouge.

ATB: Where and what type of law do you practice?

HAM: Walters, Papillion, Thomas, Cullens, LLC. We handle complex personal injury, wrongful death and medical malpractice cases.
ATB: Why did you want to become an attorney?

HAM: I grew up in a family full of attorneys, so it sort of runs in the family. I knew I wanted to practice law for as long as I can remember. As a child, I recall sitting on my dad’s [District Attorney Hillar Moore III] lap while he studied for the bar exam and tagging along with him to court.

ATB: If you were not practicing law, what would be your alternate profession?

HAM: Event planner!

ATB: Are you involved with the BRBA?

HAM: Yes — I am the co-chair of the Bench Bar Conference Committee this year.

ATB: What motivated you to become involved with the BRBA?

HAM: During my first week working as an attorney, my boss took me to the BRBA office for a Bench Bar Conference planning committee meeting. I was hooked after that.

ATB: What is in store for Bench Bar attendees this year?

HAM: I am currently in talks with several interesting and exciting speakers. We are planning some new social events and have a crowd favorite band returning to play at the dance. We hope to have some amazing raffle items and a few other surprises that you will have to stay tuned for.

ATB: When and where is the Bench Bar taking place this year?

HAM: We are heading to the beautiful beaches of Florida. The conference is going to be held at July 26-29, 2017, at the Hilton Sandestin Beach Resort Golf & Spa.

ATB: Are you involved with any other organizations or causes?

HAM: I volunteer with The Miracle League at Cypress Mounds, which is a program that makes it possible for children with mental and physical disabilities to play baseball as part of a team. They have a specialized rubber field that is safe for handicapped and wheelchair-bound children. The kids on my team are truly inspirational.

I also spend time with at-risk children in our community — everything from helping with literacy to playing basketball. I am very passionate about making a difference in these children’s lives now, so that they have a better outcome in the future.

I serve on the Board of Directors for the Baton Rouge Affiliate of Susan G. Komen. We are presently working on a program specifically for lawyers, which was dubbed “Lawyers For the Cure.”

ATB: What is your favorite BRBA activity or event?
HAM: Bench Bar is my favorite event, but Belly up with the Bar is a very close second — who doesn’t love a night of food and drinks with friends? Also, I really enjoy the BRBA Softball Tournament, although I am currently on a three-year losing streak.

ATB: What are your leisure activities?

HAM: I hate to admit it but watching reality TV is my guilty pleasure. And shopping.

ATB: What is the last book that you read?

HAM: I just bought my first house, so I have been reading a lot of cookbooks in an attempt to teach myself how to cook. It is not going very well.

ATB: Tell us something interesting about yourself.

HAM: My parents filmed me opening my bar exam results. I posted the video (and my overly dramatic reaction) on Facebook and it went viral. My future boss happened to see the video and that is how I got an interview at Walters, Papillion, Thomas, Cullens, LLC.

GAIL’S GRAMMAR

I tend to forgo reading further when I see forgo spelled as forego. Forego means precede or go before. It is rarely seen in its present tense but is commonly seen in the forms foregone, e.g., a foregone conclusion, or as the word lawyers love using, foregoing. Forego is spelled with an e, just like before.

EXAMPLES:
Her reputation foregoes her.
Catholics forgo eating meat on Friday during Lent.

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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- Our medical communities have established a standard for anesthesia and surgeons to be available within 30 minutes for the patient’s safety.

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On March 5, 2017, in Peña-Rodriguez v. Colorado the U.S. Supreme Court held that the usual rule protecting the secrecy of jury deliberations is not applicable when there is clear evidence after a jury verdict that there was racial bias during deliberations.1

Miguel Peña-Rodriguez, a Colorado horse trainer, was arrested in 2007 after two teenage girls identified him as the man who groped them in a darkened restroom at a horse barn. At trial, the prosecution rested its case on the victims’ identification of the defendant. The defense highlighted the short time the girls actually saw the attacker and the way the police brought the girls to see the suspect (through the window of a police car). The defense also presented an alibi witness who testified that Peña-Rodriguez was with him in another barn when the attack occurred.

The jurors deliberated for 12 hours, during which those outside the jury room could hear much shouting from within. The jury found the defendant guilty on two misdemeanor counts. Peña-Rodriguez was sentenced to two years’ probation and was required to register as a sex offender.

On the day the trial ended, two jurors told the defense lawyers that during deliberations one of the other jurors, identified in court records as H.C., repeatedly expressed a bias against the defendant and his alibi witness because of their Hispanic ethnicity. With the trial judge’s permission, the defense lawyers obtained affidavits in which the two jurors quoted H.C. as saying that, from his experience as a former police officer, he suspected the defendant was guilty because Mexican men “believe[d] they could do whatever they wanted with women,” and that where he used to patrol, “nine times out of ten Mexican men were guilty of being aggressive toward women and young girls.” After receiving the affidavits, the trial judge ruled that there could be no questioning of jurors to see if a new trial was warranted because Colorado, like most jurisdictions, has a rule barring inquiry into what happens in the jury room. The Colorado Supreme Court, by a 4-3 vote, agreed.2

The U.S. Supreme Court reversed those decisions, declaring that “the central purpose” of the Fourth Amendment guarantee to equal protection of the law was to eliminate racial discrimination emanating from official sources in the states. Writing for the court majority,3 Justice Anthony Kennedy said racial discrimination
is unlike other types of misconduct that may occur in the jury room because it “implicates unique historical, constitutional and institutional concerns.” Kennedy conceded that the U.S. Supreme Court has consistently refused to allow post trial probing of jury deliberations, both to protect the secrecy and candor of deliberations and to protect the finality of jury judgments. While Kennedy said it would not be possible to rid the jury system of “every irregularity,” “the same cannot be said about racial bias, a familiar and recurring evil that, if left, unaddressed, would risk systemic injury to the administration of justice.” For these reasons, the majority ruled that where a juror makes a clear statement that indicates he or she relied on racial stereotypes or animus to convict a criminal defendant, the Sixth Amendment right to a fair and impartial jury trial requires that the usual jury secrecy rules give way to permit the trial judge to consider whether there is evidence that the defendant has been denied a fair trial.

Although the Court gave very little guidance for what standard would be required to show prejudice, the majority did state that “not every offhand comment indicating racial bias of hostility will justify setting aside the no-impeachment bar to allow further judicial inquiry.” There must be “a showing that one or more jurors made statements exhibiting overt racial bias that cast serious doubt on the fairness and impartiality of the jury’s deliberations and resulting verdict.” The opinion made clear that Peña-Rodriguez had satisfied this standard and was entitled to consideration of a new trial based on the juror’s statements.

The dissent, written by Justice Alito, stated that despite the “admirable intention of the majority,” its decision “is a startling development” that pries open the door of the jury room for the first time in centuries. The ruling, he predicted, will “prompt losing parties and their friends, supporters and attorneys to contact and seek to question jurors, and this pestering may erode citizens’ willingness to serve on juries.”

The ruling left open some important questions related to allegations of racial bias in the jury. The court did not decide what procedures a court should use when a defendant seeks a new trial based on testimony that one or more jurors was racially biased, nor did it weight in on what standard courts should use in deciding whether to order a new trial in such circumstances.

3 The majority consisted of Justices Kennedy, Ginsburg, Breyer, Sotomayor and Kagan.
4 Alito was joined by Chief Justice Roberts and Justice Thomas.
Get back to where you once belonged: The deportation of John Lennon

BY JOHN S. McLINDON & PATRICK B. KENNEDY JR.

The Beatles were an English rock band formed in Liverpool in 1960. The band members were John Lennon, Paul McCartney, George Harrison and Ringo Starr. They are generally considered to be the most influential band in rock and roll history. As a musical group, the Beatles tended to stay out of politics, and with the exception of “Taxman,” “Revolution” and the original lyrics to “Get Back,” the Beatles songs/lyrics typically expressed no political position.

Following the breakup of the band in 1970, each of the members continued on with solo careers. John Lennon, in addition to his music career, continued with political activism, including speaking out against the war in Vietnam. His songs included such lyrics as: “All we are saying is give peace a chance,” “War is over if you want it,” “Imagine there’s no countries” and “Imagine all the people living life in peace.” At the time that Lennon was writing and performing these songs and speaking out against the war, then-President Richard Nixon was expanding the war in Vietnam, as well as working on his reelection in 1972.

Of particular concern to Nixon was the fact that in 1971, the 26th Amendment to the United States Constitution had been ratified giving 18-year-olds the right to vote. According to Leon Wildes, John Lennon’s attorney who represented him in his deportation battle, Nixon sought to eliminate threats to his reelection, including the threat Lennon presented with his activism and influence among young people. According to Wildes in his newly published book, the Federal Government used the Immigration and Naturalization Service (INS) to attempt to deport John Lennon and his wife Yoko Ono. Through a Freedom of Information Act request, Wildes found orders from high in the Nixon Administration to get rid of Lennon and Yoko Ono.

In addition, other recently released presidential papers revealed that a jealous Elvis Presley had previously thrown the Beatles under the bus to the Nixon administration, claiming that they promoted an “anti-American theme” and had further denounced them to FBI director J. Edgar Hoover.


Because of his conviction, when Lennon came to the United States in 1971, he was considered an “excludable alien.” The definition of an excludable alien at that time included: “any alien who has been convicted of a violation of ... any law or regulation relating to the illicit possession of ... marijuana.” 8 U.S.C. § 1182 (a).

The INS temporarily waived excludability for Lennon. He was given a temporary visa, but when the visa expired, the New York Director of the INS notified Lennon that if he did not leave the country by March 15, 1972, deportation proceedings would be instituted. Lennon filed a “Third Party Preference Petition” seeking to become a permanent resident. This section of the Immigration and Nationality Act (INA) gives preference to “several groups, one of which (the third preference) is given to qualified immigrants who, because of their exceptional ability in the sciences or the arts will substantially benefit prospectively the national economy, cultural interests, or welfare of the United States.” Instead of granting the preference, the INS instituted deportation proceedings. Lennon’s lawyer argued that the proceedings had been discriminatorily commenced because the INS had violated its practice by not allowing him non-priority status. The immigration
judge allowed Yoko Ono permanent residence, but denied John Lennon’s request. Lennon filed suit in the Southern District of New York for an injunction and to compel the INS to rule on his petition. [Lennon v. Richardson, 378 F. Supp. 39 (S.D. N.Y. 1974)].

At oral arguments in that case, the attorney for the INS advised the judge that it would consider Lennon’s petition. It was approved the same day. After the INS approved the Third Party Preference Petition, Lennon applied for permanent residence. Many eminent writers, artists and entertainers, as well as the mayor of New York City, submitted letters on behalf of Lennon stating that he would make a unique and valuable contribution to this county’s cultural heritage. The government contended that his 1968 guilty plea made him an inadmissible alien. Finding that Lennon was an inadmissible alien, the immigration judge denied his application for permanent residence and ordered him deported. Lennon appealed to the Board of Immigration Appeals (BIA). At the same time, he began a second action in the Southern District of New York, seeking to enjoin his deportation. He noted in this petition that the INS had instituted deportation proceedings “because they feared he might participate in demonstrations that would be highly embarrassing to the then existing Administration.” [See Lennon v. United States, 387 F. Supp. 561 (S.D. N.Y. 1975)]. The government moved to dismiss Lennon’s suit for failure to state a claim on which relief can be granted and alternatively, for an order granting judgment on the pleadings. The district judge granted the government’s motion as to the first claim, but denied it as to the second two claims. These latter two claims alleged that Lennon was the target of a selective prosecution with the goal of getting him out of the country. Lennon’s lawyer alleged that these actions occurred at the behest of high government officials, and was a result of, and part of, a conspiracy by various government officials to violate Lennon’s rights guaranteed by the First, Fourth, Fifth and Ninth Amendments to the Constitution. In denying the government’s motion, the trial court noted: “Selective prosecution then can become a weapon used to discipline political foe and the dissident.” Id. at 564.

Meanwhile, in his appeal at the BIA, the Board concluded that it did not have jurisdiction to consider Lennon’s claim that he was improperly denied non-priority status. Accordingly, the Board found that Lennon was ineligible for permanent residence and affirmed the
immigration judge’s deportation order. Lennon appealed to the Second Circuit Court of Appeal.

The Second Circuit, in an opinion authored by Judge Irving Kaufman, reversed the BIA, finding that the 1968 conviction did not make him an excludable alien. The Court made a detailed analysis of the British law, both in general, and the specific statute to which Lennon pled guilty. The Second Circuit held that Lennon was convicted under a statute that made guilty knowledge irrelevant. This was important, the court held, because an analysis of the excludable alien statute required that the person be found guilty of a statute that made knowledge (mens rea) an absolute requirement. *Lennon v. INS*, 527 F. 2d 187 (2d Cir. 1975).

The court noted that it based its decision solely on its interpretation of §212 (a)(23) of the Immigration Nationality Act. However, it added some commentary on Lennon’s contention that he was singled out for deportation because of his political activities and beliefs. “We do not take his claim lightly ... The courts will not condone selective deportation based upon secret political grounds.” *Id.* at 195. The Second Circuit concluded its opinion:

If, in our 200 years of independence, we have in some measure realized our ideals, it is in large part because we have always found a place for those committed to the spirit of liberty and willing to help implement it. Lennon’s four-year battle to remain in our country is testimony to his faith in this American Dream. *Id.*

Ironically, on Aug. 8, 1974, it was *Nixon* who was forced to leave the White House following the Watergate scandal. His successor, Gerald Ford, showed little interest in continuing the battle against Lennon. In 1976, Lennon received his “green card” certifying his permanent residency, and both John Lennon and Yoko Ono were allowed to remain and to reside in the United States. John Lennon was killed on Dec. 8, 1980. Yoko Ono continues to live in New York City.

1 The authors disagree on this statement. McLindon believes The Rolling Stones are the most influential band in rock and roll history. Kennedy contends that the Stones would have never made it in the U.S. without The Beatles paving the way.

W. Feliciana High captures the 2017 Region III Mock Trial Competition title, beating 13 other teams

The Region III High School Mock Trial Competition took place Friday, Feb. 17, and Saturday, Feb. 18, 2017, and included 14 participating teams from eight schools. The first round began Friday at 9:45 a.m. and Saturday’s competition continued at 9 a.m., wrapping up prior to noon. The competition was held at the 19th Judicial District Courthouse.

Named “Best Attorney” at the Region III competition was Ruby Roberg with West Feliciana High School and “Best Witness” was Bailey Malveaux of Zachary High School. The top two winning teams from this regional competition — West Feliciana High and Zachary High schools — competed March 11, 2017, at the state level of the 2017 Judge Richard N. Ware IV Memorial High School Mock Trial Competition, which was held in Monroe, Louisiana.

This year’s national mock trial competition will be held May 11-13, 2017, in Hartford, Connecticut.

The Louisiana parishes that are included in Region III are Ascension, Assumption, Iberville, East Baton Rouge, West Baton Rouge, Livingston, Pointe Coupee, St. Helena, East Feliciana, West Feliciana, Tangipahoa and Washington.

The Region III Mock Trial Competition is a youth education program of the Baton Rouge Bar Foundation and is coordinated by R. Lynn Smith Haynes. Monica Vela-Vick, who is chairperson of the 2017 Mock Trial Committee, practices with Hammonds, Sills, Adkins & Guice, LLP.

The Baton Rouge Bar Foundation and the Louisiana State Bar Association Young Lawyers Division Council sponsored this year’s competition. Additionally, the program was financially assisted by the Louisiana Bar...
Mayor-President Sharon Weston Broome (center) was the guest speaker at the February Bar Luncheon, which took place Feb. 15, 2017, at Ruffino’s at De La Ronde Hall. The February luncheon was a joint meeting of the BRBA, BRAWA, FBA (BR Chapter) and Louis A. Martinet Legal Society. Photographed are Ashley Greenhouse (Martinet), Karli Glascock Johnson (BRBA), Broome, Ann Wise (BRAWA) and Mark Barbre (FBA, BR Chapter).

Individually wrapped candy and plastic Easter eggs will be collected by the BRBA Volunteer and Easter Eggstravaganza committees until April 5. Donations may be dropped off at the Middleton Bar Center, 544 Main St., 9 a.m. to 4:30 p.m.

The Easter egg hunts will be held April 10-13, 2017, at three local elementary schools. Erik Kjeldsen is the chair of this year’s Easter Eggstravaganza Project. For more information, contact Carole McGehee at 225-214-5557 or carole@brba.org.

Attending the February Bar Luncheon were (L to R) LSU Law Center Dean Thomas "Tom" C. Galligan Jr., Mayor Broome and Southern University Law Center Chancellor John K. Pierre.

Renee Chatelain and Richard Williams are co-chairs of the Arts Judicata Committee. Proceeds will support the BRBF. Sponsorships are available. Contact Donna Buuck for more information about this event at 225-214-5556 or donna@brba.org.

New event to raise funds for BRBF while showcasing the artistic talents of Association members

Arts Judicata is a new fundraiser for the Baton Rouge Bar Foundation that will take place 6-8 p.m. Thursday, Sept. 14, 2017, at The Arts Council for Greater Baton Rouge. The planners are looking for BRBA members who are artists of any kind — musical, literary, culinary, performance or visual.

Renee Chatelain and Richard Williams are co-chairs of the Arts Judicata Committee. Proceeds will support the BRBF. Sponsorships are available. Contact Donna Buuck for more information about this event at 225-214-5556 or donna@brba.org.

BRBF Law Day program to take place May 1

Speaking at this year’s Law Day event, which is Monday, May 1, is East Baton Rouge Parish Mayor-President Sharon Weston Broome. Approximately 800 middle and high school students and their teachers are expected to attend the event, which will be held at the Raising Cane’s River Center Theatre in downtown Baton Rouge.

Hana Thomas is the chair of this year’s BRBF Law Day Committee. Donna Buuck is the staff liaison of the committee.

Johnnie Jones Sr. is photographed with East Baton Rouge Parish Mayor-President Broome. Jones, a former civil rights lawyer, was one of the first African-American members of the Baton Rouge Bar Association in the 1960s.

Shea appointed Louisiana Appleseed board

William D. “Bill” Shea, a partner in the law firm of Adams and Reese, was appointed to the Board of Directors of Louisiana Appleseed, a nonprofit social justice and advocacy organization that promotes systemic change to assist vulnerable populations in the community.

Volunteer writers needed to submit substantive legal articles for publication in future Around the Bar issues. Contact Pamela Labbe at pamela@brba.org or 225-214-5560.
The BRBA hosted a CLE March 7, 2017, at Mary Bird Perkins Cancer Center titled “Legal Advocacy for Cancer Patients.” Photographed are (L to R) Clay Countryman, Dani Borel and Catherine Breaux Moore of Breazeale, Sachse & Wilson LLC, and Marilyn Sue Burgess of M. H. Burgess Law, LLC. Countryman organized the seminar.

The Belly Up with the Bar Committee has announced the official date of this year’s main fundraiser for BRBF Youth Education programs: Friday, Oct. 27.

The event starts at 5 p.m. Oct. 27, 2017, at Live Oak Arabians, 6300 Jefferson Hwy. This year’s chairman is Michael P. Schillage and the staff liaison to the Belly Up with the Bar Committee is Donna Buuck.

Sponsorships are available. If any BRBA member is interested in joining the Belly Up with the Bar Committee, please contact Donna: donna@brba.org or 225-214-5556.

First Circuit Court investiture for Penzato held

The Honorable Allison H. Penzato, a resident of Mandeville, Louisiana, who was recently elected unopposed to her first term, was sworn in as judge of the First Circuit Court of Appeal during an investiture ceremony Friday, March 17, 2017, at the St. Tammany Parish Justice Center in Covington, Louisiana.

Judge Penzato was elected from the district consisting of the parishes of West Feliciana, East Feliciana, St. Helena, Livingston, Tangipahoa, Washington and St. Tammany, to fill the unexpired term of retired Judge Ernest Drake Jr.

Prior to being elected to the First Circuit, Judge Penzato served as a judge on the Twenty-Second Judicial District Court since first being elected to the district court in 2008. She was a law clerk to U.S. Magistrate Ingard O. Johannesen from 1979 to 1981, and she had 27 years of litigation experience prior to taking the bench.
Lawyer Referral Service provides a service to the community and to BR Bar Association members

Join the Baton Rouge Bar Association Lawyer Referral & Information Service and you can expand your client list. Contact Carole McGehee for more information: 225-214-5557 or carole@brba.org.

YLS Summer Sizzlin’ moves to Cinco de Mayo

The Summer Sizzlin’ CLE, hosted by the BRBA Young Lawyers Section Council, will be held 8 a.m. to 12:15 p.m. Friday, May 5, 2017, at the Middleton Bar Center. Earn up to 4 hours of CLE credit during this seminar. Contact Susan Kelley for more information or to register: 225-214-5559 or susan@brba.org.

A website redesign is in the BRBA’s near future

Although it may seem like just yesterday that the Baton Rouge Bar Association unveiled a new website, a newly designed one is in the works.

The BRBA Technology Committee is planning the new website, which will be more colorful and user friendly than what we have now. The current website, www.BRBA.org, came online in 2010. The goal is for the new website to be online and fully functional prior to Sept. 1, 2017.

BRBA members who wish to help plan the new website should join the Technology Committee by contacting Pamela Labbe at 225-214-5560 or pamela@brba.org or Ann K. Gregorie at 225-214-5563 or ann@brba.org.

Bench Bar Conference 2017 sponsorships available now

This year’s BRBA Bench Bar Conference, which will be held July 26-29, 2017, at the Hilton Sandestin Beach Golf Resort & Spa in Miramar, Florida, will follow a reality-television theme.

Co-chairs Jordan Bollinger and Hayden Moore have been hard at work planning along with the Bench Bar Conference Committee a great conference for this year’s registrants. The judicial co-chair is Judge Bill Morvant.

For hotel accommodations, register online at www.hiltonsandestinbeach.com, and use group code: BBA. To register online, check out the registration form on the BRBA website: www.BRBA.org. Corporate and law firm sponsorships are available for this conference. For more information, contact Ann K. Gregorie at 225-214-5563 or ann@brba.org.

Upcoming Young Lawyer Section Events

Please contact Susan Kelley at the BRBA at 225-214-5559 or susan@brba.org for more information about the events. To register online, check out our website at www.BRBA.org.

April 12:

Sidebar Luncheon with Justice Jeff Hughes: Starts @ noon.
This is a great opportunity for young attorneys and law students to learn some tips about practicing law in the courtroom.
@ Phelps Dunbar (II City Plaza, 400 Convention St., Ste. 1100).

April 27:

Health & Wellness Fair: 2-5:10 p.m. @ Middleton Bar Center (544 Main St.).
This 3-hour CLE seminar will have both professionalism and ethics hours.

May 5:

Summer Sizzlin CLE: 8 a.m.–12:15 p.m. @ Middleton Bar Center (544 Main St.).
This program will offer 4 hours of CLE at a special price for young lawyers.
A regular practice of mindfulness meditation can reduce stress, lower blood pressure and leave you feeling rested and peaceful. But mindfulness is also a productivity tool that can help you stay focused, on task and mentally alert.

Often we feel we are being productive when we are really just busy. Nothing keeps us busier than responding to the persistent clamoring of digital screens. Our computer, laptop, tablet, smartphone and now even our watches are pinging and singing, pulsing and flashing, demanding our attention and generating a sense of urgency.

Whenever we respond to a text message, answer an email or post on social media, the brain rewards us with a shot of the pleasure hormone dopamine. We have a sense of accomplishment. The more we are rewarded for completing these mini-tasks, the more we are drawn to the small rush that comes with each text message, email and digital notification.

We know these digital diversions absorb our attention. To accommodate that, we resort to multitasking in the belief that we can do two things at once. That is an illusion. Our brains can only focus on one thing at a time.

When we think we are multitasking, we are really forcing our brain to jump rapidly back and forth between two or more tasks. The brain becomes fatigued and slows down. Attention, focus and critical thinking suffer. We are less productive.

So how do we stay focused and avoid the temptation to multitask? One proven method is a regular practice of mindfulness. Mindfulness meditation trains our brain to stay focused on the task at hand. Distractions do not as easily hijack our attention.

Practicing mindfulness first thing in the morning sets the tone for the day. Begin with 10 to 15 minutes of mindfulness. Find a quiet place where you can sit undisturbed. Set a timer. As little as 10 minutes a day of mindfulness practice can produce noticeable benefits.

Sit on the floor with legs crossed or in a chair with both feet flat on the floor. Your back should be straight, shoulders relaxed and chest open. Breathe in slowly, allowing your lungs to fill and your diaphragm to expand, then slowly release the breath. Do that for three or four breaths, then settle into a comfortable breathing rhythm.

Focus your awareness on your breath. When a thought or emotion arises, gently bring your attention back to your breath. Thoughts and emotions are like restless puppies. Do not feed them with your attention. When they bark, gently bring your awareness back to your breath.

An immediate benefit of this practice is starting the day feeling more relaxed. With regular practice, you will find it easier to stay focused at work. Mindfulness meditation practice has trained your brain to disregard distractions and keep its attention on the appointed task.

But why wait for morning? Mindfulness practice benefits you any time. Just close your eyes, relax and breathe.

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**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.
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; Franciscan Ministry Fund; Family, District and City Court Filing Fees; W. K. Kellogg Foundation; Baton Rouge Area Foundation; and the Baton Rouge Bar Foundation. Teen Court of Greater Baton Rouge is funded by the Interest on Lawyers’ Trust Accounts (IOLTA) Program for the Louisiana Bar Foundation, a LANO Change Fund Grant 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.

The Baton Rouge Bar Foundation would like to thank all who volunteered.

ASK-A-LAWYER VOLUNTEERS — James Austin, Butler Snow; Paul Matzen, Live Oak Legal Services; Barbara Baier, Louisiana Public Defender Board; Prentice White, Southern University Law Center; Adrian Ross; and Emily Ziober.

THIRST FOR JUSTICE VOLUNTEERS — Byron Kantrow, Connectivity Source; Eldon Dominique, Dudley DeBosier, APLC; Steven Judice, Keogh, Cox & Wilson; Stephen Strohschein, McGlinchey Stafford, PLLC; Ryan Brown, Roedel, Parsons, Koch, Blache, Balhoff & McCollister; T. MacDougall Womack and Thomas Gildersleeve, Taylor Porter; Fred Crifasi; Scott Gaspard; Adrian Ross; and James Zito.


ACCEPTING MEDICAL LEGAL PRO BONO CASES — Gregory Bodin, Baker Donelson Bearman Caldwell & Berkowitz, PC; Scott Mansfield, Taylor Porter; T. Jordan Alost; and Wendra Moran.

ACCEPTING A FLOOD RELIEF PRO BONO CASE — John Zachary.

SELF HELP VOLUNTEERS: Steven Adams, Adams Law Office APLC; Claire Sauls, Dunlap Fiore, LLC; John Obebe, East Baton Rouge Office of the Public Defender; Joseph Ballard, Entergy Services, Inc.; Janeane Gorcyca and Jennifer Prescott, Joubert Law Firm, APLC; Denise Lee, Louisiana Workforce Commission; Ryan Brown, Roedel, Parsons, Koch, Blache, Balhoff & McCollister; Brett Sandifer, Sandifer Law Firm LLC; Greg Hughes, Southeast Louisiana Legal Services; Cynthia Reed and Alvin Washington, Southern University Law Center; Russell Friedy; and Mary H. Thompson.

SELF HELP RESOURCE CENTER LAW SCHOOL VOLUNTEERS — Taylor Degruise, LSU Law Center; Chase Anderson, Tia Benton, Holly Boustany, Joshua Edwards, Scott Gittleson, Yvonne Henshaw and Madison McMurray, all Southern University Law Center.

TEEN COURT — Jamie Flowers and Monica Vela-Vick served as judges for the January Teen Court hearing.

Family Law Section Meeting & CLE
Thursday, May 18 / Earn 4.0 hours of CLE
@ Juban’s Restaurant, 3739 Perkins Rd.
Registration & Breakfast begin at 8:45 a.m.

Seminars Include:
Judges’ Panel • Ethics • Limitations of Evaluations

Contact Caroline@BRBA.ORG for more info.
19TH JDC CIVIL COURT
March 31-April 7 Judge Morvant
April 17-April 28 Judge Johnson

BATON ROUGE CRIMINAL COURT***
March 31-April 7 Judge White
April 7-April 14 Judge Marabella
April 14-April 21 Judge Anderson
April 21-April 28 Judge Erwin
April 28-May 5 Judge Jackson

19TH JDC CRIMINAL COURT
March 31-April 7 Judge White
April 7-April 14 Judge Marabella
April 14-April 21 Judge Anderson
April 21-April 28 Judge Anderson
April 17-April 28 Judge Johnson
March 31-April 7 Judge Morvant
April 17-April 28 Judge Johnson
April 21-April 28 Judge Jackson

FAMILY COURT**
March 27-April 2 Judge Alexander
April 3-April 9 Judge Ponder
April 10-April 16 Judge Watkins
April 17-April 23 Judge Temple
April 24-April 30 Judge Smith

JUVENILE COURT
April 1- April 30 Judge Haney

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 is completely different each day, rotating on Fridays ***19th JDC Criminal Court changes each Friday at noon.

Calendar

April 1- April 30 Judge Haney
April 17-April 28 Judge Johnson

COURT HOLIDAYS
Friday, April 14, 2017 Good Friday

Classifieds

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, color copier, fax, internet, etc. Some over-flow work available. Call Scott Gegenheimer: 225-346-8722.

ATTORNEYS RETIRING—EXECUTIVE office suites perfect for 1 to 3 attorneys and staff. Furniture, telephone & equipment rental available, $850 each or $1600 for both connecting suites. Great windows, ample parking. Convenient I-12 access at Sherwood Forest. View at Craig’s List: https://batonrouge.craigslist.org/off/6015425364. Or call Kristina: 225.928.4193 or Anita: 225.252.5203.

SHARED OFFICE SPACE AVAILABLE on Corporate Boulevard: Office with desk, chairs and small filing cabinet (or without furniture), use of copier & postage machine, waiting area and conference room. $750 per month with copier & postage use billed monthly. Email jfassociates@yahoo.com with questions and to schedule an appointment to view the office.

VOLUNTEERS NEEDED! Be part of something artsy and fun. The BRBF Arts Judicata Committee is planning an arts and music festival, fundraiser/event to raise funds for the Baton Rouge Bar Foundation. All artists and performers will be lawyers / members of the BRBA. The event itself is Thursday, Sept. 14, 2017. Contact Donna Buuck at 225-214-5556 or donna@brba.org for more information.

ARE YOU INTO TECHNOLOGY? The Baton Rouge Bar Association is updating its website and can use a few new members on its Technology Committee. Let us know if you want to help! Contact Pamela Labbe at 225-214-5560 or pamela@brba.org for more information.

1 Ask-A-Lawyer, Jones Creek Regional Library, 9:30-11:30 a.m.
3 Easter Egg and Plastic Easter Egg Collection Drive for Volunteer/Easter Eggstravaganza Project (until April 5); Teen Court Group Sessions, 6-8 p.m.
5 Executive Committee meeting, Kean Miller, 8:15-9:15 a.m.; Volunteer Committee meeting, 12-1 p.m.; YLS Council meeting, 12-1 p.m.
6 Annual Spring Judges’ Conference (through April 7); Ask-A-Lawyer, Charles R. Kelly Community Center, 9-11:30 a.m.; Teen Court Committee meeting, 12-1 p.m.
7 Spring Judges’ Conference
10 Easter Egg hunts at local schools; Teen Court Hearing, EBR Juvenile Court, 6-8 p.m.
11 Publications Committee meeting, 8:30-9:30 a.m., Walters, Papillion, Thomas, Cullens, LLC
12 Easter Egg hunts at local schools; Easter Egg hunts at local schools; BRBA Board of Directors meeting, location: TBA.
13 Easter Egg hunts at local schools; BRBA Office Closed—Good Friday
14 Teen Court Group Sessions, 6-8 p.m.
17 Ask-A-Lawyer, Catholic Charities, 9-11:30 a.m.
19 Law Day Committee meeting, 12-1 p.m.
20 Family Law Section Meeting & CLE, 12-2 p.m.
22 Ask-A-Lawyer, West Baton Rouge, 9:30-11:30 a.m.
25 YLS Health & Wellness Fair, 12-4:30 p.m.

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

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

For the full text of this article, visit the Baton Rouge Bar Association’s website at www.brba.org.
Over 100 years combined legal experience.

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