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Warren Mengis
Book review:
A More Noble Cause

Hats off to the BRBA, BRAWA & Louis A. Martinet Legal Society!
LUNCHEON: THURSDAY, MARCH 1
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On the cover:
This month’s cover photo features BRAWA President Jan Reeves, Louis A. Martinet Legal Society President Michael Tyler, and BRBA President Gail S. Stephenson.

The cover image was photographed in front of De La Ronde Hall, the planned location of the March 1, 2012, combined luncheon of all three organizations. Make plans to attend and wear a hat!

Cover photography by Pamela Labbe.

Read about SULC Professor Wendy K. Shea’s adventures in Cuba on page 12.
around the bar issue February 2012

GAIL’S GRAMMAR

If you want to avoid upsetting grammarians, learn the difference between podium and lectern. Although common misuse has led to dictionaries listing lectern as an alternative definition of podium, the two words have very different origins. Podium comes from the Latin podion (little foot). It is a raised platform on which you stand to give a speech or receive an award — think of the Olympians getting their medals. Lectern comes from the Latin lectum, from the root leg(ere) (to read). A lectern is a stand with a slanted top used to hold notes when you read — think of a lecture. So remember: You stand on a podium with your feet; you stand at a lectern to lecture.

Send suggestions for future Gail’s Grammar columns to Gail Stephenson at GStephenson@sulc.edu, or call Gail at 225.771.4900 x 216.

contribitors

Brandi B. Cole, an associate with Phelps Dunbar, LLP, is a contributing writer.

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

Cheney C. Joseph Jr., vice chancellor for academic affairs at the LSU Law Center, is a contributing writer.

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

An assistant professor of legal analysis and writing at the Southern University Law Center, Wendy K. Shea is a contributing writer.

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Edward J. Walters Jr., a partner with Walters Papillion Thomas Cullens LLC, is the editor of Around the Bar.

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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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My name is Debbie Stevenson and after completing the [Pro Bono Project] questionnaire, I felt the need to write this letter to say thank you and also how much I enjoyed working with Ms. Melanie Walters while she handled my divorce.

Even though my case was pro bono, it was handled with professionalism, care and completed in a timely fashion. I appreciated the way she would explain items involved with my divorce so I could better understand the process, and I was well informed about the status of the divorce proceedings. It has been over a month since the divorce was finalized and often Ms. Walters would call to see how I’m doing and see if I needed anything.

I would recommend Ms. Walters to family and friends. She did an outstanding job on my divorce. If I should need service in the future, I would definitely contact Ms. Walters. Again, thank you!

Sincerely,
Debbi Stevenson Williams

I am so proud of the students that volunteer, the defendants that come to the [Teen Court of Greater Baton Rouge] program, the teen court staff for their tireless work, the court staff members who send us cases, the Juvenile Court judges for allowing us to use their courtroom, Deputy C.C. (and others) who provide us with security, the family/substance abuse/anger management/shoplifting prevention counselors, and to all of the people that dedicate their time and resources to help Teen Court.

What an amazing program to enrich the lives of children and to help the Baton Rouge community. I am so honored for the opportunity to participate in such an outstanding program with all of you.

Sincerely,
Lindsay Watts Sanchez
Attorney at Law
Tyler & Possa, APLC

The Annual High School Mock Trial Competition will be held Friday, March 2 and Saturday, March 3, 2012, at the 19th Judicial District Courthouse, 300 North Blvd.

Timekeepers and other volunteers are still needed.

To volunteer or for more information, contact LYNN HAYNES at lynn@brba.org or 225-214-5564.
Passing the hat

After the BRBA election eight years ago, I discovered that I had become a member of two separate boards: the Baton Rouge Bar Foundation and the Baton Rouge Bar Association. I had never really paid much attention to the distinction between the two. I soon learned that the Foundation, a 501(c)(3) corporation, administers our Pro Bono Project; our charitable projects, such as Holiday Star and the Easter Eggstravaganza; and our youth-education programs, including Teen Court, the Junior Partners Academy, Law Day and the Mock Trial Competition. It also owns and maintains the Middleton Bar Center. The Association does everything else, including administering the Lawyer Referral Service and continuing education programs and providing our magazine, Around the Bar. The Association employs 10 people to keep the two organizations running smoothly.

The annual dues that members pay go to the Association. The Foundation is funded by donations, including voluntary contributions most members make when they pay their dues, and grants. But grants are unreliable, and that $20 contribution to the Foundation when you pay your Association dues goes only so far.

We've all seen movies where someone is in financial need and the community passes the hat, literally using an upturned hat that ends up overflowing with cash. This year the Baton Rouge Bar Foundation is figuratively passing the hat to its members in the form of pledge cards for our Capital Campaign. Those cards, which you should have received in December, give you the option of contributing to one of our fine youth-education programs or to our Pro Bono Project. You may also designate that your contribution be applied to technology improvements. If no designation is made, the donation will go to our general fund.

If you've misplaced your pledge card, call Meredith French at 225-344-4803 or email her at meredith@brba.org and we'll get another one to you, pronto. Or bring your check payable to the BRBF to the March bar luncheon and deposit it in the upturned hat you'll find there.

In keeping with my theme of work/life balance, you’ll find some stress relief at the March bar luncheon, our annual joint luncheon with the Louis A. Martinet Legal Society and the Baton Rouge Association of Women Attorneys. You’ve all heard the adage, “Laughter is the best medicine.” The bar luncheon’s speaker, Jackie Nash, will provide a dose of that great medicine. If you’ve never heard Jackie speak, you’re in for a treat.

I also encourage everyone to wear a hat to the luncheon, which should bring a little more stress relief. Some people think hats are silly or frivolous and laugh when they see someone wearing one. To me, hats are no laughing matter. Wearing a hat makes me smile. Whether you love hats or think they are silly, a room full of hatted people is bound to make you smile.

Maybe you have a hat that you’ve never worn lurking in the back of a closet. If you’ve been waiting for the perfect opportunity to wear it, here it is! Wear that hat to the bar luncheon on March 1. You may make yourself look fabulous, you may make someone else smile, or both.
Black History Month is an annual celebration of achievements by Black Americans and a time for recognizing the central role of African Americans in United States history. The event grew out of “Negro History Week,” the brainchild of noted historian Carter G. Woodson and other prominent African Americans. Since 1976, every U.S. president has officially designated the month of February as Black History Month.

The story of Black History Month began in 1915, half a century after the Thirteenth Amendment abolished slavery in the United States. That September, the Harvard-trained historian Carter G. Woodson founded the Association for the Study of Negro Life and History (ASNLH), an organization dedicated to researching and promoting achievements by Black Americans and other peoples of African descent. Known today as the Association for the Study of African American Life and History (ASALH), the group sponsored a national Negro History week in 1926, choosing the second week of February to coincide with the birthdays of Abraham Lincoln and Frederick Douglass. The event inspired schools and communities nationwide to organize local celebrations, establish history clubs and host performances and lectures.

President Gerald R. Ford officially recognized Black History Month in 1976, calling upon the public to “seize the opportunity to honor the too-often neglected accomplishments of black Americans in every area of endeavor throughout our history.” Since then, every American president has designated February as Black History Month and endorsed a specific theme.

Sounds real nice, doesn’t it?
Well, it wasn’t so easy back in the very-segregated Baton Rouge of the Fifties.

In 1953, before Rosa Parks refused to give up her seat on a bus in Montgomery, Ala., led by a handful of determined young men and women, many African American citizens in Baton Rouge led a quiet revolt. Nearly three years before the famous bus boycott in Montgomery paralyzed that city and captured national attention, the citizens of Baton Rouge organized the nation’s first large-scale boycott challenging segregation. The city’s Black residents pulled together in solidarity to make the boycott effective, organizing an intricate carpool system. In just eight days they brought the city’s bus system to its knees. This boycott would become a defining moment in the birth of America’s struggle over civil rights. In years to come, lessons about the boycott’s successes and failures would provide momentum for the social revolution igniting throughout the South. Until recently, this compelling story had been largely overlooked by historians.

According to internationally known civil rights historian Dr. Adam Fairclough, “The Baton Rouge protest pioneered many of the techniques that became standard practice in the civil rights movement of the late 1950s and 1960s: mass non-violent protest, the leadership of Baptist ministers and the foundation of alternative transportation systems.” This peaceful boycott proved to be a surprisingly powerful and disarming weapon in the face of such a basic injustice.

As Baton Rouge boycott leader Rev. T.J. Jemison put it, “I think our contribution said to Martin Luther King in Montgomery that it could be done, because we had done it. I think it gave them the feeling that it could happen, because we had done it.”

Regardless of whether the Baton Rouge bus boycott is viewed as a success or failure, the boycott’s impact on the larger civil rights movement is indisputable. Not only did the boycott provide proof that African Americans could take a brave, unified, and peaceful stand against segregation, it also brought to light a specific, yet fundamental inequity suffered by most Black Southerners, paying the same bus fare as whites, but having to stand up over empty seats, simply because they were black. It seems an obvious place to start, but it was not at the time.

For more information on the historic Baton Rouge Boycott, see “Signpost to Freedom: The 1953 Baton Rouge Bus Boycott” – a one-hour PBS documentary that recounts the circumstances and events that led to the nation’s first large-scale boycott protesting segregation and then examines its impact on the evolution of grassroots civil rights activism across the country during the early years of America’s Civil Rights Movement.

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**BRBA to hold a total of five luncheons in 2012**

Although there will be no February bar luncheon, a total of five luncheons will be held in 2012, which include (1) the already past Jan. 12 luncheon as well as luncheons taking place on (2) March 1; (3) June 14; (4) Sept. 12 (Law Expo); and (5) Dec. 6. All luncheons, other than the September luncheon, will be held at De La Ronde Hall, 320 Third Street. The next bar luncheon, March 1, will take place at De La Ronde Hall at 11:45 a.m. The featured speaker will be Jackie Nash of Southern University Law Center. Everyone is invited to wear a hat! In addition, the next luncheon will be a combined meeting of the BRBA, BRAWA and Louis A. Martinet Legal Society.
Father knows budget

This particular life’s lesson began last summer when your trusty reporter flew down to south Florida for a weekend visit with his 91-year-old father. As was my custom, I flew into the Ft. Lauderdale airport and rented my car at the Budget terminal (great AARP rates, for those of you in your golden years). Wise lawyer that I am, I used my ABA-issued Visa card to rent the wheels, which as most of you know comes with a nifty automatic “collision deductible waiver” feature. Thenceforth, I routinely declined all of Budget’s pricey collision/liability riders.

Off I went on my 15-mile drive from the airport to my father’s driveway in Pompano Beach. Oh, did I mention that one purpose of the visit was to consort with my sister, who lives across the yard from him, about tactfully having “the talk” that it’s time to quit driving? As further background, please know that my father is from the “old school” of driving. He learned on stick shifts, and even when automatic transmissions came into vogue, he insisted on using both feet to drive — one on the accelerator, one on the brake. He continually bragged about how this gave him “more control” over his Buicks. This also gave him a sizeable and recurring bill at the forever grateful Sears brake repair facility. Did I mention that in the two months prior to my visit he had been involved in a couple of “incidents,” one of which involved almost crossing over a median?

“The talk” went well enough, with Dad agreeing to think about giving up his license on his next birthday in February. Mission basically accomplished. By the way, because of my sister’s pathologically accommodating personality, I found that all weekend I was chauffeured anywhere we wanted or needed to go, although my father tended to opt for the comfort of his backyard or his den with the TV always at jet-engine decibels, featuring old westerns or “Deal or No Deal.”

Soon it came time to bid farewell, with my departing flight scheduled for Monday morning. Because my father awakens at ungodly hours most mornings to drive to the local hospital, where he has volunteered his time for more
than a decade, we said our goodbyes on Sunday night as I retired to his spare bedroom. I awakened the next morning, and as expected, he was already gone. I went to get into my rental, which was parked waaaaaaay to the side of his carport, when to my utter dismay I noticed a rather sizeable dent on my front driver's side fender.

How does one turn in his own father? No sense in confronting him about this. I was certain his hit-and-run incident had gone totally unnoticed as he pulled away, undoubtedly with his radio blaring on a Cuban station. My first pathetic thought, as I spotted a garden hose next to the carport, was to hose down the rental. Maybe the beads of water would act to hide the damage? I am not proud of this, dear reader(s).

Then I hurried back to the Lauderdale rental terminal, doing my best to act like Joe Cool as I quickly turned in my wheels. Busted! The Budget employee who checked me in immediately noticed the dent and asked me questions I could not answer. After slashing through most of the categories, I wrote, “I deny that any accident occurred. I drove the car round trip from FLL airport only and kept it parked next to my father's driveway (total mileage 30 miles).” I signed the form, secure in the notion that my ABA Visa card would come to the rescue and that I would not snitch on my Number One Suspect.

A month or so later, I received a form letter from the Budget Vehicle Damage Control Department requesting that I provide them with additional information about the facts of the accident. In the form provided I directed them to take it up with my collision deductible-indemnifying ABA-sponsored Visa provider, adding that, “I can only conclude that the rental was the subject of a hit-and-run driver, who struck it while parked outside my father's home.” Accurate, tactful and ever-merciful to my father.

A month or so after that, I received the identical form letter from Budget. I photocopied my last month's response and returned it with a “see attached” notation. Then the plot thickened. In mid-October I received a letter from the Budget Vehicle Damage Claims Department requesting that I provide them with additional information about the facts of the accident. In the form provided I directed them to take it up with my collision deductible-indemnifying ABA-sponsored Visa provider, adding that, “I can only conclude that the rental was the subject of a hit-and-run driver, who struck it while parked outside my father's home.” Accurate, tactful and ever-merciful to my father.

A month or so after that, I received the identical form letter from Budget. I photocopied my last month's response and returned it to them with a “see attached” notation.

Then the plot thickened. In mid-October I received a letter from the Budget Vehicle Damage Claims Department signed by “Budget Fastrack” (suspected alias), providing me for the first time with an amount and itemization of the claimed property damage (almost $1,000, which of course is the amount of my collision deductible), and further castigating me for declining their loss damage waiver. They further demanded that I make immediate payment arrangements. That very day I provided my ABA-Visa provider with the details of the Budget claim. I was dutifully informed that (good news) I did have collision deductible benefits, but (bad news) I was untimely in making a claim, since Visa must be notified within 45 days of the incident. My lawyerly follow-up letter to Visa, arguing there was nothing to report until I was advised by Budget some three months after the incident that (a) they were in fact making a claim and (b) the amount thereof, was summarily and bureaucratically ignored. My Plan B letter to Budget, arguing passionately that their own untimely adjustment and notification of the damage had impaired my contractual rights against Visa, produced similar bureaucratic denial.

As Abe Lincoln once sagely pronounced, “A lawyer's time is his stock in trade.” By now I had spent multiples of potential hourly fees compared to the amount it would have taken to pay off the claim in its entirety. So I resorted to Plan C. I called the 800-number of the Budget Damage Claims Department, hoping to speak to an actual living and breathing human being who would consider the equities of my plight. No, I did not ask to speak to “Mr. Fastrack.” After several holds and transfers I was connected with “Edeek,” and after I identified my claim number, he addressed me as “Weencent,” ample proof that I had been outsourced to Mumbai or Bangladesh or some such.

By now, you should know the rest of the story. My cogent and impeccable arguments were met with more lecturing about declining the Budget loss damage waiver, followed by the declaration that I owed the full amount – but that Budget “would work with me” to reach an acceptable and timely solution. In our subsequent brief negotiation, I considered casually mentioning to “Edeek” that I had watched “Gandhi” at least twice, and that curry is indeed the nectar of the gods. Ultimately, he accepted 60 percent.

Of course, I charged the amount with my ABA-sponsored Visa card. To make a very long story short, not one, but two lessons were learned in this ordeal. First, park around the block from any driving parent aged 90 or older. Second, if you ever have a collision “incident,” let Visa know within 45 days, whether or not you hope it will simply go away.
To paraphrase, in an ecumenical moment, a verse from Form C of Rite II of the Anglican Mass, “O Lord, from the primal elements, you brought forth the human race and endowed us with memory, reason and skill.” We celebrate those gifts through the life of our friend Professor Warren Mengis, who exemplified the highest aspirations of the legal profession and who devoted his use of that miracle of memory, reason, and skill to God’s service and to the service of his fellow men and women. He dedicated his active life to the service of his family, his church, his country, his clients, his community, his profession, his law school and his students.

Professor Mengis was truly a “man for all seasons” in the tradition of Saint Thomas More, a tradition my colleague Warren surely admired. Warren’s career and his devotion to duty and to high moral principles reflect those same values. Warren served his country during World War II and during the Korean War. When duty called, Warren was unafraid to answer despite the great personal sacrifices that were inevitably involved.

Warren went on to practice law with his good friend Luther Cole and others for more than 32 years. He was a highly respected member of the bar and mastered a practice that presented him with an enormous variety of legal issues. Warren in a very real sense symbolizes what we like to think of as the model of the lawyer of that era – counselor, advisor, model of ethical behavior, mentor to younger lawyers, and a civic leader who shared generously of his time in civic and religious organizations, like the Lions Club and the Knights of Columbus. Warren was a devoted father, brother, son, husband – and friend. He loved his family and his friends – and was loved by them. Warren was a man who appreciated frugality and efficiency – no wasted space, no wasted time, no wasted efforts and no wasted words. He taught Legal Profession as an adjunct for many years prior to engaging in full-time teaching. He was a leader in the field of “lawyer ethics” and active in the bar association’s “professional responsibility” committees.

Warren didn’t just teach legal ethics and professionalism; he lived legal ethics and professionalism. He represented the finest qualities our profession aspires to achieve.

Warren was a great teacher - after joining the faculty on a full-time basis, Warren won the favorite professor award so often the students stopped giving the award. He was known affectionately as “The People’s Professor” – a recognition of his unique ability to blend practice and theory. I always loved to tell him how many seconds, not minutes, it took for his classes to reach the maximum registration numbers. When the “waiting lists” grew, he never hesitated to accept in his classes as many students as wanted to enroll. He and I joked about the fact that if he were paid by the number of student credit hours, he would be the highest paid member of the LSU faculty.

Warren was a fine lawyer, a fine colleague and a fine teacher. He never hesitated to give the benefit of his expertise to any who sought his advice, and his encyclopedic knowledge of the law in the wide variety of areas in which he practiced or taught made him very sought after by judges, lawyers, colleagues, and, of course, his students, past and present. We miss you, Warren.

First, let me begin by revealing my editorial bias toward one of the authors, Rachel Emanuel. Rachel has been a hard-working member of the Publications Committee of the BRBA for many years.

Having said that, let me suggest to the reader that this is an excellent, well-written and well-documented book that chronicles the legal career of New Orleans lawyer A.P. Tureaud, a 1925 Howard Law School graduate who spent his life in the pursuit of civil rights for everyone. He was the local lawyer on numerous NAACP lawsuits spanning 50 years, and he successfully secured voting rights and forced the integration of public schools and public facilities and accommodations. As Tureaud stated, “I started out with NAACP work from the very first day I was admitted to practice law.”

Not only does this book chronicle his legal career and service to the bar, it encompasses his community work as an organizer of civic and voting leagues, his leadership in race relations, his work within the Democratic and Republican parties and his candidacy for the United States Congress.

The book provides a glimpse of what it was like for a lawyer to take on a very unpopular cause in his own home town. As stated at the time by future Supreme Court Justice Thurgood Marshall, “You know, he’s putting his life on the line. We’re getting the next plane out of here, but he has to stay here and face whatever reprisals there might be for our activity.”

Much of the book is devoted to his work in securing desegregation of the various school systems in the State of Louisiana, and, concomitantly, the work that had to be done while desegregation was being implemented. The story reveals what was done by the man in the trenches. It keenly shows the value of a court system that was indispensible to the civil rights effort.

Perhaps the most poignant part of the book is following one truly remarkable family from its beginning in France in 1764, through the travails of being the family of a Black civil rights leader in New Orleans during the most important and dangerous years of the civil rights movement, peeking into New Orleans Black society, and culminating with A.P. Tureaud’s death in 1972 at the age of 72.

The book is a great read and will be an asset to your bookshelf.
When our plane touched down at the Jose Marti International Airport, the passengers on the plane broke out in applause, as passengers on flights to certain parts of Latin America are wont to do. I could not help but smile and applaud along with them because here I was, in Cuba.

On Nov. 20, 2011, I, along with my colleague Stanley Halpin and 12 other attorneys, students and professionals from around the country, traveled to Cuba to learn about the Cuban legal system.1 During the 10-day delegation, we met formally with law professors, law students, lawyers, judges, legislators, economists, authors, activists, doctors and farmers. Informally, we had fantastic conversations with cab drivers, venders, musicians, bartenders and the coaches and players from a little league baseball team.

While travel to Cuba is still heavily regulated, this past year President Obama made it a bit easier for American citizens with an interest in Cuba to visit when he revived the People-to-People licenses that had been discontinued under President George W. Bush.2 Groups and organizations that qualify for People-to-People licenses can travel to Cuba as long as each traveler in the group participates in full-time educational exchange activities. We traveled with the organization Witness for Peace and were hosted in country by the Dr. Martin Luther King Jr. Memorial Center in Havana.3

The full-time educational exchange schedule was packed with meetings and historical and cultural tours. As the focus of the delegation was on the Cuban legal system, professors, authors and economists explained the evolution of that system, which has been heavily influenced by Roman law and the Spanish Civil Code. In fact, the Cuban Civil Code celebrates its 25th anniversary this summer. The speakers also outlined the significant political, economic and social changes that have been proposed and are starting to take place. These changes, precipitated by an economic crisis caused by a combination of Cuba’s bureaucratic centralized economy, the international economic crisis, devastating hurricanes and the blockade, suggest a move toward a more market-friendly economy. For example, 10 days before we arrived in Cuba, restrictions on buying and selling private property – namely homes – had been significantly modified.4 This followed changes a month earlier that eased the restrictions on the buying and selling of vehicles.5

Other proposed changes, such as reducing the number of state workers, have been postponed,6 but we saw plenty of evidence that small, private businesses are starting to open throughout Havana. In fact, we lunched at a privately owned restaurant, and when walking through the more touristy parts of Havana, we were often stopped and implored to dine in restaurants Cubans were opening in their homes.

In addition to learning what we could about the Cuban legal system, we also got to see a part of it in
action when we sat in on a criminal trial at the Provincial Court of the City of Havana. The defendants in the case had been accused of misappropriation of property. At the beginning of the trial, which used an inquisitorial system of criminal procedure, one of the defendants stood before the judges; the defense attorneys sat at his right and the prosecutors at his left. The defendant started with a rambling opening statement. After the statement, the judges and attorneys asked questions. The defendant remained standing the entire time, never once conferring with the defense attorneys. At the Provincial Level, the case was heard by five judges, three professional judges and two lay judges. Lay judges are appointed for a short period of time. They are not legally trained, but with the professional judges, they investigate and preside over the cases. Their role was often compared to that of a juror in our adversarial system.

One of the highlights of my trip was our visit to the University of Havana and the meetings with law students. The law students, like my students at the time, were getting ready for examinations. They carried around dog-eared and highlighted Civil, Criminal and Family Codes. Law school, as it is in many Latin American countries, is a five-year undergraduate degree program. Upon graduation, students are placed for their two years of community service, a repayment, of sorts, for their free education. After that time, they are free to change jobs. When I asked what frustrated them the most about law school, they complained, like I am sure some of my students do, about too much reading, long-winded professors and too many required courses. They also expressed frustration with the lack of materials and the crumbling infrastructure. Students often have to share books, and because the Internet is so slow, when it is even working, students regularly use their monthly allowance before they can find the information that they need.

Outside of Cuba’s legal community, we spent time at a rural health clinic and learned about Cuba’s preventive and holistic approach to health care. We met with a family farmer and with the board of a large agricultural cooperative. The farmers, who benefited from a number of recent agricultural reforms, seemed to be doing better economically than anyone else we met in Cuba. As one of the tobacco farmers put it, “We had a very good year!”

Throughout this trip, I found the Cubans that we interacted with open and inviting. In our formal meetings, we often, as was expected, heard the party line about political rights and access to information, but I also found this to be true when we visited our own government officials at the U.S. Interest Section. The Cubans that I met on the street, and our speakers who were not closely aligned with the Communist party, freely shared stories about what they loved and what frustrated them most about Cuba. Most openly called for some economic reforms and greater access to information via the Internet, as well as an end to the United States embargo, which is called a blockade in Cuba because of its far-reaching policies. Cubans want to see an increase in their salaries, which average at 400 pesos, or $20, per month, and an end to the shortage of goods in stores. At the same time, few are willing to give up the strong social safety net that provides a good education, healthcare and basic foodstuffs.

Cuba is a complicated country, but it is a country worth knowing, which is why the opportunity afforded by a delegation like this is hard to beat. The exchange of ideas and information is a good thing because it benefits everyone involved.

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1 This trip was not sponsored or paid for by the Southern University Law Center.
ATB: First, tell me a little bit about your background and your family.

JKTT: I grew up in Shreveport. I moved to Baton Rouge when I was a junior in high school and finished high school at Robert E. Lee. I am married with one daughter, Colleen, who is nine years old. I have three stepsons. My husband is not a lawyer. He is a jack of all trades, although he did go to law school for a little while. Colleen goes to the LSU Lab School and is in the third grade.

ATB: What about your education?

JKTT: I went to Southern [University] for undergrad, and I also spent some time at Hampton University in Virginia. I finished at Southern with an accounting degree. I was in the accounting field for seven years. I worked for an unemployment insurance company. I was also the office manager for a Louisiana Congressman in D.C. I lived there for two and a half years. It was a great chance to live in D.C. and still have a Louisiana connection. I then decided to come back to Louisiana and go to LSU Law School.

ATB: What made you decide to go to law school?

JKTT: I was encouraged to go to law school since undergrad by my dad. I have a cousin in Shreveport who practices, but he is the only lawyer in my family. He’s older and was definitely an inspiration. I love to read and was very interested in the law, and I also figured out that accounting was not for me. I enjoy being around people more than crunching numbers. It was a later-in-life career change. Professor Maraist taught my first class during my first year of law school. I still remember, “That dog won’t hunt.” I also have a younger sister and a brother who followed in my footsteps and went to law school.

ATB: Tell me about your professional path before you became a judge.

JKTT: While in law school, I worked for the Attorney General’s Office in the Civil Rights section, which was very interesting. I was hired by the D.A.’s office after law school. There, I did all criminal work and I loved it. I was assigned to Judge Bonnie Jackson’s courtroom. It was there that I said, “I can do this. I would love to be a judge.” Judge Jackson was a real inspiration, and she was very knowledgeable about what both sides ought to do. For new prosecutors, when she ruled against you, she would use that as a teaching moment: “This is why you lost.” It helped me become a better attorney. I want to reach out to other young attorneys the way she did in her courtroom. After I worked as a D.A. for about three years, I had my daughter. At that point, I went into private practice, which included more transactional work. I also had my real estate license before law school. After law school, I got my broker’s license and worked as an associate broker.

ATB: So what brought you to this particular position at Baton Rouge City Court, and what was it like campaigning?

JKTT: Judge Trudy White had run for a district court seat in 2008, and she won. It is fairly rare that a seat is not occupied by an incumbent. It was an opportunity for a new person to be elected, and this was my opportunity to go forward. I ran in 2009. There were five other candidates, and I won in the primary. The campaigning experience was long and hard, but I loved it. I knocked on so many doors and had the opportunity to meet so many people. I started getting out there in October or November 2008, meeting people and letting them know I was going to run. It was a busy eight months. The election was scheduled for March, but the date was pushed back until May 2. I distributed hundreds of signs, if not thousands. I handed out thousands of push cards. When I went from door to door, so many people were friendly and encouraging, and that is what kept me going. I made a few speeches at a prayer breakfast and churches. But the biggest thing was getting people out to vote.
ATB: What is a week like as a City Court judge?

JKTT: I can’t do private practice as a Baton Rouge City Court judge, although I know that some cities allow that. Here, I have a very busy schedule. I have two weeks of criminal; one week of civil; one week of arraignments; and then one week of duty. When on criminal, I see hundreds of people during the week. Duty is the busiest week. This is when I handle jail callout, bonds, evictions, small claims trials and civil rule days.

ATB: What is it like being a judge versus being in private practice?

JKTT: I come in contact with a lot more people. I see attorneys from different perspectives and am able to see where both sides come from. I also see some very interesting lawyering. For criminal trials, the day of the trial is the first day I see or know anything about the case. I may have 75 matters set on any given day during criminal and you don’t actually know what will go to trial until 5 minutes before the trial starts. Unlike civil, the judge is not able to review the file beforehand.

ATB: What do you like best about your job?

JKTT: Having an opportunity to come in contact with so many people. I enjoy criminal the most. It is interesting. It is also what I’m most experienced in, so I guess I have a level of comfort there.

ATB: What was the biggest surprise, and what is the job like compared to what you expected?

JKTT: It has exceeded my expectations. I tell people all the time I am so glad that I ran, but I am even happier that I won. It is so fulfilling. You do get an opportunity to connect with some young people. You can see anybody in city court. Anyone can get a traffic ticket, so you’re not necessarily seeing hardened criminals. I pray I can say something to a person during our brief in court interaction that can make a positive impact on the direction their life is going. I get a chance to say, “You made this mistake; you’re here today; but you don’t ever have to see the inside of this courthouse again as a defendant.” That’s what I like about it – the opportunity to encourage positive decision making and continuous self improvement.

ATB: What is your schedule like being a mother and a wife?

JKTT: The great thing about working here is that court
does not start until 9 a.m. most weeks. That allows me to bring my daughter to school every morning, and I am able to pick her up most afternoons from after-school care. I am out of here at a decent hour. After the courtroom work, I have civil files to handle and lots of signing to do, but then I can leave. It is a great job for a mother, especially compared to private practice.

**ATB: What is your advice for women trying to balance working and being a mother?**

**JKTT:** It is challenging. And I’m one that really tries to do it all. Because you try to get kids to school, you come to work, do your job, have dinner prepared. And balancing it all can be difficult. We are also very active in our church, and we spend a lot of time there participating in various things. You have to pray. You have to take time for yourself; that is critical. Because if you’re not reasonably balanced and happy, it is hard to make everyone else happy. It’s a juggling act. Some days you just have to say, “I’m not cooking today. If I’m spending two and a half hours in the kitchen, I’m going to be a grouchy mom.” Take some pressures off of yourself. Everything does not have to be perfect. That is what I’m learning. The way life was as a single person without a husband and kids is not the way it’s going to be with a husband and kids and working outside of the home. The pressures build, and that is why you have to put the high expectations on things that are not very important. It’s more important to spend time with your family with a smile on your face. Somebody gave me advice when I first had my daughter, Colleen. She said, you have to fit her into your schedule. The things you enjoy doing let her do them with you, as opposed to cutting out all the things you love to do.

**ATB: I know you are part of a lot of organizations. Tell me what is near and dear to your heart.**

**JKTT:** I would say that the nearest to my heart is my church, Mount Zion First Baptist. I am the Christian Education Director. Since joining three years ago, I’ve been very involved with various activities, so being appointed the director has been working out. Our church is really big on the principle that your kids should be involved in a lot, so when you are there, the kids are there.

I have also been active in the Junior League of Baton Rouge for the past six years. My placement is The Little Bookshelf. Our focus is to educate and motivate new parents on the importance of literacy. We provide them with a book a month for the first year of their child’s life. I have really enjoyed the community placements in Junior League. I am also a member of Jack and Jill, which is an organization with a big focus on family. I am also active with my college sorority, Alpha Kappa Alpha. So last night, I had a sorority meeting, I had something going on at church, and it was Colleen’s first night before she went back to school. It’s always something. That’s what keeps life interesting.

**ATB: You are clearly a very busy lady. What do you do for fun?**

**JKTT:** I love to read. I just finished the *Battle Hymn of the Tiger Mother* by Amy Chua. I am now reading *Dessa Rose*. I really enjoy historical fiction. We also like to travel, and we take Colleen almost always.

**ATB: Does Colleen want to be a lawyer?**

**JKTT:** Well, she wants to be a medical examiner or a lawyer. But medical examiner is pretty high on her list right now, so we will see.

**ATB: What would you consider the most challenging part of being a judge?**

**JKTT:** Making decisions that will sometimes negatively impact individuals’ lives. But knowing that I must follow the law.

**ATB: Was it intimidating when you first took on the job?**

**JKTT:** Oh yeah, it was. It is a big responsibility. That’s your job. If you are torn about a decision, you still have to make the decision. That’s what you’re in the position to do. You have to be clear about why you are doing something, and make people understand that this is the reason why and that there are consequences for your actions, whether civil or criminal. It can be tough sometimes. But it is worth it.

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The EASTER EGGSTRAVAGANZA COMMITTEE needs new committee members to attend its Feb. 16, 2012, meeting at the BRBA. In addition, the committee is collecting Easter eggs (pre-filled with candy and sealed) and already-made, pre-filled Easter baskets.

For collection deadline information, contact Carole at carole@brba.org or 225-214-5557.
Volunteer Committee holds social Feb. 16

The BRBA Volunteer Committee will hold its annual Volunteer reception at the Middleton Bar Center Thursday, Feb. 16, 2012, from 5:30 to 7 p.m. The theme for the social will be: “Volunteering is good for the heart.” Donna Lee and Loren Shanklin will co-chair the social.

Preceeding the social at 5:15 p.m., a one-hour Professionalism CLE seminar titled “Cultural Competence” will presented by Angela Allen-Bell. The CLE is free to anyone who signs up to volunteer for a future Volunteer Committee project or for the Pro Bono Project. Contact the BRBA at 225-344-4803 for more information.

Joint BRBA, BRAWA and Martinet Bar Luncheon to take place March 1 at De La Ronde Hall

The BRBA, the Baton Rouge Association of Women Attorneys (BRAWA) and the Louis A. Martinet Legal Society will hold their annual joint luncheon Thursday, March 1, 2012, at De La Ronde Hall. This month’s cover photo features the presidents of all three organizations. The guest speaker for the luncheon will be Southern University Law Center Professor Jackie Nash.

To register for the March bar luncheon, please go to www.BRBA.org, under EVENTS and select the March Bar Luncheon. BRBA members can register and pay online.

Mock Trial Competition to take place March 2 & 3

The BRBF Region III High School Mock Trial Competition is scheduled to take place March 2-3, 2012, at the 19th Judicial District Courthouse. Lauren Byrd Reed is the chair of the committee. If anyone is interested in volunteering to help with the competition, please contact Lynn Haynes, staff liaison to the Mock Trial Committee, at 225-214-5564 or lynn@brba.org.

Bench Bar 2012 to take place July 26-28

Make plans to attend the annual BRBA Bench Bar Conference, scheduled to take place at the Perdido Beach Resort in Orange Beach, Ala., July 26-28, 2012.

Musical entertainment at the conference will be provided by The Bucktown All-Stars, a nine-piece Rhythm and Blues band based in the New Orleans area. The group, which features a powerful four-piece horn section and was formed in May 1992, promises to be lots of fun! The chairman of the BRBA Bench Bar Conference 2012 is Patrick Broyles. This year’s conference is sure to be a kid-friendly, last hurrah before the start of a new school year.

For conference or sponsorship information, contact Ann K. Gregorie at 225-214-5563 or ann@brba.org.

Law Day event date changed to April 27, 2012

The BRBF Law Day activities have been rescheduled to Friday, April 27, 2012.

Donna Buuck, staff liaison to the Law Day Committee, should be contacted with any questions at 225-214-5556 or donna@brba.org.
Preston J. Castille Jr. (left) and Gail S. Stephenson (third from left) are photographed with November Bar Luncheon panelists. The luncheon, which took place Nov. 3, 2011, featured the topic of pro bono service.

Teen Court key players and volunteers were recognized during the Thursday, Dec. 1, 2011, bar luncheon. Photographed at De La Ronde Hall are (standing, L to R) Gail Grover, Grace Chenevert, Donna Buuck, Sgt. Antonya “C.C.” Coleman-Crump; (seated) Juana Chester and Shelbi White.

YLS Chair 2011 Amanda Stout presented the team of Kiss My Grits with the Best Grub award for this year’s Belly Up with the Bar competition. Accepting the award are (L to R) Lisa Gueniot Politz and Jennifer Racca.

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FBA (BR Chapter) Past President Jennifer Hataway, 2011 BRBA President Preston J. Castille Jr., and Carla T. Dillon attended the Dec. 6, 2011, Federal Court Swearing In Ceremony and FBA (BR Chapter) social held in the U.S. Federal Courthouse, Middle District of Louisiana.

Participants in the Dec. 6, 2011, Federal Court Swearing in Ceremony included (L to R) Elizabeth Adams, Erin Sayes and Druit Gremillion.

Darrel Papillion, a partner with Walters Papillion Thomas Cullens, LLC, presented at the Dec. 6, 2011, BRBA-sponsored CLE seminar titled, “Practicing Law in Baton Rouge.”

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West’s Jury Verdicts - Baton Rouge

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<td>Monetary damages</td>
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<tr>
<td>Breach of Contract</td>
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<tr>
<td>Labor &amp; Employment</td>
<td>Fractured pelvis; ruptured breast implants</td>
<td>Bench</td>
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<tr>
<td>Premises Liability</td>
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<td>Jury</td>
<td>$86,724</td>
</tr>
<tr>
<td>Vehicle Negligence</td>
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West’s Case of the Month

Slip, Fall by Shopper Costs Fashion Store, Insurer $22K
Hebert v. Hartford Ins. Co.

**TYPE OF CASE:**
Premises Liability • Slip/Trip & Fall
Premises Liability • Trip Over Object
Premises Liability • Retail & Other Business Properties
Negligence-Other
Insurance • Commercial Policy

**SPECIFIC LIABILITY:**
Shopper tripped over a box of merchandise, fell and was injured.

**GENERAL INJURY:**
Fractured pelvis; ruptured breast implants, requiring surgery; medical expenses

**COURT:** District Court of Louisiana, Nineteenth Judicial District, Parish of East Baton Rouge

**DOCKET/FILE NUMBER:**
568,072

**JUDGMENT:**
Plaintiff, $22,000.00

**JUDGMENT DATE:**
April 29, 2011

**JUDGE:**
Wilson Fields

**ATTORNEYS:**
Plaintiff: Richard S. Thomas, Thomas Law Firm, Baton Rouge

**TRIAL TYPE:**
Bench

**EXPERTS:**
Plaintiff: Michael Frenzel, safety consultant, Associated Safety Consultants, Baton Rouge
Defendants: Wilfred (Bill) Galardo, safety consultant, P & W Safety Consultants, Metairie

**BREAKDOWN OF AWARD:**
$12,000.00 to plaintiff for general damages
$10,000.00 to plaintiff for special damages

**SUMMARY OF FACTS:**
Debra Hebert said she was shopping at Cato’s Fashions, located on Walker South Road in Walker, La., April 29, 2008. Hebert reportedly was walking toward a display in the store and tripped over a box corner that was allegedly protruding out into the walkway.

Hebert apparently fell to the floor, fractured her pelvis and ruptured her breast implants.

Hebert filed a lawsuit against Hartford Insurance Company and the Cato Corporation, doing business as Cato’s Fashions, in the Nineteenth Judicial District Court for the Parish of East Baton Rouge. In her petition, the plaintiff alleged the defendants had failed to exercise proper maintenance and care of the store.

In particular, the plaintiff claimed the defendants were negligent in that they had failed to keep pathways clear, failed to identify and eliminate tripping hazards created by the box which was protruding from the display table, lacked proper maintenance, and had used a box that was partially hidden and sticking out into the aisle for storage and display items.

Hebert further asserted the defendants were negligent in their duties and care owed to her and were strictly liable for her injuries and damages due to the fall.

The plaintiff sought damages for her medical expenses, physical pain and suffering, psychological distress and suffering and loss of the quality of life.

The defendants generally denied the plaintiff’s allegations. They contended after she fell, Hebert finished her shopping and left without seeking immediate medical attention. The defendants further disputed the plaintiff’s claims for damages due to the fall. They asserted the sole cause of the accident was the plaintiff’s negligence and argued she had failed to mitigate her damages.

The matter proceeded to a bench trial before Judge Wilson Fields in January 2011. In a judgment signed April 29, 2011, the court found in favor of the plaintiff and against the defendants.

Hebert was awarded $12,000 in general damages and $10,000 in special damages. The defendants were ordered to pay all costs of court and to reimburse deposition fees/costs in the amount of $5,763.83.

**CASE CITE:** West’s J.V. La. Rep., Vol. 7, Iss. 4, p. 6 (2011); 2011 WL 4564070
PRO BONO PROJECT REPORT

We would like to thank all of our Pro Bono Project volunteers for their contributions during November. The Thirst for Justice solo practitioner volunteers were Miranda Connor, Scott Gaspard and Judge Melvin Shortess (Ret.).

Thirst for Justice volunteers practicing with firms were Mary Ann White, Shoves, Cali, Berthelot & Walsh, LLP; Bob Barton, Cyrus Greco, William Kaufman, Mike Parker, Skip Philips, Margaret Took, Bill Wilson, and Mac Womack, Taylor, Porter, Brooks & Phillips, LLP.

Students volunteering with Thirst for Justice were Justin Bello, LSU Law Center; and Eldon Dominique III and Jennifer Williams, Southern University Law Center.

Solo practitioners volunteering for Ask-A-Lawyer volunteering in November were Meredith Durham and Emily Ziober. Ask-A-Lawyer volunteers practicing with firms were Jim Austin, Adams and Reese; and Durward Casteel, Casteel & Associates.

Students volunteering for Ask-A-Lawyer were Nicole Edwards, Asha Green and David Kinsaul, Southern University Law Center.

The following volunteers accepted cases in November: Ross LeBlanc; Af Patterson; Lisa Leslie Boudreaux, Douens, Saffiotti & Boudreaux; Luke Thibodeaux, McKernan Law Firm; and Denise Vinet, Vinet & Day.

Interning with the Baton Rouge Bar Foundation were Denise Farrior, LSU Law Center; Oni Groves and Summer Miller, Southern University Law Center; and Ben McDonald.

Willis, Southern University Law Center; Ben McDonald and Lauren White assisted with the training session.

JUNIOR PARTNERS ACADEMY

On Nov. 17, third and fourth grade Junior Partners Academy students participated in the mock trial, “The State versus Jack Robinson.” Robert Ray portrayed a very animated Jack Robinson, defended zealously by Gail Adkins Grover. However, Kelly Balfour presented a strong case for the state, which resulted in a hung jury! Witnesses were portrayed by Melanie Fields, the lovely Harp, and Wendy Shea, the Ogre’s sad wife. Preston J. Castille Jr. presided over the trial and Sgt. Antonya Coleman-Crump served as bailiff. Barbara Baier served as the moderator.

LAWYER IN THE CLASSROOM

Ryan Brown, Jennifer Treadway Morris and Mary Roper participated in Career Day at Prescott Middle School Nov. 18, 2011.

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

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TEEN COURT REPORT

Erika Green, Matt Belser, Crystal French, Weldon Hill and Robert Ray served as judges and monitors for the November hearings. Amanda Darby, Ben McDonald and Savannah Steele served as jury monitors. If you are interested in volunteering, please contact Donna Buuck at 225-214-5556 or donna@brba.org.

Jeff Wittenbrink, Robert Ray and Trenisha Jackson conducted the November Teen Court training session. Savannah Steele and Alic’a Oliver, LSU Law Center; John
**February 2012**

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**Calendar of Events**

1. Law Day Committee meeting, 12 p.m.;
   Thirst for Justice, St. Vincent de Paul, 3-5 p.m.
2. Ask-A-Lawyer, Delmont Service Center, 9-11:30 a.m.;
   Thirst for Justice, St. Vincent de Paul, 3-5 p.m.
3. ABA Mid-Year Meeting in New Orleans
4. ABA Mid-Year Meeting in New Orleans
5. ABA Mid-Year Meeting in New Orleans
6. YLS Council Meeting, 12 p.m.;
   Operations & Finance Committee meeting, 3:30 p.m.;
   Executive Committee meeting, 4 p.m.
7. Pro Bono Committee meeting, 12 p.m.;
   Thirst for Justice, St. Vincent de Paul, 3-5 p.m.
8. Thirst for Justice, St. Vincent de Paul, 3-5 p.m.
9. Publications Committee meeting, 12 p.m.
10. Ask-A-Lawyer, Catholic Charities, 9-11:30 a.m.;
    Bench Bar Committee meeting, 12 p.m.
11. Board of Directors meeting, BRBA office, 5-5:30 p.m.
12. Thirst for Justice, St. Vincent de Paul, 3-5 p.m.
13. JPA presentations, Dalton Elementary, 8:30-11:30 a.m.;
14. Family Law Section meeting, 12 p.m.;
15. Easter Eggstravaganza Committee meeting, 12 p.m.;
16. Thirst for Justice, St. Vincent de Paul, 3-5 p.m.
17. CLE on Cultural Competence, 4:15-5:15 p.m.;
18. Speaker: Angela Allen-Bell;
19. Volunteer Committee Social, 5:30-7 p.m.
20. Office Closed — Mardi Gras
21. Teen Court Committee meeting, 12 p.m.;
22. Thirst for Justice, St. Vincent de Paul, 3-5 p.m.
23. Thirst for Justice, St. Vincent de Paul, 3-5 p.m.
25. Law Expo Committee meeting, 12 p.m.
26. Thirst for Justice, St. Vincent de Paul, 3-5 p.m.
27. Thirst for Justice, St. Vincent de Paul, 3-5 p.m.

**Classifieds**

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BECOME INVOLVED & MAKE A DIFFERENCE:
Join one of the BRBF’s youth education-related committees and you can make a real difference in your community. The BRBF has several committees and projects to choose from, including helping with the annual high school Mock Trial Competition, the Law Day Activities, Teen Court of Greater Baton Rouge or the Junior Partners Academy. For more information about Mock Trial, contact Lynn Haynes at lynn@brba.org or 225-214-5564. For more information about our other youth education-related projects, contact Donna Buuck at donna@brba.org or 225-214-5564.

BECOME A PUBLISHED AUTHOR:
Submit a legal article to brba.org or 225-214-5556. Phone system in place and included. For more information, contact Meredith French at the Baton Rouge Bar Association: 225-344-4803.
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