



THE MAGAZINE OF THE BATON ROUGE BAR ASSOCIATION

THE BATON ROUGE LAWYER



Inside:

Book Review of *The Cemeteries of New Orleans: A Cultural History*

Service and Support Animals: What Are They and Where Can They Go?

The Changing Face of College Athletics: *O'Bannon* & the "Cost of Attendance"

Judicial Interview: Judge Tarvald Smith

**2018 BRBA President:
Linda Law Clark & her husband, Chris Clark**



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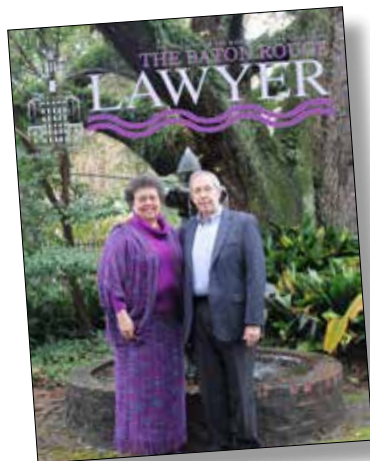
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On the cover:

BRBA President Linda Law Clark and her husband, Chris Clark. The BRBA's investiture of Linda Law Clark will take place on January 11 at the U.S. District Court, Middle District of Louisiana at 3 PM.

Cover photography by Landon T. Hester



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Newly elected BRBA President, Linda Law Clark, spent the holidays in New York City with her family.

contributors



Joseph J. Cefalu III is an associate with Breazeale, Sachse & Wilson, LLP, and an assistant editor of *The Baton Rouge Lawyer*.



Linda Law Clark is a partner in with DeCuir, Clark & Adams, LLP and the 2018 president of the Baton Rouge Bar Association.



Lamar Gardner is a solo practitioner and contributing writer.



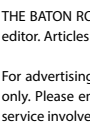
Landon T. Hester is the Communications Coordinator at the Baton Rouge Bar Association.



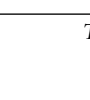
Dianne Irvine, a consultant on higher education policy and legal issues, is a member of the Publications Committee.



Karli Glascock Johnson, a partner in the Baton Rouge office of Kean Miller LLP, was the 2017 president of the Baton Rouge Bar Association.



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letter from the president

BY LINDA LAW CLARK

Consider Yourself One of Us!

As your new President, I am honored to take the lead in 2018 along with a diverse and talented Board of Directors in service to our association. As you may have noticed, the Baton Rouge Bar's publication has a new name as well — "*The Baton Rouge Lawyer*." Since I joined the BRBA in 1993 as an older "new" attorney, there have been many before now who spoke of the professional courtesies, honesty and fair dealing within our legal community that characterize "The Baton Rouge Lawyer." As a member of DeCuir, Clark and Adams, my partners and I strive to live up to that standard in our professional practice and have had the privilege of meeting many of you in our community who do so as well. The BRBA supports those professional standards.



Linda Law Clark

By way of further introduction, I am a wife of 46 years, a mother of two and a grandmother of four with a deep passion for Broadway musicals and gourmet cooking. I am also a serious wine aficionado. After joining the BRBA, my offering pro bono service and promoting access to justice for all were initiated by my mentor David Hamilton before his untimely death. All the activities above have a common thread as wines, cooking, musicals and public service provide a broad diverse experience for each participant. The Baton Rouge Bar Association and Foundation provide a range of experience options for its members as well. Public service programs, sport competitions, youth education projects, joint bench bar activities with the state and federal judiciary, CLE courses and multiple

holiday programs with and for our community await you.

This year I am reaching out to each person in our legal community to join our membership, increase our diversity and strengthen our profession. I am reaching out to all plaintiff and defense firms, in-house counsel, transactional and administrative law attorneys, trial lawyers, the civil and criminal bar practitioners, those who practice specialties such as family law, juvenile law, bankruptcy law and workers' comp, the judiciary, law school faculty and students and all who practice law. I am sure I missed a few, but we still need you! Our professional strength lies in our reputation in the community. Our diversity strengthens our association's reputation. If you are not a member, please join us. If your membership has lapsed, please renew — and if you have left for a reason that can be addressed, PLEASE share with us your concerns. Sharing views in the civil exchange of ideas can only better our association. As a legal family, our strength is only that of our parts — we are missing some parts and ask you to join us this year.

Won't you please join the Baton Rouge Bar Association and, if you have renewed or joined this year, won't you please get involved in this year's many events? We need you to speak up and speak out! As the cast of *Oliver* sings: "Consider yourself one of us. Consider yourself one of our family!" Won't you? ■

letters to the editor

No Longer Around the Bar

Around the Bar has been in existence since May 1985 when we went from a one-page (front and back) unnamed newsletter to the magazine it is today. Jim Toups was our President when this happened, and he named the publication *Around the Bar*. I was its first (and only) editor. Dramatic changes happened both to the publication and to the Baton Rouge Bar Association itself in these 30+ years. In 1985 our Association went to a new level and continues to do so.

One of the things we DIDN'T want to change was what it means to be a "Baton Rouge Lawyer." We were, and are, not like other lawyers in Louisiana, or anywhere else, for that matter. We have a long-standing respect for each other and we treat each other, and the courts, differently — the Baton Rouge Lawyer way. We practice differently here. In 1987, I wrote the article on the facing page. It was very well received. The article reflects who we are and how we hope to stay that way. It still does.

Over time, being "a Baton Rouge Lawyer" became a term of art: "Act like a Baton Rouge Lawyer," "He's not acting like a Baton Rouge Lawyer," or "a Baton Rouge Lawyer wouldn't do that."

It is such an iconic phrase that we have chosen to rename our publication "*The Baton Rouge Lawyer*." It will be a constant reminder of who we are, and who we aspire to be. The name itself sends a larger message. It's not just the name of our city: It's a culture of how we practice law and how we expect others to do so as well. It sends a message.

So as we "Baton Rouge Lawyers" start a new year, with a new masthead — "*The Baton Rouge Lawyer*" — we also plan to implement some changes to the publication itself. In the past we have always had ten issues each year, primarily because we had 10 bar luncheons to publicize. That has changed, so we will change, as well. We will now have six issues per year, but we will still preserve the quality of the magazine.

I have been the editor since 1985. I am very proud of our magazine. It, too, has changed a lot in 30+ years. While I plan to remain on the Publications Committee forever, I think it's time to change how we choose our editor. I have spoken to our Executive Director, and to our Board of Directors, and they have decided to make the Editorship of this publication a three-year position. The editor will be chosen by our Board with the advice of the members of the Publications Committee.

We hope you like the changes to your magazine. Please always try to be a Baton Rouge Lawyer and teach your colleagues, both younger and older than you, and, of course, those lawyers from other areas, what it means to be a Baton Rouge Lawyer.

- Ed Walters, *Editor*

Baton Rouge Bar Association,

Thank you so much for thinking about our clinic and patients for events throughout the year. Our patients and families had a blast at the recent fall fest Trunk or Treat. We appreciate the kindness.

- Children's Hospital Outpatient Center of Baton Rouge

OPENING OF COURT, MEMORIAL & NEW MEMBER CEREMONY

JAN. 24, 2018

**8 AM Registration - Ceremony begins at 8:30 AM
Courtroom 11A at the 19th Judicial District Court**

The following BRBA members passed away and will be eulogized in January:

William Ray "Bushie" Aaron
William Beck
J. Barrett Benton
Emmett Boudreaux
Chester Boyd
Judge James Brady
Leonard Cardenas
Lawrence Army "Larry" Durant
Bobby Lee Forrest
Holt Benton Harrison
Judge Bob Hester
David W. Price
Judge C. Lenton Sartain
E. Wade Shows
John Frederick "Jack" Sieberth
W.P. Wray
A.N. "Thanassi" Yiannopoulos

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

From Whence They Came...

As lawyers we should all be proud of the Baton Rouge legal community. We have many of the finest lawyers and judges in America right here in our city. One of the most important assets of the Baton Rouge legal community is the way that our lawyers have trust and respect for each other. This makes our quality of life in the practice of law far superior to that in other cities because lawyers treat each other as gentlemen and ladies.

But, of late, with the influx of new lawyers and new firms, trained to practice law in what may be the proper manner in another city, the gentlemanly nature of our law practice is eroding and there is a serious threat in the way that we have always done business in this city. I don't mean to single out any particular lawyers or firms but everyone knows who they are and from whence they came.

So in order to set forth for these new comers the *custom legem* in the Baton Rouge area I called around to a few lawyers and got a non-exhaustive list of "rules of thumb" for courteous Baton Rouge law practice for the people who are not familiar with how we do it here (and as a refresher for those of us who have forgotten).

1. Baton Rouge lawyers don't lie to each other or to the Court;
2. A Baton Rouge lawyer will not default another lawyer when he has been notified by telephone that the other lawyer will be representing a party in a case;
3. A Baton Rouge lawyer does not set up depositions without first coordinating the times and dates with the calendars of all other attorneys involved in the case;
4. A Baton Rouge lawyer will not file a Motion to Compel Discovery without first notifying the other lawyer that he is going to do so and without allowing the offending lawyer a chance to respond after being so notified;
5. Baton Rouge lawyers do not engage in

ex parte conversations with the Court;

6. When a Baton Rouge lawyer says he is going to do something or send you something, he does;

7. No written motions are required if a Baton Rouge lawyer gives you an extension of time (unless, of course, some official court rule requires it);

8. Baton Rouge lawyers are considerate to other lawyers, Judges, their secretaries, law clerks, court reporters and staff;

9. Baton Rouge lawyers realize that a lawyer's client is very precious to him and, as such, do not try to entice another lawyer's client away;

10. In Baton Rouge, unless otherwise stipulated, the defendants pay the court costs on settlements;

11. Baton Rouge lawyers do not file unnecessary pleadings just for the purpose of generating an attorney's fee;

12. Baton Rouge lawyers always return phone calls from other Baton Rouge lawyers (maybe late, but eventually).

The reason I have listed many of these "rules" is that in talking to other lawyers it appears that the art of verbal communication is disappearing.

While in some cases and with some lawyers there is often a need to do everything in writing, there is also a lot that can be done if we just attempt to communicate with each other in person or over the telephone. When it gets close to a trial date and the lawyers are actually communicating with each other, most cases settle. The reason is that the lawyers, in all probability, first started talking to each other at that point.

The friendly nature of law practice in the Baton Rouge area is a gift we all take for granted because it has been here for such a long time. But under present conditions if we don't play an active role in attempting to preserve it, it will be gone and our quality of life as lawyers will deteriorate.

Ed Walters

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AROUND THE BAR

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installation ceremony & reception


New bar leaders to be sworn in at the U. S. District Court for the Middle District of La.

The BRBA will hold an Installation Ceremony & Reception at 3 p.m. **Thursday, Jan. 11, 2018**, at the **U. S. District Court for the Middle District of Louisiana** in Courtroom 1 (third floor) of the Russell B. Long Federal Building and United States Courthouse, 777 Florida St. Chief U.S. District Judge Brian A. Jackson will preside over the ceremony.

Linda Law Clark will be sworn in as the 89th president of the BRBA. Additionally, the 2018 BRBA officers and directors-at-large, Young Lawyers Section officers and YLS Council members will be installed as well as officers of the Bankruptcy, Business/Corporate Law, Construction Law, Public Law Practice and Workers' Compensation sections.

During the ceremony, Karli Glascock Johnson will present President's Awards to several recipients. In addition, a member of the Young Lawyers Section will be honored with the Judge Joseph Keogh Award.

BRBA members and guests who RSVP can attend the installation ceremony and reception for free. **However, only the first 100 RSVPs will be honored, so please register today! Space is limited.**

Please RSVP to Kelsie Bourgeois by Monday, Jan. 8, 2018, at noon. Fax the form below to 225-344-4805 or email it to kelsie@brba.org. 

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RECEPTION — YES, register me for the **JANUARY INSTALLATION CEREMONY & RECEPTION** at the U. S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF LOUISIANA, 777 Florida St., which will take place THURSDAY, JAN. 11, 2018, at 3 p.m. at no cost for BRBA members and guests. **Only the first 100 RSVPs will be honored. SPACE IS LIMITED.** The installation ceremony will take place in Courtroom 1 on the third floor. **An RSVP to Kelsie Bourgeois at the BRBA is required by Monday, Jan. 8, 2018, at noon. Fax to 225-344-4805 or email to kelsie@brba.org.**

president's awards

BY KARLI GLASCOCK JOHNSON

Six individuals to be honored in January



MOORE



BOLLINGER



SCHILLAGE



PHILIPS



CHATELAIN



WILLIAMS

As outgoing president, it is important to recognize those individuals whose efforts in 2017 significantly furthered the goals and mission of the Baton Rouge Bar Association. This list does not include all of the acts of support, selflessness and contribution, so I apologize in advance for failing to highlight some of our special members, including all of our attorneys who take on countless pro bono cases.

The following are the recipients of the 2017 President's Awards:

- **HAYDEN MOORE & JORDAN BOLLINGER** — Hayden Moore and Jordan Bollinger chaired the 2017 Bench Bar Conference. Under their creative leadership, the committee offered 12.5 hours of CLE with interesting topics and speakers; hosted an awesome dinner and dance that continued the tradition of the president singing along with the band; explored a new venue — the Hilton Sandestin Beach Resort — and most importantly provided a valuable service to our members. For many years, the Bench Bar Conference has offered an opportunity for members of the bar to network with the judiciary in a relaxed setting. This year was no exception!
- **MICHAEL SCHILLAGE** — Under Michael's leadership, the 2017 Belly Up with the Bar fundraiser exceeded attendance, sponsorships and in-kind donation expectations. Michael met with the Louisiana Craft Brewers Guild and secured the donation of 15 varieties of craft beer for the Belly Up "beer garden," a fun new addition to the event. Michael strongly encouraged committee members to seek sponsorships and to donate bottles of wine for the popular wine basket raffle. He also coordinated event logistics and ended the evening

assisting with the unpleasant task of cleaning the area, carrying what seemed to be thousands of bags of trash to the trash pile.

- **HARRY J. "SKIP" PHILIPS** — Harry J. Philips a/k/a "The General" or "Skip," is the managing partner at Taylor Porter. And even though he is a busy professional, Skip has always been a true friend to the Baton Rouge Bar. He understands the importance of being involved in the local bar association and encourages younger attorneys to attend bar events, to join committees and to accept pro bono cases. More importantly, he leads by example and continues to be very active himself. By keeping his finger on the pulse of the legal community and making timely suggestions to bar leaders, Skip contributes to making us a better organization. Ultimately, Skip Philips epitomizes what it means to be a "Baton Rouge lawyer" and we thank him for his years of service to our association.

- **RENEE CHATELAIN & RICHARD WILLIAMS** — This dynamic duo coordinated the fabulous new fundraiser, Arts Judicata, held at the Arts Council in September. Renee and Richard, along with the enthusiastic committee and the Arts Council staff, coordinated the event showcasing the visual, musical and literary talents of 23 members of our legal community. The committee secured donations for all food and beverages offered to the guests. Artists donated half or more of the proceeds of the sale of their artwork to the Baton Rouge Bar Foundation.

I want to personally thank all of the President's Awards recipients for the special role each played in my year as president of this Association and Foundation. It is people like you who make the job both doable and enjoyable. ■



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

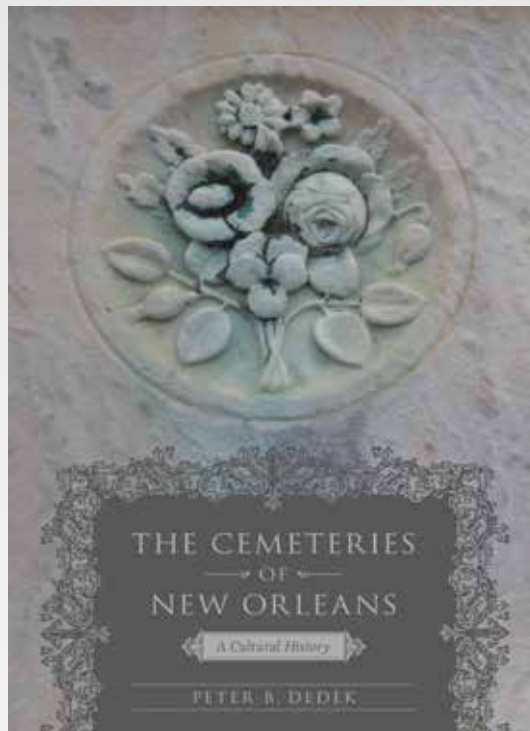
To find out more, contact Donna Buuck at 225-214-5556 or donna@brba.org
or R. Lynn Smith Haynes at 225-214-5564 or lynn@brba.org.

Book Review: The Cemeteries of New Orleans: A Cultural History

Peter Dedek, a history professor at Texas State University, has created a masterful review of New Orleans' storied (and some forgotten) cemeteries. As someone who works almost daily on matters related to Louisiana's cemeteries, I found it refreshing that Dedek began his book with a clear debunking of the popular myth that New Orleanians are buried above ground due to the high water table in the city. This notion so captures the public's imagination that it has been difficult to dislodge, and it was heartening to see an author tackle it head on. Dedek rightly asserts that the above-ground burial practices are a cultural tradition that represents a merging of European practices rather than an effort to keep the dead dry.

As further support for this reality, Dedek reminds readers that there are numerous in-ground cemeteries in New Orleans: many Jewish cemeteries, Holt Cemetery, Charity Cemetery and even the city's now obscured (by buildings on Rampart Street) first cemetery, St. Peter's Street Cemetery.

From a legal history perspective, what is particularly interesting about this book is the similarity between the development of the burial customs of New Orleans and the evolution of Louisiana's legal system. Although Dedek does not make this connection, it will be readily



apparent to anyone versed in the history of our profession. As with the legal tradition, the famous above-ground burial in New Orleans' cemeteries began largely as a cultural import from Spain (as well as the broader Mediterranean region and the Caribbean), but, due to its prominence, people often assume that this tradition (as with the Napoleonic Code in France and our own Civil Code) is an imitation of the later-established Père Lachaise in Paris.

Dedek's review of New Orleans' cemeteries represents a solidly researched primer on the development of the early city by following the travails and epidemics that led to the need for more and more burial grounds.

This history came into bold relief in Dedek's recounting of the early egalitarianism in New Orleans' cemeteries, where slaves, free people of color and whites were often buried in the same cemetery, a reflection of the more racially tolerant views of early New Orleans as compared to the rest of the South.

Because cemeteries often go hand-in-hand with religious beliefs, Dedek also reviews the unique melding of Catholicism, Protestantism and traditional African religious practices that occurred in early New Orleans and the impacts of these belief systems on burial customs as well as the implications for preservation of these sites.



Further paralleling the development of Louisiana's legal system, as common law concepts crept into our jurisprudence, the popularity of the American garden cemetery movement, typified by Mt. Auburn outside Boston, spurred the development of Metairie Cemetery in New Orleans. However, also as with our legal system, we put our own spin on the importation of the garden cemetery. Rather than having a lot of open space like Mt. Auburn and Brooklyn's Green-Wood Cemetery, Metairie retained the then-popular above-ground, often ostentatious tombs. There was simply a gaudiness that New Orleans could not shake.

Dedek rounds out his book with a review of the laws and logistics governing New Orleans cemeteries. This examination can easily be applied to the problems faced across Louisiana, as it covers problems with flooding, vandalism, theft and general deterioration. What is apparent from this book is that Louisiana, especially New

Orleans, depends on its cemeteries for things ranging from its general quirky identity to the tourism dollars that these spaces bring as a city attraction. It is also apparent that these spaces are threatened and that the efforts of law enforcement and nonprofit organizations to protect and preserve these historic sites is an investment not just in the protection of sacred sites, but also in the psychological and economic well-being of New Orleans.

Although narrowly focused on New Orleans' cemeteries, Peter Dedek's book is a fascinating and easy read. It engages specialists, but should also appeal to those with mere curiosity into the history of New Orleans' culturally iconic spaces. ■

WRITTEN BY RYAN M. SEIDEMANN




A Clearer Path



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Interview with City Court Judge Tarvald Smith

Born and raised in: Scotlandville community in Baton Rouge

Education: Scotlandville High School, 1988
Southern University, B.S., 1991 - Southern University Law Center, J.D., 1995.

TBRL: How has local government changed in Baton Rouge from the time you were in law school?

JTS: Since I was in law school, we've seen more diversity in local government. We've also seen improvement in certain areas of the community; however, some areas of the community have, for lack of a better word, been left behind.

TBRL: Explain your philosophy as it relates to public involvement or community service.

JTS: My philosophy is that if you are situated in a community, it should be incumbent upon you to work to improve it for the benefit of others. Most of my community involvement occurred when I served on the school board for 11 years prior to becoming a judge. When I was not engaged in resolving policy issues with the board, I got involved in the schools themselves, coaching and mentoring students. I think it is critically important for any community to foster the generation that is coming behind us.

TBRL: What type of law did you practice before taking the bench?

JTS: General practice, mainly a variety of personal injury and criminal defense. My career started when I joined the prosecutor's office back in 1996. I mainly prosecuted misdemeanors and some felonies. By the end of 1998, I accepted a position with the state Attorney General's office, where I worked in white collar crime and prosecuted Medicaid fraud cases. After I left the Attorney General's office in December 2002, I returned to general practice in a law firm. Toward the end of my practice, I was a public defender for the City of Baker, representing litigants mainly in misdemeanor cases.

TBRL: How do you typically handle stress?

JTS: (Laughs) I try not to let things stress me out, but occasionally I play golf to unwind. Also, simply spending time with my family or playing in my backyard with my dog is a great way to relieve stress.

TBRL: How would you describe your personal ethics?

JTS: I understand the role of a judge and the canons we abide by. We are expected to conduct ourselves in a certain manner not only on the bench, but also off. I try to uphold those canons and exhibit the characteristics expected of all elected officials, but especially of those expected from a member of the judiciary.

TBRL: Has there been a situation during your time on the bench where you had to support a legal position that conflicted with your personal beliefs? If so, could you tell us how you handled it?

JTS: I cannot recall specifically, as I have not been on the bench that long. What I can tell you, however, is that as judges, we must follow the law regardless of our personal beliefs. My philosophy is you must set aside whatever personal feelings you have and follow the law or get as close to the intent of the law as possible. This is my approach with each case that comes before me.

TBRL: Can you describe a workplace situation that has tested the limits of your patience and how you responded?

JTS: Sometimes, self-litigated cases will test your patience only because some litigants are not familiar with procedure. However, as a judge I am answerable to the public and must give the self-litigants their day in court and exercise a bit of patience.

TBRL: Could you tell us about your communication style in the courtroom?

JTS: One thing about sitting where I sit as a judge now is I have to realize that a lot of citizens, although they are familiar with court, may not be familiar with court procedure or some of the jargon that lawyers, judges, and court personnel use. I think I have a duty to communicate to citizens who come before me so they can have an understanding of what is going on. Also, I think advising them of their rights and how the court operates is important. Most of the time city court is a person's first encounter with the judiciary, and I want to make them feel as comfortable as necessary in going through whatever proceeding they have, be it criminal or civil.

TBRL: What factors are the most relevant to be considered

when hiring a law clerk?

JTS: Knowledge of the law and willingness to learn the practice. I don't think a law clerk knows everything that a practicing lawyer or member of the judiciary knows, but it's the willingness to learn the profession and competence that I would look for.

TBRL: What should be the relationship between city court judges and district court judges?

JTS: We have to have a working relationship to the extent that we are all members of this branch of government, although on different levels. The city level has concurrent jurisdiction on many matters that come before the district

court, so there must be open communication between the two. Sometimes we see the same defendants on different matters, and the sharing of information is vital. This is especially true in criminal matters as it relates to defendants who come before both bodies.

TBRL: How long is a judge able to sit on the bench in city court?

JTS: We have six-year terms, up to the age of 70. If you are 70, you are allowed to serve out that term, but in general it is a six-year term.

TBRL: Have you considered teaching at your alma mater at any point?

JTS: It's something that I would not mind doing at some point in my career. I think having practiced for 20 years and currently being a member of the bench, I would have lots of practical information as well as legal knowledge to share with aspiring lawyers. That said, it is something that I have considered.

TBRL: During your time as an attorney, or even as a judge currently, have you mentored any younger attorneys?

JTS: I have mentored young attorneys, and some of them are doing extremely well. I also try to mentor from the bench. What I mean is, if I have a trial I like to speak with attorneys about the issues post trial. This is not so much to offer advice, but just a general discussion of the case as a learning tool where a young attorney might make a mistake in court, but be able to improve his or her litigation skills from a conversation post trial.

TBRL: Last question. What advice do you have to offer law students who will graduate in May?

JTS: Be passionate about what you do and put forth all your effort in doing it. You went to law school for a reason; remember that reason and try to tap into it going forward. Hopefully, that reason is to help people. If so, run with it and do the best you can. The benefits will come. ■



INTERVIEW CONDUCTED BY
LAMAR GARDNER

MEDIATION AND ARBITRATION OF COMPLEX DISPUTES



Guy deLaup



Ross Foote



Phelps Gay



Thomas Hayes, III



Mike McKay



Pat Ottinger



Mike Patterson



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SERVICE AND SUPPORT ANIMALS: WHAT ARE THEY AND WHERE CAN THEY GO?

Sarah is a nine-year-old with autism who lives with her mother in public housing. She has a pit bull named Gus as an emotional-assistance animal. Gus has not undergone any special training for this role, but Sarah is extremely attached to him, and he is very protective of Sarah. Although Gus has never attacked anyone, neighbors with young children have complained that they are afraid for the safety of their children with this animal around. Can Sarah and her mom be forced to get rid of Gus or risk eviction if they keep him?

Individuals with disabilities may use service and support animals for a variety of reasons. Under the Americans with Disabilities Act (ADA),¹ state and local governments, businesses and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed. While the ADA entitles people with disabilities to bring “service animals” into public places, it does not address the use of comfort or emotional-support animals, also called emotion-assistance animals.

Under the ADA, a “service animal” is a dog or miniature horse² individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, psychiatric, sensory, intellectual or other mental disability.³ This definition does not limit or affect the broader definition of “assistance animal” under the Fair Housing Act or “service animal” under the Air Carrier Access Act (discussed below).

Service animals are working animals, not pets. The work or task that the animal has been trained to perform must be directly related to the person’s disability. Examples of the types of tasks they may perform include guiding a blind person, alerting and protecting a person having a seizure, pulling a wheelchair, calming a person with posttraumatic stress disorder during an anxiety attack or alerting a deaf person to sound or the presence of other people. The ADA requires that the service animal (1) remain under the handler’s control at all times and (2) be harnessed, leashed or tethered, unless this interferes with the animal’s work or the individual’s disability prevents this.

Not included in the ADA’s definition of service animals are comfort, emotional-assistance or therapy animals. In fact, the ADA is silent with regard to animals as appropriate or reasonable accommodations. Comfort or emotional-support animals may be used as part of a medical-treatment plan for a number of conditions, including depression, anxiety, certain phobias and autism. These animals, however, are not restricted to assisting persons with disabilities, are not limited to dogs and miniature horses, and do not have specialized training. Emotional-support or comfort animals have included everything from cats and dogs to snakes and chickens. Some state laws also specifically allow emotional-assistance animals in spaces otherwise restricted to service animals.

Because the ADA requires covered entities to provide reasonable accommodations for persons with disabilities, this affirmative duty may be viewed as requiring an employer or school to allow an emotional-support animal under some circumstances where the animal may serve as a reasonable accommodation for a disabled employee or student. For instance, in March 2017, the U.S. Equal Employment Opportunity Commission filed a complaint against a trucking company in a Florida federal court alleging that the employer wrongfully failed to accommodate a truck driver’s request to have his dog with him as an emotional-support accommodation while he drives his trucking routes.⁴ Other cases have involved emotional-support animals in college dormitories or other campus facilities.

Both service and emotional-assistance animals may be excluded if they pose an undue hardship to the entity or a direct threat to others. Also, the ADA does not require an organization to modify its policies, practices or procedures as part of an accommodation if it would “fundamentally alter” the nature of the goods, programs, activities or services it provides to the public.

The Fair Housing Act (FHA)⁵ protects individuals with disabilities from discrimination in obtaining housing, and requires landlords and homeowners’ associations to provide reasonable accommodations to those individuals. Under the FHA, a disability is defined as any emotional



or physical impairment that significantly limits a person's major life activities. Under the FHA, assistance animals are allowed in covered housing. Assistance animals are not restricted to dogs and miniature horses, but include any animal that works, assists and/or performs tasks for the benefit of a person with a disability or provides emotional support that improves the symptoms of a disability. Thus, an assistance or comfort animal that does not qualify as a service animal under the ADA may be covered under the FHA. This is the case in all types of dwellings, including dormitories, which are covered by the FHA. No special training is required for assistance animals. The emotional and/or physical benefits obtained from the animal living in the dwelling are what qualifies the animal as an assistance animal. All that is needed is a letter from a medical doctor or therapist to qualify the animal as an assistance animal. Housing entities may request documentation of a person's disability and/or a letter of support from a treating physician.⁶

The Air Carrier Access Act (ACAA)⁷ prohibits air carriers from discriminating against persons with disabilities and requires them to provide reasonable accommodations for such individuals. The ACAA encompasses a broader definition of service animals than the ADA, and includes both psychiatric-service and emotional-support animals. Under Department of Transportation regulations, air carriers must accept identification cards, other forms of written documentation, the presence of tags or harnesses, or other "credible verbal assurances of a qualified

individual with a disability using the animal." They may exclude certain "unusual" service animals (*e.g.*, snakes, other reptiles, ferrets, rodents or spiders) and determine "whether any factors preclude their traveling in the cabin as service animals" (*e.g.*, size of animal, threat to the health or safety of others, significant disruption of cabin service, or prohibition of entering a foreign country if that is the destination).⁸ Airports are covered by the ADA, but because they provide access to air carriers, emotional-support and psychiatric-service animals covered by the ACAA generally are allowed in airports.

Louisiana laws covering service animals may be found at R.S. 46:1951--1959. R.S. 46:1952 defines the term "service dog" as a dog trained as any of the following: (a) a hearing dog; (b) a guide dog; (c) a seizure-alert dog; (d) a mobility dog; (e) an autism-service dog; (f) a dog providing assistance during a medical crisis; or (g) a service dog providing assistance to persons, including veterans with traumatic brain injury or posttraumatic stress disorder.

Louisiana law generally provides similar protections to those found in the ADA. For example, Section 1953 provides for equal access to public places and accommodations, and for the right to be accompanied by a service dog. Section 1954 provides for full and equal access to housing accommodations. Section 1955 gives service-dog trainers and puppy raisers the same rights and privileges as persons with disabilities accompanied by service dogs. Penalties for violations of rights and

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injury or interference with a service dog are found in R.S. 46:1956. Additionally, R.S. 21:52 provides equal access to accommodations by a person with a physical disability “accompanied by a properly controlled dog which such person has been taught to use as a guide or for service.” R.S. 32:217 covers the use of white-tipped canes and guide dogs by pedestrians. R.S. 14:39 specifies that negligent injuring does not apply to “any guide or service dog trained at a qualified dog guide or service school who is accompanying any blind person, visually impaired person, deaf person, hearing impaired person, or person with any other physical disability who is using the dog as a guide or for service.” As is the case under the ADA, these state laws are silent as to the potential use of assistance animals as reasonable accommodations.

While the ADA and state laws entitle persons with disabilities to bring “service animals” into public places, many individuals are not aware of what animals the law covers. Consequently, there has been much confusion as to what constitutes a true “service animal,” in addition to instances in which individuals have taken advantage of the confusion by misrepresenting a pet or emotional-support animal as a “service animal.” As a result, several states have enacted laws prohibiting the intentional misrepresentation that an animal is a service animal for a person with a disability.⁹

The law is still evolving in this area as covered entities are

confronted with new and unique requests for service and support animals. Stay tuned. ■



WRITTEN BY DIANNE IRVINE

¹42 U.S.C. § 12101 et seq. Title II of the ADA covers state and local programs, activities and facilities. Title III covers places of public accommodation. Section 504 of the Rehabilitation Act covers federal facilities, programs and activities, as well as entities receiving federal funding. Title I of the ADA and Sections 501 and 504 of the Rehabilitation Act prohibit discrimination in employment. The ADA covers private employers with 15 or more employees, Section 501 covers federal entities, and Section 504 covers entities receiving federal funding. Students in public schools (K-12) are covered by the Individuals with Disabilities Education Act (IDEA), Section II of the ADA and Section 504 of the Rehabilitation Act. Title II and Section 504 cover students in public postsecondary institutions. Students in private schools that are not religiously affiliated are covered by Title III of the ADA and Section 504 if they receive federal funding.

²Miniature horses generally range in height from 24 to 34 inches and weigh between 70 and 100 pounds.

³See 28 C.F.R. Part 36. Also, some state statutes may define “service animal” more broadly and may allow individuals to take emotional-support animals into public places.

⁴*EEOC v. CRST International, Inc./CRST Expedited, Inc.*, 3:2017cv00241 (filed 03/07/17).

⁵42 U.S.C. § 3601 et seq.

⁶However, a doctor’s note does not turn a comfort or emotional-assistance animal into a service animal.

⁷49 U.S.C. § 41705.

⁸14 C.F.R. 382.117.

⁹Included among the states with such laws are Colorado, Michigan, Virginia, Florida and Maine.

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The Changing Face of College Athletics: *O'Bannon* and "Cost of Attendance"

On September 30, 2015, in *O'Bannon v. NCAA*, 802 F.3d 1049 (9th Cir. 2015), the United States Court of Appeals for the Ninth Circuit partially affirmed the district court's decision that the NCAA's amateurism rules, in certain instances, may violate federal antitrust laws. Specifically, the Ninth Circuit made two key rulings: (1) the district court did not err in finding that the NCAA's amateurism rules were subject to antitrust scrutiny; and (2) the district court did not err in finding that the NCAA's rule limiting athletic scholarships to traditional grant-in-aid levels, rather than covering the full cost of attendance at a given NCAA-member institution, violated the antitrust statutes. While previously "cost of attendance" was a calculation that was used almost solely to determine the cap on any student's financial aid eligibility, the *O'Bannon* decision put "cost of attendance" front and center for college athletic administrators, coaches and student-athletes. It has also prompted interesting and difficult questions regarding the meaning of cost of attendance and its application to college athletic scholarships under NCAA legislation.

Defining Cost of Attendance

Before allowing for cost-of-attendance scholarships, the NCAA limited the value of an athletic scholarship to "grant-in-aid" levels. These scholarships included the total cost of tuition and fees, room and board, books and supplies. According to NCAA Bylaws, the cost of attendance is to be "calculated by an institutional financial aid office, using federal regulations" and includes the items covered under "grant-in-aid," but also includes the costs of "transportation . . . and other expenses related to attendance at the institution."¹ The Bylaws

also state that the "cost of attendance" for student athletes must be calculated using the same policies as are used for students in general.²

The "federal regulations" referenced in the Bylaws are found at 20 U.S.C. § 1087ll, which defines cost of attendance using the same terms as Bylaw 15.2 (*i.e.*, tuition and fees, books, supplies, transportation). The statute does provide some examples of additional expenses to be included in the full cost-of-attendance figure, such as a laptop computer or dependent care.³ No federal regulations clarify the meaning of this statute. Thus, in the past, institutions have been able to determine and report to the Department of Education cost-of-attendance figures without much in the way of federal scrutiny or guidance.

O'Bannon v. NCAA

Ed O'Bannon was a scholarship student-athlete on the basketball team at UCLA. In 1995, O'Bannon's UCLA team won the national championship. Years later O'Bannon noticed that his likeness was being used in an NCAA basketball video game produced by EA Sports well after his college eligibility concluded. O'Bannon filed a class action antitrust suit regarding the use of NCAA athletes' images and likenesses without compensation. Trial was held before Judge Claudia Wilken in the United States District Court for the Northern District of California.

While the case initially focused on the NCAA's appropriation of a student-athlete's "name, image and likeness," by the time of trial, the primary focus was the contention that the NCAA's amateurism rules violated the Sherman Antitrust Act. Judge Wilken ultimately found that the rules, as written at that time, did violate the Sherman Act. In particular, Judge Wilken held that, by restricting scholarship amounts to "grant-in-aid" rather than "cost



“Thus, the Ninth Circuit’s ruling in *O’Bannon* was mixed, recognizing in its antitrust analysis the benefits of the NCAA’s attempts to preserve amateurism, but finding that full cost-of-attendance scholarships do not significantly impair the amateurism model.”

of attendance,” the NCAA’s rules restricted trade more than was necessary to protect its interest in amateurism. Further, based upon testimony at trial, the court ordered the NCAA to permit schools to place in trust a total of up to \$5,000 per year for the post-eligibility benefit of each student-athlete.

On appeal, the Ninth Circuit agreed with Judge Wilken that the NCAA’s amateurism rules capping student-athlete compensation at “grant-in-aid” violated the Sherman Act. The Ninth Circuit further agreed that a less restrictive alternative would be for the NCAA to permit member institutions to offer scholarships fully covering the cost of attendance. The Ninth Circuit disagreed, however, with the district court’s proposal to force the NCAA to allow member institutions to engage in a deferred payment program for an amount up to \$5,000 per year. Specifically, the Ninth Circuit noted that, unlike the cost-of-attendance scholarships, this proposed compensation was “untethered to [the student-athletes’] education expenses.”⁴ Further, the Ninth Circuit noted that this \$5,000 figure was based on a single line of testimony from the NCAA’s expert on the value of amateurism. Specifically, the expert was pressed on the amount of compensation that would make an athlete no longer an amateur. The expert testified that a payment of \$5,000 would not trouble him.⁵ The Ninth Circuit held that this “testimony cannot support the finding that paying student-athletes small sums will be virtually as effective in preserving amateurism as not paying them.”⁶ Thus, the Ninth Circuit’s ruling was mixed, recognizing in its antitrust analysis the benefits of the NCAA’s attempts to preserve amateurism, but finding that full cost-of-attendance scholarships do not significantly impair the amateurism model.

Effects of *O’Bannon* on University Definitions of Full Cost of Attendance

On August 7, 2014, the day before Judge Wilken’s ruling in *O’Bannon*, the NCAA Division I board of directors voted to allow certain conferences (the Southeastern Conference (the SEC), the Big Ten Conference, the Big Twelve Conference, the Pacific Twelve Conference, and the Atlantic Coast Conference, commonly referred to collectively as the “Power Five Conferences”) to have “autonomy” on certain rulemaking. In January 2015, the Power Five schools exercised their new autonomy by overwhelmingly voting in favor

of a proposal to allow the member institutions of those conferences to offer full cost-of-attendance scholarships. Immediately, every Power Five school elected to offer these cost-of-attendance scholarships to student-athletes, and began touting the additional stipend to prospective student-athletes. Predictably, the antitrust plaintiffs’ bar took note, arguing in ongoing lawsuits against the NCAA that the quick movement by those conferences and schools confirmed that the prior NCAA limit on grant-in-aid awards had been an artificial suppression of the market for compensating student-athletes.⁷

At the same time, just as those estimates became useful as a recruiting tool, many of the Power Five conference institutions began increasing their calculated estimate of full cost of attendance. In the SEC, some of these increases have been substantial. For example, at Texas A&M in 2015-16, the average out-of-state student-athlete received \$3,528 per year above the “grant-in-aid” scholarship.⁸ At that time, the stipend was the lowest reported in the SEC. Now, just one academic year later, the average out-of-state student-athlete at Texas A&M will receive a \$6,294 stipend per year, an increase of over \$2,700 in just the last two years.⁹ While Texas A&M is an extreme example, it is not alone. Over that same period, the average annual stipend received by out-of-state student-athletes at Kentucky increased by over \$700,¹⁰ and the average annual stipend for out-of-state student-athletes at the University of Georgia increased by over \$900.¹¹


Have the ancillary costs of attending these schools increased dramatically in the last few years? They likely have not. As discussed previously, the Department of Education provides only limited guidance to universities as to how they are to calculate cost of attendance, and allows financial aid officers great leeway in determining the proper estimate for their schools. Historically, the calculation was relevant only as a cap on a student’s eligibility for federal loans. During that pre-*O’Bannon* era, observers long speculated that financial aid offices felt pressure to keep the estimates low to limit borrowing and to make certain that students were not scared away by projected costs. In fact, schools often touted to applicants a lower cost of attendance than competing colleges.¹²

Now, however, that tide has completely shifted, and there is concern that schools are manipulating their cost-of-attendance estimates in an effort to create athletic recruiting advantages over other schools with lower figures. With the increased calculations comes the attendant worry

that the general student population may be harmed, as they now may be able to take on more debt than is truly necessary to pay for the actual cost of attendance, placing those students at risk for increased and unsupportable student debt burdens upon graduation.

A recent study has shown that if the goal of increasing cost of attendance is to attract more highly regarded student-athletes to an institution, it may be succeeding. The study concludes that providing a higher cost-of-attendance stipend can increase a school's chances of signing higher rated student-athletes in recruiting.¹³ The study looked at the 2014 and 2015 rankings of NCAA football recruiting classes and found that "each \$1,000 in a school's cost of attendance allowance improves its recruiting ranking between 2.07 to 4.35 spots."¹⁴ This empirical data is likely to only increase the tug-of-war that many fear is occurring between a financial aid office's inclination to keep cost estimates low and the clear recruiting payoff in college athletics that will result from an increased cost-of-attendance estimate.

While the cost-of-attendance debate will certainly continue in coming years, the *O'Bannon* decision also resulted in other uncertainty. The Ninth Circuit appears inclined to find that NCAA rules that restrict providing student-athletes with benefits "tethered to education" are more susceptible to antitrust challenge, as the court apparently believes that providing those benefits does not significantly impact the NCAA's traditional amateurism model. Thus, while the "arms race" over cost-of-attendance levels plays out among institutions, cases now pending against the NCAA will likely determine whether additional benefits beyond cost of attendance (proffered examples include comprehensive health insurance, graduation bonuses, and scholarships covering graduate school)

should be provided to student-athletes. The last few years have seen significant changes in the benefits available to college student-athletes. Given the pending litigation and continued development of the cost-of-attendance stipends, the next few years promise to be just as interesting. 



WRITTEN BY TREY TUMINELLO

¹NCAA Bylaw 15.02.2.

²NCAA Bylaw 15.02.2.1.

³§ 10871(2).

⁴802 F.3d at 1076.

⁵*Id.* at 1078.

⁶*Id.*

⁷Now, with the *O'Bannon* decision final, all other NCAA Division I schools similarly have the option to offer cost of attendance scholarships, should they wish. On March 21, 2017, in *In re: National Collegiate Athletic Association Athletic Grant-In-Aid Cap Antitrust Litigation*, Case No. 4:14-md-02541-CW (N.D. Cal. Mar. 21, 2017), Judge Claudia Wilken preliminarily approved a \$208,664,445.00 settlement for athletes who played Division I FBS football, Division I men's basketball, and Division I women's basketball between March 5, 2010, and March 21, 2017, and received only grant-in-aid level scholarships. This is the first of what may be many suits regarding cost of attendance and other potential benefits that are "tethered to education."

⁸John Solomon, *2015-16 CBS Sports FBS College Football Cost of Attendance Database*, April 20, 2015, available at <http://www.cbssports.com/college-football/news/2015-16-cbs-sports-fbs-college-football-cost-of-attendance-database/>.

⁹Texas A&M University, *Cost Of Attendance, College Station Undergraduate*, available at <http://financialaid.tamu.edu/Undergraduate/Cost-of-Attendance#0-CollegeStationUndergraduate>.

¹⁰University of Kentucky, Office of Student Financial Aid and Scholarships, *2017-2018 Tuition and Fees*, available at <http://www.uky.edu/financialaid/content/tuition-and-fees>.

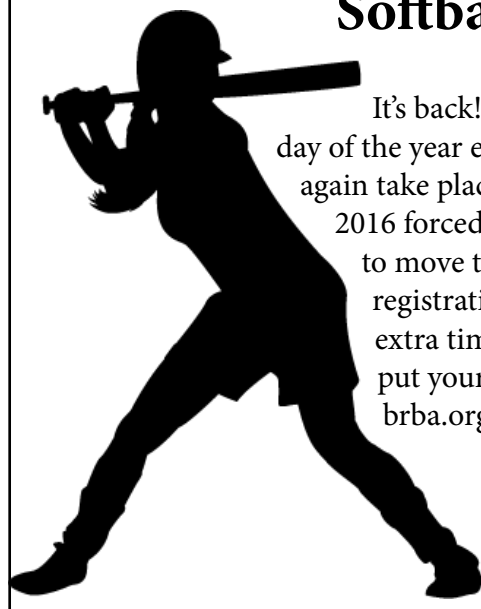
¹¹University of Georgia, Office of Student Financial Aid, *Costs*, available at <https://osfa.uga.edu/costs>.

¹²FinAid Page, LLC, *Cost of Attendance Adjustments*, available at <http://www.finaid.org/educators/pi/costofattendance.phtml>.

¹³Bradbury, John Charles and Pitts, Joshua, *Full Cost of Attendance Scholarships and College Choice: Evidence from NCAA Football* (September 4, 2015). *Journal of Sports Economics*, Forthcoming, available at SSRN: <https://ssrn.com/abstract=2656409> or <http://dx.doi.org/10.2139/ssrn.2656409>.

¹⁴*Id.* at p. 7.

Softball Tournament moves to March 2018



It's back! The annual softball tournament, normally scheduled for the hottest day of the year each August, has moved to March 23-24, 2018. The tournament will again take place at BREC's Oak Villa Sports Park. The devastating floods in August 2016 forced the cancellation of the 2016 tournament. The decision was then made to move to tournament to the spring, when the weather would be better. Team registration is \$750 per team. Now that all players and participants have had extra time to prepare (age) and get in (out of) shape, mark your calendar and put your team together. More details to come! Contact Ann Gregorie (ann@brba.org) with any questions.



Q & A with Rodd Naquin

First Circuit Court of Appeal



Rodd Naquin

TBRL: When did you first start employment with the First Circuit Court of Appeal and in what position?

RN: I was hired as Chief Duty Clerk at the First Circuit Court of Appeal in 2004. I served in that position until October 2015. From October 2015 to January 2016, I was the acting Clerk of Court. In January 2016, I assumed the position of Clerk of Court.

TBRL: How is the Clerk of Court designated?

RN: The Clerk of Court is hired by the judges. Seven out of 12 must vote for a candidate. The position is not civil service.

TBRL: What are the responsibilities as Clerk of the First Circuit?

RN: At the direction of the Administrative Conference, the clerk is responsible for the general administration of the court. There are four departments that the clerk oversees: 1) Clerk's Office 2) Business Services Office 3) IT and 4) Court Security. The Administrative Conference consists of the judges of the court acting as a body to determine court administration.

TBRL: How many judges are there on the First Circuit?

RN: The First Circuit is composed of 12 judges.

TBRL: How many parishes are there in the First Circuit?

RN: The court district is composed of 16 parishes.

TBRL: How are cases assigned?

RN: Cases are randomly allotted to the panels and randomly allotted to the writing judge.

TBRL: What are some of the features of the Clerk's Office?

RN: The Clerk's Office has user friendly online services and strives to help attorneys. A subscription service has been created through which all your court filings can be obtained. The website also includes announcements

that contain helpful hints based on feedback received by the Clerk's Office.

TBRL: How long does it takes to get a ruling on a writ application?

RN: A ruling on a writ application takes generally three to five months.

TBRL: How long does it take to get a ruling on an appeal?

RN: A ruling on an appeal, generally four to six months.

TBRL: How does the First Circuit compare to other circuits in terms of volume?

RN: The First Circuit receives more filings than any of the other circuits in the state

TBRL: Why do you think this is the case?

RN: This is due primarily to the volume of the Angola litigation, litigation involving the state government, and the litigation from the Northshore and Ascension areas.

TBRL: What advice do you have for attorneys appearing in the First Circuit?

RN: I encourage attorneys to go to the website and follow the check lists and encourage attorneys to call if they have any questions, especially concerning emergency writ applications.

TBRL: What is your perception of the mission of the Clerk's office?

RN: The Clerk's Office strives to make the appellate experience on the phone, online, or at the courthouse easier for attorneys and the general public.

TBRL: Share some information about your staff?

RN: The staff is here to help. The employees are extremely knowledgeable and capable. Several have worked for the court for many years and have seen and heard just about everything.

TBRL: Where did you grow up?

RN: I grew up in Thibodeaux. My dad is a sugarcane farmer.

TBRL: Tell me about your family and hobbies.

RN: My wife's Allison and I have one child, a 14-year-old son, Ben. My hobbies include playing basketball, working out, and attending LSU sports events. ■



WRITTEN BY GRACELLA G. SIMMONS

GAIL'S GRAMMAR

Absolute adjectives can't be intensified or compared. A one-of-a-kind item cannot be "very unique" or "more unique." Absolutes may, however, be modified with words that approach the absolute adjective, as in "almost unique."

Absolute adjectives that frequently end up incorrectly modified include certain, complete, dead, empty, false, full, perfect, pregnant, pure, round and true. Although we hear phrases in common speech like "absolutely certain" and "totally false," good writers should avoid them.

Send suggestions for future Gail's Grammar columns to Gail Stephenson at GStephenson@sulc.edu, or call Gail at 225.771-4900 x 216.

SAVE THE DATE

Law Day 2018

The Baton Rouge Bar Foundation's Law Day 2018 celebration will be held Tuesday, May 1. Hundreds of middle and high school students will attend. Volunteer attorneys are needed for the courtroom sessions at the 19th Judicial District Court and Baton Rouge City Court, from 10:30 a.m. to noon. Interested? Contact Donna at donna@brba.org or 225-214-5556.

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bar news

BY LANDONT T. HESTER

Volunteers make Holiday Star a success, year after year.

The 2017 BRBF Holiday Star Committee celebrated 26 years of success by providing almost 800 underprivileged children with gifts this holiday season. Just think about how much joy and laughter your gifts brought to the children! The committee is chaired by Melissa Grand with assistance from Vice Chair John Grinton and Board Liaison Lauren Temento.

The Committee would like to thank Diesel Driving Academy for providing the truck to move the gifts. And a special thanks goes to the volunteers who helped load the truck: Rudy Aguilar III, Dani Borel, Joe Cefalu, Kelsey Clark, Katie Cook, Jordan Faircloth, Melissa Grand, Jeanine Green, Druit Gremillion, John Grinton, David B. Kelley, Catherine Moore, John M. Parker (Diesel Driving Academy), Lauren Temento, Heidi Thompson and Monica Vela-Vick.

Thanks to your support, Belly Up with the Bar 2017 was bigger and better than ever.

Storywood Band performed for the record crowd of more than 700 at the 19th Annual Belly Up with the Bar fundraiser on Friday, Oct. 27. New this year, the Louisiana Craft Brewers Guild sponsored a beer garden, where patrons were able to sample 15 varieties of local craft beer. Team dishes were as creative as their themes, giving the judges and attendees a difficult job narrowing down the 29 teams to their favorites, but the judges agreed the Scott Law Firm's Korean Barbeque Tacos deserved the coveted Best Grub 1st Place award. Best Grub 2nd Place went to Baker Donelson, team name: The Classy Cajuns, for their Red Beans and Rice Arancini, Pickled Okra Remoulade and Andouille Garnish and Best Grub 3rd Place went to Breazeale, Sachse & Wilson, team name: Bistro Breazeale, for its Langoustine Mac et Fromage. The Best of



Our volunteers make the Holiday Star Project possible — Holiday Star gift delivery day was Tuesday, Dec. 5, 2017. Special thanks to Diesel Driving Academy for use of a large truck and to the BRBA members who helped.



Volunteers from Keogh Cox donated and collected gifts to donate to the BRBF 2017 Holiday Star Project.



Volunteers posed for a group photo after loading the Diesel Driving Academy truck full of bikes and gifts for the 2017 Holiday Star Project recipients.

PHOTO BY LANDONT T. HESTER

PHOTO PROVIDED BY KEOGH COX

PHOTO BY LANDONT T. HESTER

Show award went to Kean Miller LLP, team name: “Brunch & BM’s with KM,” for its Shrimp and Grits and Bloody Mary’s. Hammonds, Sills, Adkins and Guice, team name: “Saddle Up with HSAG,” received the People’s Choice Best Food for its Chili and Fixin’s. Taylor, Porter, team name: “Fiesta with the Best’a,” won the People’s Choice Best Elixir for their pinarita. Chuck Davoli continued the tradition of hand crafting the trophies.

Michael Schillage chaired the Belly Up with the Bar 2017 committee and Trey Tumminello served as Chair-elect. Committee members are Ben Anderson, Josh Anderson, Mark Assad, Brett Bajon, Danielle Barringer, Ashley Butler, Chelsea Caswell, Chuck Davoli, Kelley Dick, Loren Shanklin Fleshman, JaQuay Jackson Gray, Druit Gremillion Jr., Miah Hill, Courtney Joiner, Megan Kelley, Josh McDiarmid, Brady McMillan, Mitchell Meredith, Marcus Plaisance, Jennifer Racca, Billy Rogers, Alexandra Rossi, Robert Savage, Jack Stanley, Jacob Thomas and Staff Liaison Donna Buuck.

Serving as judges were: Pam Bordelon, *The Advocate*; Franz Borghardt, *Baton Rouge Brunches*; Patrick Mulhearn, *Mulhearn and Associates*; Bill Profita, *Talk 107.3*; Karen Profita, *Talk 107.3*; Robert Ruffino, *Sherwood Televisions & Appliances*; Matt Sigur, *The Advocate*; Jacob Talley, *Tin Roof Brewing Company* and William Wells with the *Baton Rouge Epicurean Society*.

Special thanks to our 2017 sponsors: Arthur J. Gallagher & Company, Total Care Injury & Pain Centers, Gilsbar, Inc., Baton Rouge Metro Airport, Dudley DeBosier Injury Lawyers, Hannis T. Bourgeois LLP, SP+, Advanced Medical Consulting of Baton Rouge, LLC, Daniel & Eustis Insurance, Lewis Companies, maps, Inc. - Mediation and Arbitration Professional Systems, Postlethwaite & Netterville, Wampold & Company Inc., DeCuir, Clark & Adams, LLP, FC Tech, LLC, FindLaw, a part of Thomson Reuters, Louisiana Health and Injury Centers, MedFin, Mike Anderson’s Seafood, Primary Residential Mortgage, Inc., The Spine Center at the Bone and Joint Clinic of Baton Rouge, Lloyd Tabary, Vacherie Fuel, Beychok Law Firm, Davoli & Krumholt, Live Oak at Cedar Lodge Event Center, Louisiana Craft Brewers Guild and Storywood Band.



The 2017 Belly Up with the Bar Committee and the BRBA staff that made Belly Up with the Bar 2017 possible!

PHOTO BY LANDON T. HESTER



Scott Law Firm’s Korean Barbeque Tacos deserved the coveted Best Grub 1st Place award.

PHOTO BY LANDON T. HESTER



Lauren J. Rucinski from Kean Miller cooking shrimp and grits at Belly Up 2017.

PHOTO BY LANDON T. HESTER



We would like to give a special thanks to LSU and Southern Law Centers for their participation and sending student volunteers to help with the event.

PHOTO BY LANDON T. HESTER



Breazeale, Sachse & Wilson, L.L.P. won the Best Grub 3rd Place award for its Langoustine Mac et Fromage.

PHOTO BY LANDON T. HESTER

Cocktails with the Court 2017

The BRBA's Young Lawyers Section hosted Cocktails with the Court at the Gallery at the Manship Theatre to honor judges and their law clerks from Baton Rouge and the surrounding area. The BRBA would like to thank our sponsors *Citizens Bank & Trust*; *DeCuir, Clark & Adams, LLP.*; *Marionneaux Kantrow*; *Saunders & Chabert*; *Smith Shankin Sosa*; and *Tyler & Possa*.



PHOTO BY LANDON T. HESTER

The BRBA's November Bar Luncheon was one to remember.

On Friday, November 10, 2017, the BRBA held its November Bar Luncheon to recognize Veterans Day and honor BRBA members who have served in the military. Major General Glenn H. Curtis, the Adjutant General of the Louisiana National Guard, was the guest speaker at the event. The BRBA would like to thank **Electronic Business Systems/CourtCall** for sponsoring the luncheon and the **Glen Oaks High School Color Guard**, under the direction of LTC Ronald Mahomes, for presenting the colors.

BRBA's Young Lawyers Section officers Kellye Rosenzweig Grinton, Erin Kenny, Jordan Faircloth, Loren Fleshman, Francisca Comeaux and Lauren Temento at Cocktails with the Court.



PHOTO BY LANDON T. HESTER

BRBA members enjoying Cocktails with the Court at the Gallery at the Manship Theatre.



PHOTO BY LANDON T. HESTER

Baton Rouge Bar Association members who have served in the military with Major General Glenn H. Curtis.



PHOTO BY LANDON T. HESTER

Arthur Abercrombie, Major General Glenn H. Curtis and Skip Philips attended the November Bar Luncheon.



PHOTO BY LANDON T. HESTER

Clare Sanchez, Beau Bourgeois, Max Kallenberger, Anthony Gambino and Lauren Rucinski honored our military service members.



Judge Alex "Brick" Wall, Steven DeBosier, Chad Dudley, Judge Judy Moore Vendetto, Judge Suzan Ponder, Judge Guy Holdridge and James Peltier at BRBA's 2017 Holiday Party.

BRBA's 2017 Holiday Party

On December 14, the BRBA held a Holiday Party to honor the judiciary and retiring judges Suzan S. Ponder and Alex "Brick" Wall. The BRBA would like to thank our sponsors *Adams & Reese, LLP*; *Balfour Emonet*; *DeCuir, Clark & Adams, LLP*; *Dudley DeBosier Injury Lawyers*; *maps, Inc.*; *Williamson Fontenot Campbell & Whittington, LLC*; and *Stone Pigman Walther Wittmann*.

Dani Borel Recieves Star of the Quarter Award

Danielle "Dani" Borel, an associate in the Baton Rouge office of Breazeale, Sachse & Wilson, L.L.P., was awarded the Star of the Quarter award at the American Bar Association Young Lawyers Division Fall Conference for her service as the Chairman of the Health Law Committee and her planning of a networking event in New York, New York. 📍



Newly elected BRBA President Linda Law Clark, Past-President Karli Glascock Johnson, and Kelly Balfour with retiring Judges Alex "Brick" Wall and Suzan Ponder.



Incoming BRBA Secretary Chris Jones with Judge Laura Prosser, Lucien Weber and Judge Pam Moses-Laramore.



Attorney Fred Crifasi, BRBA Director-at-Large Melanie Newkome Jones, Judge Tony Marabella and BRBA Director-at-Large David Abboud Thomas attending the 2017 Holiday Party.



Dani Borel recieved the Star of the Quarter award.

Serbian Delegation Visits Baton Rouge for Domestic Violence Program

The Open World Leadership Center (OW) administers the first and only international exchange agency controlled by Congress. Created in 1999, the agency offers bipartisan support in creating cultural exchanges for Eurasian leaders to witness democracy building in action. OW asked the Baton Rouge Friendship Force Club (BRFF) if it would home host an OW delegation focusing on “the rule of law.” My wife, Karen, as president of BRFF, said “sure,” not knowing the extent of the undertaking. As the only practicing attorney in BRFF, I was asked to put the professional program together, and, of course, I said, “Sure, honey.”

The home hosting aspect was relatively easy as BRFF routinely hosts other Friendship Force clubs, averaging one international and one domestic exchange each year with normally about 20 guests per exchange. Our club stepped up and was ready to welcome whomever OW sent our way.

The delegation was scheduled to arrive in late October for a week stay with five days of professional programs. We learned a month before their arrival that the delegates would consist of two Serbian judges, Hon. Ljudmila Miljkovic and Hon. Sanja Peric; two Serbian prosecutors, Gorjana Calukovic and Mladen Vujin; and the head of Serbia’s department of prevention and suppression of domestic violence in the criminal police directorate, Stefan Milijanovic. They would be accompanied by two Serbian facilitators and an interpreter.

The professional programs we were asked to provide were to focus on domestic violence law. The Serbian government has identified domestic violence as one of its top concerns and has committed itself to resolving the issue. On the legislative front, the government passed a new law on the prevention of domestic violence that entered into force on June 1, 2017. The law introduces emergency protection measures allowing police to evict the perpetrator from the family and prohibit contact with the victim for a period of 48 hours (which can be prolonged by a court for up to 30 days), risk assessment, keeping records of cases of violence and mandatory coordination and cooperation among competent bodies. The latter has been identified as the biggest challenge to the implementation of the law.

As a bankruptcy law specialist, I was out of my element and had to “phone a friend” for help. I started with Ann Gregorie, Executive Director of the Baton Rouge Bar Association. She led me to create an ad hoc committee of professionals, consisting of Melanie S. Fields, Domestic Violence Prosecutor, Office of District Attorney Hillar Moore; Thomas C. Galligan, Jr., Dean and Professor of Law, LSU Paul M. Hebert Law Center; Prof. Michelle Ward Ghatti, LOCHE Endowed Professor of Law, Southern University School of Law; and Magistrate Judge Erin Wilder-Doomes, U.S. District Court, Middle District of Louisiana. Each of these individuals spent many hours setting up an outstanding array of presentations by their colleagues for the benefit of the Serbian delegation. Their help was greatly appreciated.

PHOTO BY THORNTON COFIELD



Serbian delegates are shown the Senate Chambers at Louisiana State Capitol

Each of the five days of professional programming featured a unique venue focusing on the efforts of the legal and social services community in domestic violence law and prevention. Space does not allow the listing of all of the wonderful and informative professional presentations made, but a complete list of the agenda can be found with the on-line version of this article.



PHOTO BY THORNTON COFIELD

Serbian delegates learning about Louisiana's Mardi Gras festivities.

Day One started at the Louisiana Legislature. Prof. Ghetti began the day recounting her own personal and tragic domestic violence experience. She then expounded on the history and progress of DV legislation in Louisiana. She had set up meetings with State Senators Regina Barrow and Rick Ward and Rep. Beryl Amedée, who discussed the legislative process and specifically DV laws.

Commissioner of Administration, Jay Dardenne, joined Professor Ghetti and the delegates for lunch and a round table discussion. The delegates learned from Commissioner Dardenne, among other tidbits, that our own, beloved Pete Maravich was the grandson of Serbian immigrants. The

delegates then went on a tour of the State Police Crime Laboratory. The day ended with a reception at the Goodwood Library Terrace where BRBA President Karli Johnson gave welcoming remarks to the delegates. The reception was attended by various judges, other dignitaries and several of the professionals who were to make presentations later in the week.

Day Two was spent at the LSU Law Center where the delegates sat in on three classes and had round table discussions with professors and interns involved with immigration and domestic violence cases. The delegates seemed surprised to learn that the Law Center used the Socratic Method of teaching to a great extent. The delegates gave a 90-minute presentation on Serbian domestic violence law, which was attended by many BRFF members, law students and faculty.

Day Three began at EBR Family Court where the delegates observed the intake of domestic violence complaints, sat through hearings on restraining orders and spoke with Judge Pamela Baker regarding problems that arise in domestic violence cases. The delegates then went to City Hall and received individual commendation certificates from Baton Rouge Mayor-President Sharon Weston-Broome and participated in a round table discussion with her. She is a former state legislator who was instrumental in authoring some of the most significant domestic violence legislation in the state.

The delegates ordered take-out meals from Tony's Seafood, seeing dozens of items not found in Serbia, a landlocked nation. They then went to the IRIS center and shelter for victims of domestic violence, where they ate and visited with the IRIS Domestic Violence Center Executive Director, John J. Price, and Operations Manager, Jane Schoen.

The afternoon and evening were set aside for free time. The

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female delegates spent the afternoon and evening shopping at the Mall of Louisiana. Mladen Vujin chose to return to the farm of his host family in Jackson, Louisiana, where he was able to relax. And Stefan Milijanovic was able to demonstrate that Serbia has capable tennis players other than Novak Djokovic, as he beat me in three straight sets of singles.



A group of Serbian delegates at Belly Up with the Bar.

Day Four was spent at the U.S. District Court for the Middle District of Louisiana, where they were greeted by Chief Judge Brian Jackson and observed a sentencing hearing and an evidentiary hearing over which he presided. During lunch, Judges Jackson, DeGravelles, Wilder-Doomes and Bourgeois joined the delegates for a round-table discussion of many issues, but especially those involving evidentiary problems. Apparently there are no jury trials in Serbia, so that was another area of interest. Later that day, groups involved with providing services to victims of domestic violence made presentations to the delegates.

The evening ended with a traditional BRFF jambalaya dinner including entertainment by a local group of Cajun dancers. Approximately 60 members of BR Friendship Force were in attendance. One of the more amazing occurrences of the delegates' visit came when Stefan took the microphone to sing along (in Serbian) to the New Orleans classic song, (Sitting Here) Ya Ya (Waiting for My

La La).

Day Five was spent at the 19th JDC, where the delegates participated in discussions with District Attorney Hillar Moore, Chief Judge William Morvant and Judges Bonnie Jackson and Anthony Marabella regarding domestic violence issues. They then met again with the District Attorney and Melanie Fields for further discussions and an EBRDA Victim Assistance

presentation. Finally, the delegates met with Detective Patti Freeman of the EBR Sheriff Office, who is the chief deputy for domestic violence cases.

The concluding event for the delegates and facilitators was their complimentary participation in the Baton Rouge Bar Foundation's Annual Belly Up with the Bar cook-off, brewfest and outdoor party, showcasing the delicious variety and skill of cooks and bartenders affiliated with the BRBA.

Hopefully, the delegates returned to Serbia with insight as to methods used by Louisiana law enforcement professionals, legislators and social workers to help control and stem the tide of domestic violence. We know they returned full of good South Louisiana food and fellowship. ■



WRITTEN BY ART VINGIELLO



The delegation enjoying downtown Baton Rouge and the beautiful Mississippi River.

PHOTO BY THORNTON COFIELD



What I've Learned: Frank L. Maraist

Vital Statistics

Age: 85

Profession: Lawyer and Law Professor

Born and Raised: Kaplan, Louisiana

Parents: Frank L. Maraist and Christine Deshotels Maraist

Parents' occupation(s): Rice mill manager/housewife

Siblings: Myrtle Maraist Comeaux

Name of Spouse: Catherine Underwood Maraist

Children: Laura Irlbeck, Tom Maraist and Catherine Maraist

High School: Kaplan High School

College: Southwestern Louisiana Institute (now ULL) (1951)

Law School: LSU (1958) and Yale (L.L.M. 1969)

Growing up I always wanted to be . . . I had no idea. I started second grade at age 5 and graduated high school at 15; I grew up so fast I didn't have time to think about it.

I started practicing law . . . Sanders, Miller, Downing, Rubin & Kean in March 1958. My practice consisted of civil litigation, including insurance defense and real estate work.

The best advice I ever received was . . . always return a phone call or answer a letter immediately, even if just to let the person know that I'd have to get back with them later.

The best lesson I ever learned was . . . do the work given to you without procrastinating

I was always taught . . . do the work given to you without procrastinating.

Being a lawyer allowed me to . . . do good for other people and feel worthwhile about it.

I always looked up to . . . Alvin Rubin, because of his brilliance and integrity.

One of the jobs I had as a kid was . . . working in my uncle's law office. After my father died when I was 9, I started mowing lawns in the afternoons and weekends and working at a feed store before school after that. My uncle told me that if I could learn to type I could work for him before school. The typing class was all girls, and the teacher told me that I could take the class if all the girls in the class agreed to it. I persuaded the girls to let me in the class by buying them all candy and was able to work for my uncle.

If you really want to get me angry . . . be unfair. When I

was teaching at Ole Miss Law School in the early 1970s, I brought a moot court team to regional competition in Alabama. The female student on my team was hands down the best in the competition, so much so that the other team congratulated her on her stellar performance. However, the Alabama judge ruled for the other team and praised the three male students before telling the female student that she did "fine for a little lady lawyer." That still makes me angry to this day.

My parents taught me . . . to be honest, hardworking, and thrifty.

If I could, I would . . . live my life just as I have, only do everything better.

The truth is . . . common sense ain't that common.

The turning point in my life was when . . . I was called into the Army in 1953. At the time I was working for the Athletic Director at LSU and had no plans to go to law school. I was originally scheduled to go to Korea, but broke my back after I fell while installing an antenna on the army base. After spending time in the hospital at Fort Bliss, I was sent to Germany. I found out that I could get out early if I went back to college, but I already had a college degree. Another guy in my unit said that he was going to go to LSU Law School, so I thought I'd try that as well. I wrote a letter to Dean Hebert telling him that I wanted to come back and go to law school, and he took care of getting me in law school.

The best judges . . . have lots of gray hair and common sense and are even tempered.

If I was in charge . . . I'd run and hide.

The older I get, the more . . . I forget people and names.

“I like being engaged in the law because I can do so much good for so many people. I also love being engaged with my former law students and find nothing more pleasing than their coming to visit me in my old age.”

The most important person I’ve ever met was . . . Adlai Stevenson. I met him after both of our planes were forced to land in Nashville.

I wish . . . that all of my children and grandchildren would continue to be as smart and as decent as they are now.

I miss . . . whiskey.

I’ve never been able to . . . write legibly. That’s one reason I learned to type young and I typed my whole life. I was the first person at LSU Law School to request to type an exam. The idea of a male student typing an exam was unheard of at the time.

I enjoyed writing because . . . I was able to communicate good information to others in my profession and others not in the profession. I loved being able to write about the law, a subject I loved. But I also loved writing in general. I studied journalism while I was in college and was editor of my college newspaper. When I worked for the Athletic Department, a large part of my job involved writing. When I was practicing law in Kaplan in the 1960s, I was also the editor and publisher of the weekly Kaplan Herald, although I did have to find someone else to write the society page.

My favorite subject to write on . . . was evidence. I found the subject fascinating.

My advice on writing . . . First, say what you’re going to say. Second, say it. Third, say what you just said.

The last book I wrote was . . . *Louisiana Lawyering*.

I’d like to be 26 again because . . . I’d like to be a young married person again.

I would like to have dinner with (3 non-family members dead or alive) and why . . . Jim Corbett, Judge Alvin

Rubin, and Judge Al Tate. Jim Corbett was the Athletic Director for LSU when I worked there before and during law school; Alvin Rubin was my law partner and mentor; and Al Tate was my co-author and good friend. All of them were people of tremendous integrity and intellect.


If I hadn’t been a lawyer, I would have been . . . a journalist.

I have the most fun . . . doing good for people while practicing and teaching law.

What people don’t know about me . . . I’ll never tell!

On my iPad I listen to . . . What’s an iPad?

I like being engaged in . . . the law because I can do so much good for so many people. I also love being engaged with my former law students and find nothing more pleasing than their coming to visit me in my old age.

Anything else you feel is fun, interesting, funny or poignant . . . For many years, I was sworn to secrecy regarding the mystery surrounding LSU’s mascot, Mike II. After Mike I died, the LSU students helped pay for a new tiger mascot. I was working as the assistant to LSU Athletic Director Jim Corbett at the time. Mike II arrived on campus and was presented to the public. One evening not long after that, I got a phone call from Jim Corbett who said simply: “The G—d—tiger died.” At the time the Department did not want to publicize the death of the tiger because it would be a blow to the students who had helped pay to bring the tiger to LSU. The Department found the funds to get a replacement tiger, who was passed off as the tiger who had died. For years I kept the secret, but the “legend” of the switch was eventually outed by Jack Gilmore, the Business Manager for the Athletic Department, who was one of the few people involved in the matter. People still say that the story is a “legend,” but I can tell you that it’s true. 



WRITTEN BY JOSEPH J. CEFALU III

2018 FAMILY LAW SECTION CALENDAR

January 18, 2018

1 hour CLE: New Year, New Baby
Speakers: Ryan Delaney & Pablo Reyes
Drusilla Seafood
12 – 2 PM

February 15, 2018

1 hour CLE: Prenups and Pitfalls
Speaker: Mike Aaron
Beausoleil
12 – 2 PM

March 15, 2018

1 hour CLE: Estate Planning
Speaker: Laurie Kadair
Mestizo's
12 – 2 PM

April 19, 2018

2 hour CLE: Judges' Panel: Best Practices for Family Law
Speakers: Family Court Judges
City Club
12 – 2 PM

May 19, 2018

4 hour CLE: Social Security, Mental Health, Professionalism & Ethics
Speakers: Robert Woosley & Mike Walsh
Juban's Restaurant
8 AM – 2 PM

August 16, 2018

1 hour CLE: Legislative Update
Speaker: Steve Kogos
Juban's Restaurant
12 – 2 PM

September 20, 2018

1 hour CLE: Rx, Booze and Divorce
Speaker: Dr. Michelle Cosse
Beausoleil
12 – 2 PM

October 18, 2018

1 hour CLE: Parental Conflicts
Speaker: TBD
Bistro Byronz
12 – 2 PM

November 15, 2018

1 hour CLE: The Cuffs are Too Tight
Speaker: Shannon Fay
Manasseh, Gill, Knipe & Belanger PLC
Time TBD

December 6, 2018

Christmas Party
Location TBD
6 – 8 PM



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has become an associate of the firm

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foundation footnotes

PRO BONO & TEEN COURT REPORTS — NOVEMBER & DECEMBER 2017

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, Huey and Angelina Wilson Foundation, LANO Change Fund and the Baton Rouge Bar Foundation.

The Baton Rouge Bar Foundation thanks those who volunteered in November and December.

ASK-A-LAWYER VOLUNTEERS —

Adam Parker, *Butler Snow LLP*; Joaquin Johnson, *Crescent Care*; William Mitchell, *Gordon McKernan Injury Attorneys*; Sharon Florence, *Law Office of Sharon Y. Florence, LLC*; Julie Noland, *The Noland Law Firm, LLC*; Thomas Acosta; Ellen Kinney; Clay Perkins; Corina Salazar and Emily Ziober.

THIRST FOR JUSTICE VOLUNTEERS —

T. MacDougall Womack, *Taylor Porter*; Terry Bonnie, *Terry L. Bonnie, APLC*; Scott Gaspard; James Word; and James Zito.

WILLS FOR HEROES VOLUNTEERS —

Deborah Berthelot, *Big River Title, LLC*; Thea Scott, *Field Law LLC*; Melissa Pestalozzi, *Long Law Firm*; Nicole Buggs Hazey and Pablo Reyes, *Rowe Law Firm*; and Scott Gaspard.

ACCEPTING PRO BONO CASES —

J. David Andress, *Andress Law Firm*; Katie Mayeux, *Mayeux Law Firm, LLC*; Rodney Erdey, *Rodney N. Erdey, ALC*; Morgan Lamandre, *Sexual Trauma Awareness & Response*; Gary McKenzie, *Steffes, Vingiello & McKenzie*; T. MacDougall Womack, *Taylor Porter*; Ta'Tanisha Youngblood, *Youngblood Law Firm, LLC*; Michael Betts; J. Keith Friley; Deborah Gibbs; Rena Hester; Randy Ligh; Derrick McCorey and Nahshon Route.

SELF HELP RESOURCE CENTER VOLUNTEERS —

Kellen Mathews, *Adams & Reese*; Joseph Ballard, *Entergy*; Janeane Gorcyca and Jennifer Prescott, *Joubert Law Firm*; Denise Lee, *Louisiana Workforce Commission*;



Gavin Richard, *Law Office of Gavin M. Richard, LLC*; Sharon Florence, *Law Office of Sharon Y. Florence, LLC*; Ryan Brown, *Roedel Parsons*; David Handelman, Gregory Hughes and Julia Wilson, *Southeast Louisiana Legal Services*; Cynthia Reed, *Southern University Law Center*; and Abboud Thomas, *Walters, Papillion, Thomas, Cullens, LLC*.

SELF HELP RESOURCE CENTER LAW SCHOOL VOLUNTEERS —

Patricia Brandt, Tiffany Carriere and Marie Madril, *Southern University Law Center*.

TEEN COURT TRAINING VOLUNTEERS —

Jonathan Blake, Otha "Curtis" Nelson Jr., Raveen Hills and Monica Vela-Vick served as trainers for the November 18, 2017 Teen Court training session. The Hon. Joycelyn Elmore presided over the swearing-in ceremony, issuing the Teen Court charge to 18 new members.

TEEN COURT HEARING VOLUNTEERS —

Jonathan Blake, Jamie Flowers, Raveen Hills and Brittany Tassin, Monica Vela-Vick and Tregg Wilson served as teen court judges and assisted teen attorneys with case preparation for the October and November 2017 teen court hearings. *LSU Law* student volunteers Hannah Catchings, Lana Georgiou and Tyrianne Varnado served as jury monitors and assisted teen attorneys with case preparation.



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Duty Court Schedule

19TH JDC CIVIL COURT

Jan. 3	Judge Caldwell
Jan. 4	Judge Kelley
Jan. 5	Judge Morvant
Jan. 8 - Jan. 19	Judge Caldwell
Jan. 22 - Feb. 2	Judge Kelley

19TH JDC CRIMINAL COURT***

Dec. 29 - Jan. 5	Judge Daniel
Jan. 5 - Jan. 12	Judge Moore
Jan. 12 - Jan. 19	Judge Higginbotham
Jan. 19 - Jan. 26	Judge White
Jan. 26 - Feb. 2	Judge Marabella

BATON ROUGE CITY COURT*

Jan. 1 - Jan. 7	Judge Smith
Jan. 8 - Jan. 14	Judge Alexander
Jan. 15 - Jan. 21	Judge Moore Vendetto
Jan. 22 - Jan. 28	Judge Prosser
Jan. 29 - Feb. 4	Judge Temple

FAMILY COURT**

Jan. 1	Judge Baker
Jan. 2	Judge Woodruff-White
Jan. 3	Judge Day
Jan. 4	Judge Greene
Jan. 5 & 8	Judge Baker
Jan. 9	Judge Woodruff-White
Jan. 10	Judge Day
Jan. 11	Judge Greene
Jan. 12	Judge Woodruff-White
Jan. 15	Judge Baker
Jan. 16	Judge Woodruff-White
Jan. 17	Judge Day
Jan. 18	Judge Greene
Jan. 19	Judge Day
Jan. 22	Judge Baker
Jan. 23	Judge Woodruff-White
Jan. 24	Judge Day
Jan. 25 & 26	Judge Greene
Jan. 29	Judge Baker
Jan. 30	Judge Woodruff-White
Jan. 31	Judge Day

JUVENILE COURT

Jan. 1 - Jan. 31	Judge Taylor-Johnson
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*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.*

January 2018

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			



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

January

COURT HOLIDAYS

Monday, Jan. 1	New Years Day
Tuesday, Jan. 2	New Years Holiday
Monday, Jan. 15	Martin Luther King Jr. Day
Tuesday, Feb. 12	Day before Mardi Gras
Tuesday, Feb. 13	Mardi Gras Day
Monday, Feb. 19	President's Day

Classified Ads

Volunteer writers needed to submit substantive legal articles for publication in future issues of *The Baton Rouge Lawyer*. Contact Landon Hester at landon@brba.org or call 225-214-5560.

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JOIN THE VOLUNTEER COMMITTEE.
Contact Carole McGehee at 225-214-5557 or carole@BRBA.org.

Ongoing: Every Wednesday & Thursday, 3-5 p.m., Thirst for Justice takes place at St. Vincent de Paul;
CLOSED ON NOV. 22 & 25; CLOSED DEC. 13, 14, 20, 21, 27, 28

Ongoing: Every Tuesday & Thursday, 10 a.m.-2 p.m., Self Help Resource Center, 19th JDC;
CLOSED ON 11/21 & 11/25

- 1** New Year's Day - BRBA Office closed
- 2** New Year's Holiday - BRBA Office closed
- 8** Teen Court Hearing - EBRP Juvenile Court
- 9** Ask-A-Lawyer, 9:30-11:30 a.m. - Livingston Library
- 10** Bench Bar Committee Meeting - WLA 1, 2, 3
- 11** Mock Trial Committee Meeting - WLA 1
BRBA Investiture of Linda Law Clark - U.S. District Court, Middle District of LA
- 15** Martin Luther King Jr. Day
19th JDC Closed
- 17** Ask-A-Lawyer, 9:30-11:30 a.m. - Catholic Charities
- 18** LSBA Mid-Year Meeting - Renaissance Hotel
Family Law Section Meeting & CLE - Drusilla Seafood
- 19** LSBA Mid-Year Meeting - Renaissance Hotel
- 20** LSBA Mid-Year Meeting - Renaissance Hotel
- 22** Teen Court Hearing - EBRP Juvenile Court
- 24** Opening of Court Ceremony - 11th Floor, 19th JDC - 8:30 AM
- 27** Ask-A-Lawyer, 9:30-11:30 a.m. - Central Branch Library

Baton Rouge Bar Association
P.O. Box 2241
Baton Rouge, LA 70821

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