

Around

THE MAGAZINE OF THE
BATON ROUGE BAR ASSOCIATION

No. 276, April 2013

the Bar



Inside:

Is social media sabotaging
your client's case?

Tax relief act offers
business incentives

Judicial interview:

Judge Ralph Tureau

Thinking outside the bar:

Volunteerism spotlighted

Volunteer Committee

National Volunteer Appreciation Month

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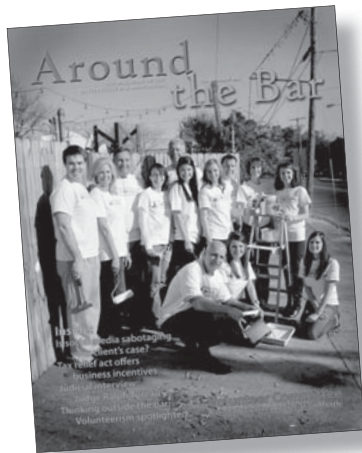
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On the cover:

Because April is National Volunteer Appreciation Month, we wish to express our appreciation for all of our volunteers. In 2012, our members volunteered 9,567.5 hours in Baton Rouge Bar Association and Baton Rouge Bar Foundation activities.

Featured on this month's cover are members of the BRBA Volunteer Committee. Photographed are (L to R, standing) Grant J. Guillot, Emily Ziober, Beau J. Brock, Mittie Bolton, Erik Kjeldsen, Francisca Comeaux, Mackenzie S. Ledet (2013 co-chair), David Ogwyn, Jeanne Rougeau (2013 co-chair), Bridget Denicola; (L to R, kneeling) Mac Womack, Erin Sayes and Anne Kaufman.

The photo was taken in front of the Circa 1857 complex, Yvette Marie's and Sally's Circa 1857, near Government Street in Baton Rouge, La.

Cover artwork by Pamela Labbe.



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letter from the president

BY MICHAEL S. WALSH

Realizing the dream: Equality for all

Law Day provides a day to reflect on and celebrate the rule of law. Each year since its inception by President Eisenhower in 1958, Law Day underscores how law and the legal process contribute to the freedoms that all Americans share. The celebration also provides an opportunity to recognize the role of courts in our democracy.

Law Day programs are designed to help people understand how the law keeps us free and how our legal system strives to achieve justice. Thousands of Law Day celebrations occur each year for youth and adults across the country. Indeed, every year since 1958 the President of the United States has issued a Law Day proclamation recognizing the importance of this day.



Michael S. Walsh

This year's Law Day theme is "Realizing the Dream: Equality for All."

The promise of equality under the law is what has made America a beacon to others. It is a pledge clearly set forth in the Declaration of Independence and in the opening words of the Preamble to the Constitution, "We the People." In the words of Abraham Lincoln, it is the proposition to which our nation is dedicated.

The year 2013 marks the 150th anniversary of the issuance of the Emancipation Proclamation. In 1963, during the Proclamation's centennial, the Rev. Dr. Martin Luther King Jr. stood in front of the Lincoln Memorial and called upon our nation to live up to the great promise of equality for all. Even today, the inspirational words of Dr. King's "I Have a Dream" speech continue to resonate and challenge us to live up to our national ideal of equality under the law.

This year's Law Day theme provides an opportunity to explore the movement for civil and human rights in America and the impact that it has had in promoting the ideal of equality under the law. The theme will provide a forum for reflecting on the work that remains to be done in rectifying injustice, eliminating all forms of discrimination, and putting an end to human trafficking and other violations of our basic human rights.

As Dr. King pointed out in his Letter from a Birmingham Jail, "Injustice anywhere is a threat to justice everywhere."

The Baton Rouge Bar is continuing its tradition of celebrating Law Day by embracing the theme "Realizing the Dream: Equality for All." Prior to the May 1 celebration, students will already be engaged in thinking about the Law Day theme because they will have had the opportunity to participate in poster, essay and video contests also hosted by the BRBF Law Day Committee.

On May 1, 2013, the BRBA will host middle and high school students from around the parish in the Baton Rouge River Center for the Law Day opening ceremony. Mayor Holden will formally declare May 1, 2013, Law Day in Baton Rouge. During the lively opening ceremony, students will hear inspiring speakers on the topic of Equal Rights. Once the ceremony concludes, students proceed to the 19th Judicial District Court, where they will be engaged in interactive sessions with attorneys and judges. These sessions will focus on topics such as whether Dr. King's Dream has been fully realized, gender equality and human trafficking.

The BRBA needs your help to continue to make Law Day a success this year. Without attorney volunteers, these interactive lawyer student sessions cannot take place. The Law Day Committee, led by Elizabeth Spurgeon and Ryan Brown, is working tirelessly to make Law Day a reality again this year. But without attorney volunteers on May 1, the committee's efforts cannot be effective. Were you inspired by a lawyer to pursue your legal profession? Law Day is an opportunity to give back to the community and mentor the next generation of lawyers.

On a sad personal note, I wrote this column on the day that United States District Judge Frank J. Polozola died. Judge Polozola was a good friend to the Baton Rouge Bar Association and he will be missed by all of us. For those of us who regularly practiced in front of the Judge, we knew him to be a stern taskmaster with a kind heart. ■

West's Jury Verdicts – Baton Rouge

Venue/Case Type	Major Injury	Trial Type	Result
<u>East Baton Rouge Parish</u>			
Vehicle Negligence	Cervical and lumbar strain and spondylosis with radiculitis	Jury	\$187,212
Vehicle Negligence	Hip, shin, ear, elbow, shoulder, neck, leg, jaw	Bench	\$51,316
Vehicle Negligence	Lumbar and cervical spine; fingers, head, neck, shoulders	Bench	\$27,436
Vehicle Negligence	Cervical strain, neck, back, shoulder, head	Bench	\$9,534
<u>M.D. Louisiana</u>			
Premises Liability	Lower back, leg	Jury	Defense

West's Case of the Month

Court Awards Plaintiff \$27.4K Due to Phantom Driver's Lane Change on Airline Hwy.

Lewis v. Doe

TYPE OF CASE:

Vehicle Negligence • Motor Vehicle v. Motor Vehicle
 Vehicle Negligence • Phantom Vehicle
 Vehicle Negligence • Lane Change
 Vehicle Negligence • Rollover
 Insurance • Automobile Policy
 Insurance • Uninsured/Underinsured Motorist

SPECIFIC LIABILITY: Motorist was struck by another vehicle that entered his lane of travel and ultimately fled the accident scene

GENERAL INJURY: Injuries to lumbar and cervical spine; injuries to fingers, head, neck, shoulders, knees, legs and feet; medical expenses; lost wages

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

DOCKET/FILE NUMBER: 591-508

VERDICT: Plaintiff, \$27,435.80; reduced to \$10,000 per insurance policy limitations

VERDICT DATE: March 15, 2012

JUDGE: Timothy E. Kelley

ATTORNEYS:

Plaintiff: Peyton P. Murphy and Vergie L. Riley, Murphy Law Firm, Baton Rouge
Defendant (First Liberty): Michael M. Thompson, Law Offices of Keith S. Giardina, Baton Rouge

TRIAL TYPE: Bench

BREAKDOWN OF AWARD:

\$16,000.00 to plaintiff for general damages
 \$11,435.80 to plaintiff for special damages

The court reduced the plaintiff's recoverable award to \$10,000 pursuant to insurance policy limitations.

SUMMARY OF FACTS:

Joshua Lewis said he was driving a 2001 GMC Yukon automobile owned by Joycelyn Lewis south in the outside lane of travel on Airline Hwy. in Baton Rouge June 8, 2009. Joshua said at the same time, a white truck was also traveling south on Airline Hwy. in the inside lane of travel.

Joshua said the white truck abruptly moved into his lane of travel, causing him to lose control of his vehicle, hit a curb and flip his automobile three times. The driver of the white truck allegedly did not stop at the accident scene, and he/she was never identified.

Joshua said he suffered serious injuries due to the accident, including injuries to his lumbar and cervical spine, as well as injuries to his fingers, head, neck, shoulders, knees, legs and feet.

Joshua Lewis filed a petition for damages in the Nineteenth Judicial District Court for the Parish of East Baton Rouge, naming John Doe, an unknown individual, and his own uninsured/underinsured motorist coverage provider, First Liberty Ins. Corp., as defendants in the lawsuit.

The plaintiff asserted the unknown driver of the white truck was negligent and had caused the accident and his resulting injuries and damages. Specifically, Joshua said the driver had failed to maintain a proper lookout while driving, failing to keep his/her vehicle under proper control, failed to yield, drove his/her automobile into his travel lane and generally drove his/her automobile in a wanton and reckless manner.

Joshua further argued the unknown driver was liable for fleeing the scene of an automobile accident.

The plaintiff sought damages for his personal injuries, medical expenses, physical pain and suffering, mental pain, anguish and distress, loss of life enjoyment and lost wages.

First Liberty generally denied the plaintiff's allegations and asserted Joshua was not able to satisfy his burden of proof against it because he was unable to offer sufficient evidence in the form of independent witnesses regarding the accident.

The matter proceeded to trial in February 2012 with Judge Timothy Kelley presiding. In a judgment signed March 15, 2012, Judge Kelley entered judgment in Joshua's favor against First Liberty in the amount of \$16,000 for general damages and \$11,435.80 for special damages, together with legal interest and costs from the date of judicial demand.

The court further ordered the plaintiff's award would be reduced pursuant to insurance policy limitations in the amount of \$10,000, for both general and special damages.

CASE CITE: *West's J.V. La. Rep.*, Vol. 8, Iss. 4, p. 10 (2012); 2012 WL 4479443

tales from the bar side

BY VINCENT P. FORNIAS

Let's just say that Francis "Bo" Rougeou has a varied practice. In his many years at the bar, he has seen his share of clientele worthy of any casting producer for reality TV. He thought he had seen just about everything. Then a concerned father came to see him with his very polite son.

After the mundane pleasantries were dispensed with, the young man asked if he could speak privately to Bo about a discreet matter. Expecting the usual shortlist of two-bit criminal or domestic issues, Bo excused the father and summoned forth the kid's inquiry. Hardly anything good ever happens when a client commences his request for advice with "Don't think I'm crazy...." True to form, the kid inquired whether Bo believed in the devil. Expecting this to be the prelude to a creative criminal defense tactic, Bo proceeded to "open that door" by answering in the affirmative, pressing the young man as to why his beliefs would be relevant to his prospective legal advice. If nothing else, the kid now had Bo's rapt attention.

The devil made him do it

He then matter-of-factly asked his counsel if \$50 million would be considered a reasonable sum in exchange for selling his soul to the devil. Bo decided on the spot that it would be a useless endeavor to pull out his trusty Eason's quantum book on this particular issue, "soul sales" not having appeared as a category in any recent edition of that publication. And so Bo, doing his best to keep a professional and clinical countenance, dutifully responded to his young client that said sum "would be reasonable if you are so disposed."

But Bo could not resist pressing a little deeper into the details of this devilish deal. Where, exactly, did this devil reside? When the kid answered "Central," Bo was mildly surprised, expecting perhaps Baker or Zachary as more likely devilish domiciles.

Temptation from whatever source was now getting the best of Bo, who requested that the kid get the proposal in writing – and bring it to him for review. Would the stationery be in some flame-retardant material? And what

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of the purchaser's signature line? Would his name appear as "Satan" or "Beelzebub" or "Lucifer" or "The Prince of Darkness" – or just plain "Ed Walters"? And in what language would the instrument be written? Presumably, its ink color would be a deep, bloody crimson. And what about witness names? This could prove to be the greatest local expose' since discovery of the local madam's little black book.

Bo assured the kid that his services would be on a pro-bono basis, handed him his card, and waited expectantly for the return visit with contract in hand. Alas, at press time, the youngster had not returned. Perhaps he had a change of heart. Perhaps he was simply upping the ante. Or maybe, just maybe, he decided to sign it without further legal representation, making him just another client from hell. ■

INTERESTED IN EVENT PLANNING?

Consider joining the BRBA Law Expo Committee to help with this annual BRBA fundraiser/event. Contact Pamela Labbe at 225-214-5560 or pamela@brba.org for details.

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bar news

BY PAMELA LABBE

Law Day to take place Wednesday, May 1

Mark your calendar to attend the Baton Rouge Bar Foundation Law Day Celebration, scheduled Wednesday, May 1, 2013. Chairing the 2013 Law Day Committee is Elizabeth Spurgeon. Ryan Brown is the vice chair. The theme is "Realizing the Dream: Equality for All."

Area middle and high school students are invited to submit entries in the Law Day essay, poster and video contests. Contest forms and guidelines are online: www.BRBA.org. Deadline to enter is April 12, 2013.

To join this committee or to volunteer in any way for this year's Law Day Celebration, please contact Donna Buuck, staff liaison to the BRBF Law Day Committee, at 225-214-5556 or donna@brba.org.

National Legal Services Corp. honors Judge Melvin A. Shortess (Ret.) for outstanding pro bono work

In recognition of his extraordinary commitment to equal justice, the national Legal Services Corporation (LSC) Board of Directors presented its Pro Bono Service Award to Judge Melvin A. Shortess (Ret.), Jan. 25, 2013. The awards ceremony took place in the Great Hall of the Louisiana Supreme Court, 400 Royal St.

Judge Shortess, who was one of several to receive this prestigious national award, is the driving force behind Thirst for Justice, a collaboration of the Baton Rouge Bar Foundation, the Society of St. Vincent de Paul and The Pro Bono Project. Since engineering the program's creation in 2001, he has personally staffed almost every one of its twice-weekly pro bono civil legal clinics.

Speakers at the event included American Bar Association Standing Committee on Pro Bono & Public Service Chair Larry McDevitt; Louisiana Bar Foundation President Patricia A. Krebs; Louisiana Bar Association President John H. Musser IV; Adams & Reese, LLP, Senior Partner E. Paige Sensenbrenner; LSC Board Chairman John G. Levi; and other LSC Board members.

BRBA Bench Bar Conference scheduled Aug. 1-3

Perdido Beach Resort in Orange Beach, Ala., will be the location of the next BRBA Bench Bar Conference, which will take place Aug. 1-3, 2013. Emily B. Grey is this year's chair. Danny McGlynn is the co-chair of the committee.

The conference will include 12.5 hours of CLE seminars. Guest speaker Chris Ulrich from the Body Language Institute will give a 2.0 hour CLE on using body



BRBA President Michael S. Walsh, Walter C. Dumas and Ed Walters are photographed above after the Feb. 19, 2013, bar luncheon, which was held jointly with the Baton Rouge Association of Women Attorneys and the Louis A. Martinet Legal Society. Dumas was the guest speaker.



Tracie J. Woods, Southern University Law Center Chancellor Freddie Pitcher Jr., Walter C. Dumas and BRBA Past President Gail S. Stephenson attended the February Bar Luncheon, held at De La Ronde Hall. Woods is an SULC Assistant Professor of Legal Analysis and Writing, and General Counsel to the Southern University Board of Supervisors and the System.



BRBF Pro Bono Coordinator Robin Kay, BRBA Board Member Linda Law Clark, Judge Melvin A. Shortess (Ret.) and BRBA Executive Director Ann K. Gregorie attended the national Legal Services Corporation awards ceremony held Jan. 25, 2013, in New Orleans. Shortess was recognized for his commitment to equal justice and pro bono.

language in your law practice. Other confirmed speakers include Lt. Gov. Jay Dardenne, Michael H. Rubin and Holly Clegg.

If you haven't attended a bench bar conference in the past, you really should consider attending this year's event. First-time attendees qualify for deep registration fee discounts. Early registration deadline is April 15, 2013.

Sponsors of this year's Bench Bar Conference are Chaffe McCall; Decuir, Clark & Adams, LLP; Dr. Michael

PHOTO BY PAMELA LABBE

PHOTO BY PAMELA LABBE

J. Goff/Louisiana Health & Injury Centers; Kantrow, Spaht, Weaver & Blitzer; Kean Miller; Keogh, Cox & Wilson; Le Creole; The Law Offices of Ossie Brown; Louisiana State Bar Association; McGlinchey Stafford; Murphy's Law APLC; USDC - Middle District Bench Bar Fund; and West, a Thomson Reuters business.

Contact Ann K. Gregorie or see the BRBA website (www.BRBA.org) for sponsorship and registration information.

Bar Foundation hosts annual high school mock trial competition at 19th Judicial District Court

The Region III High School High School Mock Trial Competition was held Friday, Feb. 22, and Saturday, Feb. 23, 2013, at the 19th Judicial District Court.

The competition involved 10 participating teams from eight schools. The first round began Friday at 1:15 p.m. Saturday's competition lasted from 9 a.m. until 2 p.m.

The top two winning teams from the competition – Baton Rouge Magnet High School and Zachary High School – went on to compete at the state-level of the 2013 Judge Richard N. Ware IV Memorial High School Mock Trial Competition at the federal courthouse March 23, 2013, in Lafayette, La.

This year's national competition will be held May 9-11, 2013, in Indianapolis, Indiana.

The Region III Mock Trial Competition is a youth education program of the Baton Rouge Bar Foundation and is coordinated by Lynn Haynes. Lauren B. Reed is the chairperson of this year's Mock Trial Competition, while Tavares Walker is the vice chair. Reed practices with the Louisiana Department of Justice. Walker is a counselor/development officer with the Southern University Law Center.

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

This competition is sponsored each year by the Baton Rouge Bar Foundation in conjunction with the Louisiana State Bar Association Young Lawyers Division Council and is financially assisted by the Louisiana Bar Foundation's Interest on Lawyers' Trust Account (IOLTA) program and the Baton Rouge Bar Foundation.

Special thanks to the members of the Mock Trial Committee and to all who volunteered as timekeepers and judges who made this event a success.

Timekeeper volunteers include Danielle Barringer, Taryn Branson, Kimberly Brown, Kelly Foster, Linda Gray, John Jordan, Katie Luminais, Aisha Mirza, Aisha Sanders, Melissa Sybrandt and John Zachary.

LSU students who volunteered during the competition were Brant Mayers, Tori Jowers, Jessica Lehman and Richard Thompson.

Volunteer competition judges were Hon. Yvette



Erin Wilder-Doomes, a BRBA member and a parent of one of the participating students, was present to watch her son, Evan, compete at this year's Region III High School Mock Trial Competition. Evan and his team placed first out of the 10 competing teams.



Baton Rouge Magnet High School placed first in the Region III High School Mock Trial Competition, which was held by the Baton Rouge Bar Foundation Friday, Feb. 22, and Saturday, Feb. 23, 2013, at the 19th JDC.



Zachary High School placed second in the Region III High School Mock Trial Competition. Craig Kaster (standing, right) served as the attorney coach for the team.

Alexander, Alan Berteau, Ryan Brown, Christine Chapman, Chris Day, Rebecca Cunnard, Hon. Joycelyn Elmore, John Fenner, Caroline Graham, Louise Hines, Carlton Jones, Blake Leger, Dana Larpenteur, Commissioner Quintillis Lawrence, Lisa Martinez, Willie D. Maynor, Eric Miller, David Petersen, Cerise Potts, Laurel Purdy, Cynthia Reed, Rodney Ramsey, Wendy Shea, Hon. Paris Taylor, Lykisha Vaughan, Monica Vela-Vick, Ruth Wesley, Hon. Lisa Woodruff-White and Hany Zohdy.

Committee members who helped during the competition were Connell Archey, David Caldwell Jr., Jason Randall Cashio, David Green, McKenzie Smith Ledet, Lauren B. Reed and Tavares A. Walker.

PHOTO BY DONNA BUUCK

PHOTO BY ANN K. GREGORIE

PHOTO BY ANN K. GREGORIE

Young Lawyers luncheon scheduled for mid-June

The next Baton Rouge Bar Association luncheon, which will be organized by the Young Lawyers Section Council, is tentatively scheduled for Thursday, June 13, 2013. Scotty Chabert is the 2013 chair of the Young Lawyers Section.

Bar luncheon registration forms will be available online, in the June 2013 *Around the Bar* magazine and in the BRBA's weekly e-newsletter. Call 225-344-4803 for more information.

La. Supreme Court Justice Jeff Hughes takes oath

Newly elected Louisiana Supreme Court Justice Jeff Hughes took the oath of office during a 3 p.m. public ceremony at the Suma Crossing Community Center in Livingston Parish Sunday, Feb. 24, 2013. The ceremony was followed by a reception.

Summer Sizzlin' CLE seminar to be held in July

The Young Lawyers Section will host the Summer Sizzlin' CLE, which provides 4.0 hours of CLE, in July 2013 at the Middleton Bar Center. For details, contact Susan Kelley at 225-214-5559 or susan@brba.org.



Ed Walters (left) administers the oath during an investiture ceremony held Feb. 21, 2013, for Judge J. Michael McDonald during an *en banc* session of the court. Photographed are Walters, Memrie McDonald (wife of the judge), Kathryn McDonald (mother of the judge) and Judge McDonald.

Louisiana First Circuit Court of Appeal Judge J. Michael McDonald installed during ceremony

Hon. J. Michael McDonald, who was recently re-elected as judge of the Louisiana First Circuit Court of Appeal, was sworn in to his second term during an *en banc* session of the court at an investiture ceremony Thursday, Feb. 21, 2013, at 4:30 p.m. at the courthouse, 1600 North Third St.

Prior to being elected to the appellate court in 2003, Judge McDonald served for 16 years as a district court judge on the 19th Judicial District Court, thus having served as a member of the judiciary for the past 26 years. His distinguished career in public service also includes his service as an assistant district attorney in East Baton Rouge Parish and an officer in the United States Navy.

Baton Rouge Bar develops new Corporate/Business Law Section

The BRBA has developed a new Corporate / Business Law Section, which is chaired by Michael Platte of Dunlap Fiore, LLC.

The section's first continuing legal education seminar is scheduled for May 9, 2013, and is titled "Business Entity Formation: A Look at the Legal & Tax Issues." The meeting begins at 11:45 a.m. at the Middleton Bar Center, 544 Main St., and the seminar will be led by Dale Baringer of the Baringer Law Firm and Ralph Stephens of Postlethwaite & Netterville.

For more information on the section or the May 9, 2013, seminar, contact Meredith French at 225-344-4803. ■

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facebook *faux pas*: Is social media sabotaging your client's case?

BY GRANT J. GUILLOT

Introduction

What started out as a seemingly harmless assortment of social networking tools is quickly becoming an arsenal of litigation weapons. It is no surprise that Facebook is now the most-visited website on the Internet¹ or that nearly 95 million Americans, roughly one-third of the nation's population, use Facebook, along with other social networking websites, to connect with others socially and professionally.² Given the ease of access social networking websites provide to an individual's personal information, photographs and videos, attorneys are using these websites to informally and inexpensively obtain background information on prospective clients, jurors, potential witnesses and adverse parties.³

For example, in the murder trial of Casey Anthony, in order to show Anthony's state of mind at the time of her daughter's disappearance, prosecutors offered and the court admitted photographs from Anthony's Photobucket account depicting her dancing at a nightclub while her daughter was missing.⁴

In civil cases, in an effort to defeat plaintiffs' "loss of enjoyment of life" claims, defense attorneys have presented as evidence Facebook photographs portraying the plaintiffs as happily engaging in social activities.⁵ Moreover, appeals courts in several states have reversed jury verdicts due to the use of social media by jurors during trial.⁶ Given the potential dangers posed by a client's social media content and the evidentiary concerns implicated by the deletion of such information, attorneys must take caution when advising clients regarding their use of social networking websites.

Discoverability of social networking website content

Courts that have considered whether social networking websites are subject to discovery have determined that social media content is always discoverable on some level as long as the content is relevant and not privileged.⁷ Social media content is considered within the scope of "electronically stored information" in accordance with Rule 34 of the Federal Rules of Civil Procedure.⁸ Louisiana Code of Civil Procedure article 1461 also provides for the discovery of electronically stored information, such as social networking websites. However, while some courts have required a party to turn over all social media information, including logins and passwords,⁹ others have

permitted discovery of social networking websites only if the discovery request is narrowly tailored.¹⁰ Furthermore, some cases have resulted in the judge "friending" the litigant to access the litigant's social media profile for the purpose of conducting an in-camera review.¹¹ Nevertheless, although discovery of social media is subject to the same formal requirements as are other forms of potential evidence, content to be discovered on a social networking website is also more likely to be available without the need for formal discovery.¹²

Private profiles may still be discoverable

While social networking websites usually allow a user to change the privacy settings so that only certain persons can view the user's information, it is questionable whether such safeguards provide the user with a reasonable expectation of privacy.¹³ In fact, social networking websites, including Facebook, typically contain a disclaimer that the site cannot guarantee that the user's information posted on the site will not become publically available.¹⁴ Thus, even if a user changes the privacy settings to deny public access to the user's social media content, a court may still order the production of the user's "private" content in the course of formal discovery.¹⁵

Louisiana courts

Within the past two years, Louisiana courts have indicated that the use of social media by a party to the litigation has factored into the courts' decisions. In an unpublished opinion¹⁶ dated Feb. 6, 2013, the Louisiana Court of Appeal for the Third Circuit was faced with whether to grant a motion for new trial after the defendant alleged that the plaintiffs had "impermissible contact and/or communication" with a member of the jury on Facebook during the trial. In another matter,¹⁷ the Louisiana Court of Appeal for the First Circuit upheld the trial court's awarding of joint custody of a child and the mother's designation as the child's domiciliary parent (against the father's wishes) after the court considered the evidence presented regarding the father's mental health. Specifically, the court noted that "[the father's] 'MySpace' page contained numerous quotations from serial killers, and he utilized 'Twist3d.one' or 'twist3d1' (twisted one) for his usernames, email address, and logo."¹⁸ Finally, in another unpublished opinion¹⁹ dated Sept. 14, 2011, the

First Circuit upheld the trial court's denial of damages for physical disability and loss of enjoyment of life claimed by the plaintiffs. The court noted that one plaintiff's Facebook page reflected that she regularly engaged in challenging exercise programs, and the other plaintiff's Facebook page contained reports of his various athletic endeavors, including participating in a softball tournament the month before trial.²⁰

Advising your clients

In light of the increasing use of social networking website content as evidence, an attorney may be inclined to advise his client to delete the client's social media profile for fear that it may be used against the client in the course of litigation. However, Rule 3.4(a) of the Louisiana Rules of Professional Conduct prohibits a lawyer from unlawfully altering or destroying evidence and assisting others in doing the same. Therefore, attorneys are required to preserve electronically stored information, including social networking website profiles, if the profile contains content relevant to the lawsuit.²¹ By instructing his client to delete the client's profile in part or in its entirety, a lawyer subjects himself to a charge of spoliation of evidence, which could result in sanctions.²² In addition, the judge or jury may presume that the spoiled evidence would have been unfavorable to the client because the client was the one who destroyed it.²³ Alternatively, an attorney could instruct the client to set the client's profile as "private" using the website's privacy settings, which would preserve the evidence without the content being easily accessible by the public.²⁴ Of course, as explained above, the opposing counsel could still request access to the private content through formal discovery.²⁵

On the flip side, an attorney wishing to use an opposing party's social media profile as evidence would be wise to send opposing counsel a "preservation letter," which lawyers use for other forms of electronic discovery preservation.²⁶ Although the letter will not impose a legal obligation on opposing counsel, it may be sufficient to place the opposing party on notice and suggest that any deletion or destruction of the social media content after receipt of the letter will be considered intentional spoliation of the evidence.²⁷

Conclusion

The ever-increasing utilization of social networking websites requires attorneys to monitor their clients' social media profile content and exercise caution in advising their clients to take measures to safeguard their social media content from disclosure. An attorney can spend years exerting significant time, effort and expenses preparing a case only to have the matter sabotaged by incriminating status updates, photographs and videos uploaded by his

client onto the client's social media profile. However, an attorney may be accused of spoliation of evidence if he advises his client to remove content from the client's social media profile. Therefore, attorneys must continue to tread lightly and very carefully into the electronically-evolving 21st century. ■

¹Cassandra Burke Robertson, *The Facebook Disruption: How Social Media May Transform Civil Litigation and Facilitate Access to Justice*, 65 Ark. L. Rev. 75, 80 (2012) (footnote omitted).

²*Id.*

³Michelle D. Craig, *Did You Twitter My Facebook Wall? Social Networking, Privacy and Employment Law Issues*, 58 La. B.J. 26, 28 (2010).

⁴Kathryn R. Brown, *The Risks of Taking Facebook at Face Value: Why the Psychology of Social Networking Should Influence the Evidentiary Relevance of Facebook Photographs*, 14 Vand. J. Ent. & Tech. L. 357, 360 (2012) (footnote omitted).

⁵*Id.*

⁶Randy L. Dryer, *Advising Your Clients (and You!) in the New World of Social Media: What Every Lawyer Should Know About Twitter, Facebook, Youtube, & Wikis*, Utah B.J., May/June 2010, at 16, 20 (citation omitted).

⁷See *supra* note 4 at 368.

⁸See *supra* note 6 at 16, 19-20.

⁹Kelly Ann Bub, *Privacy's Role in the Discovery of Social Networking Site Information*, 64 SMU L. Rev. 1433, 1442 (2011) (footnotes omitted).

¹⁰*Id.*

¹¹*Id.*

¹²See *supra* note 1 at 81.

¹³See *supra* note 9 at 1436.

¹⁴*Id.*

¹⁵Kathleen Elliott Vinson, *The Blurred Boundaries of Social Networking in the Legal Field: Just "Face" It*, 41 U. Mem. L. Rev. 355, 374-75 (2010) (footnote omitted).

¹⁶*Breaux v. La. Patient's Comp. Fund*, 12-0878, p.2, 3 (La. App. 3 Cir. 2/6/13), 2013 WL 456532 (unpublished).

¹⁷*Olivier v. Olivier*, 11-0579, p. 15 (La. App. 1 Cir. 11/9/11), 81 So.3d 22, 31-32.

¹⁸*Id.*

¹⁹*Boudwin v. Gen. Ins. Co. of Am.*, 11-0270, p.3 (La. App. 1 Cir. 9/14/11), 2011 WL 4433578 (unpublished).

²⁰*Id.*

²¹Margaret M. DiBianca, *Ethical Risks Arising from Lawyers' Use of (and Refusal to Use) Social Media*, 12 Del. L. Rev. 179, 184 (2011) (footnote omitted).

²²*Id.* at 185.

²³Kathrine Minotti, *The Advent of Digital Diaries: Implications of Social Networking Web Sites for the Legal Profession*, 60 S.C. L. Rev. 1057, 1064 (2009).

²⁴See *supra* note 21 at 185.

²⁵See *supra* note 23.

²⁶*Id.* at 1064-65.

²⁷*Id.* at 1065.

American Taxpayer Relief Act of 2012 offers business tax incentives

BY BRANDON LAGARDE

After an almost endless barrage of “fiscal cliff” talk in the media, Congress and the President addressed the tax portion of the fiscal cliff with a bill passed on New Year’s Day and signed the next day by President Obama. The American Taxpayer Relief Act of 2012 (ATRA) includes some valuable business tax incentives. Many of these business tax incentives are temporary, so taxpayers have a limited window in which to maximize their potential tax savings.

Bonus depreciation

Bonus depreciation is one of the most important tax benefits available to businesses, large or small. For 2012, 50 percent bonus depreciation was available. Bonus depreciation gave taxpayers the opportunity to write off 50 percent of qualifying asset purchases in the year of purchase. ATRA extends 50 percent bonus depreciation through 2013 (through 2014 in the case of certain period production property and transportation property). ATRA also provides that a taxpayer otherwise eligible for additional first-year depreciation may elect to claim additional research or minimum tax credits in lieu of claiming depreciation for qualified property.

While not quite as attractive as 100 percent bonus depreciation, 50 percent bonus depreciation is valuable. For example, a \$100,000 piece of equipment with a five-year MACRS life would qualify for a \$55,000 write-off: \$50,000 in bonus depreciation plus 20 percent of the remaining \$50,000 in basis as “regular” depreciation, with the half-year convention applied in the first and last year.

Bonus depreciation also relates to the vehicle depreciation dollar limits under Code Sec. 280F. This provision imposes dollar limitations on the depreciation deduction for the year in which a taxpayer places a passenger automobile/truck in service within a business and for each succeeding year. Because of the new law, the first-year depreciation cap for passenger automobile/truck placed in service in 2013 is increased by \$8,000.

Bonus depreciation, unlike Code Sec. 179 expensing (discussed below), is not capped at a dollar threshold. However, only new property qualifies for bonus depreciation. Code Sec. 179 expensing, in contrast, can be

claimed for both new and used property and qualifying property may be expensed at 100 percent.

Expensing

ATRA enhances or extends several expensing provisions. These include Code Sec. 179 small business expensing, 15-year recovery period for qualified leasehold and retail improvements and restaurant property, special expensing rules for film and television productions, and a seven-year recovery for motorsports complexes.

Code Sec. 179 expensing. In recent years, Congress has repeatedly increased dollar and investment limits under Code Sec. 179 to encourage spending by businesses. For tax years beginning in 2010 and 2011, the Code Sec. 179 dollar and investment limits were \$500,000 and \$2 million, respectively. ATRA boosts the dollar and investment limits for 2012 and 2013 to their 2011 amounts (\$500,000 and \$2 million) and adjusts those amounts for inflation. Keep in mind that the increase is temporary. The Code Sec. 179 dollar and investment limits are scheduled to decrease to \$25,000 and \$200,000, respectively, after 2013. The new law also provides that off-the-shelf computer software qualifies as eligible property for Code Sec. 179 expensing. The software must be placed in service in a tax year beginning before 2014. Additionally, ATRA allows taxpayers to treat up to \$250,000 of qualified leasehold and retail improvement property as well as qualified restaurant property, as eligible for Code Sec. 179 expensing.

Leasehold, retail and restaurant property. ATRA extends for 2012 and 2013 the special treatment of qualified leasehold and retail improvement property and qualified restaurant property as eligible for a 15-year recovery period. Otherwise, this property generally is depreciated

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over a 39-year recovery period. To take advantage of this enhanced expensing, the qualified property must be placed in service before Jan. 1, 2014.

Film and television. A special expensing rule allows taxpayers to elect to deduct certain costs of a qualified film or television production in the year the costs are paid or incurred. ATRA extends this rule through 2013.

Motorsports property. Qualified motorsports complexes may be eligible for a seven-year straight line cost recovery period. ATRA extends this treatment through 2013.

Work Opportunity Tax Credit


The WOTC expired after 2011 with an exception for employers that hire qualified veterans. ATRA extends the WOTC (including the special rules for veterans) through 2013. Each new employee hired from a targeted group generally entitles an employer to a credit equal to 40 percent of first-year wages, up to \$6,000.

Research tax credit and other incentives

ATRA extends through 2013 the incremental research tax credit, which expired after 2011. Commonly called the research or research-and-development credit, the incremental research credit may be claimed for increases

in business-related qualified research expenditures and for increases in payments to universities and other qualified organizations for basic research. The credit applies to excess of qualified research expenditures for the tax year over the average annual qualified research expenditures measured over the four preceding years.

Along with the research tax credit, the ATRA also revives through 2013 many other expired incentives, including:

- New Market Tax Credit
- Employer wage credit for activated military reservists
- Reduced recognition period for S corporation built-in gains tax (five year recognition period)
- Indian employment credit and accelerated depreciation for business property on Indian reservations
- Code Sec. 45 production tax credit for renewable energy
- Credits for biodiesel and ethanol
- Incentives for manufacturers of energy-efficient new homes and appliances
- Railroad track maintenance credit
- Mine rescue team training credit. 

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Interview with 23rd Judicial District Court Judge Ralph Tureau

BY RANDI ELLIS

VITAL STATISTICS

Age: 67**Position:** District Judge, 23rd Judicial District, Parishes of Ascension, Assumption and St. James**Born & Raised:** in St. Amant, La.**Education:** Associate in Arts – St. Joseph Seminary Jr. College: 1965;

Bachelor of Arts – LSU: 1967 (major: Government; minor: History);

Juris Doctorate of Laws – LSU Paul M. Hebert Law Center: January 1971

Married to: Cindy Hoover Tureau**Children:** Matthew Tureau, Renee T. Kelsey, Charles Tureau and Steven Tureau**Staff:** Jill Gautreau (secretary); Ray Juneau (bailiff); and Ryan Chenevert (law clerk)**Hobbies:** Formerly – sky diving and dirt bike riding;

Currently – scuba diving, snow skiing, hunting, fishing, traveling and reading

Favorite movie: Dances with Wolves*ATB: When were you elected to serve as a judge?**JRT: January 1997.**ATB: What did you do before you became a judge?*

JRT: I was a part-time Assistant District Attorney for 16 years, 12 years as first assistant. I served as attorney for Parish of Ascension, Airport Authority, Mental Health Board, Planning and Zoning Commission and Town of Sorrento. I was also attorney for a business partially owned by U.S. investors located in Guatemala, Central America, and handled personal injury, property, family and successions. I was also attorney for a labor union for about six years.

ATB: Do you miss private practice?

JRT: I do not miss it, but could easily go back into private practice. I liked it.

*ATB: Tell us a typical day on the bench and in the office.**JRT: Either criminal rules, civil rules or trials.**ATB: What do you enjoy the most about being a judge?**JRT: Successful conclusion of the day's proceedings.**ATB: Do you prefer one particular docket over the others?*

JRT: No. My least favorite is juvenile matters. It is the most frustrating.

ATB: What is your most memorable experience on the bench?

JRT: There are so many! I presided over Vulcan Litigation, which started in 2001 and it just resolved in its entirety. It was a mass joinder case that resulted in two class actions being formed out of it to cover most cases. I presided over several Jones Act cases, an asbestos jury trial that was one of the first cases in the nation holding a site owner liable as a site owner, and one capital case resulting in the death penalty.

*ATB: What do you like most about being a judge?**JRT: All aspects.**ATB: Least?**JRT: Late attorneys.**ATB: What is your advice to lawyers who appear before you?**JRT: Be on time and be prepared.**ATB: Are there things lawyers do that make you crazy or upset?*

JRT: When lawyers argue among themselves, act non-professionally thereby turning the attention to themselves instead of their clients.

ATB: Which was more stressful – private practice or serving on the bench?

JRT: Both about the same.

ATB: If you were not judge, what would you be?

JRT: Something in real estate.

ATB: What will you do when you retire?

JRT: I am retiring at the end of this term (about two years left). I will either do ad hoc judge work or practice a couple of days a week with my son Steven, who is a lawyer.

ATB: If there was a movie about you, who would play your part?

JRT: Mel Gibson.

ATB: What are some of your favorite books?

JRT: *Bounty Trilogy*, *Count of Monte Cristo*, Rome Series by Christine McCullough, *Shogun* and Series by James Clavell.

ATB: What about music?

JRT: Classic country, 60s and 70s music, Bob Dylan and Ray Charles.

ATB: Tell us something most people wouldn't know about you?

JRT: I will try most things at least once to see if I like it or not. I hiked up a mountain in Switzerland and Dominica and I rode a camel in Africa. I'm a sky diver with 22 jumps; I've done more than 250 scuba dives – I do underwater photography. I've white water rafted many times; I jog and work out five days a week and ran five marathons in the past. I was president for two years of Dean Henry McMahon Inn of Court, and I teach Criminal Law and Introduction to the U.S. Criminal Justice System at River Parish Community College. ■

GAIL'S GRAMMAR

The word **forte** has one spelling but two meanings and two pronunciations in American English. The noun that refers to a person's strong suit or highly developed characteristic comes from the French word *fort*, meaning strong, and is pronounced as one syllable – fort. The musical term meaning to play loudly comes from Italian and is pronounced as two syllables – for-tay. Even when referring to the musical term, the word should never be spelled with an accent over the "e."

Now that Kia has introduced a vehicle with the name Forte, pronounced For-tay, purists may find they are fighting a losing battle convincing Americans to pronounce the noun as one syllable.

Thanks to Pamela Labbe for suggesting this topic. Send suggestions for future Gail's Grammar columns to Gail Stephenson at GStephenson@sulc.edu, or call Gail at 225-771-4900 (ext. 216).

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Thinking outside the bar:

BRBA members donate their free time to diverse voluntary activities BY REBECCA WISBAR

Each of these attorneys thinks “outside the bar.” In this article, we interview some of our colleagues whose concern for our community leads them to dedicate their time, talent and energy to make it a far better place. Each advocates for justice on paths that are not exclusive to the practice of law. All commented that their volunteer activities bring them a sense of well-being and happiness to such a degree that they consider their volunteer work to be “selfish.” Please keep this in mind as you decide what projects you will volunteer for in April, which is National Volunteer Appreciation Month.

Valerie Bargas

Kinchen, Walker, Bienvenu, Bargas & Reed, LLC

Valerie Bargas credits her mother with her interest in volunteer service. She said that her mother had an altruistic heart and always thought it was important to give back to our community. Bargas describes volunteer work as both gratifying and grounding.

One cause that is close to her heart is the Capital Area CASA Association. Her volunteer work as a Court Appointed Special Advocate includes two consecutive terms as a board member as well as one-on-one volunteer projects.

Bargas is currently a board member for the Program of All-Inclusive Care for the Elderly (PACE). PACE’s mission is to enable the aging to live with dignity in their communities.

She is actively involved with the Wills for Heroes program, which consists of attorney volunteers who provide wills to first responders. She is also active in the Louisiana Bar Foundation.

David Bateman

Bateman Law Firm

David Bateman and his wife, Claire, combine their volunteer activities with their two children. The family began volunteer work in 2009 at a Baton Rouge homeless shelter. Bateman also volunteers at St. Aloysius School in a number of activities.

Through the Baton Rouge Bar Association, Bateman has volunteered time as both a judge and a coach for high school mock trials. He participates as a volunteer in the

Bar Association’s orientation for new attorneys. When he first began practicing law, Bateman volunteered as an indigent defender. He found it to be a very rewarding and educational experience as a young attorney. Bateman firmly believes that any attorney who responds to the need for indigent legal work will find the experience to be rewarding.

He notes that volunteer work in a variety of activities can take you out of an insular circle. There are intangible, yet lasting, rewards as you learn more about your community through volunteer participation. Bateman is also a host captain with Coastal Conservation Association of Louisiana (CCA), a non-profit organization for Gulf Coast fisherman.

Corinne Blache

Roedel, Parsons, Koch, Blache, Balhoff & McCollister

The inspiration for Corinne Blache’s volunteer work was her parents and her grandparents, and she anticipates that one day her six-year-old and four-month-old children will also join in volunteer experience with her.

She witnessed her parents, who had a strong sense of community, going out of their way for elderly or needy neighbors. Because her grandmother could not drive, family members would transport her and other members of the neighborhood to voting polls. She discovered that she enjoyed various volunteer activities. When in college she volunteered to teach Spanish to children attending a nearby daycare. At that time, she was a member of Delta Sigma Theta Sorority, which provides service to the community.

Blache volunteers for different projects throughout the year through the BRBA Volunteer Committee. She also enjoys her role as “star gazer” through the Holiday Star Project. As star gazer, she coordinates delivery of holiday gifts from her law firm to the Baton Rouge Bar Association. Blache also participates in Just Cause activities.

Ryan R. Brown

Roedel, Parsons, Koch, Blache, Balhoff & McCollister

In 2012, Just Cause began the process of creating a non-profit corporation that serves the community year round. On the Just Cause website, its listed purpose is “just



V. Bargas



D. Bateman



C. Blache



R. Brown



D. Butler Jr.



P. Castille Jr.



C. Courtney-Harris



D. Thomas

'cause we care and can make a difference in numbers." Information you won't find on the website is that Just Cause was begun by local attorney Ryan R. Brown. His focus is not on the past founding of Just Cause, but in the future of its activities.

The concept of Just Cause started in 2010, when close friends contributed funds to provide meals to needy families for Thanksgiving. In 2011, with the assistance of more friends, 11 families in Baton Rouge and the Denham Springs area were given full Thanksgiving dinners. These collaborative meals were the cornerstone of Just Cause La., Inc. (www.justcausela.org)

In 2012, Just Cause coordinated with Grandparents raising Grandchildren. In addition, Just Cause provided Easter baskets to the residents of Cenikor Substance Abuse Treatment Center.

Additionally, he enjoys his time as a Big Buddy to 10-year-old Phillip. Brown credits his mother and grandmother for his involvement in volunteer work. He describes both of them as giving people and his inspiration. Brown is a member of the BRBF Law Day, Youth Education and the Holiday Star committees. Brown describes community volunteer work as fun and rewarding. Community service also provides an opportunity to learn about different aspects of life and different cultures within Baton Rouge.

David Butler Jr.

Funderburk & Butler

David Butler's parents inspired him to participate in volunteer work. They taught him that those who came before us paved the way and that the next generation is called to walk in their footsteps. Butler has followed their example to "give something back."

He believes that we can each find volunteer work in an area of interest to us. As an example, his wife enjoys cooking. She volunteers at the Bishop Ott Center to provide meals. When their children were young, Butler volunteered with the Boy Scouts, but currently he volunteers at Catholic High during sporting events. He is a line official at track meets, he interviews guests on the radio during football halftime, and he has kept the football statistics of Catholic High since 1976.

Preston J. Castille Jr.

Taylor Porter, LLP

Preston J. Castille Jr. views his community service as his small way of changing the world by one small act of kindness at a time, and was first inspired by his childhood pastor who often preached, "To whom much is given, much is required."

He believes that one of the benefits of community service is the opportunity to interact with people from

FORMER SOCIAL SECURITY JUDGE PETER J. LEMOINE

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Adjunct Professor (1994-1997), Northwestern State University

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

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"Crisis of Confidence: The Inadequacies of Vocational Evidence Presented at Social Security Disability Hearings."

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different walks of life. Much of Castille's volunteer work outside the Bar Association involves children. Preston has worked as a volunteer with Cub Scouts. He has coached Little League baseball and soccer. Additionally, he has served on the Volunteers In Public Schools (VIPS) Board of Directors.

One program that he was instrumental in the development of within the Baton Rouge Bar Foundation during his presidency in 2011 is the Junior Partners Academy (JPA) Program, which is open to children as young as those in second grade. The mission is to widen the path of young people into the world of law and interaction with lawyers.

Volunteer service need not take away from family time, according to Castille, but can include family time. With his own children or the children he meets in his volunteer pursuits, Preston asserts that the smallest things you do with children make very big differences in their lives.

Carla Courtney-Harris

Hammonds and Sills

Carla Courtney-Harris's parents emphasized the importance of giving back to the community. She has an acronym for community service: MELTS. This acronym illustrates the giving of one's Money, Energy, Love, Time

and Skills. MELTS is a guideline for anyone choosing volunteer work in order to assure that you "MELTS" with a chosen organization. Courtney-Harris emphasizes that "everyone can help someone."

Since 2007, Courtney-Harris has been on the board of the Capital Area Alliance for the Homeless (CAAH), which is a coalition of diverse agencies providing services to the homeless in Baton Rouge. These services include housing, mental health counseling and job assistance.

She involves herself in her volunteer work on a one-on-one basis. For example, she works with other volunteers in CAAH to survey homeless people in all areas of our city. Volunteers seek to ascertain the reason for an individual's homeless condition and advise them as to available services. Through CAAH she volunteers at the Society of St. Vincent de Paul. Courtney-Harris is a board member of Volunteers In Public Schools (VIPS) and has tutored children through VIPS.

Courtney-Harris is a volunteer with Wills for Heroes and We, the People. She is a member of the Mock Trial Committee and the Holiday Star Committee.

Dorothy Thomas

First Circuit Court of Appeal

The Baton Rouge Crisis Intervention Center provides a myriad of services. These include 2-1-1, a telephone information and referral service. Volunteers assess callers' needs and provide appropriate referrals to health and human services. Dorothy Thomas began her volunteer work in Baton Rouge with 2-1-1.

"The experience of helping people who called in was rewarding and I was hooked," Thomas said, noting satisfaction in knowing that other people benefit from volunteer work.

She said that once we begin volunteer work, we quickly gain a sense of the rewards of giving to our community or a feeling of teamwork. She experienced these intangible rewards by volunteering full-time for three months after Hurricane Katrina. Thomas traveled with a team of volunteers to evaluate residents' needs. Thomas met with elected officials and church leaders and oriented out-of-state volunteers about Louisiana. Her diverse legal career includes work for non-profit organizations, one of which is the Louisiana Association of Non-Profits (LANO). ■

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Brad Price is the attorney responsible for the content of this advertisement.

foundation footnotes

PRO BONO PROJECT & TEEN COURT REPORTS FOR FEBRUARY

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

PRO BONO PROJECT REPORT

We would like to thank our Pro Bono Project volunteers for their contributions during the month of February.

The Thirst for Justice solo practitioner volunteers were **Byron Kantrow**, **Scott Gaspard**, **Hansel Harlan**, **Alexis Luker**, **Allen Posey**, **Judge Melvin Shortess (Ret.)** and **Jimmy Zito**. Thirst for Justice volunteers practicing with a firm were **C. Kevin Hayes**, **Kellen Mathews** and **Robert Wooley**, *Adams and Reese*.

The Ask-A-Lawyer volunteers were **Jim Austin**, *Adams and Reese*; **Terry Bonnie**; **Todd Gaudin**, *Kuehne, Foote & Gaudin APLC*; **John Hopewell**, *Certain Title*; **Loren Shanklin**, *Smith Shanklin*; and **Emily Ziober**.

The Self Help Resource Center attorney volunteers were **Samantha R. Ackers**; **Roy Bergeron**, **Alex Velazquez**, *Phelps Dunbar*; **Terry Bonnie**; **Ryan Brown**, *Roedel, Parsons*; **Victor Brubaker**, *Treadway Morris Lawyers*; **Wendra Moran**; **Lauren Nero**; **Michael Schachtman**, *Louisiana State Bar Association*; and **Raveen Hills** and **Hanna Thomas**, *Southeast Louisiana Legal Services*.

The students volunteering with our outreach clinics were **Justin Bello**, **Kathryn Dufrene**, **Alic'a Oliver**, **Catherine Sens**, **Drew Thagard**, **Chris Vietnas**, **Kirbie Watson**, *LSU Paul M. Hebert Law Center*; **Danielle Metoyer**, **Steffi Oblisundar**, **Kiara Gradney**, **Brian Shinault**, *Southern University Law Center*.

The following volunteers accepted pro bono cases in February: **Michael Breaux**; **Booker Carmichael**, *Murray & Murray*; **Kent DeJean**, *Losavio & DeJean*; **Raushanah Hunter**; **Lauren Nero**; **Michael Platte**, *Dunlap Fiore, LLC*; **Noel Steffes Melancon**, *Steffes, Vingiello & McKenzie*; and **Amanda Stout**, *McGlinchey Stafford, PLLC*. ■



TEEN COURT REPORT

Raveen Hills, **Josh Melder**, **Deanne Murrey** and **Matthew Nowlin** served as judges for the February hearings. **Professor Paul Guidry**, *Baton Rouge Community College*; **Diangleo Frazer** and **Brennan Vazquez**, *Southern University Law Center*, served as jury monitors and teen attorney mentors.

If you are interested in volunteering, please contact **Donna Buuck** at 225-214-5556 or donna@brba.org.

JUNIOR PARTNERS ACADEMY

In February, 10 classes of second- through fifth-grade students at Dalton Elementary and Southern University Lab School participated in Black History Month presentations. **Ryan Brown**, **Preston J. Castille Jr.**, **Melanie Fields**, **Gail Grover**, **Jamie Gurt**, **Raveen Hills**, **Professor Cynthia Reed**, **Professor Wendy Shea**, *BRCC student Jonathan Howard*, *LSU Law Center students Elli McKean*, **Emily Kunst** and **Autumn Warner**, and *Southern University Law Center students Ebony Morris* and **Courtney Richardson** conducted the lessons. ■

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.

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.



Strategies for Success CLE Seminar

Friday, April 12, 2013

Middleton Bar Center, 544 Main St.

REGISTRATION: BEGINS AT 7:30 A.M.

CLE SEMINAR: 7:45 - 8:45 A.M.

SPEAKER: Ann Wise

1.0 HOUR OF PROFESSIONALISM

Contact **Meredith** at 225-344-4803 for more information.



For classified or display ad rates,
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or email: pamela@BRBA.org

Duty Court Schedule

19TH JDC CIVIL COURT

March 25-April 5 Judge Morvant
April 8-April 19 Judge Kelley
April 22-May 3 Judge Hernandez

19TH JDC CRIMINAL COURT***

March 29-April 5 Judge Johnson
April 5-April 12 Judge White
April 12-April 19 Judge Marabella
April 19-April 26 Judge Anderson
April 26-May 3 Judge Erwin

BATON ROUGE CITY COURT*

April 1-April 7 Judge Davis
April 8-April 14 Judge Temple
April 15-April 21 Judge Wall
April 22-April 28 Judge Alexander
April 29-May 5 Judge Ponder

FAMILY COURT**

April 1-April 5 Judge Woodruff-White
April 8-April 12 Judge Day
April 15-April 19 Judge Lassalle
April 22-April 26 Judge Baker
April 29-May 3 Judge Woodruff-White

JUVENILE COURT

April 1-April 30 Judge Richey

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

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

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

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

April 2013

	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				



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

Calendar of Events

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

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

- 1 Teen Court Committee meeting, 4:30 p.m.;
Teen Court Hearing, 5:30 p.m.,
EBR Parish Juvenile Court
- 2 YLS Council Meeting, 12 p.m.
- 3 Law Day Committee meeting, U.S. District
Court, MDLA, 12 p.m.;
- 6 Volunteer Committee meeting, 12 p.m.
- 9 Ask-A-Lawyer workshop, 9:30 a.m.,
Scotlandville Library
Finance Committee meeting, 7:30 a.m.,
Bubby Burns's office;
Executive Committee meeting, 8 a.m.,
Bubby Burns' office;
Construction Law Section
conference call, 9-10 a.m.
- 10 LSBA Local Bar Leaders Luncheon,
12 p.m.;
- 11 Pro Bono Committee meeting, 12 p.m.
- 12 Annual Spring Judges' Conference,
Lafayette Hilton & Towers
Strategies for Success CLE Seminar,
7:30 a.m.;
- Annual Spring Judges' Conference,
Lafayette Hilton & Towers;
LBF Annual Fellows Gala, Hyatt Regency
New Orleans
- 15 CLE Committee meeting, 12 p.m.;
- Teen Court Hearing, 5:30 p.m.,
EBR Parish Juvenile Court
- 16 Construction Law Section CLE, 11:45 a.m.
- 17 Ask-A-Lawyer workshop, 9 a.m.,
Catholic Charities
- 18 Family Law Section CLE & Meeting,
12 - 2 p.m., Juban's
- 19 Junior Partners Academy, presentations,
Dalton Elementary School, 7:30 a.m.
- 24 Bench Bar Conference Committee
meeting, 12 p.m.;
- Youth Education Committee meeting,
12 p.m.
- 25 LRIS Committee meeting, 12 p.m.
- 29 Teen Court Hearing, 5:30 p.m.,
EBR Parish Juvenile Court

Classifieds

SHARED LAW OFFICE SPACE
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BENCH BAR CONFERENCE
takes place in August this year! Build your
vacation plans around your CLE requirements.
12.5 hours of CLE credit available. Aug. 1-3,
2013, Perdido Beach Resort, Orange Beach,
Ala. See our printable registration form online:
www.BRBA.org. Call the BRBA office with any
questions: 225-344-4803.

LAW DAY IS MAY 1:
Volunteers needed for Law Day. Email your
interest to Donna Buuck at donna@brba.org
or call 225-214-5556, if you would like to
volunteer on the day of the event.

WRITERS NEEDED
for *Around the Bar* magazine. BRBA members
who wish to have substantive legal articles
published in future issues of the magazine or
have interest in joining the BRBA Publications
Committee should contact Pamela Labbe at
pamela@brba.org for more information.

VOLUNTEER TODAY:
The BRBF Pro Bono Project always needs
volunteers to assist with Ask-A-Lawyer,
Thirst for Justice, and the Self Help Resource
Center. Contact Emily at 225-214-5558 or
emily@brba.org to volunteer.

MEETING ROOM FACILITIES AVAILABLE FOR DEPOSITIONS & MEDIATIONS

BRBA members can reserve conference rooms for
\$50 per day (\$25 per half day) per room.
Non-members receive a rate of \$250 per day
(\$125 per half day) per room.

To book and for more information, contact Meredith French
at 225-344-4803 or meredith@BRBA.org.

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