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THE BATON ROUGE LAWYER

THE MAGAZINE OF THE BATON ROUGE BAR ASSOCIATION



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On the Cover

This year marks the 25th BRBF Belly Up with the Bar event, which began as a Young Lawyers Section-sponsored event in the backyard of a local law firm. On the cover, we feature current and past members of the Belly Up Committee. Photographed are: (back row) Vic Suane, Scotty Chabert, Brandon DeCuir, Keith Richardson, Chris Vidrine, Juan Moreno, Andrew C. Kolb, Billy Rogers, Marcus Plaisance; (center row) Quinn Brown, Terrell Dupard, Brett L. Bajon, Jenn Racca, Michael P. Schillage, Todd Gaudin, Yolanda Cezar, Carlesia Carmena Bibbins; (seated) Robert "Bubby" Burns, Ben Treuting (2023 chair) and Cornelius Troy Hall (2023 vice chair).

We thank Charles R. "Chick" Moore for granting us with his permission to take this photo on his law office building's patio, 6513 Perkins Rd., the location of the first Belly Up event.

Photography by Kent Moroux.

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SAVE THE DATE

BRBA YLS First Circuit Sidebar
will begin at
11:30 a.m.
Wednesday, July 26
at the Louisiana First Circuit
Court of Appeal.

Contact Susan Saye
at the BRBA for more information:
susan@BRBA.org or 225-344-4803.

Belly Up with the Bar 2023
will be **6-9 p.m.**
Friday, Oct. 27
at the John M. Parker Coliseum
on the LSU Campus.

Belly Up is a cooking competition and brewfest.
All funds derived from Belly Up with the Bar
benefit the Baton Rouge Bar Foundation's
Youth Education Programs.

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BRBA Construction Law Section Meeting & CLE: July 27

SPEAKERS: David Fleshman and Jacob Roussel

**Questions? Contact Susan Saye at
susan@BRBA.org or 225-344-4803.**

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Letter from the President

by *Melanie Newkome Jones*

Embracing Traditions

Summer is winding down, our vacations are behind us and, for many, a new school year approaches. This used to be when the bar had its Opening of Court. Before air conditioning, the courts closed for the summer and re-opened after Labor Day, so everyone did not melt. The firms introduced their new associates, and new attorneys were welcomed to the bar. There was, as now, the recognition of bar members who passed away in the previous year. We still have this tradition, though now we celebrate at the beginning of the year.

Over the years, the Baton Rouge Bar Association established a number of traditions. One such tradition, the bar luncheon, was held monthly, and everyone including judges attended. It was a place to catch up with colleagues and an opportunity for new attorneys to mingle with their elders. It was a monthly social. We hold fewer bar luncheons today as there are so many other ways that attorneys connect. Social-media outlets, bar-section meetings, bar social events, and activities through other professional and social associations are a few examples.

The BRBA once had an annual golf tournament and a softball league. Over the years, those went away, but we have resurrected Ball Maul. The 2023 tournament was a great success. Our group has discussed adding other Bar Association sporting events. If anyone has a suggestion for a new sports activity, please let me know. Pickleball anyone?

Belly Up with the Bar is celebrating its 25th year. This fun tradition also raises funds for the BRBF's many youth education programs. Save the date: Friday, Oct. 27.

The Gavel Gala debuted in 2022 and was a resounding success; this year's gala is on track to be equally fun and successful. If you missed it last year, come join us in your fancy attire to eat, drink and mingle with your colleagues. Be ready to bid on some fantastic items, including trips, art and jewelry in our silent and live auctions. Please contact Luke Williamson if you would like to donate auction items. All donations are welcome and appreciated. This year's



Melanie Newkome Jones

Gavel Gala will be held Thursday, Nov. 9, 2023, at the City Club of Baton Rouge so please save the date.

Of course, the tradition that everyone teases the president about is the requirement to sing with the band at the annual Bench Bar Conference. Trust me, it is the one responsibility of the president that is the most stressful and most dreaded. If that pressure wasn't enough, for six whole months prior to my performance, I was constantly asked what song I was going to sing. It is a secret that is unveiled (for better or worse) at the conference dance.

The first album I ever owned was Janis Joplin's "Pearl." I've been singing "Me and Bobby McGee"

at the top of my lungs since I was 6. That seemed like a perfect fit because I didn't have to memorize the lyrics. So, I requested our conference theme be the 1960s to further accommodate this tune. This choice provided for a great range of clothing and accessory options for people attending the themed dance. Nevertheless, as the time grew closer, my anxiety rose.

Before I knew it, we were there! At the appointed time, I joined the band and looked into the crowd for my four daughters, my dad and stepmom, and my close friends. The whole crowd was cheering me on. As much as I dreaded it for so long, it was one of the best experiences of my life. Friends, family, acquaintances and colleagues were all there with me, wanting me to succeed. So, I let my fear go and just had fun singing "Me and Bobby McGee" at the top of my lungs.

I have had so many memorable experiences this year that I would never have had were it not for this position. I have had the honor of welcoming new judges at their investitures, congratulating retiring judges for their years of service, speaking to high school students and, my favorite, welcoming new U.S. citizens at naturalization ceremonies. It has been a privilege to participate in our time-honored traditions, both past and present.

Traditions are good. May they always continue.

Contributors



Michael J. D'Albor is a 2024 J.D. candidate at Southern University Law Center and a contributing writer.



Cornelius Troy Hall, a 19th Judicial District Court law clerk, is a member of the Publications Committee.



Melanie Newkome Jones, attorney at law, is the 2023 president of the Baton Rouge Bar Association.



Jennifer Maybery practices with the Maybery Law Firm, LLC, and is a member of the Publications Committee.



Gail S. Stephenson, the managing editor of *The Baton Rouge Lawyer*, is the director of legal analysis and writing and the Louisiana Outside Counsel A.A. Lenoir Endowed Professor at Southern University Law Center.

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at lynn@BRBA.org.

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Back to Basics

Computation of Time *by Gail S. Stephenson*

Calculating time delays is an everyday task for most attorneys. We all have to deal with such things as prescriptive periods, briefing deadlines, motions for new trial and appeal delays. For prescription and peremption,¹ Louisiana Civil Code article 3454 sets out the rule for time computation:

[T]he day that marks the commencement of prescription is not counted. Prescription accrues upon the expiration of the last day of the prescriptive period, and if that day is a legal holiday, prescription accrues upon the expiration of the next day that is not a legal holiday.

Louisiana Code of Civil Procedure article 5059, which sets out the rules for time computation in all other civil matters, uses the same method of computation.² At first glance, computation of time seems simple. Article 5059 states that the period begins to run on the first day after “the act, event, or default” and includes the last day “unless it is a legal holiday, in which event the period runs until the end of the next day which is not a legal holiday.”

But what is a legal holiday? And what happens if the legal holiday falls within

the time period instead of on the last day?

The answer to the second question is found in article 5059(B). The legal holiday is included in the time computation unless it is expressly excluded or the time period is less than seven days. Legal holidays are expressly excluded by article 5059(C)(1) if seeking “rehearing, reconsideration, or judicial review or appeal of a decision or order by an agency in the executive branch of state government.”

The answer to the first question is more complicated. The Louisiana Legislature devoted 3,360 words to defining “legal holidays” in Louisiana Revised Statutes 1:55. The Louisiana Fifth Circuit noted: “While it is evident at first glance that La. R.S. 1:55 is written in a particularly tortuous and difficult manner, attorneys are held to a knowledge of its contents.”³ The Fifth Circuit was kind in its description—the statute is a mess of overlapping and conflicting provisions crying out for revision.

Don’t be fooled by Section(A) of R.S. 1:55, which sets out the “days of public rest and legal holidays,” including Battle of New Orleans Day and Huey P. Long Day. Not all of those legal holidays apply for purposes of article 5059. Section

E(3) of the statute gives a list of the “only” legal holidays for the purposes of article 5059, but that subsection includes cross-references to other subsections and sub-subsections of the statute. The following dates are legal holidays for purposes of article 5059 in all district, parish and city courts:

- All Saturdays and Sundays⁴
- New Year’s Day, Jan. 1
- Martin Luther King Jr.’s Birthday, third Monday in January
- President’s Day, third Monday in February
- Good Friday
- Memorial Day, last Monday in May
- July 4
- Labor Day, first Monday in September
- All Saint’s Day, Nov. 1
- Veteran’s Day, Nov. 11
- Thanksgiving, fourth Thursday in November
- The day after Thanksgiving
- Christmas Eve, Dec. 24
- Christmas, Dec. 25
- New Year’s Eve, Dec. 31

Mardi Gras Day should probably also be included in this list, but there is some confusion in the statute.⁵

Those holidays, however, are not the only legal holidays. The statute states in Section E(3) that the holidays set out in Section E(1) are legal holidays for the purpose of article 5059. The problem is that Section E(1) sets out multitudinous holidays, including “any day that the governor has proclaimed a legal holiday”;⁶ “any day an emergency situation has been declared by the governor or the local governing authority and governmental entities, including the courthouse, have been ordered to close”;⁷ “all of the legal holidays provided in Subparagraph (B) (1)(a);⁸ and many holidays specific to particular cities, parishes or courts.

An example of a city-specific holiday is “Inauguration Day once in every four years in the city of Baton Rouge, or the first Tuesday after the first Monday in November in even-numbered years.”⁹ A court-specific holiday is Christopher Columbus Day in Sulphur City Court on

the second Monday in October.¹⁰ The Fridays of festival weekends are popular as parish-wide legal holidays. Some examples include the Cattle Festival in Vermillion Parish,¹¹ the Sugar Cane Festival in Iberia Parish,¹² the Black Bear Festival in St. Mary Parish¹³ and the Watermelon Festival in Union Parish.¹⁴

Let’s look at how these calculations work. Louisiana

Revised Statutes 13:850 permits fax filing in civil actions. Section B requires that the original document be delivered to the clerk of court “[w]ithin seven days, exclusive of holidays,” after the clerk receives the fax filing. If an attorney faxes a pleading on May 18, she has until May 30 to deliver the original to the clerk. The seven-day period begins to

If you think you missed a deadline, read R.S. 1:55 carefully. You may find some little-known holiday that saves you from malpractice.

run on May 19, the first day after the act of faxing. Saturdays and Sundays are legal holidays, so May 20, 21, 27 and 28 don’t count. May 29 is Memorial Day, so it doesn’t count either. Thus, the seventh day, exclusive of holidays, is May 30.¹⁵ If the statute had not included the “exclusive of holidays” language, however, delivery of the original would

have been due on May 25, as the time period was not less than seven days and Saturday and Sunday, May 20 and 21, would have counted.

If you think you’ve missed a deadline, read R.S. 1:55 carefully. You may find some little-known holiday that saves you from malpractice. But because R.S. 1:55 is so confusing, my best advice is this:



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Don't wait until the last minute to file or take action. That way you won't end up litigating whether Mardi Gras Day is a legal holiday in Jefferson Parish, even though it is not listed in R.S. 1:55(E)(3).

¹ Although article 3454 refers to prescription, it also applies to peremption. H.R. 10 Profit Sharing Plan v. Mayeux, 03-0691 (La. App. 1st Cir. 9/17/04), 893 So.2d 887, 892, *writ denied*, 05-0868 (La. 5/13/05), 902 So.2d 1031.

² See *Lafleur v. Charter Mktg. Co.*, 473 So.2d 133, 134 (La. App. 3d Cir. 1985), *writ denied*, 477 So.2d 708 (La. 1985).

³ *Magee v. Jefferson Rental*, 434 So. 2d 421, 423 (La. App. 5th Cir. 1983), *on reh'g*, 454 So.2d 842 (La. App. 5th Cir. 1984) (on original hearing, finding a motion for new trial was untimely; mover's attempt to claim the birthdays of both Martin Luther King Jr. and Robert E. Lee as legal holidays failed because the governor had not declared them holidays in 1981).

⁴ La. R.S. 1:55(E)(3).

⁵ La. R.S. 1:55(E)(3) states that Mardi Gras is a legal holiday "only in those parishes in which the governing authority of the parish declares a holiday under authority of Paragraph (A)(3) of this Section." Those parishes are "East and West

Feliciana, East Baton Rouge, Iberville, Pointe Coupee, West Baton Rouge, St. John the Baptist, St. Charles, Lafourche, St. Mary, Assumption, Terrebonne, St. Martin, Ascension, St. James, St. Tammany, St. Bernard, Jefferson Davis, Livingston, Acadia, Vermilion, Calcasieu, Orleans, Allen, and Tangipahoa." La. R.S.

1:55(E)(1)(a)(iii). However, R.S. 1:55(E) further states that "all of the legal holidays provided in Subparagraph (B)(1)(a)" are holidays on which the clerk's offices shall close in all the district, parish and city courts. One of the holidays listed in B(1)(a) is Mardi Gras, without the qualification that it be declared a holiday by the parish government.

⁶ La. R.S. 1:55(E)(1)(b).

⁷ *Id.*

⁸ *Id.*

⁹ La. R.S. 1:55(B)(1)(a).

¹⁰ La. R.S. 1:55(B)(1)(b).

¹¹ La. R.S. 1:55(E)(1)(e).

¹² La. R.S. 1:55(E)(1)(f).

¹³ La. R.S. 1:55(E)(1)(g).

¹⁴ La. R.S. 1:55(E)(1)(i).

¹⁵ See *Jenkins v. AIU Ins. Co.*, 21-0644 (La. App. 5th Cir. 6/22/22), 343 So.3d 927.

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Save the Date

Bar Luncheon

The September Bar Luncheon will be held **11:45 a.m. – 2 p.m. Thursday, Sept. 7, 2023**, at the City Club of Baton Rouge. Deadline to register is noon Thursday, Aug. 31, 2023.

Our featured speaker will be **Dean Alena Allen of the LSU Paul M. Hebert Law Center**. Dean Allen is a Louisiana native who previously served as deputy director for the Association of American Law Schools and as a professor of law at the University of Arkansas School of Law. Her scholarship focuses on health policy and tort law.

At the University of Arkansas, Allen held several leadership positions, including associate dean for research and faculty development, and interim dean. Prior to joining the University of Arkansas, Allen was a tenured associate professor at the Cecil C. Humphreys University of Memphis School of Law, where she was awarded Professor of Year in 2013, the Farris Bobango Faculty Scholarship Award in 2019 and the MLK 50 Faculty Service Award in 2021.

Allen earned her bachelor's degree from Loyola University New Orleans. She is a graduate of the Yale Law School, where she was the articles editor of the Yale Journal of Regulation. She served as a law clerk for Judge Samuel H. Mays, U.S. District Court for the Western District of Tennessee; and Judge Paulette J. Delk, U.S. Bankruptcy Court for the Western District of Tennessee. Allen also previously worked as an associate in the health-care group at Arnold & Porter's Washington, D.C., office, and in the employee-benefits group at Baker Botts in Houston.



LSU Law Dean Alena Allen

**Please join us for this
event Thursday, Sept. 7.**

Questions?

**Contact Ann K. Gregorie at
ann@brba.org or 225-214-5563.**

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Contact Pamela Labbe at 225-214-5560 or pam@brba.org

Attorney Spotlight Amy Poindexter

TBRL: Describe your involvement with the BRBA.

AP: I have been involved with the Family Law Section (FLS) since 2016, and I am currently the chair of FLS.

TBRL: What is your favorite BRBA activity or event?

AP: FLS holiday party! It is a lovely way to end the year. I also look forward to attending Bench Bar again in the future.

TBRL: Tell us about your education.

AP: I graduated from University of Louisiana at Monroe in 2012 with a bachelor's degree in English literature and from Paul M. Hebert Law Center at LSU in 2016.

TBRL: Where are you from?

AP: I was born and raised in West Monroe, Louisiana.

TBRL: Why did you want to become an attorney?

AP: I didn't know what else to do with my degree in English literature. There are no lawyers in my family but a lot of teachers, and I wasn't interested in teaching at the time. I took time off from school and took the LSAT during that year. I figured that if I got accepted to LSU Law, then I would commit, and almost 10 years later, here we are.

TBRL: Where do you practice law?

AP: I have served as staff attorney to Judge Pam Baker in the East Baton Rouge Parish Family Court since 2016.

TBRL: What is your favorite part about being a staff attorney?

AP: The decent work hours and many state holidays. Honestly, I enjoy seeing the work of different attorneys (the good, the bad and the ugly). I have learned what not to do from being on "this side." I enjoy assisting with and witnessing the decision-making process.

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

AP: I can see myself teaching at the collegiate level. I am also interested in home design and the preservation of historic homes.

TBRL: Why did you choose family law?

AP: I participated in the family law mediation clinic and the field placement program at LSU Law, where I was assigned as an intern for Judge Baker at the Family Court. Then, I was fortunate enough for Judge Baker to hire me. During my time

in Family Court, I have witnessed various family dynamics, and it has truly given me a deeper appreciation for my family ... and mundane life.

TBRL: Why should BRBA members practicing family law join the Family Law Section?

AP: BRBA members practicing family law should join the Family Law Section because of the informative CLEs and fun social events. Also, the Family Court judges are often kind enough to grace us with their presence at CLEs, contributing to the discussions and answering helpful questions about practicing in Family Court.

TBRL: What events/activities does the FLS have planned for this fall?

AP: The annual family law legislative update CLE in August, a four-hour CLE in October where attorneys can receive an ethics CLE credit, and our holiday party in December.

TBRL: Who was your greatest mentor as a young lawyer?

AP: Judge Baker. She has taught me so much about family law and the practice of law in general. She is, in my humble opinion, the best family law judge in the state, and it has been an honor to work with and for her.

TBRL: What is the best piece of advice you have received?

AP: Always prioritize and take care of my physical and mental health.

TBRL: What are your leisure activities?

AP: I practice yoga and enjoy going on walks with my dog, June. My fiancé and I bought a 1920s craftsman house in Spanish Town, and I enjoy spending time preserving and reviving our humble abode. I also watch an inordinate amount of television. "Gilmore Girls" is my #1 show, and I re-watch the series regularly. I am also a Bravo-holic, so if anyone wants to discuss "Scandoval," I'm your girl.

TBRL: What would you consider your greatest achievement?

AP: Overcoming my fear of public speaking. I had to unexpectedly step in and give a presentation for Judge Baker at the LSU Family Law Seminar last year. From the reviews, I did a decent job, and I have been requested to speak again. I have also given presentations for the FLS.



FLS Chair Amy Poindexter

Interview by Pamela Labbe, Ph.D.,

communications director of the Baton Rouge Bar Association and staff liaison of the Publications Committee.



Riverboats on the Mississippi River receive cargo and supplies at the Vicksburg Landin (c.g. 1905).

A Look into the State-Commissioned River Pilots of Louisiana

by Michael J. D'Albor

Louisiana law grants state-commissioned pilots a monopoly to board and navigate foreign vessels through the Mississippi River for a fee.¹ These pilots are some of the highest-paid people in the United States, with some salaries reaching over \$700,000.² The jobs of state-commissioned and federal pilots are no different, yet the state-commissioned pilots' salaries are double the federal pilots' salaries.³

The power to govern this work was originally granted to the federal government through the United States Constitution, but was delegated to the states for safety reasons over two centuries ago.⁴ Throughout the years, technology in the shipping industry has substantially advanced, making the requirement for a pilot to board and navigate a vessel obsolete.⁵ This article seeks to provoke thought about Louisiana's pilotage laws and look into how the pilot system operates.⁶

River pilots are heavily involved in Louisiana politics and give more money to lawmakers than most interest groups in the state.⁷ Through campaign contributions and lobbying, the

pilots, according to industry insiders, have upheld some of "the most generous laws in the country."⁸ One commentator said that "the pilots desire to hold onto their closed society and high salaries at all costs,"⁹ as their campaign contributions to the lawmakers continue.¹⁰

These laws, which have roots from over 230 years ago,¹¹ were made for vessels traveling the river by sail and paper maps.¹² "In a modern society where technology is praised and change is cultivated,"¹³ this article suggests that Congress could reclaim the power it gave away 230-plus years ago as the Louisiana Legislature refuses to ameliorate the law.¹⁴ Doing so would render the state pilotage laws unconstitutional¹⁵ and give the federal government the power to correct the inefficient and outdated system.¹⁶

The pilots, however, say the system is just fine, and no reform is needed. The state-commissioned pilots have argued to the Legislature for the past decade that they have a 99.9% safety record¹⁷ and thus are needed.¹⁸ This safety record, the required education and experience to become a pilot and the

oversight already in place through the boards of review and boards of examiners are the main justifications the pilots argue for their high salaries and continued monopoly.¹⁹ The pilots' outstanding safety record gives them a huge bargaining chip when it comes to deciding their salaries and job security on the river. However, it can be argued that the safety record is due to the technology the vessels traversing the river possess, not the pilot's intuition and navigation skills as it was in the past.

Louisiana's state-commissioned Mississippi River pilotage laws are not subject to Constitutional scrutiny due to the Congressional consent given to the states.²⁰ The protectionism provided by Congressional consent allows the state to act in any manner it wants concerning commerce, with no recourse from the branch of government that originally held the power to govern it. Absent this consent, the state laws would be struck down and reformed in line with the technological advancements of the 21st century.

However, reforming the pilotage system could spur economic development. A commentator said: "Louisiana labors under the widespread perception that it is a less than ideal place to conduct business. By taking a step towards reforming its pilotage system, the state begins chipping away at this notion, and in the process, strengthens Louisiana's existing base of [the] maritime industry."²¹

The law is clear in that a "regulation is void only if the challenger can prove that the burden imposed on interstate commerce is clearly excessive in relation to the putative local benefits of the regulation."²² State laws in the past were deemed unconstitutional because they (1) imposed an illusionary effect of safety, (2) monetarily burdened commerce and (3) did not use reasonable non-discriminatory/cheaper alternatives. A similar set of facts lies in the pilotage system of Louisiana.

Here, Louisiana is promoting safety by having pilots board vessels, but the pilot neither steers the ship nor touches the controls; he or she is there only to give advice.²³ Furthermore, it is extremely dangerous for a pilot and anyone else involved with getting that pilot onboard a vessel, as deaths and injuries occur yearly.²⁴ The pilot could give advice remotely, and the vessel would operate just as safely with the pilot off board due to the incorporated GPS and radar technology.²⁵ Secondly, the state is imposing a major burden on commerce of over \$100 million per year. The United States Supreme Court validated

in *Southern Pacific Co. v. State of Arizona ex rel. Sullivan* that \$1 million per year was a large enough burden to invalidate a state statute.²⁶ Lastly, the cheaper/non-discriminatory alternatives of having a pilot board the vessel include the advanced GPS and radar technology on the ships to guide them safely down the river.²⁷ These alternatives are already implanted and used on the vessels.²⁸

The Congressional consent given to the states so long ago is holding back the commonsense reform that is much needed. Congress consented to something completely different from

what is happening in the shipping industry today. Therefore, it may be time for the law to catch up with the fury because there is little rationale for the law as it stands today.²⁹ As Dr. Martin Luther King Jr. put it, "There comes a time when one must take a position that is neither safe, nor politic, nor popular, but he must take it because conscience tells him it is right."³⁰ Congress and Louisiana lawmakers should think about that quote and ponder where the world would be today if King did not stand up for what he knew was right.³¹

Louisiana's state-commissioned Mississippi River pilotage laws are not subject to Constitutional scrutiny due to the Congressional consent given to the states.

¹ Avery Cootes, *Riverboat Piloting in Southeast Louisiana: A Legal Monopoly*, 11 LOY. MAR. L.J. 191, 196-97 (2012); La. R.S. 34:953; La. R.S. 34:997; La. R.S. 34:1048(A).

² *Masters of the River*, TIMES-PICAYUNE (New Orleans, La.), https://www.nola.com/news/business/article_d0345bfo-1bf5-5212-ac7e-10a15c7fd716.html (June 25, 2019, 11:09 AM); Dan Fagan, *Louisiana River Pilot Salaries an Example of Government at Its Worst*, ADVOCATE, (Aug. 18, 2018, 6:01 PM), https://www.theadvocate.com/baton_rouge/opinion/article_34d441ca-a196-11e8-9af9-f7c8a29fd5e4.html.

³ *Masters*, *supra* note 2.

⁴ Paul G. Kirchner & Clayton L. Diamond, *Unique Institutions, Indispensable Cogs, and Hoary Figures: Understanding Pilotage Regulations in the United States*,

23 U.S.F. MAR. L.J. 168, 171, 173 (2010); Act of Aug. 7, 1789, ch. 9, 1 Stat 53, 54 (1789); "Congress shall have the power [t]o regulate Commerce with foreign Nations and among the several States." U.S. CONST. art. I, § 8, cl. 3.

⁵ Harry Valentine, *Autonomous Navigation Along Inland Waterway*, MARITIME EXECUTIVE (Sept. 22, 2018, 8:45 PM) <https://maritime-executive.com/editorials/autonomous-navigation-along-inland-waterways>; *Everything Is Connected: Enabling the Next Generation of Navigation*, WARTSILA, (Dec. 15, 2021) <https://www.wartsila.com/voyage/insights/article/everything-is-connected-enabling-the-next-generation-of-navigation>.

⁶ See generally, La. State Sen. Broadcast Archived Videos, SENATE.LA.GOV (May 26, 2021), https://senate.la.gov/s_video/videoarchive.asp?v=senate/2021/05/052621COM [hereinafter Broadcast] (discussing at 01:56:10—01:57:32) (Sen. Peterson said: "We are still talking about the problems that we had 30 years ago. Captain Bopp, I had the same conversation with you. Remember when I talked to you all? I did not ask for anything, I did not ask for a scholarship, I did not ask for you to hire somebody, I did not ask for a contract in the good ole boy system. I did not ask for [any of] that, which happens a lot. We have former legislators fighting in public about their children [getting pilot jobs] and nepotism [in the pilot system]. I did not ask for that. The system needs to be changed for the greater good of this state. It is over, it's tired, it's old, it's 1870s like. Get over

it and do better.”).

⁷ Lee Zurik & Tom Wright, *Industry Cries Foul as River Pilots Use Their Clout*, Fox 8 (New Orleans, La.) <https://www.fox8live.com/story/38263528/zurik-industry-cries-foul-as-river-pilots-use-their-clout/> (May 23, 2018, 10:16 PM); Search OpenSecrets.org, OPEN SECRETS, <https://www.opensecrets.org/search?q=river+port+pilots+&type=orgs> (last visited, Sept. 28, 2022); PAC Profile: Crescent River Port Pilots, OPEN SECRETS, <https://www.opensecrets.org/political-action-committees-pacs/crescent-river-port-pilots/COO221077/summary/2022> (last visited, Sept. 28, 2022); Sam Karlin, *They're a Powerful Group: How River Pilots Exert Political Influence at the State Capitol*, ADVOCATE (Baton Rouge, La.) (Jul. 4, 2021, 4:00 AM), https://www.theadvocate.com/baton_rouge/news/politics/legislature/article_f7c2bdb2-dbf7-11eb-a84d-5b9229ba4b59.html.

⁸ Zurik & Wright, *supra* note 7.

⁹ Jeffrey Kenneth Prattini, *Louisiana's 2004 River Pilot Reform Muddies the Water*, 52 LOY. L. REV. 369, 405 (2006).

¹⁰ OPEN SECRETS, *supra* note 7; Zurik & Wright, *supra* note 7.

¹¹ Act of Aug. 7, 1789, ch. 9, 1 Stat 53, 54 (1789).

¹² Kirchner & Diamond, *supra* note 4 at 176.

¹³ Cootes, *supra* note 1, at 211.

¹⁴ See generally Broadcast, *supra* note 6 (discussing at 01:21:21—02:07:37) (A bill promoting transparency and reform with pilots effectively killed.); see generally Daniel J. Erspamer, *It's Time to Bring Reform to the River Pilots*, PELICAN INSTITUTE FOR PUBLIC POLICY (New Orleans, La.) (May 3, 2021), <https://pelicanpolicy.org/its-time-to-reform-the-river-pilots/>.

¹⁵ CALVIN MASSEY & BRANNON P. DENNING, AMERICAN CONSTITUTIONAL LAW: POWERS AND LIBERTIES 254, 254 (Rachel E. Barkow et al. eds., 6th ed. 2019).

¹⁶ Broadcast, *supra* note 6 (discussing at 01:54:58—01:55:20). (Sen. Peterson said: “It impacts and impedes commerce to have an inefficient system of four entities governing how much a carrier has to pay to come up and down this river; it is completely inefficient, and it has been governed by a good ole white boy system.”).

¹⁷ Cootes, *supra* note 1, at 202; Broadcast, *supra* note 6, https://senate.la.gov/s_video/videoarchive.asp?v=senate/2021/05/052621COM (discussing at 01:46:56—01:47:00) (Michael Bopp, President of the Crescent River Port Pilots said, “We are at a 99.9% safety record.”)

¹⁸ Sam Karlin, *River Pilots vs. Big Industry: War over 6-Figure Pay Is About to Get Plenty More Attention*, ADVOCATE, [https://www.theadvocate.com/baton_rouge/news/politics/legislature/article_26264212-aa8b-11eb-a826-](https://www.theadvocate.com/baton_rouge/news/politics/legislature/article_26264212-aa8b-11eb-a826-e7e41f3ffc60.html)

[e7e41f3ffc60.html](https://www.theadvocate.com/baton_rouge/news/politics/legislature/article_26264212-aa8b-11eb-a826-e7e41f3ffc60.html) (May 2, 2021, 8:10 PM); Masters, *supra* note 2; Broadcast, *supra* note 6.

¹⁹ Broadcast, *supra* note 6, (discussing at 01:46:50—01:49:20) (Michael Bopp and Steven Hathorn’s comments in opposition to House Bill 650. Safety is the mission statement of the Crescent pilots.).

²⁰ MASSEY & DENNING, *supra* note 15; Kirchner & Diamond, *supra* note 4, at 172-73; Act of Aug. 7, 1789, ch. 9, 1 Stat 53, 54 (1789).

²¹ Matthew A. Lynch, *A Comparison of Louisiana's Regulation of State-Commissioned Pilotage with That of Other Maritime States*, 29 TUL. MAR. L.J. 81, 104 (2004).

²² MASSEY & DENNING, *supra* note 15, at 260.

²³ See Restore the Mississippi River Delta, *Eternal Flow: Views of the Mississippi River in Louisiana*, YOUTUBE (Oct. 20, 2021) <https://www.youtube.com/watch?v=ZJiGPc84dgY>.

²⁴ River and Bar Pilot Accidents, MARITIME INJURY GUIDE, <https://www.maritimeinjuryguide.org/maritime-job-injuries/river-bar-pilot/>. For example, in 2006, a pilot died when he fell into the sea while leaping from a log carrier to a pilot boat; in 2012, a pilot tripped and fell overboard while returning to her pilot boat; in 2013, a pilot was killed when he fell into the water while attempting to board a container ship.

²⁵ Valentine, *supra* note 4; WARTSILA, *supra* note 4; see generally Restore, *supra* note 23.

²⁶ 325 U.S. 761, 772 (1945).

²⁷ Valentine, *supra* note 5; WARTSILA, *supra* note 5; Remote Pilotage – Perspective and Risks to Consider, HELLENIC SHIPPING NEWS WORLDWIDE (Jackson County, Florida), <https://www.hellenicshippingnews.com/remotepilotage-perspective-and-risks-to-consider/> (“Remote piloting allows qualified pilots, situated on land or on a pilot boat, to guide the vessel remotely. Experienced Vessel Traffic Service (VTS) personnel, seated at their screens in the control cent[er] ashore, may also provide instructions to the master.”); see Restore, *supra* note 23.

²⁸ See Restore, *supra* note 23 (discussing at 00:22:51—00:30:17).

²⁹ Cootes, *supra* note 1, at 196.

³⁰ MARTIN LUTHER KING JR., ALL LABOR HAS DIGNITY 149 (Michael K. Honey ed., 2011).

³¹ For further information on this topic, see Michael D’Albor, *Organized Crime at the Highest Level – A True License to Steal: The Untouchable Mississippi River Pilots of Louisiana*, 50 S.U. L. REV. — (2023); <http://ssrn.com/abstract=4344763>.

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Family Practice and the Continuing Impacts of the COVID-19 Pandemic: Domestic Violence

by Jennifer Maybery

The COVID-19 pandemic impacted the practice of family law in every way, forcing changes to procedural practices and raising new social issues and social-services issues. Connecting clients to services or social-assistance programs can, at times, be the most important factor in a family law case. Client services fundamental to family practice include domestic-violence-support programs, substance-abuse evaluation and treatment programs, and mental-health and family-health services. While the COVID-19 lockdown period presented challenges for client access to needed programs in each of these areas, the question now is whether these social issues exacerbated by the pandemic and resulting lockdown are leveling off and re-normalizing.

Procedure and Practice Changes Impacting Domestic Violence Cases

Beginning in March 2020, court closures in some areas created immediate challenges for litigants, and even after courts reopened, litigants would find that docketing and hearing settings were delayed to a greater extent than they were before closure.¹ Some courts updated procedures to expand remote access and build online outreach. For example, the National Center for State Courts and National Center on Protection Orders and Full Faith & Credit organized a CLE seminar highlighting Arizona’s AZPOINT program, short for the “Arizona Protective Order Initiation and Organization Tool,” and Indiana’s Protection Order E-filing Service. Each service provides

litigants the ability to directly e-file protective-order petitions.²

In Louisiana, other technological improvements and steps were taken toward the goal of preserving or expanding access for litigants seeking assistance with domestic violence, especially when it comes to programs allowing for remote court appearances. While Louisiana litigants did draw significant advantage from the expanded allowance of Zoom access to the courts for domestic violence and other family cases, these online-access advantages have their limitations. Many households do not have internet service for financial reasons, and rural households still may not have high-speed internet services available where they are located. Following Hurricanes Laura, Delta and Ida, many households suffered interruptions of internet services generally available in their area.

Courts were also challenged to determine appropriate process in cases where litigants appeared remotely, as it became difficult for courts to determine if anything inappropriate was happening off camera.

There are other specific concerns for a victim of domestic violence who is appearing for court proceedings from home: If both parties can appear remotely, how can the court assure that a victim of domestic violence is testifying safely? In the course of a Michigan criminal bond proceeding held using Zoom in March 2021, the court discovered that the accused abuser was appearing in court from inside the same apartment

as the complaining witness.³ Each party was logged on to Zoom and was responding to the recorded proceedings. As the assistant prosecutor, Deborah Davis, was questioning the complaining witness, she noticed that the witness was hesitating and looking off camera while responding to questions. Davis stopped the questioning and said, “Your Honor, I have reason to believe that the defendant is in the same apartment as the complaining witness right now and I’m extremely scared for her safety.” Judge Jeffery Middleton responded by asking each party’s location. The complaining witness provided her address, and the defendant provided a different address. The judge requested that the defendant go outside, while on Zoom, and show the house number on the video. The defendant said he could not do that because his phone would die if he unplugged it from the charger where he was sitting. Fortunately, law enforcement officers were en route to the complaining witness’s address to check on her. Law enforcement arrived and remanded the defendant into custody at the complainant’s apartment during the hearing. The recorded Zoom proceeding went viral during the pandemic and was widely viewed as an illustration of the risk to domestic-violence victims in need of the court’s protection, even when remote and online access to the courts is ensured.

Surge in Domestic Violence (DV) Reports

In April 2020, UN chief António Guterres spoke on the “horrific global surge” in domestic violence following lockdowns,⁴ in a crisis that came to be framed as the shadow pandemic.⁵ The American Journal of Emergency Medicine reported on the following global domestic-violence trends in the wake of the pandemic crisis:

- reported domestic violence tripled in China’s Hubei province in February 2020, compared to numbers from the year prior;
- domestic violence reports in France increased 30% following the lockdown initiated March 17, 2020;
- domestic violence calls in Argentina increased by 25% following the March 2020 lockdown;
- helpline calls increased 30% in Cyprus; and

Lockdown can cause a “catastrophic milieu for individuals whose lives are plagued by domestic violence” by causing isolation and restricted access to support systems, economic strain due to the shut-down of nonessential businesses and quarantine conditions associated with substance abuse and depression.

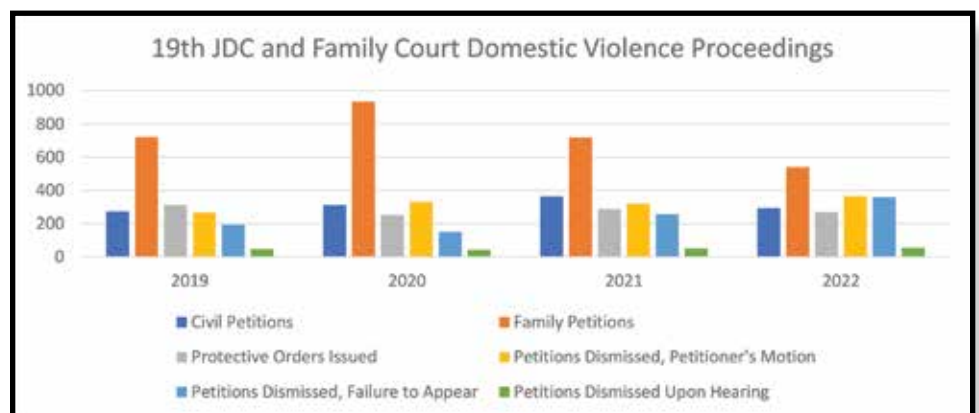
- helpline calls increased 33% in Singapore.⁶

And in the United States, the American Journal of Emergency Medicine cites the following localized domestic-violence statistics following lockdown:

- following school closures and lockdown orders in mid-March, the Portland Police Bureau reported a 22% increase in domestic-violence-related arrests compared to prior weeks;
- following school closures and lockdown orders in mid-March, the San Antonio Police Department saw an 18% increase in family violence calls over its March 2019 numbers;
- in Jefferson County, Alabama, the sheriff’s office reported a 27% increase in calls in March 2020 compared to March 2019; and
- the New York City Police Department saw a 10% increase in domestic-violence reports in March 2020 compared to March 2019.⁷

Lockdown can cause “a catastrophic milieu for individuals whose lives are plagued by domestic violence” by causing isolation and restricted access to support systems, economic strain due to the shut-down of nonessential businesses and quarantine conditions associated with substance abuse and depression.⁸ Harvard lecturer and clinical instructor Marianna Yang highlights risk factors at play for households during lockdown:

A lockdown increases the risk factors for domestic violence in multiple ways: there are more financial stressors because of income loss due to unemployment; there is also the loss of the ability to have breathing spaces for people who are in risky relationships. When people are working outside the home, interactions with their partner are limited



to certain hours of the day, and the potential time for conflict is also limited. In a lockdown, not only do you take away those breathing spaces, but you also increase the dynamics where domestic violence can occur. Also, beyond that, during a lockdown, the ability to get help is limited because you don't have the private space to call somebody; you're isolated from your support system as a victim/survivor, and you can't access your family and friends, the people that you rely on. In all those facets and all those ways, the risk goes up for violence.⁹

In East Baton Rouge Parish, domestic- and dating-partner homicides nearly doubled from 2020 to 2021.¹⁰ In 2019, the Office of the District Attorney for the 19th Judicial District Court reported four domestic-violence-related deaths; there were 19 reported in 2020, and 36 in 2021.¹¹

For the calendar year 2019, 722 "family violence" petitions were filed with The Family Court in Baton Rouge. In 2019, 311 protective orders were issued or granted, which includes both family petitions and civil petitions for protection against abuse, stalking and/or sexual assault. In 2020, the number of family violence petitions filed increased to 933, with 251 civil or family petitions for protection from abuse granted. For 2021, 718 family violence petitions were filed, with 287 civil or family protective orders granted. In 2022, 540 family violence petitions were filed with 269 civil or family protective orders granted.¹²

Across the country, the National Domestic Hotline Impact Reports from 2019 to 2020 show an increase in annual call volume from 349,102 calls in 2019¹³ to 358,347 in 2020.¹⁴ The hotline call volume decreased in 2021 to 338,559.¹⁵ In Louisiana, the Louisiana Coalition Against Domestic Violence (LDACV) tracks the total hotline calls coming in statewide. In 2018 and 2019 respectively, the Coalition reported a total call volume of 3,961 and 4,100. However, in 2020, helpline call numbers increased to 4,617, and in 2021 the reported calls increased to 5,353.¹⁶

Starting in 2022, after lockdown restrictions were rolled back, fewer petitions for protection were filed, but a greater proportion of the petitions filed actually resulted in the issuance of protective orders, compared to years prior. This may indicate that with restrictions lifted, petitioners for protection from abuse were more able to follow through on their filings by appearing for court.

Lockdown and the limitations that came with it are now in the rearview mirror for businesses, social services and courts. Will the data reflect that the lockdown domestic-violence surge is behind us as well? At this time, many organizations have not yet published their 2022 annual reports. In October 2022, the East Baton Rouge domestic-violence homicide rate was trending lower than the 2021 rate, with 21 related deaths reported at that time.¹⁷ In the first quarter of 2023, the Clerk of Court data reflects that 110 civil petitions for protection were filed at the 19th JDC, with 178 filed in the Family Court, and a

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total of 70 protective orders issued. With lockdown over, it is possible that abuse victims are more able to reach lifeline services and obtain assistance with their practical and legal issues related to domestic violence, to avoid further escalation. And if community members are more readily able to access services, whether in person or through online options, service providers will have to be able to keep up with the influx in assistance requests.

¹ Liz Mineo, “Shadow Pandemic” of Domestic Violence - Law School’s Marianna Yang Examines Rise in Factors, Hurdles in Courts for Victims, HARV. GAZETTE (June 29, 2022), <https://news.harvard.edu/gazette/story/2022/06/shadow-pandemic-of-domestic-violence/>.

² LaJuan Epperson et al., *Using Web-Based Technologies to Promote Safe Access to Protection Orders During Pandemics and Natural Disasters*, BATTERED WOMEN’S JUSTICE PROJECT (July 7, 2020), <https://bwjp.org/site-resources/using-web-based-technologies-to-promote-safe-access-to-protection-orders-during-pandemics-and-natural-disasters/>.

³ Victor Williams & Dane Kelly, *Prosecutor Catches Alleged Abuser in Victim’s Home During Virtual Michigan Court Hearing* (March 10, 2021), <https://www.clickondetroit.com/news/local/2021/03/10/prosecutor-catches-alleged-abuser-in-victims-home-during-virtual-court-hearing/>.

⁴ UN News, *UN Chief Calls for Domestic Violence “Ceasefire” amid “Horrific Global Surge”* (Apr. 6, 2020), <https://news.un.org/en/story/2020/04/1061052>.

⁵ UN Women, *The Shadow Pandemic: Violence Against Women During COVID-19* (May 27, 2020), <https://www.unwomen.org/en/news/stories/2020/5/press-release-the-shadow-pandemic-of-violence-against-women-during-covid-19>.

⁶ Brad Boserup et al., *Alarming Trends in US Domestic Violence During the COVID-19 Pandemic*, 38 AM. J. EMERG. MED. 2753-55 (2020).

⁷ *Id.*

⁸ *Id.*

⁹ See Mineo, *supra* note 1.

¹⁰ WAFB, *Domestic Violence-Related Deaths Nearly Double Last Year, DA’s Office Says* (Feb. 14, 2022 9:41 PM), <https://www.wafb.com/2022/02/14/domestic-violence-related-deaths-ebn-nearly-double-last-year-das-office-says/>.

¹¹ *Id.*

¹² Data provided by the Clerk of Court for the Parish of East Baton Rouge, Domestic Violence Department, located at the 19th JDC. The total family petitions filed for the calendar year 2019 is taken from the total number of petitions filed on the 19th JDC Clerk Connect system labeled as “family violence” case filings. Protective-order proceedings from city courts within the parish are not included here.

¹³ National Domestic Violence Hotline, 2019, *A Year of Impact*, <https://www.thehotline.org/wp-content/uploads/media/2020/09/Impact-Report-2019.pdf>.

¹⁴ National Domestic Violence Hotline, 2020, *A Year of Impact*, https://www.thehotline.org/wp-content/uploads/media/2021/06/Hotline-EOY-Impact-Report-2020_FINAL.pdf.

¹⁵ National Domestic Violence Hotline, 2021, *A Year of Impact*, https://www.thehotline.org/wp-content/uploads/media/2022/05/2205-Hotline-EOY-Impact-Report-2021_FINAL-rev.pdf.

¹⁶ La. Coalition Against Domestic Violence, *Publications, Annual Reports, 2019, 2020, and 2021, Domestic Violence Hotline, 2021*, <https://lcadv.org/publications/> (click on Annual Report for appropriate year).

¹⁷ Jacqueline DeRobertis, *How Baton Rouge Hopes a New Kind of Court Could Halt a Tide of Domestic Violence* (Oct. 21, 2022), https://www.theadvocate.com/baton_rouge/news/crime_police/how-baton-rouge-hopes-a-new-kind-of-court-could-halt-a-tide-of-domestic/article_40318840-50bd-11ed-8b28-93ea8ea51af6.html.

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Gaps in Legal Aid: Helping Low-Income Individuals Find Legal Representation in Civil Law Matters

by Cornelius Troy Hall

"As lawyers we have a special responsibility to fight for justice, fight for people and their rights, and help people who are less fortunate. We're privileged to be in the profession and to be in the positions we're in and there are many people who need help."

— Gregory B. Jordan, General Counsel and CEO, PNC Financial Services

Daily, individuals encounter civil law disputes that require them to seek legal representation. Finding the right form of representation to resolve these disputes is a challenge for anyone. This task becomes even harder when the individuals have either depleted their income in trying to resolve the matter or are living at or below the poverty line.

While there are pre-existing legal aid programs at the state, local and federal levels designed to provide services for low-income individuals, these programs face budgetary, staffing and resource issues. As a result, these programs are restricted in their ability to provide (1) consistent services to low-income individuals and (2) at times, the type of legal aid services that meet the full needs of their clients.

No lawyer or legal aid program should be expected to nor can realistically address every legal-representation need low-income individuals face. Even with the pro bono efforts such as service hours, funding support, community coalition and local and state bar association programs, service gaps still exist regarding legal representation for civil law matters. As a result, low-income individuals face obstacles that hamper their ability to secure efficient and effective legal representation when a crisis happens.

This series of articles will focus on the gaps in civil law representation. First, it will identify what "low income" means. Second, it identify the gaps. Third, it will discuss the "why" behind the gaps. Fourth, it will examine the unmet needs caused by the gaps. Fifth, it will review the consequences of the gaps. Sixth, it will review the existing legal aid programs. Seventh, and finally, it will highlight those peer-reviewed suggestions on how to reduce the number of gaps in civil representation that presently exist.

Low-Income

The financial descriptor "low-income" is a classification term created by the U.S. Department of Housing and Urban Development (HUD), which is used to identify the median family income levels in the United States. Per HUD's statutory income limits:

- "low-income family" is defined as a family whose income does not exceed 80% of the median family income for the area;
- "very low-income family" is defined as a family whose income does not exceed 50% of the median family income for the area;
- "extremely low-income family" is defined as a family whose income does not exceed the higher of the poverty guidelines or 30% of the median family income for the area.¹

In Louisiana, the 2023 median household income level was \$75,200;² in the Baton Rouge metropolitan area it was \$83,300.³ According to the Louisiana Budget Project, in 2021 Louisiana had the:

- first overall poverty level rank
- second highest child poverty level rank
- third lowest income level rank
- third highest income inequality rank.⁴

Additionally, in 2021, Louisiana was home to approximately 4.6 million residents, of whom approximately 883,000, or 19.6%, lived at or below the household poverty limit.⁵

A 2018 Louisiana State Bar Association report designed to measure the unmet civil legal needs of low-income Louisiana residents found

At 20.2%, Louisiana has one of the highest percentages of people living below the federal poverty line; it is second only to Mississippi, which stands at 20.8%. Louisiana sits near the bottom in childhood poverty (49th out of 50 states), with 28.4% of children under 18 living below the poverty line. More than 20% of working-age women and 15% of working-age men in the state live in poverty, all with insufficient incomes to afford basic necessities. Nearly one in three families in Louisiana claim the Earned Income Tax Credit (EITC) each year. EITC is a federal program designed to financially assist the working poor.

The Gaps

Before examining the gaps, it is important to review some basic tenets for the practice of law. First, per *Gideon v. Wainwright*, the Sixth Amendment requires states to provide counsel for criminal defendants only.⁶ However, there is no constitutionally provided right to counsel in civil cases. These elements make it difficult for low-income individuals to secure representation to resolve civil disputes.

Second, while determining what the gaps are in legal representation is not a new concept, it is a complex one. In the 1970s, the American Bar Association first endeavored to explore the issues of access to justice and the legal needs of low-income households. These efforts resulted in the 1974 Comprehensive Legal Needs Study by the American Bar Association and the federal legislation that created the Legal Services Corporation (LSC).⁷

The LSC is designed to promote equal access to justice and provide funding for civil legal aid for low-income individuals. The LSC represents the first efforts, at the federal level, to address the gaps caused by unmet civil legal needs in America.

So, what exactly does the term “gaps” mean? At the national level, it is defined as “the difference between the civil legal needs of low-income Americans and the resources available to meet those needs.”⁸ Defined another way, the gap is “the number of people who have at least one unmet justice need.”⁹ These gaps “arise from the existence of unresolved problems with access to justice in society.”¹⁰

At the local level the gaps are “not objective,” but subjective; they are “a function of peoples’ access to legal resources and the level of understanding a person has about how the legal system works, both of which are linked.”¹¹

The “Why” Behind the Gaps

In an effort to understand why gaps exist and remain prevalent in today’s society, the Louisiana State Bar Association issued a 2018 report identifying the main

causes of gaps. They are “poverty, culture, disability, age, lack of knowledge or confidence, lack of power and resources, and the plain inaccessibility of services in pursuing a remedy or assistance.”¹²

The 2018 report noted that individuals “may not recognize a problem as legal, and when they do, they may not know of a legal service program or be able to access it.”¹³ The 2018 report also found that:

1. “In general, Louisiana has fewer civil legal service providers than states with similar poverty populations. Louisiana has two LSC-funded programs, with a total of 119 staff attorneys for all Louisiana parishes who provide a significant majority of the civil legal aid to Louisiana’s low-income individuals.” Data derived from a 2018 study in which researchers contacted in-person networks of social service providers for people in poverty, as well as from a 2017 study of two LSC-funded civil legal aid programs, show that these programs reject nearly half of those “seeking services due to eligibility restrictions, conflicts of interests, lack of resources and other limitations. In an additional 20% of cases, the agency provided limited services, but these services did not meet the full legal need of the client.”¹⁴

2. In 2017, 20.2% of Louisiana’s residents live below the federal poverty line.¹⁵ People who live in poverty or with a low income are more likely to experience a variety of legal problems that result from their economic circumstances. In addition to economic circumstances, people in poverty face compounding factors that make it difficult to access legal resources or recognize, without external assistance, that their

problem has a legal component. The more salient of these include domestic instability, unemployment, proliferation of low wage employment, lack of community resources, and other issues such as disability, immigration status, education, language proficiency, low literacy and a high incarceration rate.

Additionally, a 2022 report issued by the Legal Services Corporation focusing, in part, on identifying additional contributors of the gaps in civil legal needs found:

- Low-income Americans sought legal help for 25% of the civil legal problems that substantially impacted them in the past year.
- 44% of survey respondents did not think a lawyer could help them with their problems and another 30% were not sure.

So, what exactly does the term “gaps” mean? At the national level, it is defined as “the difference between the civil legal needs of low-income Americans and the resources available to meet those needs.”

- Among low-income Americans with at least one reported problem, only 5% knew that a legal professional could help resolve all of the types of problems they experienced; the vast majority (95%) either did not think a legal professional could help or were not sure for at least one problem.
- Only 28% of low-income Americans believe that people like them are treated fairly in the U.S. civil legal system.
- Less than one-half (45%) of low-income Americans express confidence that they could find a lawyer that they could afford while 53% either have low confidence or are not sure.
- Among those who did not seek legal help for at least one of their recent civil legal problems, nearly one-half (46%) cited concerns about cost as a reason why. There is also evidence to suggest that concerns about cost stood in the way of others' ability to get all of the help they needed. Indeed, among those who sought legal help but did not get all that they needed for one or more problems, 61% say one of the reasons was that it was too expensive to get more help.¹⁶

In the next issue of *TBRL*, we'll examine the unmet needs and the consequences these gaps create.

¹ U.S. Department of Housing and Urban Development, *FY 2023 Income Limits Documentation System*, https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?inputname=STTLT*2299999999%2BLouisiana&selection_type=county&stname=Louisiana&statefp=22.0&year=2023.

² *Id.*

³ U.S. Department of Housing and Urban Development, *FY 2023 Income Limits Documentation System*, <https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn>. The metropolitan area includes the parishes of Ascension, East and West Feliciana, East and West Baton Rouge, Livingston, Pointe Coupee and St. Helena.

⁴ Louisiana Budget Project, *Census: Louisiana: Poverty, Income, and Health Insurance* (Oct. 2022), <https://www.labudget.org/wp-content/uploads/2022/10/LBP-Census-2021-Released-2022-2.pdf>.

⁵ *Id.*

⁶ *Gideon v. Wainwright*, 83 S.Ct. 792 (1963).

⁷ Louisiana State Bar Association, *Understanding the Unmet Civil Legal Needs of Low-Income Individuals in Louisiana 2018*, <https://www.lsba.org/documents/ATJ/20182019LegalUnmetNeedsReport.pdf>; American Bar Association, *ABA Timeline*, https://www.americanbar.org/about_the_aba/timeline/#:~:text=1974&text=The%20ABA%20is%20instrumental%20in%20the%20passage%20of%20federal%20legislation,aid%20for%20low%2Dincome%20Americans (last visited May 29, 2023).

⁸ Legal Services Corporation, *The Justice Gap: The Unmet Civil Legal Needs of Low-Income Americans*, <https://justicegap.lsc.gov>.

⁹ Katsiaryana Stsepaniuk, *The Justice Gap Problem Solving: History and Innovation*, 44 CAMPBELL L. REV. 65, 67 (2021).

¹⁰ *Id.*

¹¹ Louisiana State Bar Association, *Understanding the Unmet Civil Legal Needs of Low-Income Individuals in Louisiana 2018*, 6, <https://www.lsba.org/documents/ATJ/20182019LegalUnmetNeedsReport.pdf>.

¹² *Id.*

¹³ *Id.* (quoting Liz Curran & Mary Anne Noone, *The Challenge of Defining Unmet Legal Need*, 21 J. L. & Soc. POL'Y 63, 69 (2007)).

¹⁴ *Id.* at 1.

¹⁵ Louisiana Budget Project, *Census: Louisiana: Poverty, Income, and Health Insurance* (Oct. 2022), <https://www.labudget.org/wp-content/uploads/2022/10/LBP-Census-2021-Released-2022-2.pdf>.

¹⁶ The 2021 Justice Gap Measurement Survey asked respondents to provide details about their experiences seeking and receiving legal help for problems they had personally experienced in the past year. The survey only asked for detail on problems that had a negative impact on respondents' lives overall (i.e., negatively affected them "slightly," "moderately," "very much," or "severely" overall); the survey did not ask for detail on problems that affected respondents "not at all." The vast majority of respondents (92%) personally experienced 10 or fewer problems that impacted their lives to some extent, and these respondents were asked to provide details for all of these problems. In the case that respondents experienced more than 10 problems that impacted their lives, the survey selected a subset of 10 of their problems about which to ask details. To maximize the potential for learning about problems relating to veterans, disabilities, housing, and family issues, these types of problems were given priority for inclusion if they met the other criteria. The primary unit of analysis in this section is problems. The focus is exclusively on problems that respondents personally experienced (i.e., excluding problems experienced by other household members) and problems that negatively impacted respondents overall to some extent (i.e., excluding problems that impacted them "not at all").

Be Part of the Solution by Ann K. Gregorie

Visionary leaders of the Baton Rouge Bar Association have long recognized the need for the organized bar to improve access to justice to the poor in our community. As early as March 1985, the BRBA became the first local bar association in the state to form its own program with the opening of the Pro Bono Project.

The Pro Bono Project now provides free legal services each year to more than 1,200 low-income persons who have critical civil legal needs. Two full-time coordinators, Regina Lynn Smith Haynes and Robin Kay, oversee the placement of

cases with attorney volunteers; operate a legal services hotline; support the LSBA Wills for Heroes; hold Ask-A-Lawyer events at local libraries; staff the Self Help Resource Center at the EBR Family Court and assist the Eviction Help Desk at the Baton Rouge City Court.

Additionally, these programs offer a variety of volunteer opportunities through outreach activities, including educational seminars and advice clinics that operate both virtually and in-person. More than 906 volunteer attorneys donate their time and expertise each year, but there is always room for more.

The Pro Bono Project collaborates with Southeast Louisiana Legal Services on many of its initiatives. However, the support of the Pro Bono Project and a commitment to access to justice throughout our five-parish service area of East and West Baton Rouge, Ascension, Iberville and Livingston parishes remains the primary goal for the Baton Rouge Bar Foundation and Baton Rouge Bar Association.

Consider volunteering so that you can be part of the solution. To do so, contact Lynn at lynn@brba.org or Robin at robin@brba.org.

Bar News

YLS First Circuit Sidebar: July 26

Young Lawyers Section members of the BRBA are invited to attend a First Circuit Sidebar Luncheon Wednesday, July 26, 2023. The event will take place at the Louisiana First Circuit Court of Appeal. For more information, contact Ann K. Gregorie at ann@brba.org or 225-214-5563.

Construction Law Section CLE: July 27

David Fleshman and Jacob Roussel will speak Thursday, July 27, 2023, at the next Construction Law Section meeting and CLE. For more information, contact Susan Saye at susan@brba.org or 225-344-4803.

YLS Section Hosts Cocktails with the Court

The BRBA Young Lawyers Section held Cocktails with the Court at the City Club of Baton Rouge Tuesday, May 9, 2023. Staff liaison to the YLS Susan Saye helped organize the event, which encourages the attendance of local judges along with their law clerks, providing the judges the opportunity to introduce their law clerks to attending members of the bar. YLS Chair-elect Brad Cranmer served as the master of ceremonies.

Event sponsors were Geaux Chiro; Breazeale, Sachse & Wilson, LLP; Brock & Palmintier Law, LLC; Kean Miller LLP; Mansfield, Melancon, Cranmer & Dick LLC; Porteous, Hainkel & Johnson L.L.P.; Taylor Porter; Walters, Papillion, Thomas, Cullens; Williamson Campbell & Whittington, LLC; Kinchen Walker Bienvenu Bargas Reed & Helm, LLC; Linda Law Clark; Louisiana State Bar Association Member Outreach & Diversity Department; Smith Shanklin Sosa LLC.



Attending the Cocktails with the Court were (L to R) Harry Landry with the East Baton Rouge Parish District Attorney's Office, Judge Louise Hines, Judge Will Jorden and YLS Chair-elect Brad Cranmer. Cocktails with the Court is a sponsored reception organized by the BRBA Young Lawyers Section.

BRBA Legal Scholarship Recipients Announced

Students attending the Southern University Law Center and LSU Law each year have the opportunity to compete for a legal scholarship provided by the Baton Rouge Bar Foundation.

This year SULC has selected two third-year law students to receive the BRBF Legal Scholarship: Korin Jones and DeMario Thornton.



Korin Jones

Jones is the editor-in-chief of the Journal of Race, Gender and Poverty. Jones, native of Oakland, California, is a graduate of Hampton University. She has served as the Student Bar Association Treasurer. She has a passion for criminal justice reform, interning at San Quentin Prison, where she taught inmates to read and write, and with the Innocence Project in Atlanta, Georgia.



DeMario Thornton

Thornton is the editor-in-chief of the Southern University Law Review. Thornton, a native of Birmingham, Alabama, is a graduate of Talladega College. He interned with Kean Miller, the East Baton Rouge Office of the Public Defender and Bradley Arant Boult Cumming in Birmingham.

Workers' Compensation Section CLE: Aug. 8

The next Worker's Comp Section CLE seminar titled "Meet the Judges" is Tuesday, Aug. 8, 2023. For more information, contact Susan Saye at susan@brba.org or 225-344-4803.

Save the Date: The Next Family Law Section Meeting and CLE Will Take Place Thursday, Aug. 17

Please join us at Sullivan's Restaurant Thursday, Aug. 17, 2023, for the next Family Law Section meeting and CLE seminar. Jessica Braun will provide a Legislative Update. Contact Susan Saye at susan@brba.org or 225-344-4803 for more information.



Photography by Pamela Labbe

Photographed (L to R) are Whitney Graham, Victoria Selde and Destiny Singleton. Graham is interning with the BRBF Pro Bono Project and attends Southern University Law Center. Selde (LSU Law) and Singleton (SULC) are law student interns with the Louisiana State Bar Association who shadowed Robin Kay and Lynn S. Haynes for a week to learn more about their outreach programs.



Bag of Donuts band plays backup to BRBA President Melanie Newkome Jones' performance of "Me and Bobby McGee" at the 2023 Bench Bar Conference.

BRBA 2023 Bench Bar Conference transports attending members back to the 1960s

The BRBA held its annual Bench Bar Conference in Point Clear, Alabama, at The Grand, April 12-15, 2023. The event began with a Wednesday evening reception for registrants who arrived early. CLE seminars (12.5 hours) took place Thursday through Saturday. Thursday evening offered registrants the opportunity to enjoy karaoke and dessert, and Friday evening included music by Bag of Donuts. BRBA President Melanie Newkome Jones performed, to the delight of the cheering crowd of judges, lawyers and her family members, her rendition of "Me and Bobby McGee."

Valerie Briggs Bargas led the efforts of the 2023 Bench Bar Conference committee as its chair. BRBA Executive Director Ann K. Gregorie coordinated the event. Anthony Gambino chaired the CLE subcommittee. The conference was a success because of our dedicated event sponsors and the hard work of committee members.

Please save the date of next year's conference, which will take place April 3-6, 2024, at the Perdido Beach Resort in Orange Beach, Alabama.



Photography by Pamela Labbe

After completing her musical performance, Melanie Newkome Jones (second from left) received a group hug from her attending family members.



Photography by Pamela Labbe

(L to R) Judge Pam Baker, Judge Judy Moore Vendetto and Judge Laura Prosser (retired) attended the Friday night dance at the 2023 Bench Bar Conference wearing attire that fit the event's 1960s theme.



Dressed in 1960s attire are (L to R) Greg and Diana B. Gibbens along with Wendy Edwards, who attended the 2023 Bench Bar Conference Friday night dance.



Judge D. Carson Marcantel, John Fenner and Catherine St. Pierre attended the Bench Bar Conference early arrival reception on Wednesday, April 12, 2023.

Photography by Pamela Labbe



Enjoying dessert and karaoke Thursday, April 13, at the 2023 Bench Bar Conference in Point Clear, Alabama, are (L to R) Danny McGlynn, Julie Ralph, Rusty Bianca and Fielding Matkins.



Bench Bar Committee members Melanie Newkome Jones, Chris Shows and Hayden Moore visit with conference sponsors and enjoyed coffee refills during a break in the CLE schedule.



At the 2023 Bench Bar Conference, Dana Cummings (left) and Jarrett Ambeau (right) presented the opposing sides of a legal case that had been the subject of the 2022 Netflix documentary / TV series, "I just killed my Dad." Ambeau represented the defendant, and Cummings represented the prosecution.



BRBA 2023 Bench Bar Conference Chair Valerie Briggs Bargas welcomed conference registrants at the start of the CLE seminars Thursday, April 13, 2023.



Chief Judge John Michael Guidry of the Louisiana First Circuit Court of Appeal served on a speaking panel of judges at the conference.

Photography by Kent Moroux

BR Bar Foundation Sponsors Several Law Day Contests for Middle and High School Students

The BRBF Law Day activities that occurred in April and May 2023 encouraged involvement from local youth. Cherie Lato coordinated the 2023 BRBF's Law Day activities under the direction of BRBF Law Day Chair Quintillis K. Lawrence.

Three separate contests were held: a middle school essay contest, a high school essay contest and a poster contest for both middle and high school students. The top three entrants from each contest received a monetary prize for their submissions.

The prompts for the contests were inspired by this year's Law Day theme, Cornerstones of Democracy: Civics, Civility and Collaboration, which was selected by the American Bar Association. It asked students to discuss how rifts in the American political climate can be mended and mutual trust reestablished.

Middle school students (grades 6-8) were asked to submit a typed essay of 250-500 words on either the responsibilities of U.S. citizens or the importance of voting. The first place winner received a \$100 cash prize; second place received \$75 and third place received \$50.

High school students (grades 9-12) submitted typed essays including 750-1,000 words on ways the deep divisions aggravated by recent tensions in American society can be resolved and the importance of collaboration among Americans to preserve democracy and the republic. The first place winner received \$200, second place received \$100 and third place received \$75.

Mock Trial Team Honored with Certificates of Achievement as Part of Law Day Activities

The mock trial team that placed second in the 2023 Region III High School Mock Trial Competition—Central High School—placed second in the state competition as well. This was the first year this high school had formed a mock trial team, so the students as well as their teacher adviser were pleasantly surprised at their success. Cherie Lato served as the BRBA staff liaison for this year's Region III mock trial competition, and Rebecca Indest Moreno chaired the 2023 Mock Trial Committee.



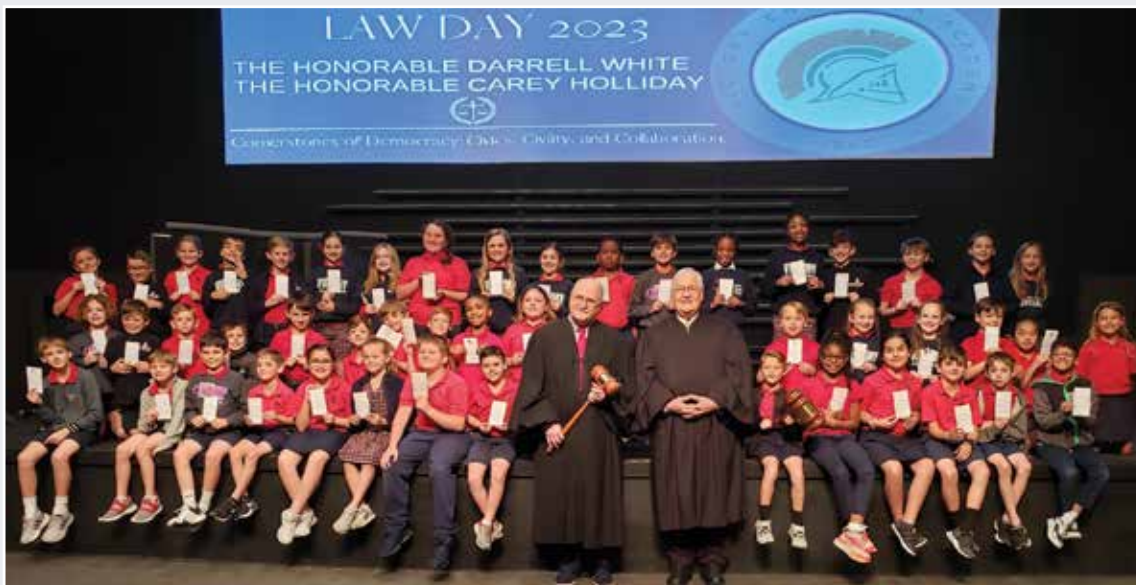
Middle School Law Day Essay contest winners were (L to R) Luke Dickerson (third place), Ali Kerimov (second place) and Ada Mere (first place). Cherie Lato (far left) coordinated the 2023 BRBF Law Day contests. J. Scott Stephenson (not pictured) is the middle school English teacher the Episcopal School of Baton Rouge who encouraged his students to enter the contest. Stephenson is a former winner of the contest.



First place winner for the High School Law Day Essay contest is Phoebe Fannin (right) of Zachary High School. Phoebe is photographed with Cherie Lato, staff coordinator of the BRBF Law Day 2023 contests.



Photographed (above) is the Central High School mock trial team, which placed second in both the 2023 Region III Mock Trial Competition and at the state competition. Photographed are (L to R, back row) Myles Dufrene, Allen Hallagen, Albert Bellanger, Delasya Guinn; (front row) Keller Roberson, J'Kaira Claiborn, Alex Fertitta, Tiana Bergeron and Ainsley Black. Not pictured are Caitlin Winter (teacher coach) and Christopher James Jenkins, C.J. Jenkins Law Firm, LLC (lawyer coach).



Standing (L to R) in front of a crowd of 3rd and 4th graders are Judge Carey Holliday and Judge Darrell White (both retired), who presented during a May 1, 2023, Victory Christian Academy of Baton Rouge Law Day program. Judge White's grand nephew, Knox Hornsby, is seated beside his grand uncle. Hornsby recited the First Amendment of the U.S. Constitution from memory during the ceremony.

Two Retired Judges Participate in a Baton Rouge Elementary School's Law Day Program

Judge Carey Holliday and Judge Darrell White were invited to participate in a May 1, 2023, Law Day program at Victory Christian Academy of Baton Rouge. The two retired judges discussed the importance of the rule of law and other Constitutional-related topics. In attendance were 50 students in grades 3-4 and 100 students in grades 5-8. Each attendee received a *Pocket Constitution and Declaration of Independence*.

Belly Up Fundraiser for BR Bar Foundation Youth Education Programs Celebrates 25th Year

Imagined into being by the Young Lawyers Section in 1999, the inaugural Belly Up with the Bar event was held in the backyard of 6513 Perkins Road, which at the time housed the law firm of Moore Walters. Robert "Bubby" Burns Jr. chaired the committee, which was established to raise funds for the Baton Rouge Bar Foundation Youth Education Programs. Donna Buuck was the staff liaison, and she continued to do so up until August 2022, when she retired.

Although the Belly Up with the Bar Committee, in time, grew beyond being a Young Lawyers Section project, the YLS Section Council has continued to be heavily involved in the planning of the event. After leaving 6513 Perkins Road, the Belly Up Committee relocated the event to a stables off Jefferson Highway for a few years, and then to the current location—the John M. Parker Coliseum on the Louisiana State University campus.

Year after year, Belly Up with the Bar has raised much-needed funds for civic and law-related programs for Baton Rouge youth. With every year, the program has grown. Although COVID-19 brought with it changes, the Belly Up with the Bar Committee pivoted as needed and kept the competitive spirit of the BRBA's membership alive with a scaled-down live-streamed competition that encouraged virtual voting.

Last year's Belly Up sponsorship funding surpassed our expectations and the event attracted a record-breaking

number of cooking teams. Consequently, the committee is working hard to raise even more at this year's event, which marks its 25th year.

The event returns to the Parker Coliseum Friday, Oct. 27, 2023. Competition judges who were mostly media personalities or local celebrities are now primarily culinary experts who volunteer their time to judge the competition entries. Beginning this year, a "Best MockTail" category joins the "Best Drink" and "Best Food" categories of Belly Up People's Choice awards.

To register your cooking team or to sponsor this year's event, please complete our forms on pages 28-29 of this issue. Contact Pamela Labbe at pam@brba.org or 225-214-5560 for more information.

Federal Court Holds May 1 Naturalization Ceremony

A Naturalization Ceremony was held by the U.S. Middle District Court on the courthouse steps May 1, 2023, and Scotlandville Magnet High School students were invited to attend.



Chief Judge Shelly D. Dick presided over the May 1 Naturalization ceremony held on the front steps of the Russell B. Long Federal Courthouse, alongside Judge John W. deGravelles, Magistrate Judge Richard L. Bourgeois (not pictured), Magistrate Judge Erin Wilder-Doomes (not pictured), Magistrate Judge Scott D. Johnson and Chief Bankruptcy Judge Michael A. Crawford. To commemorate Law Day, the U.S. Middle District Court invited students from Scotlandville Magnet High School to attend the Naturalization Ceremony and participate in an interactive student program titled "Civil Discourse and the Constitution: Candid Conversations" facilitated by Magistrate Judge Erin Wilder-Doomes, along with attorneys from the U.S. Attorney's Office and private practice.

Belly Up with the Bar

Friday, Oct. 27, 2023 | John M. Parker Coliseum | 91 AgCenter Lane
General Admission: 6-9 p.m. | *Note: Balloons are NOT allowed in or near the event venue.*

SPONSORSHIP FORM

YES, I want to be a SPONSOR at the level below:

- | | |
|---|--|
| ☐ PREMIER SPONSORSHIP: \$1,500 | ☐ THREE SPOONS: \$500 |
| ☐ FIVE SPOONS: \$1,000 | ☐ TWO SPOONS: \$300 |
| ☐ FOUR SPOONS: \$750 | |

25th Annual Event



THE BAR

Don't miss the 25th Annual "Belly Up with the Bar" cook-off, beer brewin' party with live music as well as activities for the kids!
PROCEEDS FROM THIS EVENT BENEFIT THE BRBF'S YOUTH EDUCATION PROGRAMS.
The BRBF is a 501c3 organization. Donations are tax-deductible.

SPONSOR INFORMATION: Please print

Sponsor Name: *(as it should be listed in publicity)* _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Contact Person: _____ Phone: _____

Fax: _____ Email: _____

Company website / URL: _____

PAYMENT METHOD:

- ☐ Check enclosed: Payable to Baton Rouge Bar Foundation, P.O. Box 2241, Baton Rouge, LA 70821
- ☐ Credit Card: Call the BRBA at 225-344-4803 to process credit card transactions

2023 Belly Up with the Bar SPONSORSHIP OPPORTUNITIES:

Premier Sponsorship (\$1,500) – Premier sponsors receive 8 tickets to the event, premier signage at the entrance of the event, two promotional tables or booth spaces for team entry in event, public recognition during the event, a digital copy of the BRBA (2,200+ members) database (one-time use), two social media posts with company logo, company logo on beer cup, and listing on all outgoing news releases/promotional pieces about the event and table signage.

Five Spoons (\$1,000) – 5 tickets to the event, name recognition on signage at the event, promotional table or booth space for team entry in event, public recognition during event, a digital copy of the BRBA (2,200+ members) database (one-time use), two social media posts with company logo, company logo on beer cup, and listing on all out-going news releases/promotional pieces about the event and table signage.

Four Spoons (\$750) – 4 tickets to the event, name recognition on signage at the event, promotional table or booth space for team entry in event, public recognition during event, a digital copy of the BRBA (2,200+ members) database (one-time use), one social media post with company logo and listing on all out-going news releases /promotional pieces about the event and table signage.

Three Spoons (\$500) – 3 tickets to the event, public recognition during event, promotional table at the event, one social media post and listing on all out-going news releases/promotional pieces about the event and table signage.

Two Spoons (\$300) – 2 tickets to the event, public recognition during event and listing on all out-going news releases/promotional pieces about the event.

Please complete this information and return with your sponsorship to:

BATON ROUGE BAR FOUNDATION • P. O. Box 2241, Baton Rouge, LA 70821

Fax form to: (225)344-4805 • Questions? Call (225)214-5560 or email pam@brba.org

TEAM ENTRY FORM

Belly Up with the Bar

COOK-OFF & BREWFEST

EVENT DATE: Friday, Oct. 27, 2023

25th Annual Event



The 25th Annual "Belly Up with the Bar" is a cook-off, brewfest and party with live music—sponsored by the Young Lawyers Section of the Baton Rouge Bar Association. Attendees select the winners of the "People's Choice" Awards for Best Food, Best Cocktail and Best Mocktail. Judges select winners in a variety of categories. Team and individual entries are welcome. Event proceeds benefit the BRBF's Youth Education Program.

Advance general admission tickets: \$35 per adult, \$25 per law student, \$15 per child ages 12 to 17, \$5 per child ages 3 to 11, and children under 3 get in FREE. **Prices at the door** are \$45 per adult or law student, and \$20 per child, so buy 'em now!

LOCATION:	LSU AgCenter, John M. Parker Coliseum, 91 AgCenter Lane (Off Highland Road between S. Stadium Dr. & Parker Blvd.)
DATE:	Friday, Oct. 27, 2023 General Admission: 6 - 9 p.m. — mark your calendars NOW!
WHO ENTERS:	Anyone who's willing to cook and serve enough to feed/water our local bar. The \$175 per team (up to 5 members) entry fee gets you: (1) in the door to try all the fabulous food and drinks (2) all the beer you care to drink, and (3) the chance to show off your culinary talents
WHAT YOU BRING:	• Enough food to serve roughly 500 "sample size" portions • Any cooking/heating/brewing equipment necessary to serve your entry • A team of no more than 5 members • A sign to indicate what you're making and team name • Plastic serving bowls (sample size), cups and/or plates and utensils • PLEASE NOTE: No balloons of any kind! No open flames inside the Parker Coliseum.
WHAT WE PROVIDE:	Beer, live music, awards and bragging rights.

PLEASE COMPLETE THIS FORM. EMAIL IT TO PAMELA LABBE AT **PAM@BRBA.ORG** OR FAX IT TO: **(225) 344-4805**.

Registration Deadline: Friday, Sept. 29. CHECKS SHOULD BE MADE PAYABLE TO "BRBF" (re: BELLY UP WITH THE BAR)

TEAM NAME: _____

TEAM CAPTAIN: _____

CAPTAIN'S LAW FIRM: _____

CAPTAIN'S EMAIL ADDRESS: _____

CAPTAIN'S MAILING ADDRESS: _____

CAPTAIN'S CITY/STATE/ZIP: _____

CAPTAIN'S CONTACT NUMBER: _____

WHAT YOU'LL SERVE: _____

FOR "BELLY UP WITH THE BAR" **TICKET INFORMATION**, PLEASE CONTACT THE BRBA AT (225) 344-4803.

**If you are unable to participate or attend, yet you wish to make a donation to the Baton Rouge Bar Foundation's award-winning Youth Education Program, please make your check payable to the BRBF.*

Foundation Footnotes

Pro Bono Reports — March and April 2023

The Baton Rouge Bar Foundation thanks all who volunteered.

Attorneys Accepting Cases

Christine Baker, *Kingdom Mission Law Firm*; **Robert Delmore**, *attorney at law*; **C. Troy Hall**, *attorney at law*; **Sandra James**, *attorney at law*; **Derrick McCorey**, *attorney at law*; **Charles Spencer**, *Phelps Dunbar LLP*

Self Help Resource Center Volunteers

Carlesia Carmena Bibbins, *attorney at law*.

Spring Semester Pro Bono Project Interns

Theophile Kadia and Whitney Graham, *Southern University Law Center*.

Legal Hotline Volunteers

Candace B. Ford, *Breazeale, Sachse & Wilson LLP*; **Scott Gaspard**, *attorney at law*; **LaShonda Hubbard**, *attorney at law*; **Brian Juban**, *Keegan, Juban, Lowe*

and Robichaux LLC; **Cherita McNeal**, *attorney at law*; **Brett Sandifer**, *The Carpenter Health Network*; **Willie Stephens**, *attorney at law*; **James Word II**, *attorney at law*; **James “Jimmy” Zito**, *attorney at law*.

Ask-A-Lawyer Volunteers

Candice B. Ford, *Breazeale, Sachse & Wilson LLP*; **James A. Word II**, *attorney at law*; **Sharita Spears**, *attorney at law*; **Marlon Battley**, *attorney at law*.



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

GAIL'S GRAMMAR

When you see the word “commonsense,” do you automatically assume the writer made a typo? Although it looks weird, commonsense is actually the correct spelling of the adjective that means logical, rational or sensible. When it’s spelled with two words, “common sense” is a noun meaning the ability to make intelligent decisions, especially in everyday matters, based on practical experience.

CORRECT EXAMPLES:

He made the **commonsense** decision not to take the interstate during rush hour.

Common sense is a rare commodity these days.

Send suggestions for future Gail’s Grammar columns to Gail Stephenson at GStephenson@sulc.edu, or call Gail at (225) 926-1399.

JULY 2023						
SUN	MON	TUES	WED	THURS	FRI	SAT
						1
2	3	4 	5	6	7	8
9	10	11	12 	13 	14	15
16	17	18	19 	20 	21 	22
23/30	24/31	25	26 	27 	28	29

AUGUST 2023						
SUN	MON	TUES	WED	THURS	FRI	SAT
		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		

IMPORTANT DATES July

- 4 BRBA Office Closed in Observance of Independence Day
- 12 Operations & Finance Committee meeting, 8:30 a.m.
- 13 Executive Committee meeting via Zoom, 8:30 a.m.
- 19 Belly Up with the Bar Committee meeting, BRBA office, noon;
BRBA Board of Directors meeting, 6 p.m.
- 21 BRBA Publications Committee meeting via Zoom, 8 a.m.
- 26 YLS Sidebar Luncheon, First Circuit Court of Appeal, 11 a.m.
- 27 Construction Law Section meeting & CLE, 11:30 a.m.

August

- 8 Workers' Comp Section meeting & CLE, Meet the Judges, 11:30 a.m.
- 9 BRBA Operations & Finance Committee Conference Call, 8:30 a.m.
- 10 BRBA Executive Committee meeting via Zoom, 8:30 a.m.
- 12 Ask-A-Lawyer, Greenwell Springs Regional Branch Library, 9 a.m.
- 16 Belly Up with the Bar Committee meeting, BRBA office, noon;
BRBA Board of Directors meeting, 6 p.m.
- 17 Family Law Section CLE, Sullivan's, 11:30 a.m.

DUTY COURT SCHEDULE

19th JDC Civil Duty Court	
07/03 - 07/14	Judge Fields
07/17 - 07/28	Judge R. Johnson
07/31 - 08/11	Chief Judge D. Johnson
08/14 - 08/25	Judge Higginbotham
08/28 - 09/08	Judge Balfour

19th JDC Criminal Duty Court***	
06/30 - 07/07	Judge Ray
07/07 - 07/14	Judge Myers
07/14 - 07/21	Judge Johnson Rose^
07/21 - 07/28	Judge Smith
07/28 - 08/04	Judge Jorden
08/04 - 08/11	Judge Hines
08/11 - 08/18	Pro Tem
08/18 - 08/25	Judge Crifasi
08/25 - 09/01	Judge Ray

Baton Rouge City Court*	
06/26 - 07/02	Judge Moore Vendetto
07/03 - 07/09	Judge Marcantel
07/10 - 07/16	Judge Temple
07/17 - 07/23	Judge Matthews
07/24 - 07/30	Judge Alexander
07/31 - 08/06	Judge Moore Vendetto



Juvenile Court	
July	Judge Grover
August	Judge Haney

Family Court**	
07/03	Ad Hoc Judge (Div. D)
07/04	HOLIDAY
07/05	Judge E. Green
07/06	Judge Day
07/07	Judge E. Green
07/10	Ad Hoc Judge (Div. D)
07/11	Judge Baker
07/12	Judge E. Green
07/13, 07/14	Judge Day
07/17	Ad Hoc Judge (Div. D)
07/18	Judge Baker
07/19	Judge E. Green
07/20	Judge Day
07/21, 07/24	Ad Hoc Judge (Div. D)
07/25	Judge Baker
07/26	Judge E. Green
07/27	Judge Day
07/28	Judge Baker
07/31	Ad Hoc Judge (Div. D)
08/01	Judge Baker
08/02	Judge E. Green
08/03	Judge Day
08/04	Judge E. Green
08/07	Ad Hoc Judge (Div. D)

Family Court (Continued)	
08/08	Judge Baker
08/09	Judge E. Greene
08/10, 08/11	Judge Day
08/14	Ad Hoc Judge (Div. D)
08/15	Judge Baker
08/16	Judge E. Greene
08/17	Judge Day
08/18, 08/21	Ad Hoc Judge (Div. D)
08/22	Judge Baker
08/23	Judge E. Greene
08/24	Judge Day
08/25	Judge Baker
08/28	Ad Hoc Judge (Div. D)
08/29	Judge Baker
08/30	Judge E. Greene
08/31	Judge Day

Court Holidays	
Tuesday, July 4	Independence Day

NOTE: Duty Court changes at 5 p.m. each Friday unless otherwise specified.
*City Court's Duty Court judge is on duty from 8 a.m. on the Monday beginning his/her week of duty until 8 a.m. the Monday ending his/her week of duty.

**Family Court's Duty Court schedule is completely different each day, rotating on Fridays.

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

*Section IV is currently the only section conducting Saturday callout.

Baton Rouge Bar Association

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LA-23-15274

Attorney David Abboud Thomas is responsible for this ad.