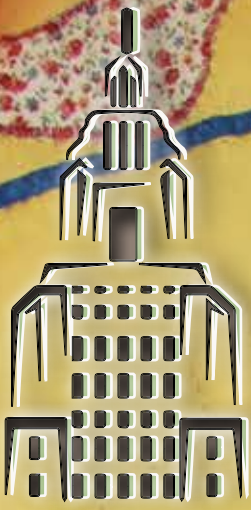


VOL. 7, ISSUE 6 | November/December 2024



# THE BATON ROUGE LAWYER

THE MAGAZINE OF THE BATON ROUGE BAR ASSOCIATION

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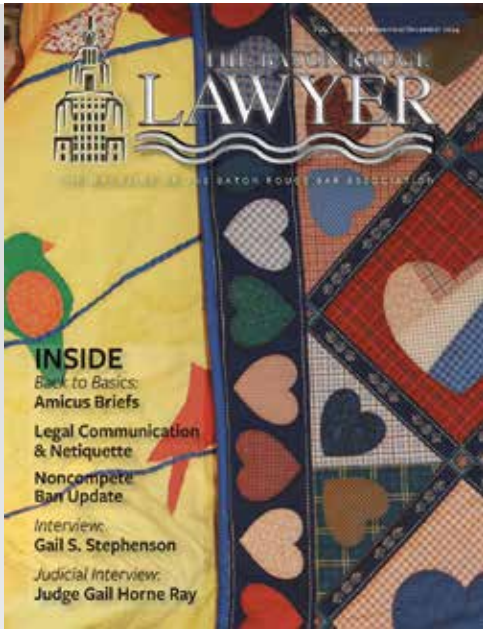
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## On the Cover

On the cover of the November/December 2024 issue of The Baton Rouge Lawyer is an image of two handmade prayer quilts that Gail S. Stephenson created. Stephenson, a professor and past president of the BRBA, was interviewed recently. The resulting article begins on page 12 of this issue. Professor Stephenson also serves as the managing editor of TBRL.

Photography by Pamela Labbe.

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# Letter from the President

by Luke Williamson

## Save Ferris

***“Life moves pretty fast. If you don’t stop and look around once in a while, you could miss it.” — Ferris Bueller***

**W**hew! This year has flown by. Although it seems as though I have served on the BRBA Board forever, it has really only been one-fifth of my life since Amy Lambert asked me to run for the Board of Directors and serve the Baton Rouge Bar. I did so begrudgingly, as I was busy. I had kids in high school playing sports, was running a small law firm and a tailgate, and I had other obligations. Nevertheless, at Amy’s insistent urging, I threw my hat into the ring. I put myself out there and took a chance. If I had not, I would have missed a lot.

I would have missed the opportunity to confirm that those who practice law in Baton Rouge are extremely lucky. Over the years, I discovered that the Baton Rouge Bar is unique. In Red Stick, we have a camaraderie and esprit de corps that is uncommon elsewhere. Ed Walters has written extensively about what it means to be a Baton Rouge Lawyer, and I believe he was spot on; we are privileged to practice law in a region where the lawyers are good and relationships matter. Our judges are tough, but imminently approachable and involved with the legal community. We have a bar that combines a diverse mix of young energy and old traditions in service to members, the community and the legal profession. In sum, if the law is your occupation, I firmly believe we are in one of the best places to “practice” this profession.

***“The question isn’t ‘what are we going to do,’ the question is ‘what aren’t we going to do?’”***

— Ferris Bueller

The mission of the Baton Rouge Bar is to “meet our members where they are.” To do so, we at the BRBA have endeavored to provide diverse opportunities to our members to serve, network, have fun and hobnob. Unless you have served, you probably do not realize that our organization provides the following social activities:

1. Bench Bar Conference;
2. Cocktails with the Court;
3. Belly Up with the Bar;
4. Ball Maul golf tournament;
5. Bar luncheons; and
6. Lunch and learn CLEs, such as our monthly and quarterly section meetings.



**Luke Williamson**

However, the Baton Rouge Bar is not just a networking organization. For our community, we provide the following services:

1. Law Day;
2. High School Mock Trial Competition;
3. Teen Court of Greater Baton Rouge;
4. The Pro Bono Project;
5. Ask-A-Lawyer; and
6. Holiday Star Project.

We also provide easy-to-access and topical CLE seminars throughout the year, as well as CLEs to meet the year-end deadline and beat the clock at the CLE By the Hour.

Additionally, over the last few years, we initiated new events and programs that are primed to continue the legacy of the Baton Rouge Bar Association. In 2022, we started the Gavel Gala, a black-tie affair that has become a signature event to close out the calendar year. In 2024, we started hosting Trivia Night, which has resulted in standing-room-only crowds competing to be crowned Trivia Gods. To put it in Ferris’ terms, “The question is not ‘what do we have for you to do,’ the question is ‘what don’t we have for you to do?’”

***“Only the meek get pinched. The bold survive.”***

— Ferris Bueller

In my first Letter from the President this year, I urged members of the Baton Rouge Bar to “get involved.” I know it is ironic that the more time-saving technology, apps and software we incorporate into our practices, the busier we become. I get it—we are all busy. Despite the challenges of navigating work-life balance in light of billable minimums, federal court deadlines, car pool, travel ball, kids in middle school, making dinner and mowing the lawn, it takes boldness to give up a smidgen of your time to serve. Nevertheless, I urge you to get out of your comfort zone, stop scrolling and do something/anything. If I had not taken the chance to run for the board, time deprived though I was, I would have missed so much.

Over the last decade on the board, I have come to recognize the uniqueness of the Baton Rouge Bar. Along the way, I met some extraordinary people in a non-adversarial environment where we were working for a common cause. My mind and my circle were expanded through service. Accordingly, I urge you to volunteer for Pro Bono, serve on the Bench Bar Committee or attend a luncheon. I promise you that, in the end, the investment of your time will pay dividends in ways that you did not expect. Be BOLD!

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November/December 2024

Published by the Baton Rouge Bar Association  
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# Message to Young Lawyers

by Brad Cranmer, 2024 YLS Chair

## Reflecting on a Remarkable Year

**A**s I write this final article as chair of the BRBA Young Lawyers Section, I cannot help but feel a deep sense of pride in what we've accomplished together over the past year. It has been an incredible journey, filled with opportunities to connect, learn and grow as a community of young professionals.



**Brad Cranmer**

We hosted a variety of events that brought us together professionally and socially. Our multiple YLS-sponsored Happy Hours provided casual settings to network and unwind, the highlight of which was Happy Hour co-sponsored with the Louis A. Martinet Legal Society—a huge success. Our sidebar luncheons with local courts offered invaluable insights into the workings of our legal system. Additionally, we were fortunate to host a bar luncheon with Southern University Athletic Director Roman Banks and Football Coach Terrence Graves as our guest speakers, who offered unique perspectives on leadership and teamwork.

The annual Summer Sizzlin' CLE seminar added a bit of fun and relaxation to our busy schedules, and the Meet and Greet with Local Judges at Bench Bar was a highlight, allowing us to build important relationships with members of the judiciary. Cocktails with the Court continues to be a standout event in our YLS programming, providing a unique opportunity for judges and young lawyers to network in a relaxed, informal setting. This year's event continued the tradition, fostering connections and meaningful conversations.

None of these successes would have been possible without the hard work and dedication of my fellow council members. Kelsey Clark, Quinn Brown, Kolby Marchand, Cornelius Troy Hall, Candace B. Ford, G. Patrick Riley, Emily Lindig and Josef P. Ventulan—thank you for your unwavering commitment to making this year a success. Your efforts behind the scenes ensured that each event ran smoothly and was enjoyed by all who attended.

A special shoutout is due to Luke Williamson and Anthony Gambino for their exceptional work on Bench Bar with me. Your leadership and organizational skills were instrumental

in making it a smashing success. I am already looking forward to the 2025 Bench Bar Conference, knowing that the foundation you established will lead to even greater things. I consider both of you not only BRBA colleagues but true friends.

Of course, I must extend my deepest gratitude to Ann K. Gregorie, the executive director of the BRBA. Ann, your guidance and support have been invaluable throughout this year. I can honestly say I would be lost without your expertise and dedication. Thank you for everything you do, not just for the YLS but for the entire BRBA.

Looking ahead, I'm excited to share some new initiatives that the YLS will be rolling out in the coming year. We established three new committees—Social, YLS CLE and Law School Outreach—each chaired by a YLS Council member and open to volunteer young lawyers. These committees are tasked with improving our current offerings, increasing young lawyer involvement with the BRBA and enhancing our interaction with law students. By educating them about the resources and benefits of the BRBA, we aim to create a strong pipeline of future leaders within our organization.

If you're interested in becoming involved with one of these committees, I encourage you to reach out to me or Ann K. Gregorie at [ann@brba.org](mailto:ann@brba.org). Your participation is crucial to the success of these initiatives.

I am also thrilled to announce that we are in the early planning stages of bringing back a beloved BRBA tradition: the softball tournament. This event was once a highlight of the BRBA calendar, and there's significant interest in reviving it. Our goal is to hold the tournament over a spring weekend in 2025, providing a fun and competitive opportunity for our members to come together. If you're interested in entering a team, please let us know—we can't wait to see this event become a staple of our activities once again.

As my time as chair concludes, I want to leave you with a thought that has guided me throughout this year: "The best way to predict the future is to create it." Together, we've created something truly special within the YLS, and I have no doubt that the momentum we've built will carry forward into even greater achievements in the years to come.

Thanks for your support, enthusiasm and dedication to our profession. It has been an honor to serve as your chair.



# Back to Basics: Amicus Briefs *by Bradley C. Guin*

**A**micus curiae (literally, “friend of the court”) briefs play a unique role in the appellate process by offering valuable perspectives and insights from parties not directly involved in a case. The art of crafting an effective amicus brief requires an understanding of both procedural rules and persuasive writing techniques. This article discusses the specific requirements for filing amicus briefs in Louisiana appellate courts and offers practical tips for drafting effective amicus briefs.

## Amicus Brief Filing Rules

First, let’s examine the rules governing amicus briefs in Louisiana courts, starting with the Louisiana Supreme Court. Supreme Court Rule VII, § 12 explains that an amicus brief may be filed only “by leave of court granted upon motion and notice to the parties.”<sup>1</sup> The brief must be conditionally filed with the motion for leave.<sup>2</sup> Thus, the prospective amicus cannot file the motion for leave, await the court’s ruling and then file the amicus brief at a later date. Instead, both the motion for leave and amicus brief must be filed at the same time.

To file an amicus brief in the Supreme Court, one or more of the following factors must be satisfied: (1) the prospective amicus has an interest in another case involving a similar question; (2) there are matters of fact or law that might otherwise escape the court’s attention; or (3) the prospective amicus has substantial, legitimate interests that will likely be affected by the outcome of the case and which interests will not be adequately protected by those already party to the case.<sup>3</sup> The motion for leave must include a discussion of which factor or factors are met.<sup>4</sup> Rule VII, § 12 includes a word of caution: an amicus brief that does not meet these criteria, or that merely repeats the positions taken by a party, burdens the court’s staff and is disfavored.<sup>5</sup>

The motion for leave must be filed “within the time allowed for the filing of a brief by the party whose position as to affirmance or reversal the amicus brief will support.”<sup>6</sup> If the amicus brief is on legal-sized paper, the page limit is 15.<sup>7</sup> If the brief is on letter-sized paper, the page limit is 20.<sup>8</sup>

Although there is no specific rule that governs amicus briefs at the writ-application stage, the court’s e-filing system permits such briefs to be filed, and the court sometimes grants leave and considers amicus briefs at the writ stage. However, the court does not permit amicus briefs in support of rehearing applications, nor are amicus reply briefs allowed.<sup>9</sup>

On the court of appeal level, amicus briefs are governed by Uniform Rule 2-12.11. Like in the Supreme Court, amicus briefs may be filed in courts of appeal only with leave of court.<sup>10</sup> The motion for leave must: (1) identify the prospective amicus’ interest; (2) state that the prospective amicus has read the briefs of the parties; and (3) state specific reasons why the prospective amicus’ brief would be helpful to the court in deciding the case.<sup>11</sup>

This second requirement—that the movant must read the parties’ briefs—plays an important role in determining when an amicus brief can be filed. Because the prospective amicus must read the parties’ briefs, it follows that an amicus brief cannot be filed until the appellant’s reply brief has been filed, or, if no reply brief is filed, upon the expiration of the deadline to file a reply brief.<sup>12</sup>

The third requirement—that the movant identify “specific reasons” why the brief would be helpful—is also important. A motion that merely gives general reasons does not satisfy this prong and may be denied by the court of appeal.<sup>13</sup> Moreover, the mere fact that third parties have a stake in a case’s outcome

or could be negatively impacted by the ruling does not automatically qualify them as ideal amici.<sup>14</sup> Rather, the parties seeking amicus status must clearly demonstrate how their input will assist the court in resolving the appeal or present relevant legal arguments that the primary parties may overlook or inadequately address.<sup>15</sup>

Jurisprudence has laid out some additional limitations on amicus briefs. Issues not raised by the parties cannot be raised by an amicus on appeal.<sup>16</sup> Similarly, an amicus brief cannot be used as a vehicle to present additional or new evidence to an appellate court.<sup>17</sup> Thus, an amicus brief that attaches evidence that is not in the record on appeal is subject to a motion to strike.<sup>18</sup>

### Tips for Effective Amicus Briefs

The writing of amicus briefs has been called a “high art.”<sup>19</sup> It requires the ability to provide a distinctive perspective, craft compelling narratives about broader implications and distill complex ideas into concise arguments. Moreover, amicus brief writers must strategically position their briefs to add value to the court’s understanding while often representing diverse coalitions, making it a nuanced form of appellate advocacy. To achieve these goals, consider the following tips:

#### Keep it short

The dockets of appellate courts are often overburdened with numerous appeals and writ applications.<sup>20</sup> When drafting an amicus brief, keep in mind that you are asking the court to take on additional workload beyond the typical opening, response and reply briefs. Thus, keep your amicus brief, well, brief. Doing so increases the chances that your brief will be read and seriously considered by the court.<sup>21</sup>

#### Do not file a “me too” brief

An amicus brief should offer a perspective or information not already presented by the main parties. Avoid rehashing arguments already made in the parties’ briefs. Instead, the goal is to assist the court by providing additional context, expertise or arguments that shed new light on the case.

#### Highlight broader legal or policy implications

A strong amicus brief often goes beyond the specific facts of the case to discuss the broader legal or policy ramifications of the court’s potential decision. This can include examining how the ruling might affect future cases, impact different sectors of society or interact with other areas of the law. By framing the case within a larger context, you can help the court understand the full scope and significance of its ruling. However, be sure to tie these broader implications back to the specific legal questions at hand.

#### Provide empirical evidence or real-world examples

Depending on the type of case, amicus briefs sometimes include data, statistics or case studies that illustrate the broader impact of the court’s potential decision. While an amicus cannot introduce new factual evidence through an amicus brief, a court may find general scientific or other technical explanations helpful in disposing of the case before it.

### Adhere to proffer format and filing procedures

Even the most insightful brief will be ineffective if it doesn’t follow the court’s rules for submission. Pay close attention to formatting requirements, page limits and filing deadlines. Further, make sure to clearly state the prospective amicus’ interest in the case and its qualification to speak on the matter in the motion for leave and the brief.

### Don’t file an amicus brief in opposition to a writ application

Finally, as a practice pointer, filing an amicus brief in opposition to a writ application is rarely appropriate and is a “highly unorthodox” practice.<sup>22</sup> It is the author’s opinion that filing such an amicus brief may signal to the court that the case is important or controversial enough to warrant review, potentially backfiring on the intended purpose of the brief: denial of the writ application. If the writ application is ultimately granted, leave of court can be sought to submit an amicus brief at the merits stage.

### Conclusion

The key to success in crafting an effective amicus brief lies in offering unique insights, maintaining brevity and addressing broader implications—all while scrupulously following court rules. By mastering these elements, amici can significantly enhance their chances of influencing the court’s decision and contributing meaningfully to the development of jurisprudence.

---

<sup>1</sup> La. Sup. Ct. R., VII, § 12.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> La. Unif. R Ct. App. 2-12.11.

<sup>11</sup> *Id.*

<sup>12</sup> If the appellant assures the prospective amicus that a reply brief will not be filed, the motion for leave could be filed after the appellee’s brief is filed. The better practice, however, is to allow the reply brief deadline to lapse before seeking leave of court.

<sup>13</sup> *See, e.g.,* Barfield v. Bolotte, 15-0847 (La. App. 1 Cir. 12/23/15), 185 So.3d 781, 784, *writ denied*, 16-0307 (La. 5/13/15), 191 So.3d 1058.

<sup>14</sup> *See* Save Our Hills v. La. Dep’t of Env’t. Quality, 18-0100 (La. App. 1 Cir. 11/5/18), 266 So.3d 916, 925, *writ denied*, 19-0057 (La. 3/18/19), 267 So.3d 87.

<sup>15</sup> *See id.*

<sup>16</sup> *Id.* (citations omitted).

<sup>17</sup> State v. Quantex Microsystems, Inc., 00-0307 (La. App. 1 Cir. 7/3/01), 809 So 2d 246, 249 (citation omitted).

<sup>18</sup> *See id.*

<sup>19</sup> Lawrence S. Ebner, *Learning the High Art of Amicus Brief Writing*, FOR THE DEFENSE 44, 44 (2017).

<sup>20</sup> *See generally* Thomas B. Marvell & Carlisle E. Moody, *The Effectiveness of Measures to Increase Appellate Court Efficiency and Decision Output*, 21 U. MICH. J.L. REFORM 415, 415 (1988).

<sup>21</sup> Lawrence S. Ebner, *How to Be a Good Friend: Amicus Brief FAQs*, IN-HOUSE DEFENSE QUARTERLY 11, 11 (2013).

<sup>22</sup> AMICUS GUIDE: SUMMARY OF RULES OF COURT AND PROCEDURAL CONSIDERATIONS RELATING TO AMICUS PARTICIPATION 44, LEAGUE OF CALIFORNIA CITIES (2017 ed.).

# Bar News

## YLS Outreach to SULC Students Results in Tailgating during SU Homecoming Game

BRBA Young Lawyers Section Council Members Cornelius Troy Hall and Candace B. Ford represented the BRBA YLS at Southern University Law Center's 2024 Homecoming tailgate on the "Bluff" Saturday, Oct. 19, 2024. This vibrant tailgate was a collaborative event hosted by both the BRBA YLS and the SULC Student Bar Association.

Hall and Ford engaged with SULC students, encouraging them to take advantage of free student memberships with the BRBA and explaining the numerous benefits of joining. They distributed a BRBA QR code for easy access to the association's social media platforms, answered students' questions and handed out some classic tailgating treats. Many students took the plunge and completed their BRBA membership applications on the spot, while others signed up to be notified about upcoming BRBA events designed for law students.

A special thank you goes out to SULC SBA President Whitley Parker, ABA Representative Daelynn Flagg, SULC Facilities Director Angela Gaines and SU Athletic Director Roman Banks for their crucial role in bringing this law school outreach event to life. Additional thanks to the BRBA Board of Directors for funding the event and to the BRBA staff for their logistical support in organizing our supplies for Gameday.

## Workers' Compensation Section to Hold Ethics & Professionalism CLE seminar Nov. 12

The BRBA Workers' Compensation Section will hold a 2.0-hour credit CLE seminar at 2:15 p.m. Tuesday, Nov. 12, 2024, at Drusilla Seafood. Michelle Crosby and Robin Krumholt will present ethics and professionalism. The event concludes with a social featuring hors d'oeuvres and drinks. Contact Susan to register: [susan@brba.org](mailto:susan@brba.org) or 225-344-4803.

## Family Law Section Meeting & CLE on Nov. 21

Earn 1.0 hour of CLE at the Nov. 21, 2024, Family Law Section meeting and CLE seminar titled "Collaborative Efforts between Legal and Mental Health Professionals" at La Contea. Registration is at 11:45 a.m. Contact Susan Saye for more information: [susan@brba.org](mailto:susan@brba.org) or 225-344-4803.

## Ball Maul Golf Tournament Returns March 31

Register your golf team for the next BRBF Ball Maul Golf Tournament taking place on Monday, March 31, 2025, at The University Club. Or, you might prefer sponsoring this tournament, which supports the Baton Rouge Bar Foundation. Need more information? Contact Ann K. Gregorie at [ann@brba.org](mailto:ann@brba.org) or 225-214-5563. You will not want to miss this year's tournament!



Photographed Oct. 19, 2024, at the Southern University homecoming game are (L to R) YLS Council member Cornelius Troy Hall and 3L SULC law student Denaesha Mitchell.



One of the discussion panels at the YLS CLE held at the 19th Judicial District Court on Oct. 11, 2024, included Mona Gills Collins, jury management coordinator; John Swearington, civil division supervisor; Clay Duke, recording division supervisor; and Donny Caldera, criminal division supervisor. Cornelius Troy Hall (far right) organized the seminar, which was titled "Conquering the Maze: Navigating the Twists & Turns that Young Lawyers Face when Practicing Law."



Attending the Lunch & Learn event at Southern University Law Center were YLS Council members Candace B. Ford, Cornelius Troy Hall and G. Patrick Riley. The event took place Sept. 25, 2024.

## 26th Annual Belly Up with the Bar Report

The 26th annual Belly Up with the Bar event, which raises funds for the BRBF's youth education programs, was held Friday, Oct. 4, 2024, at the LSU John M. Parker Coliseum. As in years prior, the event featured live music by the Kenny Smith band, professional face painting for the children and a fun Belly Up photo booth.

Chef and celebrity judges included Johnny Ahysen with WAFB's "Stirrin' It Up"; Sous Chef Zack Stubbs (substituting for Chef Jeremy Coco) with Culinary Services LLC; Chef Jason Derouen, The Cajun Ninja; Chef Celeste Gill with Celeste's Bistro; and Chef Chris Motto, Juban's.

Winning the "Best Theme" category for their Brisket Briefs and Whisky Business was the Parish Attorney's Office. Winning "Best Dessert" for team Camp Taylor Porter with S'mores Desserts was Taylor Porter.

Winning first place for "Best Grub" for their Texas Style Smoked Pork Belly Tacos was Geaux Chiro Chiropractic & Health. The team that captured the second place "Best Grub" category was Hammonds, Sills, Guice, Noah & Perkins LLP with its Braised Korean Pork Belly with Kimchi Slaw. Winning third place "Best Grub" was Keogh Cox with Cheesy Jambalaya Bites.

The "Best Law School" award, which is chosen by the Belly Up with the Bar Committee, went to LSU Law.

Ticket holders voted for the People's Choice award categories of best food, best drink and best mocktail. The LSU Paul M. Hebert Legal Eagles captured the "best mocktail" trophy. Hammonds, Sills, Guice, Noah & Perkins, LLP, took home both the "Best Drink" and "Best Food" trophies, winning three trophies in all.

At this year's event, a total of 19 law firm and sponsor teams competed for prizes. Ticket sales surpassed last year's number, and we enjoyed the assistance of approximately 40 law student and undergraduate volunteers.

Thank you to all Belly Up with the Bar Committee members who assisted in planning the event and who worked during the event to make it a success. The key organizers of this year's event were Belly Up with the Bar Committee Chair Cornelius Troy Hall, Vice Chair Michael Grace and Pamela Labbe, staff liaison to the committee.

This year's premier sponsors were Barcezyk Spine & Joint; Butler Snow; Geaux Chiro Chiropractic & Health; Hammonds, Sills, Adkins, Guice, Noah & Perkins LLP; and PMIC.

Also sponsoring the event were (five spoons) Benton-McGinnis-Rogers Family; Jones Walker LLP; Plaisance Law LLC; Total Care Injury and Pain Centers; (four spoons) Breazeale, Sachse & Wilson LLP; Gilsbar; Hannis T. Bourgeois LLP; HMR Servicing; Mansfield Melancon; The Olivier Group LLC; Simmons' Sporting Goods; The Spine Center of Louisiana; Taylor Porter; (three spoons) Baton Rouge Chapter of the Federal Bar Association; Committee to Elect Brittany Bryant Jorden for Judge; Quality Investigative Group; RizeUp Media; Shanklin Sosa Injury Law; Southpoint Volkswagen; Tomeny Best Injury Lawyers; Wampold Companies; (two spoons) Benjamin Treuting; DeCuir, Clark & Adams LLP; Magnolia Disability; Off the Hook; and Tiger Trimlight. Special thanks to Coca-Cola Bottling Co. United – Baton Rouge for donating bottled water and soft drinks.



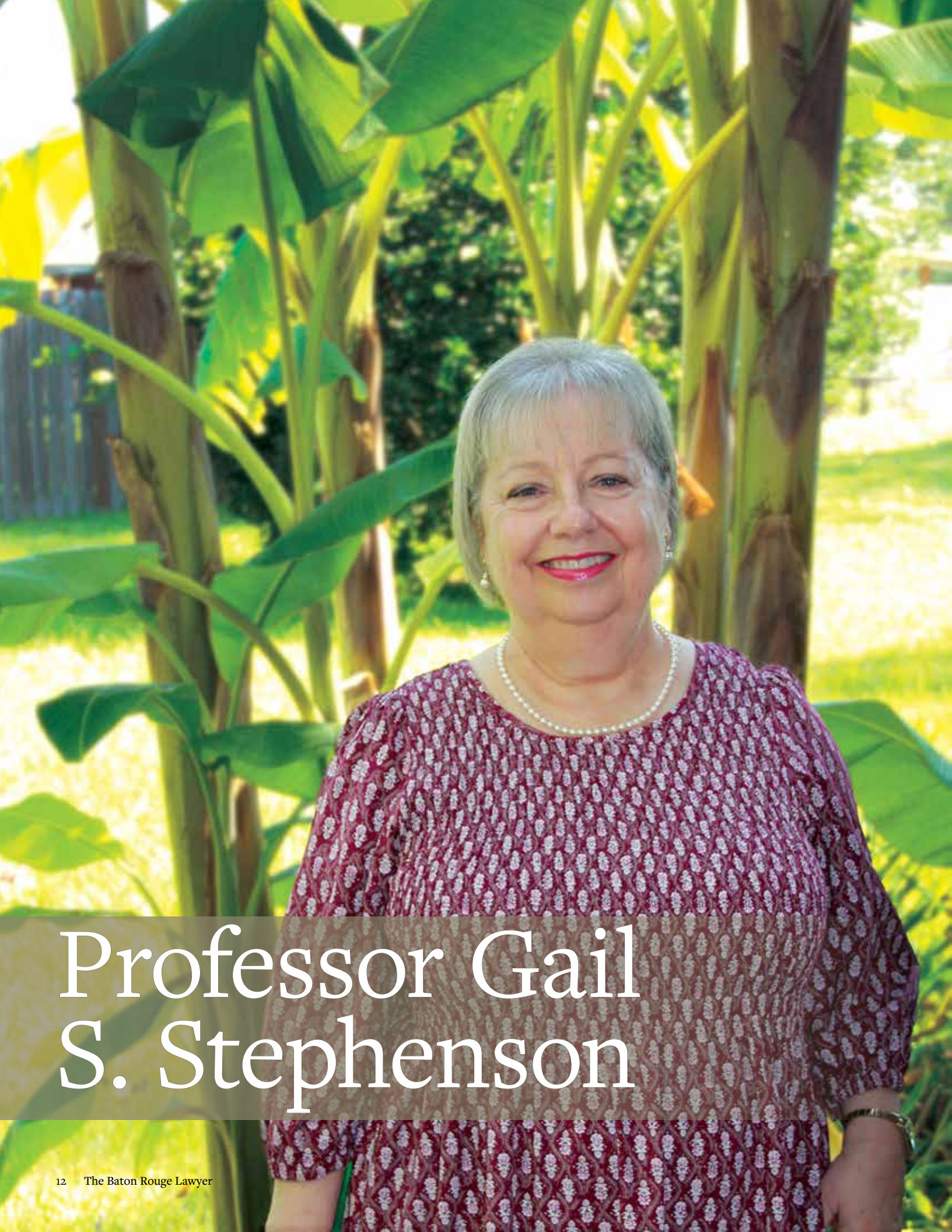
Photographed Oct. 4, 2024, at the Hammonds, Sills, Guice, Noah & Perkins, LLP, booth are a few of the members of team "They (are) Not Like Us." During the awards ceremony, the team (photo below) brought home three trophies at this year's competition, including second place "Best Grub" and People's Choice "Best Food" and People's Choice "Best Drink."



Congratulations to the cooking team from Geaux Chiro Chiropractic & Health who placed first place "Best Grub" for the team's Texas Style Smoked Pork Belly Tacos. Geaux Chiro also served as a premier sponsor of the 2024 Belly Up with the Bar event.



Honored with the "Best Theme" trophy was Brisket Briefs and Whisky Business, a team from the East Baton Rouge Parish Attorney's Office. Holding the trophy is Melanie Newkome Jones, team captain (third from left).



# Professor Gail S. Stephenson

# Interview with Gail S. Stephenson *by Pamela Labbe*

**TBRL:** *While many of our readers are familiar with your long-running Gail's Grammar column, they might be less knowledgeable about your projects. Tell us about your writing.*

GSS: I've been writing articles for the Baton Rouge Bar's publications since 1990, on everything from "The Law of Crawfish" to "Louisiana Burial Law" to "Louisiana Preference Docket Statutes." I've written a "Gail's Grammar" column for every issue of *Around the Bar* and *The Baton Rouge Lawyer* since 1999. Since I became a law professor at Southern University Law Center, I've written 11 law review articles and a book chapter. I'm always either writing or thinking about what I'm going to write.

The topic I've written on most in the past five years is the history of desegregation of higher education. There are such horrifying stories to write about, such as Clennon King, who in 1958 was committed to Mississippi's "colored asylum for the insane" because he dared to apply to the doctoral program in history at the University of Mississippi, or Horace Ward, whom the governor of Georgia drafted and sent to the front lines in Korea 30 days before his suit to desegregate the University of Georgia Law School was to be heard.

**TBRL:** *What is a typical workday like for you?*

GSS: There's no such thing as a typical day. Every day brings something new or different. I teach classes three days a week. This semester I'm teaching Advanced Legal Analysis & Writing (ALA&W), which is litigation drafting and brief writing; Obligations; and two sections of Law Review Workshop, where I teach students how to write and edit law review articles. When I'm not teaching, I'm grading papers, preparing for class, working on committees and writing. Some days I'm counseling students with personal problems. Most of my classes are small, so I get to know the students, and some of them come to me with their crises.

I'm also the director of Legal Analysis & Writing. That job involves preparing all the materials for ALA&W—we have 11 sections—and dealing with any problems the other 10 professors may have. I get to contend with things like finding someone to cover a class when one of the professors has COVID or handling plagiarism incidents.

**TBRL:** *Tell us about your career before teaching at Southern.*

GSS: After my third semester in law school, I accepted a federal court clerkship with Judge Frank Polozola, to begin two weeks after I took the bar. I was seven-and-a-half months pregnant when I took the bar. I clerked from Aug. 1 till the day my son was born, Aug. 28. After my maternity leave, I came back and finished out my two-year clerkship. Then I clerked for two years for Judge Melvin Shortess at the First Circuit. After that clerkship, I practiced insurance and corporate defense for three years, trying cases all over the state. I was on the road four days a week, and my son kept asking why I couldn't be a room mother at his school.

So, I took a huge pay cut to return to work at the First Circuit and be a room mother for the next three years. I worked for Judge Shortess until he retired, and then was the First Circuit's administrative general counsel for four years. I drafted opinions in expedited cases, like election issues. For the en banc cases, I would draft two opinions. The one with the most votes would become the majority opinion, and the other would become the dissent.

**TBRL:** *How did you go from administrative general counsel to law professor?*

GSS: I taught many CLE seminars, and Judge Shortess used to tell me I should be a law professor. He made me believe I could do it. My best friend from law school, Linda Fowler, was teaching legal writing at LSU and asked me to teach as an adjunct in LSU's Appellate Advocacy program. I did that for five years. Then Judge Freddie Pitcher Jr., whom I'd gotten to know when he was at the First Circuit, became Chancellor at SULC and invited me first to teach as an adjunct and then to apply for a new position as director of Legal Analysis & Writing. I got the job, and the rest is history.

**TBRL:** *What or who influenced you most to become a lawyer?*

GSS: When I was in seventh grade, I portrayed Richard Nixon in a mock presidential debate. I decided I wanted to be president, and it seemed to my 12-year-old self that most presidents were lawyers. I gave up my political ambitions by the time I reached college, but I stuck with my ambition to be a lawyer. I told my high school classmates at our 50th reunion last summer that I might not have become president of the U.S., but I did become president of the Baton Rouge Bar Association.

**TBRL:** *Provide some background information about yourself: Where did you grow up?*

GSS: I was born in New Orleans but grew up in the little town of Campti in Natchitoches Parish. My father, a brilliant electronics engineer, was diagnosed with early-onset Parkinson's Disease when he was 35, and within three years he could no longer work. My family moved to Campti and built a house a mile from my grandparents. We farmed, growing most of what we ate; my grandfather plowed a very large garden with a mule.

My father died when I was 17, a few weeks after my high school graduation. My mom was a seamstress. She made all the clothes for me and my four siblings and sewed for other people too. She taught me to sew, and I use that skill now with my quilting.

**TBRL:** *How did you get from a farm in Campti to LSU Law School?*

GSS: No one in my family had been to college, and I didn't know any lawyers or law professors. I realized the only way I was going to become a lawyer was to work hard and get



Photographed above are dolls created by Stephenson out of refuse for throws for the Trashy Nuts Mardi Gras subkrewe.

scholarships. Campti High was a rural K-12 school that didn't offer math beyond Algebra I and had no science lab. But my teachers wanted me to succeed. When I was in sixth grade, the school librarian introduced me to classic books in the high school library. She also taught me English in seventh and tenth grades and impressed upon me the importance of proper grammar. The math teacher gave me her college algebra book and used it to teach me Algebra II in the back of the Algebra I classroom. The social studies teacher gave me his college history textbooks to read. I ended up with an ACT score high enough to get one of the four free-ride academic scholarships Northwestern State offered each year. I took 18 hours each semester and graduated in three years, then got a scholarship to law school.

**TBRL:** *Do you participate in any volunteer activities, outside of the BRBA?*

GSS: I'm a lector at St. George Catholic Church and participate in its prayer blanket ministry. I'm on the editorial board for the LSBA and edit the Recent Developments section of the *Louisiana Bar Journal*. I'm also an editor for the official study guide for the Louisiana notary exam.

**TBRL:** *Tell us about your involvement in the state notary exam.*

GSS: I took and passed the notary exam in Caddo Parish years ago, before I went to law school, back when attorneys had to take it. Now there's a statewide exam, and I'm a consultant

for it. I write some of the questions, edit the exam and review questions that don't perform well to see how they can be improved.

**TBRL:** *What activities do you do when you are not copyediting for the BRBA or LSBA? I've heard a little about your environmentally friendly Mardi Gras subkrewe and your interest in quilt making.*

GSS: I make prayer quilts for the prayer blanket ministry of St. George Catholic Church. When the pastors visit the sick in our parish, they bring quilts to sick parishioners for them to feel "wrapped in love and prayer." I like to upcycle fabrics for the quilts, especially old blue jeans.

I belong to the Trashy Nuts subkrewe of Baton Rouge's Krewe of Mid City. We're a walking group, and all of our costumes and throws are made from items that would otherwise end up in the landfill. My specialty is making dolls and toy snakes from bottle caps.

My 10-year-old granddaughter Zelda lives across the street. We share a birthday, and every year I make her a fancy birthday cake.

I am also a voracious reader, which I need to be to complete my A-to-Z reading challenge.

**TBRL:** *Tell me more about this reading challenge.*

GSS: Every year since 2009 I've tried to read books by authors whose last names begin with every letter of the alphabet, as well as read books with titles that begin with every letter. I don't always succeed – it's hard to find authors and titles that begin with X. The challenge has diversified my reading list and led me to some great books and authors like Markus Zusak ("The Book Thief"), Spencer Quinn ("Mrs. Plansky's Revenge") and Greg Iles ("The Quiet Game"). But it's also led me to read books like "The Zombies of the Zapatas" by James Griffin, just to get that Z title.

**TBRL: What do you do for stress relief?**

GSS: I quilt while watching LSU sports on television, although the football games sometimes add to my stress levels. I've been going to yoga at least twice a week at Women's Center for Wellness for about a decade.

I've also played an online multiplayer text-based game called Gemstone IV since 1996. It's a fantasy world with monsters but no lawyers, and I've met some very nice people through the game. After a bad day at school, killing virtual monsters can be satisfying (just don't ask me what I'm thinking about as I type "attack orc").

**TBRL: What advice might you have for lawyers who are interested in teaching legal writing?**

GSS: Don't do it if you want to get rich. The starting salary for my law review students who start with big firms is more than

I make after 40 years in the legal profession. Don't do it if you want an easy job. I may only be in the classroom seven hours a week, but between grading, class prep, writing and committee work, I work more hours than I did when I practiced law. But if you get a warm feeling when you see that light go on for students as they finally grasp a concept, or when you get an email over the summer to tell

you how useful your class was, it might be for you.

**TBRL: Do you have any plans to retire?**

GSS: Not at the present. There's no mandatory retirement age for law professors. As long as I still enjoy what I do and am physically and mentally able to do it, I'm going to keep teaching.



Photographed above is one of Stephenson's handmade prayer quilts.

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# Legal Communication & Netiquette

*by Gail S. Stephenson*

Lawyers have many methods of communication—texts, emails, snail mail, fax, telephone. It is important that you determine the best method under the circumstances. Bad news should not be delivered to your client through email or text; that kind of news requires the human touch of a telephone call. Heartfelt messages of sympathy or congratulations might mean more to the recipient if sent by snail mail. Text messages are good for a quick response, even if it's just to say, "I'll get back with you as soon as I am able to research that issue," although the Louisiana State Bar Association (LSBA) discourages texting the client.<sup>1</sup>

Emails are the best method of communication if your client wants a fairly quick but detailed response. The LSBA recommends that at the beginning of representation, the attorney send the client an email confirming both the email address and the client's permission to use email.<sup>2</sup>

When sending an email to a client, keep in mind that the email is taking the place of a snail mail letter and should follow the same conventions as a traditional letter. That means you should follow the same standards of civility. It's easy to

write an email when you're angry, but before you fire off that scathing message, ask yourself, "Would I be okay with my colleagues reading this? How about a judge? Would I want this to appear as a court exhibit? Am I okay with the email being read by any person the recipient may forward it to?" Then save the letter in your draft file so that you can reassess it later, after your anger cools.

A professional email should also follow the same format as a snail mail letter. It should begin with a salutation (Dear Mr. Smith: ) and end with a complimentary close (e.g., Sincerely). The closing should be followed by a signature block with your full name, title and contact information. If your first name is gender-ambiguous (e.g., Taylor, Hayden), be kind to the sender and include your pronouns. If you follow the signature block in your personal emails with a quote, Bible verse, meme or photo, ask yourself whether you'd include that information in a regular letter to a client. If not, delete it.

Spelling and grammar do count in cyberspace. An email should contain complete, grammatically correct sentences with proper punctuation. Do not use emoticons, emojis, initialisms like

LOL or SMH, multiple punctuation marks (!!!), profanity or all caps, which are seen as shouting. If you wouldn't use it in a snail mail letter, don't use it in a professional email.

Keep in mind that busy people often don't bother to scroll down, especially if reading an email on a cellphone. Put the most important information at the beginning of your email. If your client has asked a specific question, begin the email with the answer—then explain.

Busy people also don't want to open unnecessary attachments. If you can transmit the information in the body of an email, do it. No one wants to receive an email that says, "See attached," only to find the attachment contains three lines of information.

Make your subject line useful. If the email asks for specific action, indicate so in the subject (e.g., Signature requested on attached consent form). If you reply to an email, take a moment to change the subject line. If the subject on the email you received was "Have you sent Gail's Grammar column for January," change the subject line on the reply to "Gail's Grammar column for January attached."

Double check that you have the correct recipient and address before hitting send. I once received an email that said, "I love you," that was sent at 2 a.m. by a cousin who had a bit too much wine. It seemed that Gail was next to Gary in her directory, and she'd clicked on the wrong name. But you don't have to be tipsy—maybe just a bit too busy or distracted—to accept an autocompleted address that goes to the wrong person.

Don't click on reply all unless every person who was copied on the email needs to see the reply. No one needs an inbox clogged with irrelevant email. And be very careful with using bcc. Someone who is blind copied on an email can hit reply all and reveal that he or she was copied. It is better to forward a copy of the original email to the third party to avoid that problem.

Finally, before hitting send, be certain that the communication should be via email. An email can live forever in cyberspace, and digital communication can be your enemy just as easily as it can be your friend. Maybe you should pick up the phone, walk down the hall to your colleague's office or meet with the client in person. Knowing which communication method is most appropriate is the mark of a good lawyer.

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<sup>1</sup> See LOUISIANA STATE BAR ASSOCIATION, PRACTICE AID GUIDE: THE ESSENTIALS OF LAW OFFICE MANAGEMENT 76 (2017). According to the LSBA, text messages are easily misconstrued, often mistyped and not easily preserved. Furthermore, they do not convey enough information and lead to expectations of immediate access. *Id.*

<sup>2</sup> See *id.* at 79 for a sample email communication letter.

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# Update to FTC's Final Rule to Ban Noncompete Agreements

by Vincent V. "Trey" Tuminello III & Tristan G. Gruspier

On April 23, 2024, the Federal Trade Commission (FTC) released its Final Noncompete Clause Rule (Final Rule), which barred (1) entering into any new noncompete agreements and (2) enforcement of a majority of noncompete agreements between employers and their workers. The Final Rule was set to become effective Sept. 4, 2024. However, the Final Rule was challenged in multiple federal courts around the nation,<sup>1</sup> and on Aug. 20, 2024, the United States District Court for the Northern District of Texas issued a nationwide injunction ordering that the FTC's Final Rule be set aside and not be enforced or take effect Sept. 4, 2024.<sup>2</sup>

## Noncompetes in Louisiana

Specific to Louisiana, our courts have ruled that there is a strong public policy disfavoring noncompete agreements.<sup>3</sup> Louisiana's law on noncompete agreements (La. R.S. 23:921) provides specific guidelines as to what must be included to be enforceable. Failure to strictly follow these guidelines will result in the noncompete being unenforceable. The law also carves out specific exceptions for special business/individual relationships. Those exceptions apply to corporations and the individual shareholders,<sup>4</sup> partnerships and partners,<sup>5</sup> and to limited liability companies and individual members.<sup>6</sup>

## The Final Rule

According to the FTC, noncompete agreements are an unfair method of competition and in violation of 15 U.S.C.A. § 45, which prohibits deceptive or unfair methods of competition in or affecting commerce. The Final Rule provides that it is an unfair method of competition and therefore a violation for employers to, inter alia, enter into or enforce noncompete clauses with workers on or after the Final Rule's effective date.<sup>7</sup>

The Final Rule defines a noncompete as a term or condition of employment that either prohibits a worker from, penalizes a worker for, or *functions to prevent* a worker from (1) seeking or accepting work in the United States with a different person where such work would begin after the conclusion of the employment that includes the term or condition or (2) operating a business in the United States after the conclusion of the employment that includes the term or condition.<sup>8</sup>

Importantly, the FTC wrote the Final Rule broadly, focusing on the definition of a *worker* and the relationship between the

*worker* and the employer. The Final Rule defines a worker as a natural person who works, whether paid or unpaid, for an employer.<sup>9</sup> Yet the term worker includes, without limitation, an employee, individual classified as an independent contractor, extern, intern, volunteer, apprentice or sole proprietor who provides a service to a client or customer.<sup>10</sup> Classification under any other statute (e.g., the Fair Labor Standards Act) is not determinative under the Final Rule. The purpose for such a broad definition was to ensure the Final Rule captured as many noncompetes as possible and to include other employment agreements that are overly broad in restricting workers (e.g., non-solicit agreements, NDAs, confidentiality agreements).

The FTC carved out a limited number of exceptions to its ban on noncompetes. These exceptions include: parties to a bona fide sale of a business,<sup>11</sup> nonprofit organizations,<sup>12</sup> entities exempt as outside of the FTC's jurisdiction (e.g., banks, credit unions, savings and loan institutions),<sup>13</sup> persons and businesses subject to the Packers and Stockyards Act of 1921<sup>14</sup> and current pending causes of action related to a noncompete agreement.<sup>15</sup> The FTC also created a special exception for what it considered noncompetes with senior executives that were entered into *before* the Final Rule's effective date.<sup>16</sup> This exception is not available for noncompetes entered into after Sept. 4, 2024, even if all other requirements are met.

To meet the requirements of a senior executive, the worker must have a total compensation of at least \$151,164 annually<sup>17</sup> and be in a policy-making position.<sup>18</sup> A policy-making position is defined as a business entity's president, chief executive officer or the equivalent, any other officer of a business entity who has policy-making authority or any other natural person who has policy-making authority for the business entity similar to an officer with policy-making authority.<sup>19</sup> The definition also includes an officer of a subsidiary or affiliate of a business entity that is part of a common enterprise who has policy-making authority for the common enterprise.<sup>20</sup> The FTC carved out this particular exception as it reasoned this subset of workers were less likely to be subject to similar acute, ongoing harms currently being suffered by other workers, and because credible concerns were raised for this subset during the comment period.<sup>21</sup>

If a current noncompete does not qualify for one of the limited exceptions, the Final Rule requires the employer to provide a clear and conspicuous notice to the worker.<sup>22</sup> This

notice must identify the employer and inform the workers that the noncompete clause will not be, and cannot legally be, enforced against them.<sup>23</sup> Such clear notice must be provided on or before Sept. 4, 2024.<sup>24</sup> This notice can be delivered by a number of authorized methods to include hand delivery, email or text message.<sup>25</sup> The Final Rule provides a sample notice that employers can use to meet all of the specified requirements.<sup>26</sup>

### The Injunction Ruling

The Final Rule was challenged in three separate federal courts across the nation almost as soon as it was announced.<sup>27</sup> Of those challenges, one district court ruled that the FTC did not exceed its authority to create and implement the Final Rule.<sup>28</sup> Another district court (Middle District of Florida) ruled that the FTC exceeded its statutory authority and impermissibly displaced the substantive statutory and regulatory framework of states around the country.<sup>29</sup> However, the court did not provide a nationwide injunction following its decision.<sup>30</sup> That relief would be provided by the third suit filed in Texas.

On Aug. 20, 2024, the United States District Court for the Northern District of Texas issued a nationwide injunction ordering that the FTC's Final Rule be set aside and not be enforced or take effect Sept. 4, 2024.<sup>31</sup> Decided on a motion for summary judgment, the district court ruled that the FTC's Final Rule is an unlawful agency action.<sup>32</sup> Specifically, the district court ruled that (1) the FTC exceeded its statutory authority<sup>33</sup> and (2) the Final Rule is arbitrary and capricious, and would cause irreparable harm if implemented.<sup>34</sup> As a result of this ruling, under the Administrative Procedure Act, the district court reasoned that it must hold unlawful and set aside the FTC's Final Rule.<sup>35</sup> The FTC will likely appeal this ruling immediately to the appellate court.

### Going Forward

Knowing that noncompetes are already scrutinized heavily under Louisiana law, the FTC's Final Rule illustrates the growing trend of disfavoring blanket noncompetes. Therefore, it is important to take note and use other means available to protect a business owner's interests. Some possible alternatives include less restrictive agreements, such as nondisclosure agreements, nonsolicitation agreements, and no-hire and no-business agreements. Other methods can be employed to limit a worker from accessing and reviewing sensitive trade secrets, such as software firewalls and restricted access to physical locations. The Fifth Circuit, and likely the U.S. Supreme Court, will address the current nationwide injunction in the *Ryan* case. At this time, the FTC cannot enforce its rule, but practitioners will do well to understand it in the event the District Court's decision is ultimately reversed.

<sup>6</sup> La. R.S. 23:921(L).

<sup>7</sup> § 910.2(a)(1)(i) and § 910.2(a)(2)(i).

<sup>8</sup> *Id.*

<sup>9</sup> § 910.1(f).

<sup>10</sup> *Id.*

<sup>11</sup> § 910.3(a).

<sup>12</sup> See 15 U.S.C. 44.

<sup>13</sup> See 15 U.S.C. 45(a)(2).

<sup>14</sup> See 15 U.S.C. 45(a)(2).

<sup>15</sup> § 910.3(b).

<sup>16</sup> See § 910.1.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> See FTC Non-Compete Clause Rule, 16 CFR § 910(I)(A).

<sup>22</sup> § 910.2(b)(1).

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> § 910.2(b)(2)(ii).

<sup>26</sup> § 910.2(b)(4), Figure 1.

<sup>27</sup> See *supra* note 1.

<sup>28</sup> *ATS Tree Sers., LLC v. Fed. Trade Com'n*, No. 2:2024-cv-01743 (E.D. PA).

<sup>29</sup> *Props. of the Villages, Inc. v. Fed. Trade Comm'n*, No. 5:24-cv-00316 (M.D. Fla).

<sup>30</sup> See *id.*

<sup>31</sup> See *Ryan, LLC vs. Fed. Trade Comm'n*, No. 3:24-cv-00986 (N.D. Tex.).

<sup>32</sup> *Id.* at 26.

<sup>33</sup> *Id.* at 22.

<sup>34</sup> *Id.* at 26.

<sup>35</sup> See *id.*

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<sup>1</sup> Lawsuits were filed in the Federal District Court for the Eastern District of Pennsylvania, the Federal District Court of the Northern District of Texas and the United States District Court for the Middle District of Florida.

<sup>2</sup> See *Ryan, LLC vs. Fed. Trade Comm'n*, No. 3:24-cv-00986 (N.D. Tex.), Doc. 211, Memorandum Opinion and Order.

<sup>3</sup> *Navarre Chevrolet, Inc. v. Begnaud*, 16-0465 (La. App. 3 Cir. 11/2/15), 205 So.3d 973, 975, writ denied, 16-2122 (La. 1/13/17), 215 So.3d 248.

<sup>4</sup> La. R.S. 23:921(J).

<sup>5</sup> La. R.S. 23:921(K).

# Helping Children & Families

by Chris Whittington & Jennifer Maybery

Roxson Welch met Jewell E. “Duke” Welch<sup>1</sup> in the sixth grade, and they started dating when they were 15 years old. They both graduated from Baker High School. When Roxson was 17 and Duke was 18, they were married secretly by the justice of the peace in Woodville, Mississippi. They have three children, 11 grandchildren and one great-grandchild.

Roxson has a master’s degree in education, was National Teacher of the Year in 1994 and was State Teacher of the Year in 1995. She served on the East Baton Rouge Metropolitan Council from 1997 to 2000, and after attending law school in the evenings, she was sworn into the bar in 2011. Since that time, Roxson has become a lawyer on the move who has made a positive impact in the lives of children and families by removing obstacles and providing options.

She started with the Family and Youth Service Center (FYSC) in 2011 at its Government Street location in Baton Rouge. FYSC seeks to assist any child or family with whatever dilemmas they may be experiencing. This building formerly housed the School for the Visually Impaired in the 1860s and served as an infirmary for the Union troops during the American Civil War. The building is recognizable due to the mural artwork and other donated artwork displayed on campus. FYSC is well on its way to being a “one-stop shop” for children and families in need. Roxson said instead of identifying a “problem child,” the FYSC addresses a “child with a problem” and works to provide assistance in a way that does not diminish the parent.

*Photographed above is the Family and Youth Services Center building and garden.*

FYSC originated out of the Truancy Program through the East Baton Rouge Sheriff’s Juvenile Outreach Office. The program addressed children who were falling behind because they were missing school. FYSC has access to the child’s school records, which provide information about students’ grades, attendance, transfers from school to school and emergency contacts. Thus, before the child and family arrive at FYSC, Roxson and the staff know much about the child and their family’s situation. From this starting point, tutoring can be provided even for children who have missed three years of school. The goal, Roxson said, is to place the child in a school that is grade appropriate, as opposed to age appropriate, with tutoring to assist.

But FYSC provides many more services than just its truancy-prevention and tutoring programs. It is worthwhile to visit [www.fysc-eb.org](http://www.fysc-eb.org) to see all the partner agencies—with more being added all the time—that provide varied and meaningful services for children and families in need. A time may arise in your law practice when FYSC might be able to assist someone you encounter.

FYSC is open to new partners and agencies to further address meeting the needs of incoming children and families—from social-support services, to counseling and mental-health support, to housing assistance. The Center provides a secure campus area where partner agencies and those seeking assistance can feel comfortable. Two of the campus buildings are being remodeled to create even more space for member providers.

Located in the middle of the campus is a Peace Garden that was constructed entirely from donated materials and labor.

The Peace Garden has many blooming plants, places to sit and wind chimes that provide soft sounds. The garden draws inspiration from the circular walkway where it was created, which was used for visually impaired students to practice walking with canes.

FYSC needs things that many of us have, yet we no longer use. Examples are mattresses, bed frames, pots and pans, sofas (preferably sleepers), suitcases, duffle bags; toiletries for women, men and children; toys, toddler car seats, non-perishable food items and snacks. The Center constantly comes in contact with children and families in need.

“We will take anything that you have to donate,” Roxon said. “Absolutely anything.”

### Agencies Currently Operating at the FYSC

- FAMILY YOUTH SERVICE CENTER: Administers the facility and partners, also conducts community outreach and assists with grant and funding research
- EBR SHERIFF’S OFFICE: Juvenile outreach
- DARE: Classes and community outreach
- EBR District Attorney’s Office: Truancy prevention
- TRUCE: Community-based non-profit that calls for truces between feuding groups and services at-risk youth
- TASC: Truancy Assessment Service Center for the East Baton Rouge Parish School System
- EBRSO: Crime victims assistance
- L.O.R.I. (Louisiana Organization for Refugees and Immigrants): Nonprofit group that provides classes in ESL and citizenship and assists refugees and immigrants in their various stages of integration in the community, thus promoting their self-reliance
- LIFE 101: Offers various classes, including financial literacy and sewing
- CAPITAL AREA FAMILY JUSTICE CENTER: Multi-disciplinary team of professionals who work together in a centralized location and provide assistance for victims/survivors of domestic violence and their families
- UNBOUND NOW: Community-based nonprofit organization that supports survivors of human trafficking
- PROJECT IMPACT: Provides services to child survivors of violent crime and their families
- MAYO BEHAVIORAL HEALTH SERVICES: Provides substance abuse, behavioral health and rehab services for adults
- EBRSO SCHOOL DRUG TASK FORCE: School Drug Task Force came into being in 1991 from an agreement between then-Mayor Tom Ed McHugh, Chief of Police Wayne Rogillo and former Sheriff Elmer Litchfield. The mission is to monitor and eradicate crimes such as drugs, weapons and assault in the school systems within East Baton Rouge Parish.
- TRAVAIL 6:33: A twice-monthly food bank that is dedicated to providing food assistance to those in need. The food pantry is open on the first and third Thursday of each month.
- F.O.A.M.: Fathers on a Mission is one of the only nonprofit organizations that cater to empowering men to become better father figures within their community. The program connects fathers with workplace opportunities, community resources and opportunities to build relationships.

<sup>1</sup> Currently serves as a judge on the Louisiana First Circuit Court of Appeal.



# VITAL STATISTICS

**Elected:** December 2022

**Age:** 70

**Born & Raised:**

Birmingham, Alabama

**High School:**

Ramsay High School,  
Birmingham, Alabama

**College:**

University of Alabama  
(1974)

**Law School:**

LSU Paul M. Hebert  
School of Law (1977)

**Family:**

Arthur James Horne  
(father); Quintella  
Dobbins Horne (mother);  
Janet Horne Mickel  
(sister); Nancy Horne  
(sister); Arthur Horne  
Jr. (brother); Nelson  
Taylor Jr. (son); Naomi  
Collier (daughter);  
Si'air Taylor (grandson);  
Nova Danyelle Taylor  
(granddaughter); Jamal  
Thomas Mickel (nephew,  
whom she raised since age  
4); and Nelson Taylor Sr.,  
former civil rights attorney  
& AME Minister (spouse-  
deceased).



# Honorable Gail Horne Ray

# Judicial Interview: 19th JDC Judge Gail Horne Ray

by Cornelius Troy Hall

**TBRL: What influenced you to become a lawyer?**

GHR: Growing up in Birmingham, Alabama, during the Civil Rights Movement; the societal, emotional and mental impact of the 16th Street Baptist Church bombing in Birmingham, Alabama, in 1963; and the imprisonment of the Freedom Riders and their fellow civil rights leaders.

These experiences created a desire in me to work on behalf of the underserved, overlooked, mistreated, forgotten, unrepresented and wrongfully accused as I tried to dismantle the vestiges of systemic discrimination to ensure that everyone had an equal opportunity at happiness and success and to live the American dream.

Going to law school provided me with the opportunity to pursue a desire that my mother always said I had; gain the ability to think strategically and analytically; and work in many different arenas, including governmental, social, political and private.

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

GHR: Kindergarten teacher.

**TBRL: What did you do before running for judge?**

GHR: I worked as an associate attorney with Nelson Taylor Sr. of Taylor, Ray and Associates. My practice areas were civil rights law, including school desegregation cases, personal injury and criminal law.

Then I served as an assistant professor of law for the Southern University Law Center from 1979 to 1981. My teaching areas were commercial paper/security devices, criminal law and "Intro to Law." My students Donald North and Cleveland Coon became Southern University Law School professors; my student Ron Johnson became a judge at the 19th Judicial District Court.

In the early 1980s, I served in the Public Defender's Office. Later, I established the Law Office of Gail Horne Ray in the early 1990s, sharing office space with former attorney Robert Williams. Our practice areas were civil rights law, personal injury and criminal law.

**TBRL: What are some milestones/highlights of your career as a lawyer?**

GHR: Receiving the Justice for Youth Award/JPLL, working on the *Voting Information Project v. Edwards & City of Baton Rouge*<sup>1</sup> case, which was the precursor to *Clark v. Edwards*;<sup>2</sup> winning acquittals in the defense of two second-degree murder cases in one week; prevailing in a hearing in front of the Louisiana High School Athletic Association that prevented the Istrouma High School football team from having to forfeit all its wins in a season; serving on the leadership council for Citizens for

Second Chances; serving on the Board of Directors for the J. K. Haynes Elementary Charter School; and appearing with a client on the "Larry King Show."

**TBRL: What made you decide to leave private practice and run for judge?**

GHR: I never saw myself wanting to be a judge or campaigning for the position. Instead, I always wanted to be on the front lines of the battle for freedom, and being an attorney allowed me to do that. Many people over the years asked me if I was going to run, and I would say "no." In fact, I said "no" so many times that those same people would say, "Gail is not going to do it."

However, the passing of 19th JDC Judge Christopher Dassau really affected me because he was so young and had such a bright and promising future ahead of him. His passing caused me to reflect over those times I had not run and, in part, it motivated me to do so.

**TBRL: What made you decide to run for the 19th Judicial District Court judgeship in particular?**

GHR: I argued many cases in front of Judge Dassau when he served on the bench, and I saw the perspectives he applied to his rulings and the direction he wanted his courtroom to go. After he passed, I decided to run so, if elected, I could continue applying those perspectives and direction as a judge.

**TBRL: What are the most rewarding parts of your job?**

GHR: The opportunity to make positive impacts in the lives of the individuals who appear before me and issuing rulings to reduce the amount of recidivism of those individuals who are found guilty.

**TBRL: What is the most challenging part of your job?**

GHR: Seeing, but not always being able to address, the lack of adequate resources needed to sufficiently and appropriately confront the situations of those defendants suffering from a mental illness. This is particularly challenging when the defendants are unaware of their illnesses.

**TBRL: What has surprised you the most about being a judge?**

GHR: The number of administrative issues that are involved with the management of the courthouse, specifically, the court's facilities, such as building maintenance and technology.

**TBRL: What is your advice to lawyers who appear before you?**

GHR: **Advice for defendants' counsel:** Zealously represent the interest of your client. Zealously does not mean losing respect and civility for opposing counsel or the court, nor does it mean to ignore the points raised by your client. It does however mean going "the extra mile" to verify the validity of your client's position.

**Advice to State:** Fashion and apply an appropriate resolution based on the individual circumstances of the case and the parties involved.

**TBRL: Who are your role models and mentors?**

GHR: Attorneys James Gray, Robert Williams, Nelson Taylor Sr., Etta Kay Hearn, Murphy Bell and Robert Judge Eames.

**TBRL: The best advice you ever got? Ever gave?**

GHR: Never give up. Always do your best.

**TBRL: Are you involved in any extracurriculars?**

GHR: Working with and on behalf of the Baton Rouge Delta Alumnae Chapter of Delta Sigma Theta Sorority Inc., Southern University Sixth Man Club and Allen Chapel AME Church.

**TBRL: The last book you read, are currently reading or listened to is?**

GHR: Jon Meacham: "His Truth is Marching On: John Lewis and the Power of Hope," Elie Mystal: "Allow me to Retort: A Black Man's Guide to the Constitution," and Angela Allen-Bell: "Under Indictment: Race, Juries & Justice in Louisiana."

**TBRL: Do you have any additional advice you wish to impart to our readers?**

GHR: To prioritize the fair dissemination of justice and reach an amicable solution over the sole focus of winning and losing.

**TBRL: What thoughts would you like to leave with our readers?**

GHR: *Fiat iustitia ruat coelum.* "Let justice be done though the heavens fall."

**TBRL: What are a few of your hobbies?**

GHR: Watching sports (my favorite teams are the Alabama Crimson Tide, Southern University Jaguars, New Orleans Saints and the Golden State Warriors), reading, spending time with my family and friends and listening to music (mainly the blues).

**What unique facts might you wish to share about yourself?**

GHR: I am a member of Delta Sigma Theta's charter line in 1974 at the University of Alabama. I worked a year for Sears Roebuck in Baton Rouge, Louisiana, to qualify for in-state residence to go to law school the following year. Former U.S. Secretary of State Condoleezza Rice and I grew up in the same church and attended the same Sunday School class at Westminster Presbyterian Church, pastored by the Rev. John Rice, father of Condoleezza Rice, until my father moved our family to the Lutheran church when I was 8 years old. Also, I took tap and ballet lessons when I was a young child.

<sup>1</sup> *Voter Information Project, Inc. v. City of Baton Rouge*, 612 F.2d 208 (5th Cir. 1980).

<sup>2</sup> *Clark v. Edwards*, 725 F.Supp. 285 (M.D.La. 1988).

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# Candidate Bios for the BRBA 2025 Young Lawyers Section Council Election

Online election begins Friday, Nov. 1, and ends Friday, Nov. 15, 2024. All voting will be conducted electronically. Make sure the BRBA has a valid email address for you on file. The BRBA 2025 YLS Council officers are as follows:

*Kolby P. Marchand*, chair; *Cornelius Troy Hall*, chair-elect; and *Candace B. Ford*, secretary/treasurer. **All regular BRBA members who are members of the Young Lawyers Section need to vote for FIVE of the six candidates.**

## Linnea Brailsford

**Law School:** LSU - Paul M. Hebert Law Center. **Year:** 2021. **Law Firm:** Mansfield, Melancon, Cranmer & Dick LLC. **Seeking:** First term, Council member. **Activities:** Holiday Star Committee. **Other:** Belly Up with the Bar Committee; admitted to practice in Louisiana and the Middle District.



## Emily A. Lindig

**Law School:** Southern University Law Center. **Year:** 2018. **Law Firm:** Brock & Palminier Law LLC. **Seeking:** Third term, Council member. **Activities:** BRBA Family Law member. **Other:** Wex S. Malone American Inns of Court member; St. Aloysius Church Stewardship Through Ministry Committee member; LSBA member; former law clerk for 21st JDC Judges Brenda Bedsole Ricks and Jeffery Oglesbee.



## John C. Conine, Jr.

**Law School:** Southern University Law Center. **Year:** 2016. **Law Firm:** Shows, Cali & Walsh L.L.P. **Seeking:** First term, Council member. **Activities:** Member of the American Bar Association, Louisiana State Bar Association, Federal Bar Association and Baton Rouge Bar Association. **Volunteer:** Thirst for Justice, Holiday Star Project and High School Mock Trial competition. **Other:** Belly Up with the Bar participant and former treasurer of the Dean Henry George McMahon American Inn of Court; admitted to practice in all state courts of Louisiana, United States District Courts for the Eastern, Western and Middle Districts of Louisiana, and United States Court of Appeals for the Fifth Circuit.



## Rebecca Moreno

**Law School:** LSU - Paul M. Hebert Law Center. **Year:** 2018. **Law Firm/Employer:** Southern University Law Center. **Seeking:** First term, Council member. **Activities:** BRBA Youth Education Committee member, Chair of the High School Mock Trial Committee and Law Day Committee member. **Volunteer:** Teen Court, Ask-A-Lawyer and Pro Bono Hotline.



## Beverly Perkins

**Law School:** LSU - Paul M. Hebert Law Center. **Year:** 2020. **Law Firm:** Erlingson Banks PLLC. **Seeking:** First term, Council member. **Activities:** Holiday Star Program participant. **Other:** Attended Belly Up with the Bar nearly every year of practice, as well as prior to practicing as a law student, and participated when in college working with the Tadda Law Firm; attended the Gavel Gala and numerous cocktail hours and book drives, including Cocktails with the Court; participated with the Holiday Star Project for the last four years; encouraged my previous firm to participate on a firm-wide level.



## Sadie Herbert

**Law School:** LSU - Paul M. Hebert Law Center. **Year:** 2023. **Law Firm:** Williamson, Campbell & Whittington LLC. **Seeking:** First term, Council member. **Other:** 2024 Bench Bar Conference Committee.



# TRANSFORMATIONAL CHANGE IN THE CRIMINAL JUSTICE SYSTEM

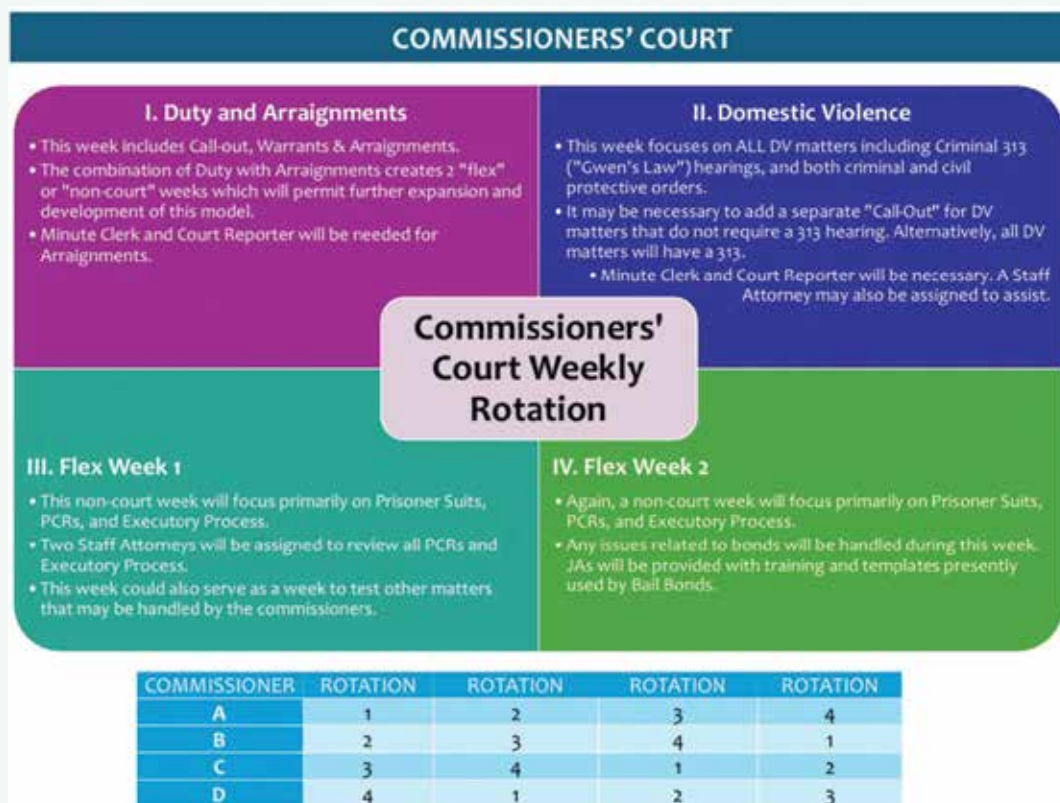
## Commissioners' Court for the 19th Judicial District

by Diana B. Gibbens

For years, criminal justice stakeholders in East Baton Rouge Parish have suffered from a “silo mentality.” Each agency, including the court, district attorney, law enforcement and public defender, focused primarily on its “piece” of the process. This led to inefficiencies within the system, conflicting practices between agencies, competition for limited resources and a complete absence of a “big picture” vision for much needed systemic improvements.

Since 2019, a shift toward greater collaboration between these same criminal justice stakeholders started with simple conversations about complex subject matter. As stakeholders listened to the challenges that infiltrate each stage of the criminal justice process, they began to work together to find solutions.

The problems faced by the East Baton Rouge Parish criminal justice system are not unique in this state nor this country. Some of the obvious challenges include budget shortfalls, mental illness, substance-use disorder, homelessness, racial disparity and prison reform. The beginning of the daunting task of criminal justice reform begins with one small step. For the 19th JDC and East Baton Rouge Parish, this step began with a look at the increased criminal case volume and resulting increased workload. When compared to other large metropolitan parishes, data indicates that the 19th Judicial District Court had 6,510 new criminal filings<sup>1</sup> in 2023, with eight criminal sections<sup>2</sup> and two commissioners.<sup>3</sup> It was



abundantly clear that the case-processing time needed to be improved through the development of a better system.

### A More Efficient Work Flow

Effective Aug. 1, 2023, Act No. 229 of the 2023 Regular Legislative Session created two additional commissioner positions for the 19th Judicial District Court that received funding from the City Parish beginning July 1, 2024. Now, with four commissioners exercising equal power and authority as provided by La. R.S. 13:711-713, the path to greater efficiency within the East Baton Rouge Parish criminal justice system has begun.

The commissioners are designated in sections A through D, and they all participate in four weekly rotations.



**Robinson**



**Kimble**



**Guillory**



**Tauzin**

**Rotation I:** Bond review/arraignments and call-out;

**Rotation II:** Domestic violence including civil protective orders and C.Cr.P. art. 313 hearings;

**Rotation III:** Executory process, prisoner suits and post-conviction relief matters;

**Rotation IV:** Executory process, prisoner suits, post-conviction relief matters and TROs for civil domestic matters.

Not only do the commissioners assist the 19th JDC with streamlining the judicial process, they are instrumental in the development of the court's Pretrial Services Program (formerly Bail Bonds Project). Through further implementation of metrics to track the progress of each criminal matter through the court process, the 19th JDC will be at the forefront of improving the judicial process within Louisiana.

### **The Commissioners**

Each of the four commissioners are experienced with the criminal justice system.

**Commissioner Nicole Robinson**, commissioner in section A and the senior commissioner, has been with the 19th JDC for over 20 years. She stepped into the role of commissioner after the retirement of Commissioner John Smart. Commissioner Robinson has played an important role in the development of the structure for the "Commissioners' Court" and will serve a role in the Complex Litigation Section as well.

**Commissioner Kina Kimble**, commissioner in section B, joined the 19th JDC in 2018 after working with the Office of Public Defender. Commissioner Kimble, who is an adjunct faculty member of the Southern University Law Center, has mentored many young attorneys and law students during her career with the court.

**Commissioner Jermaine Guillory** was appointed June 1, 2024, to section C. Previously, Commissioner Guillory worked with the East Baton Rouge District Attorney's office. Commissioner Guillory is a member of the Leadership Baton Rouge class of 2024 (#bestclasssever).

**Commissioner Kory Tauzin** was appointed June 1, 2024, to section D. Commissioner Tauzin has worked with the

legislature reviewing bills during session and previously worked in the appellate section of the East Baton Rouge District Attorney's office.

### **Moving Forward**

Even with the addition of two new commissioners, much work remains. The court hosted several stakeholder workgroup meetings to learn how the changes in the judicial process are impacting other criminal justice stakeholders. These meetings have been extremely productive, resulting in slight modifications of the program structure as it evolves.

The ultimate goal of the 19th Judicial District Court's Commissioners' Court is to provide relief to the overburdened dockets of the eight criminal judges.

The Commissioners' Court is the heart of the Court Intervention Program at the 19th Judicial District Court. The information gathered from the Pretrial Service Program is sent to the commissioners to assist with setting bonds and conditions of release. Pretrial Supervision will assist the commissioners with monitoring compliance with conditions of release. Pretrial Location Monitoring will provide information on defendants ordered to submit to location monitoring. Once fully implemented, the pretrial drug screen within 24 hours of booking that is mandated by La. C.Cr.P. art. 320 will assist the commissioners with making referrals to many of the problem-solving courts at the 19th JDC.

The ultimate goal of the Commissioners' Court is to provide the judges with relief related to preliminary matters thereby permitting more efficient processing of all cases subject to the jurisdiction of the 19th JDC.

<sup>1</sup> Compared to Orleans Parish criminal filings in 2023 of 3,862. Supreme Court Annual Report for 2023.

<sup>2</sup> The 19th JDC is composed of 15 judges; however, 10 judges preside over a civil docket and eight judges preside over a criminal docket. Three judges preside over a dual docket.

<sup>3</sup> Until July 1, 2024, the commissioners primarily reviewed post-conviction relief petitions, prisoner suits and executory process.

# Legal Update



## BRBA Construction Law Section CLE Registration: 11:45 a.m. 12 - 1 PM | Thursday, Nov. 21 Middleton Bar Center

**Speakers:** Brad Barback of McGlinchey, J. Wes Clark of Long Law Firm and Jacob Roussel of Breazeale, Sachse & Wilson.

**Description:** This presentation will include the 2024 Legislative Update and recent jurisprudence.

**CLE:** This seminar qualifies for 1.0 hour of CLE credit; networking; lunch.

**Cost Options:** Lunch is included with the price

- ☐ \$30 for BRBA Construction Law Section members
- ☐ \$50 for BRBA members who are not members of the Construction Law Section
- ☐ \$60 for non-BRBA members

**Cancellation Policy:** Registration deadline and deadline to cancel without penalty is 4:30 p.m. Tuesday, Nov. 19, 2024. **"No shows" will be billed.**

**Questions?** Contact Susan Saye for more information: [susan@brba.org](mailto:susan@brba.org) or 225-344-4803. Fax completed form to: 225-344-4805. *Make checks payable to:* BRBA, 544 Main Street, Baton Rouge, LA 70801.



**Brad Barback**



**J. Wes Clark**



**Jacob Roussel**

Bar Roll No. \_\_\_\_\_ Email \_\_\_\_\_

Name \_\_\_\_\_ Firm \_\_\_\_\_

Address \_\_\_\_\_

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**FOR BRBA MEMBERS ONLY: To register for this CLE seminar online and pay by credit card, go to [www.BRBA.org](http://www.BRBA.org), select the EVENTS tab, then click on EVENT LIST and choose the appropriate event.**

# BRBA CLE SEMINARS

IN NOVEMBER & DECEMBER

**4 - VETERANS DAY CLE: BASICS OF VETERANS LAW.** (1.0 HOUR), Free for all BRBA members. River Center Branch Library, 250 North Blvd. Begins at 3:45 p.m.

**12 - WORKERS' COMPENSATION MEETING & CLE,** (2.0 HOURS), 2:30-6:30 p.m., Drusilla Seafood, 3482 Drusilla Ln. Ethics begins at 2:30 p.m.; Professionalism begins at 3:30 p.m. CLE will be followed by a social: 4:30-6:30 p.m.

**13 - FEARLESS LAWYERS, UNPOPULAR CAUSES, UNPOPULAR CLIENTS AND THE CONCEPT OF JUSTICE** (1.0 HOUR of Professionalism credit), CLE: 4-5 p.m. Speaker: Michael H. Rubin. At the Old State Capitol in the House Chamber. Reception and tour of exhibition, "Lawyers Without Rights: Jewish Lawyers in Germany Under the Third Reich," 5-6 p.m. **Register for this free event.**

**21 - FAMILY LAW SECTION MEETING & CLE,** 11:45 a.m. CLE: "Collaborative Efforts between Legal and Mental Health Professionals." (1.0 HOUR), Registration: 11:45 a.m.; CLE begins at noon. La Contea, 7970 Jefferson Hwy.

**21 - CONSTRUCTION LAW SECTION MEETING & CLE,** 11:30 A.M. (1.0 HOUR), MIDDLETON BAR CENTER. LEGAL UPDATE. Speakers: Brad Barback, J. Wes Clark & Jacob Roussel.

FOR MORE INFORMATION OR TO REGISTER:  
CONTACT SUSAN SAYE AT 225-344-4803.

# BRBA BENCH BAR CONFERENCE 2025

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# Foundation Footnotes

Pro Bono Reports — July and August 2024

## Teen Court Volunteers:

In July, five hearings and one training were held. Volunteers were **Martha “Mandie” Seale Lucas**, Louisiana Homebuilders Association GL Trust; **Jacob McCon**, Longman Jakuback, APLC; **Lauren Tarver**, Jones Walker LLP; **Monica Vela-Vick**, Dugan Law Firm; and **Naveen Adusumilli** (law student), Syracuse University College of Law and (professor), LSU College of Agriculture.



In August, two hearings and one training were held. Volunteers were **Jamie Flowers Jr.**, U.S. Attorney’s Office; **Candace B. Ford**, U.S. Attorney’s Office; **Brittany Jackson**, Southeast Louisiana Legal Services; **Bria Jones**, Southeast Louisiana Legal Services; **Rebecca Moreno**, Southern University Law Center; **Monica Vela-Vick**, Dugan Law Firm; **Naveen Adusumilli** (law student), Syracuse University College of Law and (professor), LSU College of Agriculture; and **Jessica Fuqua** (law student), Southern University Law Center.

## Accepted Pro Bono Cases in July & August:

**Dominick Abrams**, attorney at law; **ReAzalia Allen**, attorney at law; **Christine Baker**, Kingdom Mission Law Firm; **Marlon Battley**, attorney at law; **Nancy Sue Gregorie**, attorney at law; **Brienne Griffin**, attorney at law; **Sadie Herbert**, Williamson, Campbell and Whittington LLC; **Rena Hester**, Hester Law Firm, LLC; **Eric Miller**, The Kullman Firm; **Brian Prendergast**, Prendergast Law Firm L.L.C.; **Sharita Spears**, attorney at law; **Katelyn Varnado**, Adams and Reese LLP; **Luke Williamson**, Williamson, Campbell and Whittington LLC; **Jeffrey Wittenbrink**, attorney at law.

## Self Help Resource Center:

**Marcia Burden**, Southern University Law Center; **Jennifer Prescott**, Abbott Prescott, Attorneys at Law; **Cynthia Reed**, Southern University Law Center; **Aidan Reynolds**, attorney at law; **Valerie Schexnayder**, attorney at law; **Charlene Smith**, The Smith Firm; **Katelyn Varnado**, Adams and Reese LLP.

## Law Student Interns:

**DeMya Bryan**, **Charlette Smith Jackson**, **Jamerson Jackson**, **Jhavani Mezier** and **Amber Primus**, Southern University Law Center; **Eric Roshak**, LSU Law Center.

**Legal Hotline Volunteers:** **Scott Gaspard**, attorney at law; **Cherita McNeal**, attorney at law; **Lashonda Hubbard**, attorney at law; **James “Jimmy” Zito**, attorney at law; **Melanie Newkome Jones**, attorney at law; **Candace B. Ford**, U.S. Attorney’s Office.

**Ask-A-Lawyer Volunteers:** **Todd Gaudin**, Gaudin Law Group; **David Gunn**, attorney at law; **Lykisha Vaughan**, Southeast Louisiana Legal Services; **James A. Word II**, attorney at law.

**Special Thanks:** A pro bono client included the following quote evaluation of his attorney **David Gunn**: “Excellent lawyers and he did a very good job.”

Another evaluation for **Arlene Edwards**: “She did a great job and thank you!!”

*Teen Court is made possible in part by grants from the Louisiana Bar Foundation and the Charles Lamar Family Foundation. 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

Do you cringe, like I do, when a doctor tells you to “lay down” on the examination table? No, I don’t fear medical treatment—I’m just silently hoping the doctor’s medical skills are better than his grammar.

The proper phrase is “lie down,” not “lay down.” **Lie** is intransitive, meaning it describes something moving on its own. **Lay** is transitive, meaning it needs an object. A mother can **lay** her baby on the exam table (baby is the object), but a woman **lies** on the table because she is able to do so herself.

The tenses of the verbs **lie** and **lay** get even more confusing, but explaining their conjugations would take more space than this column allows. You’ll be off to a good start, however, if you remember to **lay** a blanket on the ground before you **lie** back to look at the clouds.

*Thanks to Stanley Bordelon for suggesting this topic. Send suggestions for future Gail’s Grammar columns to Gail Stephenson at [GStephenson@sulc.edu](mailto:GStephenson@sulc.edu) or call Gail at (225) 926-1399.*

# IMPORTANT DATES

## November

- 1 Love Your Lawyer Day
- 2 Ask-A-Lawyer, 9 a.m.,  
Eden Park Branch of Library
- 4 Veterans Day CLE seminar
- 7 Gaval Gala, 6:30 p.m., City Club of BR
- 11 BRBA Office Closed – Veterans Day
- 12 YLS LSU Law outreach; Workers’  
Compensation Section Meeting and CLE,  
noon, Drusilla Seafood, 2:30 - 6:30 p.m.
- 13 Operations & Finance Committee, 12:15 p.m.;  
Fearless Lawyers CLE, 4 p.m.; “Lawyers without  
Rights” exhibition, 5 p.m. (Old Staté Capitol,  
House Chamber); SLLS Bar Exam, 6 p.m.
- 14 Ask-A-Lawyer, 9 a.m., Brusly Branch Library;  
Past President’s Reception 6 p.m.
- 15 Executive Meeting via Zoom, 8:30 a.m.
- 18 Teen Court Hearing via Zoom, 6 & 7 p.m.
- 20 Ask-A-Lawyer, 9 a.m., Ascension Parish  
Branch Library; Board meeting, 6 p.m.
- 21 Family Law Section CLE, 11:30 a.m.;  
Construction Section Meeting, 11:30 a.m.;  
Trivia Night at Jolie Pearl, 5 p.m.
- 22 Publications Committee meeting via Zoom,  
8 a.m.; BRBA Mini-Retreat, noon, Middleton Bar  
Center

25 Teen Court Training, 2 p.m.,  
Middleton Bar Center

27 BRBA Closed – beginning at 2 p.m.

28/29 BRBA Closed – Thanksgiving Holiday

## December

6 CLE by the Hour – Zoom-only

7 Ask-A-Lawyer, Greenwell Springs Library,  
9 a.m.

10 Holiday Star Project Gift Delivery Day

11 Executive Meeting, 8:30 a.m.; Operations  
12:15 p.m.; YLS Christmas Party, 6 p.m.; CLE by  
the Hour, Renaissance BR Hotel

12 CLE by the Hour, Renaissance BR Hotel

16 Board meeting, 6 p.m. (Stab’s Prime  
Steak & Seafood, 7666 Jefferson Hwy.)

18 CLE by the Hour, Kean Miller

19 Family Court, last lay of court for 2024;  
CLE by the Hour, Kean Miller

24 Bar Office Closed – Christmas Eve

25 Bar Office Closed – Christmas Day

30 Family Court Division’s B&D Domestic  
Violence Cases; CLE by the Hour, Renaissance  
BR Hotel

31 CLE by the Hour, Renaissance BR Hotel

# DUTY SCHEDULE

## 19th JDC Civil

|               |                        |
|---------------|------------------------|
| 10/21 - 11/01 | Judge Moore            |
| 11/04 - 11/15 | Judge Foxworth-Roberts |
| 11/18 - 11/29 | Judge Fields           |
| 12/02 - 12/13 | Judge Ron Johnson      |
| 12/16 - 12/27 | HOLIDAY SCHEDULE       |
| 12/30 - 01/10 | Judge Don Johnson      |

## 19th JDC Criminal\*\*\*

|               |                    |
|---------------|--------------------|
| 10/25 - 11/01 | Judge Smith        |
| 11/01 - 11/08 | Judge Jorden       |
| 11/08 - 11/15 | Judge Hines        |
| 11/15 - 11/22 | Judge Greggs       |
| 11/22 - 11/29 | Judge Crifasi      |
| 11/29 - 12/06 | Judge Ray          |
| 12/06 - 12/13 | Judge Myers        |
| 12/13 - 12/25 | HOLIDAY SCHEDULE   |
| 12/27 - 01/03 | Judge Johnson Rose |

## Baton Rouge City Court\*

|               |                 |
|---------------|-----------------|
| 10/28 - 11/03 | Judge Vendetto  |
| 11/04 - 11/10 | Judge Marcantel |
| 11/11 - 11/17 | Judge Temple    |
| 11/18 - 11/24 | Judge Matthews  |
| 11/25 - 12/01 | Judge Alexander |
| 12/02 - 12/08 | Judge Vendetto  |
| 12/09 - 12/15 | Judge Marcantel |
| 12/16 - 12/22 | Judge Temple    |
| 12/23 - 12/29 | Judge Matthews  |
| 12/30 - 01/06 | Judge Alexander |

## Juvenile Court

|          |              |
|----------|--------------|
| November | Judge Grover |
| December | Judge Haney  |

## Family Court\*\*

|       |                         |
|-------|-------------------------|
| 11/01 | HOLIDAY                 |
| 11/04 | Judge Day (Div. C)      |
| 11/05 | HOLIDAY                 |
| 11/06 | Judge Baker (Div. A)    |
| 11/07 | Judge E. Green (Div. B) |
| 11/08 | Judge Day (Div. C)      |
| 11/11 | HOLIDAY                 |
| 11/12 | Judge Russ (Div. D)     |
| 11/13 | Judge Baker (Div. A)    |
| 11/14 | Judge E. Green (Div. B) |
| 11/15 | Judge Russ (Div. D)     |
| 11/18 | Judge Day (Div. C)      |
| 11/19 | Judge Russ (Div. D)     |
| 11/20 | Judge Baker (Div. A)    |
| 11/21 | Judge E. Green (Div. B) |
| 11/22 | Judge Baker (Div. A)    |
| 11/25 | Judge Day (Div. C)      |
| 11/26 | Judge Russ (Div. D)     |
| 11/27 | Judge Baker (Div. A)    |
| 11/28 | HOLIDAY                 |
| 11/29 | HOLIDAY                 |
| 12/02 | Judge Day (Div. C)      |
| 12/03 | Judge Russ (Div. D)     |
| 12/04 | Judge Baker (Div. A)    |

## Family Court (Continued)

|              |                         |
|--------------|-------------------------|
| 12/05        | Judge E. Green (Div. B) |
| 12/06        | Judge Day (Div. C)      |
| 12/09        | Judge Baker (Div. A)    |
| 12/10        | Judge Russ (Div. D)     |
| 12/11        | Judge Baker (Div. A)    |
| 12/12        | Judge E. Green (Div. B) |
| 12/13        | Judge Russ (Div. D)     |
| 12/16        | Judge Day (Div. C)      |
| 12/17        | Judge Russ (Div. D)     |
| 12/18        | Judge Baker (Div. A)    |
| 12/19        | Judge E. Green (Div. B) |
| 12/20        | Judge Baker (Div. A)    |
| 12/23        | Judge Day (Div. C)      |
| 12/24, 12/25 | HOLIDAY                 |
| 12/26, 12/27 | Judge E. Green (Div. B) |
| 12/30        | Judge Day (Div. C)      |
| 12/31        | HOLIDAY                 |

## Court Holidays

|                    |                      |
|--------------------|----------------------|
| Friday, Nov. 1     | All Saints’ Day      |
| Tuesday, Nov. 5    | General Election Day |
| Monday, Nov. 11    | Veterans Day         |
| Thursday, Nov. 28  | Thanksgiving Day     |
| Friday, Nov. 29    | Acadian Day          |
| Tuesday, Dec. 24   | Christmas Eve        |
| Wednesday, Dec. 25 | Christmas Day        |
| Tuesday, Dec. 31   | New Year’s Eve       |

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.

Baton Rouge Bar Association

P.O. Box 2241

Baton Rouge, LA 70821

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*Attorney David Abboud Thomas is responsible for this ad.*