

The Sidebar

Southwest Louisiana Bar Association Journal

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SIDELINE

Each issue, *The Sidebar* polls the local legal community on issues of importance to us. We want your letters, comments, and opinions. This issue's topic is:

As part of the latest Homeland Security initiative, President Bush advocates that the Pentagon receive broad powers to mine and store data about United States citizens. This would include information such as medical, credit card, and educational records.

John Poindexter, the man who would be in charge of keeping the data, has argued that it is necessary that we monitor our citizens this closely to protect against terrorism. Opponents say that his plan is Orwellian, expensive, and an inappropriate intrusion that would do little to stop terrorists.

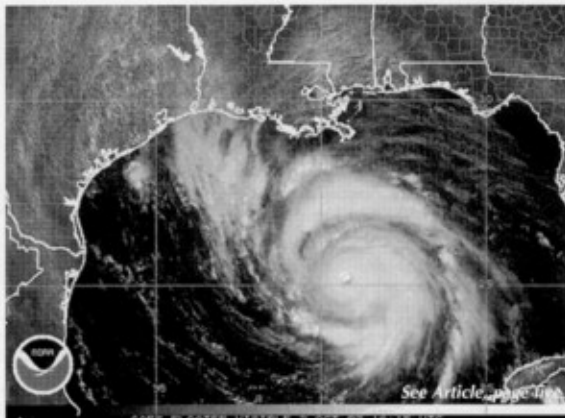
Do you believe that the military should be in the business of storing personal information about U.S. citizens, and if so, do you believe that this plan will reduce terrorism?

Tell us by writing to: Sidebar, P.O. Box 191, Lake Charles, LA 70602 or emailing Seth@SethHopkins.com.

To see what your peers said about the September topic, flip your *Sidebar* over to the back cover.

Lawyers Mobilize After Lili

Legal Profession Protects People Following the Storm



This satellite image shows Hurricane Lili less than a day before pounding the South Louisiana coast. Had it not unexpectedly weakened, it could have cost the State billions of dollars and been responsible for massive loss of life. With only 100 mile per hour winds, it still caused extensive damage in several towns near Lafayette. Even after Acadiana cleaned up, residents were left with numerous legal problems. See how Southwest Louisiana attorneys came to the rescue.

2002 EXECUTIVE COUNCIL & OFFICERS OF SOUTHWEST LOUISIANA BAR ASSOCIATION

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Membership Services Center
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EXECUTIVE COUNCIL MEMBERS AT LARGE

Charles Schrupf
(2003)

Robin Anderson
(2004)

Priscilla Gayle
(2003)

Larry Pichon
(2004)

David Hanchey
(2004)

Letter From the Editor

Dear Members of the Bar:

It is with pleasure that the Southwest Louisiana Bar Association presents the December issue of *The Sidebar*. In keeping with our mission as both a source of news for the local bar as well as an archive of our activities, this issue features two recent and memorable events which affected the local legal community: Hurricane Lili and the renovation and reopening of the Old City Hall.

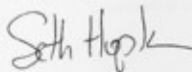
While the Old City Hall has been restored for some time, many of our members do not know about its interesting and lengthy history as a showplace for civic pride. Others may be able to recall the building's glory days but have not had the opportunity to see the extensive improvements made to it. And as the City selects tenants and a mission for the partially empty structure, it is important that we keep in mind the great significance that this building had in shaping who we are as a City today.

Hurricane Lili could have been the most serious disaster in Southwest Louisiana's history. Thirty-six hours prior to landfall, forecasters were projecting a Category 4 hurricane, more powerful than Hurricane Audrey, to roll into Sabine Pass and follow her path. Had this come true, much of Southwest Louisiana would still be recovering and rebuilding.

Instead, Lili offered us an opportunity to showcase to the world our preparedness and patience under the worst of real-life circumstances without any of the devastating consequences. And when the danger was over, Southwest Louisiana attorneys joined with others to offer legal help to the victims. These are two stories in our legal history which deserve to be told, retold, and remembered.

Enjoy this issue of *The Sidebar*. I hope that you have the time to contribute announcements, letters, and stories to the April issue.

Sincerely,



Seth Hopkins
Editor, *The Sidebar*

ANNOUNCEMENTS



SOUTHWEST LOUISIANA BAR ASSOCIATION ELECTS OFFICERS

The Southwest Louisiana Bar Association installed its new officers for 2003. They are: Ralph Williams, Sr., President; Thomas Lorenzi, President-Elect; Leslie Knox, Secretary; Jeffrey Cole, Treasurer; Theresa Barnatt, Immediate Past President; and Tara Hawkins, Young Lawyer Section President. The Executive Council members are Charles Schrumpt (2003); Robin Anderson (2004); Priscilla Gayle (2003); Larry Pichon (2004); and David Hanchey (2004).

The Southwest Louisiana Bar Association's mission is to inspire and promote respect for the law and judicial system through service to the community and to the legal profession. The Association has 397 members, including members of the bench and bar.

RETIRING JUDGES' CEREMONIES

You are invited to a ceremony in Courtroom A of the Calcasieu Parish Courthouse on December 18 at 6 p.m. for the following retiring judges:

THE HONORABLE JAMES TRIMBLE, United States District Court, Western District of Louisiana, Lake Charles Division.

THE HONORABLE FRED GODWIN, 14th Judicial District Court of Louisiana

THE HONORABLE BILLY EZELL, 14th Judicial District Court of Louisiana

THE HONORABLE STEVE BROUSSARD, Sulphur City Court.

There will be a separate retirement reception for Judge Steve Broussard on Thursday, December 19 at 6 p.m. at the Maplewood Lions Club, 3310 Maplewood Drive in Sulphur. For more information, please call Dee Davis or Carol Ann at the Sulphur City Court, (337) 527-7006.

NEED CLE IN DECEMBER? MARK YOUR CALENDAR

December 27, 2002 - The Young Lawyers Section of the SWLBA will hold its annual at the Third Circuit Court of Appeal. More details will follow.

December 30, 2002 - CLE by the Hour - Last chance to get CLEs for 2002. This seminar will be held in the 14th Judicial District Court and will include ethics and professionalism. More details will follow.

STATE BAR ASSOCIATION ANNOUNCES WINNERS AND SEEKS BALLOTS

The Louisiana State Bar Association announces that Michael McKay of Baton Rouge and James McClelland of Franklin have been certified elected as the 2003-04 president-elect and 2003-05 secretary, respectively. This means that McKay will automatically assume the presidency in 2004-05. Several other races were also certified, and results can be found on the Louisiana State Bar Association homepage, www.lsbao.org.

Ballots were recently mailed for a number of contested races, and members have until January 6, 2003 to vote online or by ballot.

SOUTHWEST LOUISIANA WELCOMES NEW LAWYERS

The following attorneys were introduced during the October Fall Court Ceremony. They have either recently passed the bar or

relocated to Southwest Louisiana. The Southwest Louisiana Bar Association welcomes them.

TODD BARNETT - Swift, Spears & Harper
MICHELLE BRADLEY - Has a practice in Sulphur
ELLEN COGSWELL

MIKE DAVIDSON - Has a practice in Lake Charles
JOSEPH KELTY - Third Circuit Court of Appeal
RIC OUSTALET - Russell T. Tritico & Associates
APRIL PETRY - 14th JDC

BETTY RAGLIN - David O. Sigler & Associates
JENNIFER O. ROBINSON - Acadiana Legal Services
CARLA SIGLER - Calcasieu Parish District Attorney's Office
AMANDA SPEARS - Third Circuit Court of Appeal

- Judge Billie Woodard
CATHERINE STAGG - Southwest Louisiana Legal Services
RANIE THOMPSON - Acadiana Legal Services
LANCE VINSON - 14th JDC
ANN WOOTTEN - Third Circuit Court of Appeal - Criminal Section

JUDGE CUTRER AND KATY HAAS START TEEN COURT

Two community leaders, Judge Cutrer and Katy Haas, have started Calcasieu Parish's first Teen Court. Designed to teach soon-to-be adults about the legal system and the consequences of their decisions, the Teen Court instills values and discipline in local youth. The Sidebar will have more information about this program in the April issue.

DAVID SIEGLER & ASSOCIATES INTRODUCES BETTY RAGLIN

David L. Siegler & Associates announces that Betty Raglin has joined the firm as an associate. Ms. Raglin's primary practice areas are taxation, business planning, and estate planning and administration. She received her Bachelor of Business Administration in Marketing from Lamar University in Beaumont, her Juris Doctor degree from Louisiana State University in 2001, and her Masters of Laws in Taxation from Southern Methodist University in 2002.

Ms. Raglin was a member of the LSU Tax Moot Court team which won overall first place at the national moot tax court competition. She was admitted to practice before the Louisiana bar in 2001 and before the U.S. Tax Court in 2002. She is a member of the American Bar Association's Section of Taxation, the Louisiana Bar Association, and the Southwest Louisiana Bar Association.

MONK NAMED LOUISIANA BAR FOUNDATION FELLOW

Mr. William Monk, attorney with the firm of Stockwell, Sievert, Vicellio, Clements & Shaddock in Lake Charles, has been elected a Fellow of the Louisiana Bar Foundation. The Foundation is a non-profit organization which exists to preserve, honor, and improve our system of justice by funding, developing, or otherwise promoting efforts which enhance the legal profession, to increase public understanding of the legal system, and to advance the reality of equal justice under the law. Mr. Monk received this award because he champions the purposes for which the Foundation was established.

ANNOUNCEMENTS (CONTINUED)

TRIAL LAWYERS SEEK DEPOSITIONS

The Louisiana State Trial Lawyers' Association seeks copies of depositions of expert witnesses for its deposition database. Each deposition submitted earns the attorney a \$5 credit with TrialSmith. Depositions can be sent to: LTLA c/o TrialSmith, 5725 Hwy 290 West, No. 202, Austin, Texas 78735.

HIGH SCHOOL MOCK TRIAL COMPETITION SEEKS VOLUNTEERS

The annual Louisiana Bar Association Mock Trial Competition is tentatively set for Saturday, February 1. The competition allows high school teams to compete against each other as witnesses and attorneys as they argue the merits of a hypothetical case. This year's case, *State vs. Pat Peterson*, is a criminal scenario. The winning school from the Lake Charles district will compete in the state finals in March. This year, Louisiana is hosting the national competition in May.

If you know of a school that might be interested in participating, are interested in judging, or if you would like to adopt a school and help the faculty member in an advisory capacity, please contact Seth Hopkins at Seth@SethHopkins.com or by calling (337) 527-7071.

ETHICS 2000 RECOMMENDATIONS POSTED

The Louisiana State Bar Association's Ethics 2000 Committee's final recommendations are posted at www.lsba.org. Resolutions proposing amendments to Ethics 2000 must be submitted in writing by Thursday, Dec. 26, 2002. Questions should be directed to Cheri Grodsky at (504) 619-0107 or Bill King at (504) 619-0109.

CRYSTAL GAVEL NOMINATIONS DUE

Nominations for the Louisiana State Bar Association Crystal Gavel Awards are due December 31, 2002. The nomination form may be printed at www.lsba.org/Awards/crystal_gavel_awards.html.

SUBMIT YOUR ANNOUNCEMENT

Do you have an announcement for the members of the local bar? Whether you wish to formally introduce a new associate, share good news, or inform your peers of a change in your practice, this is the place to do it. We also announce meetings or other events scheduled after our next publication date, which is April, 2003. To submit your announcement, contact: Sidebar, P.O. Box 191, Lake Charles, LA 70602 or email Seth@SethHopkins.com.

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14th JDC Announces New Rules

How the New Rules Have Affected Business in the Fourteenth Judicial District

The Honorable Alcide Gray has produced a booklet to guide attorneys through changes to the local rules in the 14th JDC. These changes were prompted by the Louisiana Supreme Court's efforts to make court rules uniform throughout the State. Some of the most important changes are highlighted below.

Signing of Documents

Under the new rules, attorneys must present judgments, orders, and rulings requiring the court's signature to all parties and allow three days for comment thereon prior to presentation to the court.

Motions and Exceptions

Motions and exceptions must be accompanied by an order requesting that a hearing date be set in the matter. The motion must state whether a trial has been set and the date of any pending trial or hearing. This does not apply to unopposed motions, joint motions, and motions which may be filed *ex parte*.

Briefs and Memoranda

Attorneys must file comprehensive pre-hearing and pre-trial briefs when an exception or motion is filed. Opposition to the exception or motion must be filed eight days prior to hearing. Parties who fail to comply may lose the right to oral argument.

Summary Judgments

In addition to complying with the rules on briefs and memoranda, summary judgments have additional requirements. They must be accompanied by a supporting memorandum which lists the essential legal elements necessary for the mover to be entitled to summary judgment, material facts not disputed, and a copy of documents proving each disputed fact.

Any opposition memorandum must contain a list of facts genuinely disputed and a copy of the document proving that each fact is genuinely disputed. Failure to provide the accompanying memorandum may result in forfeiture of the privilege of argument on the issue.

Withdrawal of counsel of record

Withdrawing attorneys may liberally withdraw prior to the mailing or service of notice. *Ex parte* withdrawal shall be allowed if the attorney has written consent of the client and all parties to withdraw, or no hearing or trial is scheduled, or the case has been concluded. Counsel must give

notice to all other counsel and unrepresentative parties.

Once mailing of service has been conducted, the attorney may withdraw only if the motion is accompanied with supporting affidavits and documentation stating notice of withdrawal and the next hearing date to the client.

In criminal cases, withdrawal of counsel shall be fixed and heard contradictorily with the accused and the State at least ten days before the date fixed for trial, except for extreme circumstances and for good cause.

Discovery

Attorneys are now required to attempt to arrange a conference with the opposing party to amicably resolve any discovery disputes. Failure to do so prior to seeking a court remedy for a discovery dispute may result in sanctions.

Jury Costs

Jury costs must be paid at least thirty days but cannot be required to be paid more than 180 days prior to trial. Failure to do so will constitute a waiver of the right to a trial by jury.

Allotment of Cases

Criminal cases are assigned through random allotment. When a defendant is charged with a non-capital felony, any subsequently filed cases, old felonies not allotted, and misdemeanors will follow the first allotted felony case and be transferred

to that division. This is known as the "felonies following felonies" rule.

When separate bills are filed in cases which arise out of the same nucleus of operative facts, the cases will be transferred to the division receiving the first case upon motion of either party or the court. This rule is helpful to assistant district attorneys and assistant public defenders who are assigned to a particular court division.

In cases involving probation violations, all pending charges of new cases will be assigned to the same division in which the probation violation is to be heard.

Trial Conflicts and Preferences

Trial conflicts are handled in the following order of preference: (1) criminal jury trials; (2) civil jury trials; (3) custody, access, and/or protective rules and trials; (4) criminal bench trials; (5) civil bench trials; (6) juvenile trials; (7) support and ancillary rules; and (8) criminal motions, except motions with statutory time limitations.

Curator Ad Hoc

Attorneys on the curator list must accept at least one appointment per calendar year in a Child in Need of Care proceeding.

More information about the new rules can be found by contacting the 14th Judicial District Court.

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Information you can use.



ABA/YLD and Louisiana State Bar Association Join Efforts to Offer Legal Assistance to Victims of Recent Storms

By Melanie Mulcahy

The Louisiana State Bar Association (LSBA) and the American Bar Association's Young Lawyers Division (ABA/YLD) have been working with the Federal Emergency Management Agency (FEMA) since October 7 to implement a disaster response and relief plan to provide assistance and information to those affected by Tropical Storm Isidore and Hurricane Lili. The LSBA's Young Lawyers Section, working in cooperation with the ABA/YLD, is providing storm victims free legal advice regarding non fee-generating matters directly related to the natural disasters.

The ABA/YLD and LSBA established a toll free number, which was publicized throughout the state for disaster victims to call for legal assistance. This toll-free Hotline (1-800-421-5722), based at the Louisiana Bar Center in New Orleans, has been available for victims to begin the process of obtaining legal services, as well as referral services to appropriate local, state, and federal agencies.

When a disaster victim calls the Disaster Legal Services Hotline, an intake worker, who assesses the legal issues that need to be addressed, is his initial contact. If the issue is one that can be handled by one of the volunteer attorneys, the caller's request for services is assigned to one of the project volunteers. A list of volunteer attorneys is maintained at all times for use in the event that either the ABA/YLD or LSBA Disaster Relief Plans is activated. The intake worker e-mails the request to a volunteer lawyer who has indicated a familiarity with the area of law with which the caller needs assistance. The volunteer lawyer then contacts the flood victim to begin providing services.

Because volunteer attorneys only provide disaster legal services in non fee-generating cases, all potentially fee-generating cases are referred by the Hotline to either: (1) a LSC-funded program, such as Capital Area Legal Services Corporation, New Orleans Legal Assistance Corporation, Legal Services of North Louisiana, Inc., Acadiana Legal Service Corporation, or Southeast Louisiana Legal Services Corporation, or (2) the Louisiana Lawyer Referral and Information Service at 888-503-LRIS (5747).

To date, ABA/YLD and LSBA Disaster Legal Services have assisted at least 64 callers with their legal needs in numerous areas, including Federal Disaster Assistance Rights, Insurance

law, Real Property, Contracts, Contractor Repair Problems, Wills, Landlord/Tenant disputes, eviction/foreclosure, Family law, Employment law, housing questions, and Corporate law.

The successful implementation of Disaster Legal Services project would not be possible without the generous gift of time and talent from the Disaster Relief Volunteer attorneys. The ABA/YLD and LSBA would like to thank the following individuals who served their bar associations and communities by rendering disaster legal assistance:

Elena Arcos
Davidson, Meaux, Sonnier & McElligott, LLP
Lafayette, LA

Charlen Trascher Campbell
Hayes, Harkey, Smith & Cascio, L.L.P.
Monroe, LA

Dale Clay
Long Law Firm, L.L.P. • Baton Rouge, LA

Richard Conrad
Long Law Firm, L.L.P. • Baton Rouge, LA

Blake David
Anderson & Broussard • Lafayette, LA

Phillip DeVilbiss
Schofield Gerard Veron Singletary & Pohorelsky
Lake Charles, LA

Erin Wilder Doomes
Phelps Dunbar, LLP
Baton Rouge, LA

Anderson Dotson
Phelps Dunbar, LLP
Baton Rouge, LA

Glenn Edwards
Davidson, Meaux, Sonnier & McElligott, LLP
Lafayette, LA

Will French
Correro Fishman Haygood Phelps Walmsley & Casteix, L.L.P.
New Orleans, LA

Ricky Gallagher
Gallagher Law Firm, L.L.C.
New Orleans, LA

Karleen Green
Phelps Dunbar, LLP
Baton Rouge, LA

Tara Hawkins
Woodley, Williams, Boudreau, Norman, Brown & Doyle
Lake Charles, LA

Dan Holliday
Long Law Firm, L.L.P.
Baton Rouge, LA

Janila Jefferson
Jones, Walker, Waechter, Poitevent, Carrere & Denegre, LLP
New Orleans, LA

John Kalmbach
Cook, Yancey, King & Galloway
Shreveport, LA 71101

Bryan Lege
Davidson, Meaux, Sonnier & McElligott, LLP
Lafayette, LA

Shonda LeGrande
Monroe, LA

Mark Morice
Law Offices of Mark E. Morice
Gretna, LA

Michelle Perkins
Blackman Law Firm
Shreveport, LA

J. Christopher Peters
Law Offices of J. Christopher Peters
Jena, LA

Joanne Rinardo
Phelps, Dunbar LLP
New Orleans, Louisiana

Jacques Roy
Roy Law Office
Alexandria, LA

Marjorie Salazar
Stone, Pigman, Walther, Wittmann & Hutchinson, LLP
New Orleans, LA

Amy Scafield
Jones, Walker, Waechter, Poitevent, Carrere & Denegre, LLP
New Orleans, LA

Lad Shemwell
Weems, Schimpf, Gilsoul, Haines & Carmouche
Shreveport, LA

Frank Slavich
Perret Doise Daigle Longman Russo & Zaunbrecher
Lafayette, LA

Laura Sylvester
Provosty, Sadler, deLaunay, Fiorenza & Sobel
Alexandria, LA

J. Ronald Ward
Gill & Keiffer, LLC
Covington, LA

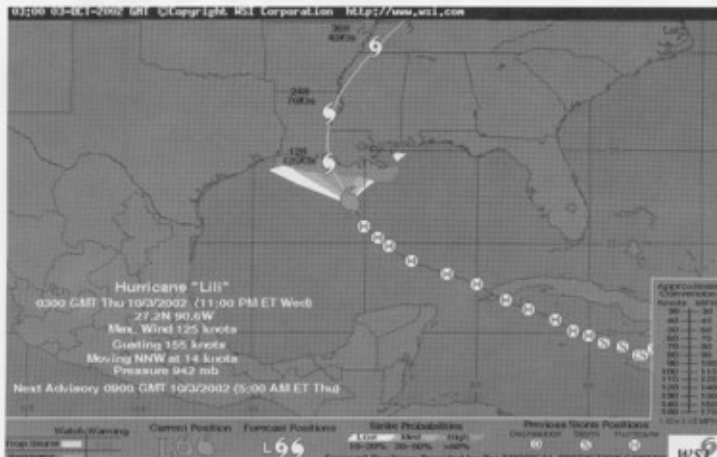
J.R. Whaley
Neblett, Beard & Arsenault
Alexandria, LA

Eve Vavrick
Law Offices of Evangeline Vavrick
New Orleans, LA

If you are interested in serving as a Disaster Legal Services volunteer attorney, please contact Melanie Mabile Mulcahy, ABA/YLD Representative, at 337-436-9000, ext. 3554 or Melanie.Mulcahy@usunwired.com.

Lili: The Big One Misses the Bull's Eye

03/06 03:04:2002 00 Copyright, WSI Corporation <http://www.wsi.com>



Just twelve hours before landfall, Hurricane Lili was packing 125 knot, or 145 mile per hour winds. With gusts over 180 miles per hour.

Taking aim on South Louisiana with a forecasted path that deviated little for nearly 800 miles, Hurricane Lili was both one of the most and least predictable storms in history. Its aim on South Louisiana was as consistent as the movements of a cat stalking its prey, but just as a fickle feline loses interest in its victim, Lili inexplicably lost strength just hours before landfall, snaring untold lives and losses.

For nearly three days, forecasters with the National Weather Service placed Southwest and South Central Louisiana at the center of a bulls eye of anticipated destruction, giving media and residents an eerie, long period with which to contemplate how their homes and lives would change after nature unleashed one of its most devastating forces upon our fragile marsh cities.

For 48 hours, CNN and the Associated Press listed Lake Charles by name as the likely source of landfall, prompting the only full-scale evacuation of Calcasieu Parish in history, as well as evacuations of Cameron, Jefferson Davis, Vermillion, Acadia, and other parishes to the east and south. At its worst, Lili peaked 145 mile per hour winds, with gusts of 183 mph. As a serious category 4 storm, some theorized that the storm surge and winds could bring 14 feet of water to downtown Lake Charles, destroying or flooding everything in its wake.

The hurricane weakened and struck to the east, near the Cameron/Vermilion Parish border. Lili displaced hundreds of thousands from their homes, caused gusts in excess of 90 miles per hour, toppled road signs, trees, and billboards, and darkened the homes of thousands for over a week. It was still a hurricane even far inland on a track towards Alexandria and Monroe. Lili spawned tornadoes, snapped power poles like toothpicks, and displaced hundreds of thousands of evacuees.

But even then, Lili was no longer the Big One, and no part of Louisiana ever felt her true wrath. Lili never showed us what a powerful hurricane could really do to Louisiana, but she taught us some important lessons and gave Southwest Louisiana an opportunity to show the world its unity, courage, cooperativeness, and foresight in what has universally been lauded as the model by which other communities should pattern their emergency planning.

In the hours prior to and after landfill, local media, law enforcement, and emergency management personnel gathered panels of experts in meteorology, communications, engineering, sanitation, and other relevant fields. During the time of crisis, each employee took turns at cat-naps in the stations and shelters as they worked nearly non-stop for two or three days. For many people, men and women such as John Bridges were the voices of calm through the howling winds. And when the transmitting tower of one Lafayette television station collapsed during the worst of the fury, Lake Charles became the only source of information for several hundred thousand scared residents.

The Southwest Louisiana legal community took an active role in the preparation and clean up efforts as well. Even in the less affected areas, the local legal system paused to sandbag, board, barricade, and help others save lives and property. And once the storm was over, local attorneys continued to volunteer, making sure that nature's flex did not allow citizens to take advantage of one another through tactics such as price gouging, improper insurance denials or evictions.

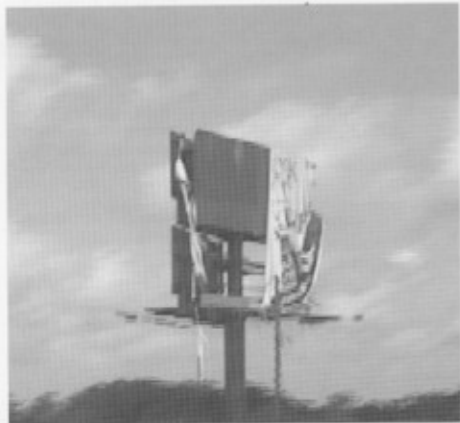
Lili: A Photo Essay



The 14th Judicial District court closes and sandbags in anticipation of Lili.



An eighteen wheeler is blown onto its side on Interstate 10 near Crowley during the height of the storm, making national news. Police and tow truck employees determine how to remove the truck the next day.



Many billboards, particularly those facing the east, were damaged or destroyed during the hurricane.



Lili snapped utility poles along I-10 like twigs.



The hurricane blew the top off of this gas station in Jennings. A news reporter looks on while her cameraman prepares to shoot the scene.



Lili hurls a piano through the fence of Inez Broussard in Lake Arthur. Ms. Broussard is Seth Hopkins's Grandmother.



The National Guard was called into many Acadiana towns to keep order. These trucks are parked in the Crowley Town Square on Highway 13.



A barn finds its way onto the shoulder of I-10 during the storm.



These power lines hang precariously over travelers on Highway 13. Down the road, they have completely fallen.

Louisiana Delegates go to ABA Annual Meeting

Three of the six Louisiana Delegates to the ABA-YLD Assembly at the ABA Annual meeting in Washington, D.C., were local attorneys. Pictured from left to right are: Joey Tassin (husband of Jennifer Gary), Local attorneys: Jennifer Gary, Immediate Past Chair of the LSBA-YLS; Melanie Mulcahy, ABA-YLD District Representative; and Jules Cattie, SWLBA-YLS President.



Happy Holidays



from the Southwest Louisiana
Bar Association

**Florida
Personal
Injury
Claims**

John S. Bordelon,
J.D., LL.M.
Serving as P.I. Co-Counsel to
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Bridget John Named Outstanding Paralegal of the Year

Submitted by the LSPA

Bridget R. John was given the "Outstanding Paralegal of the Year" award by the Louisiana State Paralegal Association at its Annual Meeting and Seminar in Baton Rouge on Sept. 20-21. This award is given to a paralegal who has demonstrated dedication to the development of the paralegal profession in the State of Louisiana; has contributed significant work toward the development of the Louisiana State Paralegal Association and/or a local paralegal association; has been actively involved in the development and continuance of educational programs for paralegals in Louisiana; is recognized by his/her employer as an outstanding employee who makes a significant contribution to the work of the law firm and willing leads assistance to fellow paralegals and has high ethical standards.

The recipient is chosen by a panel of eight attorneys from around the state.

The Louisiana State Paralegal Association, Inc., as the leader of the paralegal profession in Louisiana, is dedicated to the advancement and betterment of the paralegal profession throughout the State of Louisiana and in general. LSPA strives to increase the recognition of the paralegal of the paralegal field by promoting the benefits of effective and increased utilization of paralegals. Working diligently to maintain the integrity of the profession, LSPA promotes high ethical standards for its membership and also offers a voluntary certification examination to identify Louisiana paralegals who have demonstrated a high degree of competency in the profession and promotes continuing legal education for its members. Further, LSPA is dedicated to providing a network of professional support to paralegals in their careers.

John graduated from the Paralegal Studies program at McNeese State University in 1988. While at McNeese she was initiated into Alpha Lambda Delta National Scholastic Honor Society for Freshmen and was on the President's Honor Roll list each semester. John lives in Sulphur and has been employed by Scofield, Gerard, Veron, Singletary & Pohorelsky as a litigation



paralegal for Richard E. Gerard, Jr. for the past fourteen years. She has been a member of the Louisiana State Paralegal Association (LSPA) since 1992 and presently serves on the membership committee. She is also completing her first two year term as District III Director for LSPA and will begin her second term shortly. On the local level, Bridget has served as President of the Southwest Louisiana Association of Paralegals in 1991 and 1992 and is presently serving as First Vice President and CLE/Seminar chairperson.

John also recently received the 2002 LSPA recruitment award.

John is married to Christopher E. John and has three children, Jamie, a McNeese State University student and five year old twins, Alex and Danielle.

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OLD CITY HALL REWINDS TO ANOTHER ERA

Restoration unveils a different way of life

By Seth Hopkins

Standing proudly among the oaks, the old Lake Charles City Hall and Courthouse has served as a center for justice and civic pride for nearly a century. Recently refurbished, the bright Italian style terra cotta-clad icon brings a taste of the Mediterranean to Southwest Louisiana, inviting the City to retreat to a less familiar, more casual time and place.

But the quaint courthouse is as much about stark contrast as it is anything else. To begin with, it stands across from the more imposing old 14th Judicial District Courthouse, with its massive copper dome and artillery cannon. Inside the building, with its charming edifice and well-kept grounds, justice, and all the passion that goes with it, has been administered to generations of locals. For many, the courthouse was the last place they saw before being taken from their families and confined to jail. For many more, it was where they experienced victory or defeat after a civil trial.

Even the architecture of the building reflects its dual roles as both a center for government and a place of casual gathering. Most people are only aware of the main structure, with its deep wood floors, half-exposed basement, and delicate, natural tones. The style is open and inviting, encouraging visitors to lose themselves in the building's timeless qualities.

But the Old City Hall has two parts, since the bell tower has its own brick structure and is capable of standing alone. The tower speaks to a different impulse, hiding secret rooms, a narrow stairwell, and the orderly precision of the internal gears of massive clockwork that so resembles the efficiency with which utopian dreamers would have governments operate.

Within the clock tower, there are two balconies, one from which a chosen two or three people could watch the proceedings in the great third floor chamber, and another from which the members of that chamber could observe those that they governed as they passed down Ryan Street. In subtle ways, the bell tower brings the daydreaming City back to reality with its clock and bell, reminding the inhabitants



A view from the bell tower of the Old City Hall.

that this is a center of law, government, and responsibility.

This unique building, designed by New Orleans architects Favrot and Livaudais following the Great Fire of 1910, has endured the sort of challenges befitting any great historical character — literary, architectural, or otherwise. The old building has seen many of Lake Charles's most notable events. It was the site of the send-off ceremony for the area's first World War II draftees. Those who remember the day recall the atmosphere of fearful pride, as parents tearfully gave their children to the Nation's struggle for freedom.

A Tour of the Building in 1911.

The original blueprints were drawn up in New Orleans on June 26, 1911, and the great building was opened only six months later. The architects of the day did not only design the structure, but hand drew and ordered the furniture as well. A dozen ornate light fixtures and several styles of chairs, tables, and filing cabinets were included in the blueprints. They even designed the building's many umbrella stands, some of which still exist.

In yet another contrast, the architect and contractor, while sparing no expense on

obvious luxuries such as elaborate plaster and marble, saved the City money with their frugal use of materials in places where it was least likely to be noticed. For example, there was never a foundation laid under the bell tower and stairs. Anyone knowing where to look during most of the last ninety years would discover bare earth in the most unexpected places, such as in the bottom of the belfry, which is behind the door that is presently marked as Room 123.1. This was not necessarily a negligent decision, although closing the foundation is a much more accepted practice today and was one of the first objectives of the recent restoration.

The original building easily accommodated the needs of an early Twentieth Century city like Lake Charles. Today's grand third floor, known at the time as the second floor, before the basement was given its own floor number, housed the City Council Chamber. Older residents remember that it was one of the most festive places in town, and citizens were treated to events such as Mr. P.W. Kiplinger's frequent Boy Scout awards ceremonies, where over the course of decades, thousands of young men sat under the proud eyes of their beaming parents as the community recognized them in its most cherished room.

(Continued on page 13)

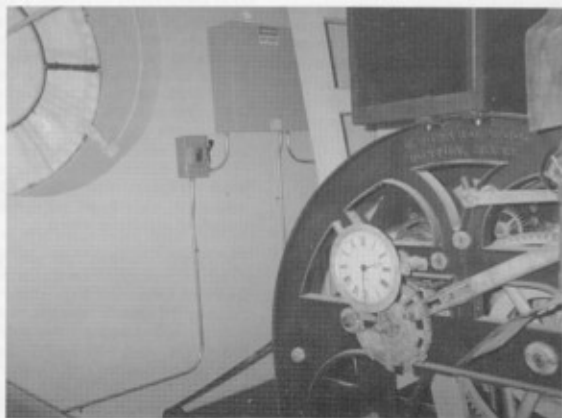


A close up of the City's bell



The original blueprints included details such as how the furniture was to be built.

All photos by Seth Hopkins



A top floor view of the internal workings of the old bell tower clock

In addition to the council chamber, the top floor housed two council committee rooms, the treasurer and secretary's offices, and two city vaults. The counsel members also had a private toilet room. Today, the vaults have been converted to restrooms.

The present second floor was the judicial center of the City. The judge's bench area took nearly half of the courtroom, and fifty-six folding chairs accommodated the observers. A flawless white marble floor highlighted the lobby area, which is awash with natural light. It was also home to the Mayor's Office, City Collector, and City Engineer, and it housed several vaults where important city documents were kept.

The present first floor, known as the basement prior to the building's renovation, was most remembered by residents as the place for city ordinance violators to pay their fines. It was less elaborate in its construction and housed the old coal furnace, which fed hot water through the building during Louisiana's short winters. The furnace chimney can still be seen on the Bilbo side of the building. At the time of construction, Bilbo Street was called Cole Street.

The building's restrooms have always been unusually configured. Today, the men's room is on the second floor, and women's rooms are on the first and third floors. In the original blueprints, restrooms for "white" existed on the first floor, while the "colored" restrooms were in the basement.

A massive set of eight by eight and twelve by twelve wood beams hold up the building's roof, and an unusual set of six foot tall iron bolts fasten the huge pieces together in a tress system. The top of the flat roof forms three plateaus. The center part of the roof near the bell tower rises six to eight feet above the side wings. This requires that a person navigating through the attic climb up or down a ladder along a narrow vertical passageway to reach the other portions of the attic. Two permanent metal ladders have been installed on the top of the building to help workers in their building inspections.

The interior walls of the belfry are constructed with red brick much like that at the Cathedral across the street, with the thick walls slowly receding with each floor. A narrow wood staircase with a perilously low ceiling winds its way up the inside of the clock, past the machinery that once made it operate. This section of the



Unimposing doors hold surprises. Room 400 opens to reveal the internal workings for a massive clock.

building, no larger than a typical residential bathroom, is listed on the blueprints as the fourth floor.

The tiny fifth floor, or belfry, brings the visitor inside the translucent four faces of the clock, one facing each direction. Several bulbs back light each face, and the heavy mechanical guts of the chain and weight system sit idle. Today's clock is controlled by a computer and four pipes that turn the hands on each face.

Bringing Back the Glory.

The administrative demands of a modern city have forced Lake Charles from its traditional home. But the local people refused to let the building decay without a fight. A six-year renovation program has not only brought the Old City Hall back to its authentic glory, but discretely added modern features without compromising the look and feel of the local icon. For example, Room 113 opens to a room full of telephone equipment, while Room 112 opens to the innards of a sprinkler system.

The renovation wasn't an easy project. Nearly a century of occupants and the forces of nature left their mark on the building. Termites caused extensive damage, and changing styles covered up the ancient wood with faddish tile floors from various decades. City administrations divided the floors into different configurations over the years, and much of the original feel to the building was lost.

One of the worst challenges, both prior to and since the restoration, has been battling the pigeons that desperately want to make the building's attic their home. Women and police officers have complained about pigeon droppings soiling their clothes, and those familiar with the building acknowledge that once a pigeon finds its way inside, it becomes difficult to keep the species evicted.

The building's custodian must constantly keep an eye out for signs of invasion and has to stay on top of the mess that they make on canopies and sidewalks. He also monitors the City's new noise-making computer which simulates the sound of pigeon predators, such as hawks. Every four minutes, the machine blasts a sound designed to frighten them. Nevertheless, the birds are smart, and the building seems to get as many complaints from neighbors as it does from the pigeons.

As part of the restoration, a world-renowned expert was hired from LSU to combat yet another element of nature: termites. While the old wood has held its own better than most modern wood, the insects had ninety years to silently do their damage to the building. As part of the solution, the bare soil inside the belfry building was covered with concrete and the old boiler chimney capped with copper. Both of these steps help to keep out moisture. Access doors into the walls were installed generously throughout the

(Continued next page)



A view of the old second floor chamber (today labeled as the third floor) from a private balcony.

(City Hall, Continued)

building to allow for frequent termite and moisture inspections.

Before work could begin, the City had to remove the old records stored in the building. Many of the documents were donated to the McNeese State University archives. In older days, the judges took some records with them when they left office. Many of the donated documents relate to the sort of minor suits heard in City Court years ago, such as doctors suing their patients for unpaid medical bills in amounts as small as \$3.

Prior to the recent work, only one tiny elevator existed, and it was for the exclusive use of the judges. Installing a modern elevator shaft large enough for the public took considerable planning and expense. Today's elevator is piston-driven, requiring an enormous below-ground structure. A secret room in the back of the shaft can be reached through a door in the first floor (old basement) women's restroom. The secret room is naturally illuminated by false windows to the outside.

Even the rare, original red roofing pieces, in the style of many Louisiana State University buildings were replaced with such precision that it takes a pair of binoculars and a trained eye to determine which tiles are century-old originals, and which are new.

One of the most unique features of the renovation is that the basement floor was

lowered two and a half feet. The original basement had low ceilings and a rough, unfinished, feel. Water, heat, and sewage pipes criss-crossed along the ceiling, and the dirty boiler room and coal bin took up much of the floor, making the space feel more like an industrial revolution-era factory than a courthouse.

By lowering the floor and turning the boiler room into office space, the old basement has become a useful part of the structure. But the architects kept some unusual features. In the old boiler room, for example, a small door allows access to the old chimney.

Despite the historic atmosphere and signs of the past, the old building can accommodate any communication or technological need that a modern office requires. Each office is wired for the Internet, and the entire building is connected to the City's communication and Internet system through a microwave dish pointed at City Hall.

A set of nine surveillance cameras record every move, encouraging visitors to respect the history and dignity of the building without requiring an imposing number of guards in this functioning, unofficial city museum.

The clock, which was run for years by a chain and pulley timekeeping system, is completely controlled by a small computer in the tower. The computer is so sophisticated that it even sets the clock for

Daylight Savings Time. Whenever there's a problem, however, Lake Charles has to call on the services of a man from the Midwest, who makes a regular round throughout the country to service all similar clocks.

The Next Hundred Years.

Today, much of the old City Hall is unoccupied. While suitable for nearly the entire City government one hundred years ago, the old building could not accommodate even the judicial branch today. The third floor is rented through the Civic Center for private events such as Mardi Gras krewe parties, political campaign committee events, and even birthdays. Much of the second floor is vacant, and the old basement houses portions of the Lake Charles Fire Department and the City Police Department Juvenile Division and Cold Crimes Division.

The Fire Department has converted its space into what has been described as the best fire training facility in the State. The enthusiastic members of the squad appreciate their accommodations and work to preserve the building as good tenants. The Department often uses its resources to restore the building, such as when it volunteered its truck to raise the copper cap onto the old boiler chimney.

The Department stores some of its training gear here, including 50 pound vests that simulate the burden of working with fire equipment and medical equipment restock bags for major disasters. A state of the art computer system, accessed about 4,500 times per year, allows the Department to examine the blueprints of almost any building in town, aiding the firefighters in rescuing people, finding the source of a fire, and exiting during an emergency.

With much of the building vacant, no one knows for certain what the old City Hall will ultimately be used for. The hard part of restoration is finished, and the City has a spectacular structure available. The new challenge will be to write the building's history for the next hundred years.

EDITOR'S NOTE: *This article was compiled from interviews with current City employees. None of the employees wished to be named or quoted, citing City policy. Therefore, the information provided is not attributed to its sources. Nevertheless, The Sidebar thanks those who volunteered their time and expertise.*

Pro Bono Jazz Brunch is a Hit

Submitted by the LSPA

The Annual Pro Bono Fund Raiser to benefit legal services was held on Sunday, September 22, 2002. The fund raiser this year was a jazz brunch and silent auction held at Vanchiere's Dockside with catering by Vanchiere's. BMW provided entertainment while everyone enjoyed the brunch and viewed the items of the silent auction. The silent auction, together with ticket sales of \$50.00 per ticket, resulted in proceeds of \$6,400.00 being donated to Southwest Louisiana Legal Services.

We'd like to thank the following contributors who donated items for the silent auction:

Lorenzi, Sanchez & Palay
Chris Trahan
Jim and Marilyn Cox
Pujo Street Café
Sabine Pools
Paradise Florist
Lisbeth's Bridal
Isle of Capri
Doug Handley
Vanchiere's Uptown
Walmart, Nelson Road
Heart Desires Florist

Thanks also to all who bought tickets in support of this most worthwhile project:

Glenn Alexander
Bob McCall
Todd Ammons
Bill McCall
Ken Badon
Scotty McClain
Theresa Barnatt
Mike McHale
Ed Bass
Bill McLeod
Phil Becker
Todd Melton
Ronald Bertrand
Thad Minaldi
Rick Bryant
Cliff Newman
Roger Burgess
Rick Norman
Mike Cagle
Evelyn Oubre
Judge Mike Canaday
Judge David Painter
Carla Chrisco
Randy Roach
Jeff Cole
Scotty Rozas
Nathan Cormie
Steve Streete
Jim Cox



Guests at the Jazz Brunch enjoying a fine meal.

Perry Sanders
Nathan Douget
Jackson Schumpf
David Dwight
Van Seneca
Tommy Gayle
Charles St. Dizier
Judge Fred Godwin
Stockwell, Sievert Law Firm
Frank Granger
Southwest La. Legal Services
John Green
Swift, Spears & Harper
Robby Guillory
Judge Gene Thibodeaux
Doug Handley
David Williams
Winfield Little
Robert Wyatt
Lorenzi, Sanchez & Palay
Judge Henry Yelverton
Hunter Landy

About 80 people attended the Jazz Brunch and a big thank you goes out to all of you who did and enjoyed the food, music, silent auction and fellowship. Thanks also goes out to Winfield Little, Pro Bono committee chairman, who worked so hard to make this all possible.

Fall Court Ceremony Highlights OctoBARfest

The Southwest Louisiana Bar Association kicked off its OctoBARfest activities on October 24, 2002 with its Sixth Annual Race Judicata, a two-mile run/walk chaired by Bryan Gill. This year approximately ten members of the SWLBA, their families and/or staff towed the line and Jack Wheeler took first place in the men's division and Leslie Knox took first place in the women's division. A post-race party was held for all participants at OB's.

On Friday, October 25, 2002, the annual Joint Fall Court Ceremony of the 14th and 38th Judicial District Courts was held in the Courtroom A of the Calcasieu Parish Courthouse. Reverend William Miller of St. Raphael's Catholic Church in Iowa gave the invocation and Pastor Alan Weishampel of Murray Street Baptist Church in Lake Charles gave the benediction. Theresa Barnatt, President of the SWLBA, gave a welcoming address and Robert C. McCorquodale, Chairman of the Fall Court Ceremony, served as Master of Ceremonies.

Robert L. Wyatt, newly elected 14th Judicial District Court judge, recognized Charles C. Broussard and Phillip W. St. Romain for practicing law in Southwest Louisiana for 50 years. Eulogies were delivered in memory of Constance Abraham-Handy, Louis D. Bufkin, E. C. Hunt, Jr., Hon. Edward F. Hunter, Jr., Frank T. Salter, Jr., Robert W. Thomas and Russell T. Triticco, Jr.

Fifteen new members of the Bar for 2002 were introduced by Tara Hawkins, Chair-Elect of the Young Lawyers Section of the SWLBA. There were: W. Todd Barnett, Michelle Bradley, Ellen Cogswell, V.



Michael Davidson, Joseph Kelty, Ric Oustalet, April Petry, Betty Raglin, Jennifer O. Robinson, Carla Sigler, Amanda Spears, Catherine L. Stagg, Ranie Thompson, Lance Vinson, and Ann Wootten.

Jim Ortego made the presentation of the Pro Bono Award to Winfield E. Little, Jr. Mr. Little was honored because of the literally hundreds of hours he has donated both to the cause of the broader mission of the Southwest Louisiana Legal Services and in addition, public legal education. He was also recognized for his outstanding efforts in promoting, creating, and maintaining a place for both lawyers and the general public to have access to legal materials. The Charles A. Downing Humanitarian Award was presented to Maedell Jackson for her work as a community leader in Beauregard Parish for 40 years. Ms. Jackson managed to put together a coalition of community leaders, including the Mayor of DeRidder, City Council members, Police Jury members, School Board members, state government officials and volunteers from the community, who meet once a month in DeRidder to address and discuss all of the problems of their city and community. Closing remarks were given by The Honorable Fred R. Godwin, Chief Judge, Fourteenth Judicial District Court.

The SWLBA also held its annual general membership luncheon at the City Club. Prior to the general membership meeting, the Nominating Committee made its

recommendations for election of officers for 2003 and nominations were opened. A general election was held at the general meeting and no other nominations having been received, the following members were elected as officers for 2003 of the SWLBA: Thomas L. Lorenzi, President-Elect, Leslie Q. Knox, Secretary; and Jeffrey M. Cole, Treasurer. Robin A. Anderson, Priscilla P. Gayle, Larry E. Pichon and David H. Hanchey were elected to At-Large Positions on the Executive Council. Outstanding Service Awards were presented by President, Theresa A. Barnatt, to the following individuals for their outstanding work on their various committees and service to the Bar: Committee Chair of the Year went to David H. Hanchey for his work on the Continuing Legal Education Committee, The President's Award went to Seth Hopkins, for his work on The SideBar, and Outstanding Service Awards went to Leonard K. Knapp, Jr. and Ralph J. Williams, Sr., co-chairs of the Access to Justice Committee, for their work on the Lawyer Referral and Pro Bono programs.

A wonderful and very memorable conclusion to OctoBARfest activities, was the annual Fall Party on Friday evening for all members and their guests. This year's party was held at Vanchiere's Dockside. Entertainment was provided by The Crawford Brothers, and the bartenders this year were Ken Savant, Tommy Fruge and Jim Barnatt.



Lawyers work for NPR

By Jules Cattie

As attorneys we are often asked to serve on various boards of directors for non-profit organizations. For the past year I have had the opportunity to work with the Lake Charles Public Radio Association (LCPRA), a group that formed when our local signal from KRVS of Lafayette was taken over by a radio evangelist from Mississippi who has used a legal loop-hole through out the United States to displace National Public Radio with religious oriented news and programming. Local attorneys Mike Schwartzberg, Mark Judson, James Doyle, Mike Veron, Don McKnight and Leslie Berman also served on the board and worked diligently to bring National Public Radio back to Lake Charles and the surrounding area. Many other local attorneys such as Leonard Knapp, Drew Ranier, Ken Badon, Bob Dowd, Randy Fuerst, Andy Johnson, John Pohorelsky, Mark Delphin, Rick Norman, Matt Heinrich and Carl J. Rachal and the law firms of Cox, Cox, Filo & Camel, Lundy & Davis, Hunter, Blazier & O'Dowd (Brown Foundation), Sanders, Crochet & Chism and many others made donations aimed at bringing back NPR programming like All Things Considered, Click-and-Clack's Car Talk, and local programming like Cajun and Zydeco music and McNeese Banners events. Judge Trimble wrote a letter of support to the FCC and Mayor Randy Roach and Senator Mary Landrieu also assisted in convincing the FCC that we had strong community support in Southwest La...sufficient to justify giving KRVS the \$165,000 matching grant when LCPRA raised \$60,161 (along with \$14,079 from the City of Lake Charles and Calcasieu Police Jury) even before the May 1st deadline set by the FCC. Anyone interested in donating can visit www.lcpa.org.



The Lighter Side of Law

LAWYER PARAPANELIA FOR SALE

The following items were recently found being sold on Ebay under the category of "law":

1. Giorgio Armani suit used in the television show "Law and Order", size 46 regular. The last bid was \$217.50 with 11 bidders.
2. The internet domain name "TraumaLawyers.com". Asking \$199 with no bidders.
3. An 1836 original, leather bound book entitled, "Irish Eloquence: The Speeches of the Celebrated Irish Orators Phillips, Curran and Grattan". Apparently the orators were also lawyers. The bid was \$56.

SUPREME COURT FANTASY LEAGUE MAKES ITS DEBUT

For years, offices have pooled their money and bet on how accurately they could predict sports games, prompting the creation of Fantasy Leagues. Sean Carter, a former attorney who runs a strange legal web site, www.LawpSided.com, has created a Supreme Court Fantasy League, a betting system where players predict the results of nine cases, including a "vote spread" between the majority and minority.

TEXAS JUSTICE OF THE PEACE STARTS A WAR

Texas Justice of the Peace Matt Zepeda was caught on tape belittling and using racial slurs against inmates in his court. His tirade was so bizarre that he used the wrong racial epithets, not even taking the time to learn which inmates were of what race. He has been reported to the Texas Commission on Judicial Conduct.

IT'S OFFICIAL: IDIOTS CAN VOTE

New Mexico's constitution prohibits voting by "idiots" and "insane persons", but if several state politicians have their way, the constitution will be amended to allow idiots to vote, although insane persons will still be barred from casting ballots. One wonders what this might do for voter turnout.

FLAMING POP TARTS PROMPT INSURANCE LAWSUIT

Allstate insurance has filed suit against Kellogg's, the manufacturers of Pop-Tarts, claiming that the breakfast food is an unreasonably dangerous product. Allstate wants to recover money it paid for a claim on a house fire, arguing that Kellogg's is responsible for the damage because its product caught on fire and escaped from its toaster slot while being heated. Kellogg's has denied liability.

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Young Lawyers Section

New Orleans Bar Association "It's the Law" Program

Youth Service Bureau of St. Tammany



These organizations provide law-related education in your community. They bring together lawyers, judges, police officers, educators and community leaders to assist the public in understanding the law, legal rights and responsibilities. By creating public access television shows, developing lesson plans for educators, coordinating volunteer lawyers in the classroom and organizing mock trial competitions, these organizations are working in your community to help citizens better understand and respect the law.



These organizations are funded in part by grants from the Louisiana Bar Foundation.



SideLine Results

In the September issue of *The Sidebar*, we asked whether you supported or opposed Senator John Hainkel's plan to replace elected judges with appointed ones. Here's what you said:

"Sounds like a dangerous proposition to me . . . too political without a vote of the people the judge will be serving."

— C.A. Guilbeaux

"The people should select their judges— not politicians."

— Mark A. Delphin

"Judges should be appointed based on objective criteria, but on a case by case or weekly basis rather than for a set, multi-year term. An eligible attorney with the requisite experience and qualifications might be appointed by the Supreme Court and

assigned to a distant court to handle a docket one or two weeks per year. Attorneys consistently overturned on appeal would lose their eligibility. Hundreds, if not thousands of attorneys would serve from time to time and then return to the reality of private practice. Such a system of part-time judges would reduce the excesses to which the full-time judiciary is susceptible."

— Rick Norman

This issue's topic deals with President Bush's Homeland Security initiative to allow the military to mine and store personal data about United States citizens. To read more about this topic and to express your opinion, flip to the front page.

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