

# The Sidebar

Southwest Louisiana Bar Association Journal

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## In the works

*What to expect in the December issue*

Lake Charles City Courthouse:  
Breathing new life into a  
community icon

OctoBARfest celebration

## 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:

Do you support or oppose Senator John Hainkel's plan to replace elected judges with appointed ones?

Under Hainkel's proposal, each judicial district would have a selection committee which would submit three names to the governor to pick from. After 18 months, voters would decide whether the judge stays on the bench.

Write to us with your opinion!  
Mail to: Sidebar, P.O. Box 191,  
Lake Charles, LA 70602 or email  
seth@sethhopkins.com.

# Law Day!

A chance to meet, honor,  
and enhance the profession



See Article, page 3

One of the missions of Law Day is to encourage Americans to express appreciation for their freedoms. The legal community of Southwest Louisiana extends this self-reflection to include local children by holding a poster and essay contest. The Southwest Louisiana Bar Association received 200 entries from 13 elementary schools. The winners are pictured.

**“ Law Day, U.S.A., is a special day of celebration by the people of the United States - in appreciation of their liberties and the reaffirmation of their loyalty to the United States and of their rededication to the ideals of equality and justice under law in their relations with each other and with other countries; and for the cultivation of the respect for law that is so vital to the democratic way of life.”**

# 2002 EXECUTIVE COUNCIL & OFFICERS OF SOUTHWEST LOUISIANA BAR ASSOCIATION

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Fax: 337-497-0089  
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## Letter From the Editor

Dear Members of the Bar:

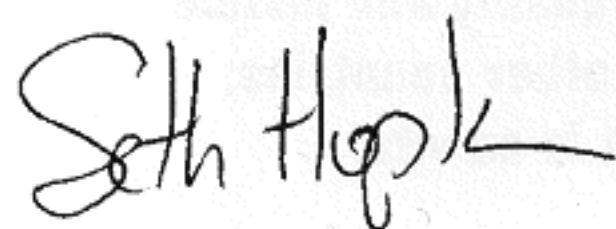
It is with appreciation that I begin this term as editor of *The Sidebar*. I hope that you find our journal to be a valuable source of information and a permanent archive of the accomplishments of the Southwest Louisiana Bar Association. By our nature, we are a regular, but infrequent publication, serving more as a yearbook for our organization rather than a newspaper. *The Sidebar* is produced three times per year, and the next issue will be coming out in December.

We will have several new features, including a Sideline section, where we offer a timely topic for our members to discuss and debate issues vital to the health and well-being of the local bar. We ask for your letters and comments on these topics as well as other areas of interest or concern that you might have. The most distinguishing feature of *The Sidebar* will be its ability to respond to your needs and to establish itself as a relevant place for engaging local and legal news, information, and interaction.

To that end, I ask that you take note of the address for submitting articles, photos, letters, and ideas. That address is: *Sidebar*, P.O. Box 191, Lake Charles, LA 70602. We may also be contacted by emailing [seth@sethhopkins.com](mailto:seth@sethhopkins.com). I also encourage you to consider advertising in the journal. This is an excellent way to make your expertise known to others who might be looking to make a referral.

I thank the members and leaders of the Southwest Louisiana Bar Association for this opportunity, and look forward to serving you.

Sincerely,



Seth Hopkins

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# ANNOUNCEMENTS



## CORRECTION

*The Sidebar* apologizes for an oversight in its March issue. We inadvertently omitted one of the sponsors for the Holiday Helping Hands project. The Southwest Louisiana Association of Paralegals provided vital support to the project. Without their help and the help of the other sponsors, the event could not have been a success. Once again, thanks!

## D.A.'S OFFICE HELPS FAMILY

Kim Myers announces that the Calcasieu Parish District Attorney's Office collected \$463 for the Holli Thibodeaux Fund. Holli was the 12-year old Hathaway girl who was abducted and murdered right before Easter. The money is being used to help the family with expenses associated with the ordeal, including counseling.

## LA BAR FOUNDATION ANNOUNCES FELLOWS

Guy Bradberry and David Palay, Jr. have been elected as Fellows 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. Since 1989, the Foundation has awarded \$22.7 million in grants to Louisiana organizations providing legal services to more than 25,000 indigent or mentally disabled clients.

Fellows champion the purpose for which the Foundation was established, support the programs the Foundation sponsors, and attest to their belief in the highest ideal of the legal profession.

## CONTACT US

If you have an individual, group, or firm announcement for the December issue of *The Sidebar*, please submit it to us by November 1. Photographs are welcome in print or electronic format but cannot be returned.

## PRO BONO JAZZ BRUNCH

The SWLBA's Seventh Annual Pro Bono Fund Raiser Jazz Brunch to benefit Southwest Louisiana Legal Services is scheduled for Sunday, September 22, 2002, 11:00 a.m. to 2:00 p.m. at Vanchiere's Dockside. For more information or to purchase tickets, see enclosed flyer.

## SWLBA OFFICER NOMINATIONS BEING TAKEN

Nominations are now being taken for service in 2003. See enclosed flyer regarding the nominating procedure and deadlines.

## OCTOBARFEST ACTIVITIES

OctoBARfest activities begin on October 24, 2002 with the Annual Race Judicata. The Fall Court Ceremony, along with the annual membership luncheon, golf tournament and fall party are all scheduled for Friday, October 25, 2002. See enclosed flyer for places, times and registration information.

## ETHICS & PROFESSIONALISM HOURS

The SWLBA will again present Ethics and Professionalism hours after the annual membership luncheon on October 25th at Vanchiere's Uptown. See enclosed flyer for registration information.

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# Law Day 2002: The Celebration Continues

Pursuant to U.S. Code, Title 36, Section 113: "The first day of May of each year is hereby designated as Law Day, U.S.A. It is set aside as a special day of celebration by the American people in appreciation of their liberties and the reaffirmation of their loyalty to the United States of America; of their rededication to the ideals of equality and justice under law in their relations with each other as well as with other nations; and for the cultivation of that respect for law that is so vital to the democratic way of life."

The Southwest Louisiana Bar Association and the Judges of the 14<sup>th</sup> and 38<sup>th</sup> Judicial District Court held their annual Law Day Ceremony on May 1, 2002 at 10:00 a.m., Courtroom A, Calcasieu Parish Courthouse. Theresa A. Barnatt, President of the Southwest Louisiana Bar Association, served as Master of Ceremonies.

David A. Hamilton, Chairman of the Louisiana State Bar Association Access to Justice Committee, was the principal speaker. Mr. Hamilton is an attorney practicing in Baton Rouge and is President-Elect of the Baton Rouge Bar Association. He currently serves as chairman of the Louisiana State Bar Association Access to Justice Committee. He received his JD from LSU in December 1974 and served as general Counsel for the Louisiana State Department of Education for eight years. In September of 1986, he went into private practice with his main concentration in the areas of education law, family law and governmental relations. He has been a member of the BRBA Pro Bono Panel since 1986, served as chair of the Capital Area Legal Service Corporation Board of Directors for three years, and served as chairman of the BRBA Pro Bono Committee for two years.

The Law Enforcement Award was presented by Rick Bryant, Calcasieu Parish District Attorney, to Sgt. Randy Henry of the DeQuincy Police Department.

The Liberty Bell Award was presented by Rob McCorquodale to Major Michael Byrne of the Calcasieu Parish District Attorney's Office.

The Albert Tate Chapter of the American Inns of Court Professionalism Award was awarded to the Honorable Henry L. Yelverton by David F. Dwight, President and Hon. Billie Colombaro Woodard, Founding Member of The Albert Tate Chapter of the American Inns of Court.



First Place Ribbons and Certificates were presented to the following children who participated in the annual poster/essay contest which is conducted by the SWLBA in area elementary schools. This year 13 schools participated with about 200 entries. The poster contest was open to Kindergarten, 1<sup>st</sup> and 2<sup>nd</sup> grades and the essay contest was open to 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> grades. All First, Second and Third Place Winners received ribbons and certificates and all participants received "Participant" ribbons.

#### First Place Winners:

Kindergarten: Gabrielle King, T.H. Watkins  
 1st Grade: Clay Henry, Prien Lake Elementary  
 2nd Grade: Jodi Chatters, Prien Lake Elementary  
 3rd Grade: Mathew Laughlin, St. John Elementary  
 4th Grade: James Winford, Episcopal Day School  
 5th Grade: Holly Carter, T. S. Cooley

#### Second Place Winners:

Kindergarten: Jeffrey Miller, T.H. Watkins  
 1st Grade: Maegan Love, Prien Lake Elementary  
 2nd Grade: Kelsey Borrel, Prien Lake Elementary  
 3rd Grade: Karli Hebert, St. John Elementary  
 4th Grade: Tiffany Winford, Episcopal Day School

5th Grade: Daniel Bowers, T. S. Cooley

#### Third Place Winners:

Kindergarten: Lacey Boudreau, Grand Lake  
 1st Grade: Alexandria Kiritsis, Prien Lake Elementary  
 2nd Grade: Anita Saraf, Prien Lake Elementary  
 3rd Grade: Jene Pedescleaux, St. John Elementary  
 4th Grade: Fernando Rangel, Episcopal Day School  
 5th Grade: Lauren Petrofes, T. S. Cooley

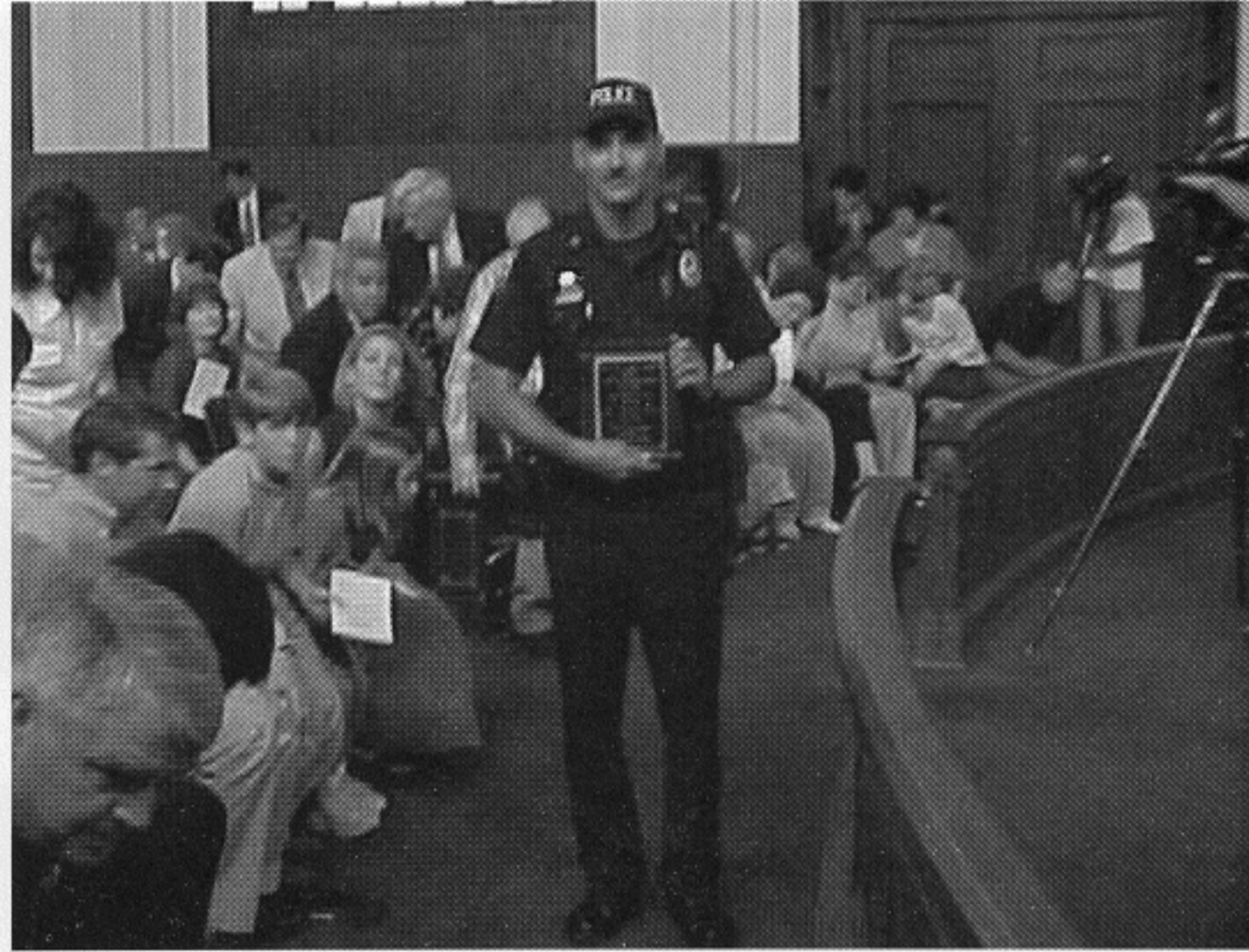
The first place winners' entries were displayed at the ceremony and will be displayed in the Membership office of the Southwest Louisiana Bar Association for the next year.

The Law Day tradition ended with a Mid-Year Membership Luncheon held at Café Margaux immediately following the ceremony which was attended by about 75 members.

The Young Lawyers Section of the Southwest Louisiana Bar Association also held its "Ask-A-Lawyer Phonathon" in conjunction with Law Day on May 1st from 5:30 p.m. to 8:30 p.m. The Ask-A-Lawyer Phonathon, a public service event sponsored every year by the Young Lawyers Section in connection with Law Day, is a phone bank manned by Young Lawyers who field legal questions from the public. Phones were generously donated by US Unwired.



Liberty Bell Award winner Major Michael Byrne receives his plaque from Presenter Rob McCorquodale.



Sgt. Randy Henry, recipient of the Law Enforcement Award, stands at attention.



The Hon. Henry L. Yelverton, recipient of the Albert Tate Chapter of the American Inns of Court Professionalism Award poses with presenter, the Hon. Billie Colombaro Woodard.

## Read the Sidebar.

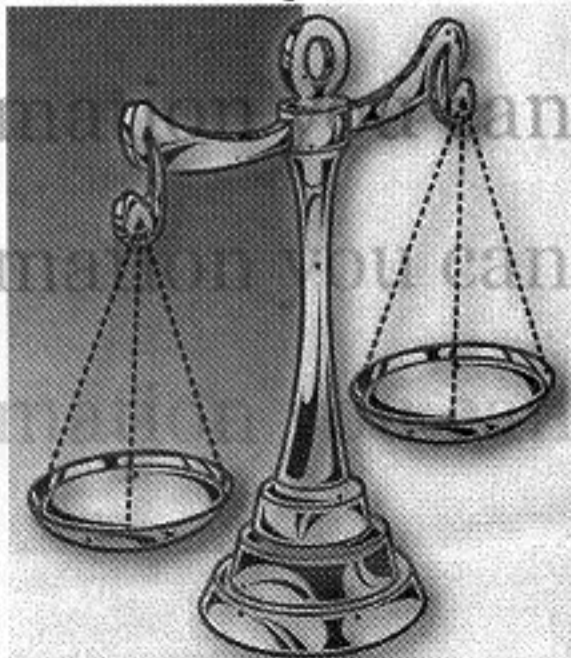
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*Prior LBA References Available*

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# Lawyers Run Home for Softball Tournament

By Carl Rachal

The Young Lawyers Section of the Southwest Louisiana Bar Association held its 1st annual Legal Softball Tournament on June 1st at the OD Johnson Softball Complex in Lake Charles. It was a reinstatement of the Legal Softball Tournament that has been absent for five (5) years. Participating in the tournament were coed teams from: Stockwell, Stevert; Cox, Cox, Filo & Camel; the Schrumpf Law Firm; The D.A.'s Office; Lundy & Davis; and a jointly sponsored team by Carl J. Rachal, APLC, Jules Cattie, Esq., & Delphin Law Offices, APLC.

Despite sweltering heat, there was a great turnout of participants and spectators. Firm Cox, the eventual winner of the tournament, breezed through their bracket going undefeated. The Schrumpf Law Firm put up a masterful effort taking Second Place. The tournament MVP was Becky Dowers of Firm Cox and the Best T-Shirt award went to Lundy & Davis.

The tournament would not have been possible without the help and generosity of several individuals. Special thanks goes to Ken & Denise Savant, Heather Fazzio and Rachel Amy for their tireless effort of doing all of the little things to make the tournament run smoothly. Also, special thanks to Charles Boyette of Spring Mountain Water Co. for donating 20 cases of bottled water which, as it turns out, was a lifesaver. Thanks also to Trent Cook of Digital Archiving Systems, Nathan Douget, Black Tie Cleaners and Richard Cole (for Tax Assessor) for all of their time and effort.



*Firm Cox - Tournament Champs*



*Schrumpf Law Firm - Runner-Up*

Also, we would like to thank all of you who took the day to participate in the tournament. It was a huge success and we hope to make it a yearly tradition. Keep an eye open for the YLS Legal Softball Tournament '03

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## Volunteers Connect With Southwest Louisiana Community *Business and Media Help Lawyers Answer Questions*

By Jules Cattie, III

The SWLA Bar Assoc. Young Lawyer Section's 2002 Law Day Phone-A-Thon, held in conjunction with Law Day activities, was a big success. From 5:30-8:30 p.m. 14 members of the local bar (both young and old[der] alike) fielded approximately 50 phone inquiries from those in need of legal advice in the Lake Area.

The event was held at the SWLA Legal Services office with help from Jim Ortego and Larry Pichon and their staff. Again this year, US Unwired was kind enough to provide the use of 10 free phones for this public service event thanks to assistance from in-house counsel Melanie Mulcahy.

Attorneys who participated include Todd Melton, Chris McCall, Carl Rachal, Ron Richard, Chris Chesson, Monica Gant, Richard Wilson, Winfield Little, Terry McCay, Larry Pichon, Catherine Hensgens, Robin Williams, Mike Ned. KPLC provided coverage that evening as well as promoted



*Jules Cattie, Chris McCall, and Michael Ned field phone calls at the Young Lawyers Phone-A-Thon held in conjunction with Law Day.*

the event that morning with attorney Rachel Amy providing the information during the Sunrise program. Larry Pichon also promoted the event on Fox's That Morning Show. Several local radio stations also provided Public Service Announcements in the weeks

leading up to the event, namely Vibe 105, KBIU and 1310 Sports radio. Special thanks to Denise Savant and her husband Ken for organizing the event and getting the Darrel's sandwich platter and beverages that everyone enjoyed.

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# SWLA Bar Auxiliary Announces Board

By Tara Drost

The Southwest Louisiana Bar Auxiliary had the first meeting of the 2002-2003 Board of Officers Thursday, July 11, 2002.

The officers are as follows:

President:	Sharon Hanchey
President-elect:	Peggy Dees
Secretary:	Polly Cole
Treasurer:	Lisa White
Historian/Publicist:	Tara Drost
Bar Liaison:	Joanna Viccellio
Awards/Scholarships:	Tina Reggie
Care Committee:	Jackie Carleton
Hospitality:	Karen Hanchey
Telephone:	Fran Sanchez

The Southwest Louisiana Bar Auxiliary was founded on June 3, 1970 by 57 women. The Auxiliary currently boasts membership of over 175. The objectives remain to assist the Southwest Louisiana Bar Association in the advancement of respect and awareness of the legal profession by means of community involvement and assistance.

Each year the Bar Auxiliary provides a scholarship for a McNeese State University student who is pursuing a degree in a law-related field. The recipient of this award is chosen based on financial need and academic achievement by the Awards Committee of the McNeese Department of Scholarships and Testing.

At the Law Day ceremonies on May 1, 2002 previous Bar Auxiliary President, Bel Painter presented Enos Derbonne,



*Top Row (from left)  
Pat Wright, Joanna Viccellio, Polly Cole, Jackie Carleton, Sharon Hanchey, Karen Hanchey  
Bottom Row (from left):  
Peggy Dees, Fran Sanchez, Tina Reggie, Lisa White, Tara Drost*

President of the Calcasieu Parish Police Jury with a contribution of \$1,000.00 in monies raised to go toward the custom light fixture being manufactured for the Parish Courthouse, Courtroom A. The budget for the original restoration project did not include funds for the central ceiling light fix-

ture. The fixture will be representative of the period of the original Courthouse construction in 1911. The Bar Auxiliary is proud to assist the Police Jury in preserving the historical authenticity of this grand courtroom and in keeping Calcasieu Parish history alive.

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## Louisiana State Bar Associations Ethics 2000 Public Hearings

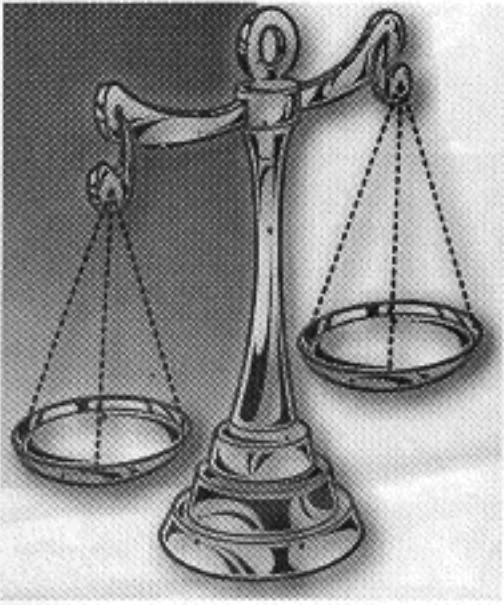
In late 1999 the Louisiana State Bar Association Ethics 2000 Committee was appointed to monitor and study the work of the ABA Ethics 2000 Commission on their review of the Model Rules of Professional Conduct, conduct a comprehensive review of the Louisiana Rules of Professional Conduct, and consider recommending rules changes to the Louisiana Supreme Court. The Committee plans to submit recommended changes to the Rules of Professional Conduct to the LSBA House of Delegates at the Mid Year meeting in Baton Rouge for approval.

The Ethics 2000 Committee is seeking the assistance of Local Bars to obtain attorney and public comments on the Ethics 2000 Committee recommendations. The committee asks for our participation and is holding a public hearing in Lake Charles from 5:00 - 7:00 PM on October 8, 2002 at the Burton Business Center,

McNeese State University. Participants will receive (1) hour of free CLE credit in Ethics. A short reception will be held after the meeting. No registrations is required. Please contact the LSBA @ 800.421.5722 or Cheri Cotogno Grodsky 504.619.0107 or Bill King @ 504.619.0109 for more information.

A copy of the proposed recommendations of the LSBA Ethics 2000 Committee is located in the SWLBA office. If you would like to review the proposed recommendations, please call Denise Savant at 497-0090 to make the necessary arrangements.





# Legal Briefs

Legal information of interest to local attorneys

## NEW RULES FOR MEDICAL MALPRACTICE

Effective Sunday, June 16, 2002, Louisiana Act 86 amended La. R.S. 1299.47 to require that medical review panel requests be filed with the Louisiana Division of Administration.

That statute reads: R.S. 1299.47 (A)(2)(b) "The request for review of a malpractice claim under this Section shall be deemed filed on the date of receipt of the request stamped and certified by the division of administration or on the date of mailing of the request if mailed to the division of administration by certified or registered mail. Upon receipt of the request, the division of administration shall forward a copy of the request to the board within five days of receipt."

The new address to send panel communications is:

Louisiana Commissioner of Administration

Attention: Medical Review Panel

P.O. Box 44336

Baton Rouge, Louisiana 70804-4336

Phone (225) 342-7000 Fax (225) 342-1057

## TEXAS TIDBITS

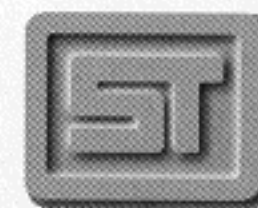
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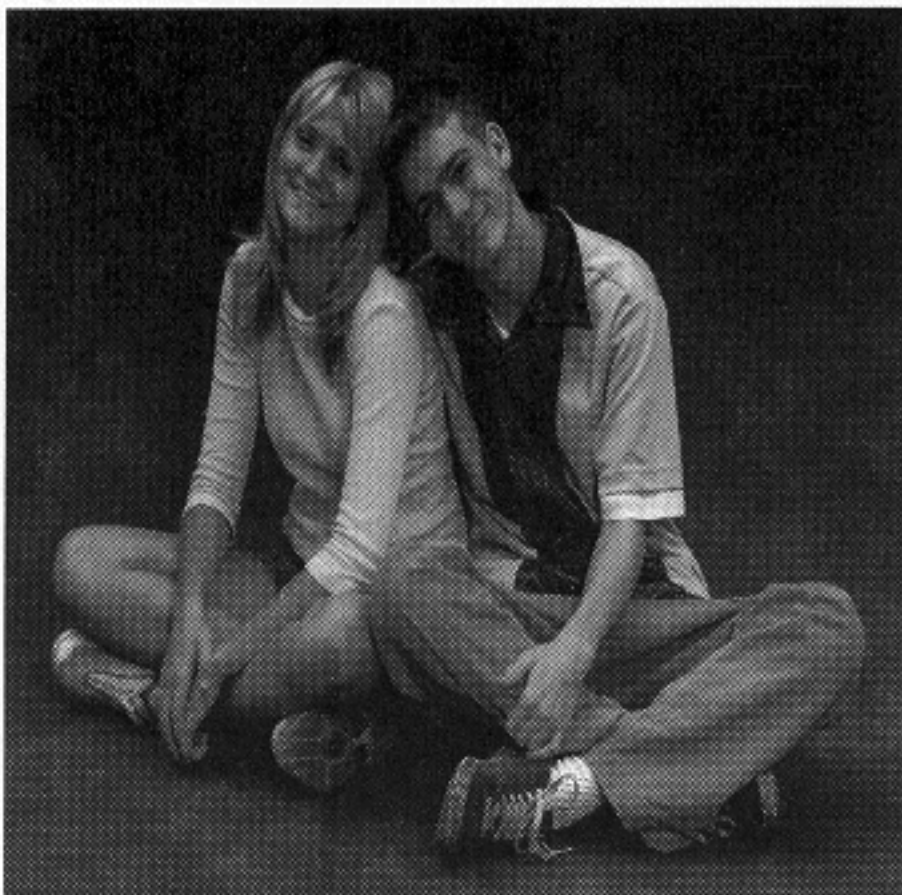
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*These organizations provide law-related education in your community. They bring together lawyers, judges, police officers, educators and community leaders to assist the public in understanding the law, legal rights and responsibilities. By creating 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.





# State Update

A summary of news of interest to the legal community  
Compiled by Seth Hopkins from press accounts

## HAINKEL WANTS MERIT SELECTION FOR JUDGES

Louisiana Senator John Hainkel is leading a Republican charge to abolish the election system for Louisiana judges. This is the topic of the *Sidebar's* Sideline poll (see the front cover). Hainkel has previously advocated a plan where each judicial district has a selection committee which submits three names to the governor, who selects one to fill a judicial vacancy. The new judge must then run in an election 18 months later where the voters may keep or dismiss him or her.

## SLAVERY DESCENDANTS FILE FEDERAL LAWSUIT

Modeling their petitions after those filed by Japanese-Americans imprisoned by the United States during World War II, about 200 plaintiffs have filed suit in federal court in New Orleans seeking reparations from companies that profited from the unpaid labor of their ancestors. The suit requests damages not from the descendants of natural persons who were slave owners, but from companies still in existence which used slave labor for profit. This includes insurance companies that wrote premiums for slaves as property.

## MAN BLAMES FAST FOOD CONSPIRACY FOR MAKING HIM FAT

A New York man blames fast food marketing and deception for his health problems, claiming that he was unaware of how unhealthy common fast foods were. He has filed a suit seeking damages against McDonalds in a case which has gained national notoriety. McDonalds announced soon after the suit was filed that it was changing the oil used in frying its products to a lighter, healthier substance. The company called its decision a coincidence.

## LAWSUIT FILED OVER STATE SLUSH FUND

Rep. Kyle Green of Marrero has filed suit against Gov. Foster and his administration because Green claims he was promised \$250,000 in funding from the governor's slush fund in exchange for a vote for Foster's sales tax bill. This is the second such petition filed in the last two years by legislators. The *Times-Picayune* notes, "[i]n the good old days, when a gentleman's word was his bond, a legislator selling his vote could be confident he wouldn't be stiffed."

## CLEANING HOUSE IN NEW ORLEANS

Incoming New Orleans Mayor Nagin started his term with a corruption sweep and the high profile arrests of prominent city officers while at work. The head of the Metropolitan Crime Commission, which logged over 700 calls to its corruption hotline in only three days, claims that the targets have just begun. Nagin notes that corruption was so ingrained that new employees were trained in the proper way to take bribes.

## TRAFFICANT HAS A FRIEND IN LOUISIANA

Former Ohio Congressman James Trafficant was recently expelled from Congress following his federal conviction on various bribery, racketeering, and fraud-related charges. During the Congressman's talk show tour and speeches in front of the House, he often engaged in a lively but rambling condemnation of the executive and judicial branches of government, going as far as to accuse his judge of impropriety. One of the recurring issues in Trafficant's speeches was his renting of a Corvette. In his final, flaming speech before the House, Trafficant revealed why he had rented the car. "I wanted to get a car to drive to visit Mr. Cooksey to go hunting and to speak at one of his events," he explained. The *Monroe News Star* recently reported that Cooksey, "praised the convicted felon for teaching him about Congress' responsibility to oversee the federal government".

*Join Us in Honoring Judge Henry Yelverton  
Louisiana Court of Appeals, Third Circuit  
For His 31 Years of Service*

*September 24, 2002*

*5:30 - 8:30 p.m.*

*Home of James B. and Susan Doyle  
4933 Fernwood Drive  
Lake Charles, Louisiana*

*Cocktails*

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