

COURT COLUMN

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A NEWSLETTER OF THE JUDICIARY OF THE STATE OF LOUISIANA

A NEW CHIEF JUSTICE

On Monday, January 12, 2009 there was a feeling of excitement and change around the historic, Beaux-Arts building that is the Louisiana Supreme Court. The ceremonial swearing-in of a new **Chief Justice, Catherine D. "Kitty" Kimball**, took place amidst a sea of her friends, family, colleagues, public officials and supporters.

The official ceremony, which was open to the public, took place on the steps of the Supreme Court and followed a Mass at the St. Louis Cathedral honoring the new head of the Louisiana judiciary. Kimball is the first woman in the history of the state to be elected to the Louisiana Supreme Court and is also the first woman in the history of the state to become Chief Justice. She assumed the position of Chief Justice after having served 16 years on the Supreme Court.

Joining Chief Justice Kimball on the dais were: former Louisiana Governor Kathleen Babineaux Blanco; Jimmy Fair-



Surrounded by her family, Louisiana Supreme Court Chief Justice Catherine D. Kimball is formally inducted as Chief Justice as daughter Lyria Kimball O'Brien reads the oath and husband Clyde Kimball holds the bible.

Chief Justice Kimball

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Former Louisiana Governor Kathleen Blanco, the first female governor in the state's history, shares a story with Chief Justice Kimball and the audience.

cloth, Executive Counsel to Governor Bobby Jindal; Lieutenant Governor Mitch Landrieu; Elizabeth Foote, Louisiana State Bar Association President; and Retired Chief Judge Judith Kaye, New York Court of Appeals. Tony Clayton, Southern University Board of Supervisors, served as the program master of ceremonies and the invocation and benediction were provided by Father Cleo Milano, S.J., St. John the Evangelist Catholic Church and Rabbi Edward Cohn, Congregation Temple Sinai, respectively.

The Pledge of Allegiance was led by five of Chief Justice Kimball's six grandchildren. Later, husband Clyde Kimball held the Bible while daughter Lyria Kimball O'Brien, an attorney, administered the oath.



Five of Chief Justice Kimball's six grandchildren, Trent, Catherine, Connor, Hudson and Clayton, recited The Pledge of Allegiance during the induction ceremony.



Justice Catherine D. Kimball speaks to the audience on her vision for the judiciary as she takes over as Chief Justice of the Louisiana Supreme Court.

“I AS CHIEF JUSTICE, AND THE JUSTICES OF THIS COURT, ARE COMMITTED TO LEADING THE EFFORT TO IMPROVE THE OPERATIONS OF OUR JUDICIAL SYSTEM AND TO SIMPLY MAKE IT OPERATE AS WELL AS IT CAN.....TIMELY, EFFICIENTLY, AND FAIRLY.”

-Chief Justice Catherine D. Kimball

VISION OF THE JUDICIARY

Chief Justice Catherine D. Kimball

January 12, 2009

It has been suggested to me that I tell you about my vision for the judiciary, and so I shall. It is really quite simple.

I would envision a judiciary with competent, hard working judges of integrity, that treat all within their purview with kindness, fairness and respect and who require that same treatment by his or her employees and of the attorneys who appear before the court.

I envision a judiciary that is recognized by our state and nation as having those qualities.

I envision a judiciary that handles its work efficiently, timely, and appropriately, and cares as deeply about the disposition of a child abuse, a juvenile, or a custody case as it does about a high profile multi-million dollar lawsuit.

I know that the vast majority of judges and lawyers in Louisiana want a system where they work hard and their hard work is valued. I as Chief Justice, and the Justices on this Court, are committed to leading the effort to improve the operations of our judicial system and simply to make it operate as well as it can - timely, efficiently, and fairly.

Calogero honored on eve of retirement

The justices of the Louisiana Supreme Court honored **Chief Justice Pascal F. Calogero, Jr.** December 2, 2008 in an en banc ceremony held in the Supreme Court courtroom where he had presided since the court's return to the 400 Royal Street courthouse in 2004. Calogero is the longest serving Justice in the history of Louisiana, having served the court and the citizens of Louisiana for nearly 36 years; 18 of which as Chief Justice.

"I was recently asked how would I like to be remembered. I responded that I hoped history would look back on me kindly. I would

like to be remembered as an energetic, hard-working, honest and able judge who contributed during his service on the Louisiana Supreme Court to maintaining stability in the law and jurisprudence, while serving the least privileged of our citizens with compassion, integrity and fairness," said an overwhelmed Calogero.

Also participating in the retirement ceremony were S. Guy deLaup, Louisiana State Bar Association Immediate-Past President; Father Kevin Wildes, S.J., President of Loyola University; Kim Boyle, Louisiana State Bar Association President-Elect; Judge Eldon Fallon, U.S. District Court, Eastern District of Louisiana; **Louisiana Supreme Court Justice Catherine D. "Kitty" Kimball**; and Calogero's former law partners former Mayor and Judge Moon Landrieu and Charles

Kronlage.

Chief Justice Calogero graduated first in his class from Loyola Law School and served as President of the Student Editorial Board of the Loyola Law Review. He

received a Master of Laws in Judicial Process from the University of Virginia, was inducted into LSU Law Center's Hall of Fame, presented a Doctor of Laws degree honoris causa from Loyola School of Law, and is an honorary member of the LSU Center's Order of the Coif.

Calogero served as a military police officer and as a Captain in the

Judge Advocate General's Corps of the United States Army from 1954 to 1957. He served as a law clerk to the judges of Civil District Court in Orleans Parish prior to practicing law from 1958 to 1972. Calogero was elected to the Supreme Court in 1972, took his first oath as an Associate Justice on January 10, 1973, and was re-elected three times thereafter. He was sworn in as Chief Justice on April 9, 1990 and is credited with major improvements to the law, the legal system and the administration of justice in Louisiana. Calogero has participated in over 6,000 oral arguments and published Supreme Court decisions and has authored over 1,000 majority opinions, concurrences and dissents. Additionally, he



Louisiana Supreme Court Chief Justice Pascal F. Calogero, Jr. (r) is presented a plaque by Associate Justices Catherine D. "Kitty" Kimball (l), John L. Weimer (second from right), and Bernette Joshua Johnson and Jeannette Theriot Knoll (not pictured). Unveiling the plaque is Clerk of Court John T. Olivier (center).

Calogero honored

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was the driving force in restoring the 400 Royal Street building located in the historic French Quarter to its original use as a courthouse and home to the Louisiana Supreme Court.

Calogero is the recipient of the Louisiana Bar Foundation's 1991 Distinguished Jurist Award, the Indiana University School of Law—Indianapolis' 1995 Distinguished National Jurist Award, the American Judges Association's 1995 Judge Bob Jones Memorial Award, the 1997 Justice Albert Tate, Jr. Award, Victims and Citizens Against Crime Inc.'s 1999 Outstanding Judicial Award, the American Board of Trial Advocates' 2005 Beacon of Justice Award, and the Pro Bono Project's 2007 Distinguished Jurist Award. Most recently, Calogero received the American Judicature Society's highest national honor—the Fourth Annual Dwight D. Opperman Award for Judicial Excellence.

Calogero is married to Leslie Langhettee Calogero and is the father of ten children.



(l to r) Former law partners Charles Kronlage, Chief Justice Pascal F. Calogero, Jr., and former Mayor of New Orleans Moon Landrieu, who also served as judge on the 4th Circuit Court of Appeal.



(l to r) 5th Circuit Court of Appeal Judge Greg Guidry, who was elected to the 1st Supreme Court District seat which was opened by Chief Justice Calogero's retirement, retired Supreme Court Justice Harry T. Lemmon, attorney Roger A. Stetter, and Chief Justice Pascal F. Calogero, Jr.



(l to r) Justice Catherine D. "Kitty" Kimball shares a laugh with Chief Justice Pascal F. Calogero, Jr. during his retirement ceremony on December 2, 2008.

Third Circuit Judges' Association sponsors law enforcement educational program

The **Third Circuit Judges' Association** recently sponsored an educational program and luncheon for law enforcement personnel. The event, attended by over 100 persons from 14 different agencies, was held at Sheriff Michael Neustrom's training facility in Lafayette.

Speakers were **Second Circuit Court of Appeal Judge Harmon Drew** and his wife, Jean Talley Drew who spoke on recent developments in criminal law and procedure; and 24th Judicial District Assistant District Attorney William "Chuck" Credo, whose topic was DWI From Arrest Through Prosecution.



Attendees from 14 different agencies took part in the educational program



(l to r): William "Chuck" Credo, Association President 16th JDC Judge Ed Leonard, Jean Talley Drew, 15th Judicial District Court Judge Jules Edwards, Association Treasurer Judge Tommy Duplantier, Judge Harmon Drew, and 15th Judicial District Court Commissioner Tommy Frederick.

Eunice City Court hosts Probation Officers group

On October 2 and 3, 2008, a group of misdemeanor Probation Officers from around the state met at **Eunice City Court** to begin working on a proposed Louisiana Misdemeanor Probation Officers' Association. During the October meeting, the group shared information, had guest speakers on various topics and discussed ways the departments could become more uniform in handling probation cases. Additionally, the group selected a by-laws committee which met November 14 and developed Proposed Articles of Incorporation and By-Laws, which will be submitted to the full membership for their review and adoption at a meeting which is expected to be held in April, 2009.

The April 2009 meeting is scheduled to be held at a location in the 16th JDC (New Iberia area), and any misdemeanor probation departments serving the courts of Louisiana who are interested in attending this meeting should contact **Eunice City Court Administrator Randy Fontenot's** office at (337) 457-6547 or at P.O. Box 1083, Eunice, LA 70535.

Judge Michael Bagneris Joins Board of Tulane University



Orleans Parish Civil District Court Judge Michael G. Bagneris has joined the Board of Tulane, the main governing body of Tulane University. A native of New Orleans, Bagneris graduated from Tulane's School of Law in 1975 and soon afterward became an associate in the law firm of

Fine and Waltzer. In 1979 he became a partner and the firm was renamed Fine, Waltzer and Bagneris. A year later Bagneris became executive counsel to New Orleans Mayor Dutch Morial. In 1986, he returned to his law practice at Waltzer and Bagneris where he worked until being elected judge of Civil District Court Division H, where he has presided since 1993.

"I feel honored and privileged to be an integral part of an institution which has made and continues to make enormous contributions to our community," Bagneris said of his selection to the board.

"Judge Bagneris brings a wealth of knowledge and wisdom to our board as well as a long affiliation with and deep affection for Tulane University," Philip Greer,

Tulane Board chairman said. "We look forward to his leadership, counsel and expertise."

Tulane President Scott Cowen said Bagneris' ties to New Orleans will be especially helpful in the governance of Tulane.

"The future of Tulane and the future of New Orleans are linked like never before," Cowen said. "Judge Bagneris enhances our board's local and national representation as we continue to elevate Tulane's standing among the nation's best universities."

Bagneris is a member of several professional organizations including the American Bar Association, the American Judges Association, the Judicial Council Division of the National Bar Association, the Louis A. Martinet Society, the Louisiana District Judges Association, the Louisiana Judicial Council-NBA, the Louisiana State Bar Association, the NAACP, the National Bar Association, the New Orleans Bar Association and the Pro Bono Project. He also serves as an examiner for the Louisiana State Bar.

Bagneris' family has a long history with Tulane including his brother, Dennis, who earned his juris doctorate from the law school in 1981.

Bagneris attended Yale University where he received two BA degrees in American history and African-American history.

Red Mass celebration held



Louisiana Supreme Court Chief Justice Pascal F. Calogero, Jr. (right) leads the procession of judges to the 2008 Red Mass ceremony, traditionally held in early October to mark the opening of court.

Fontainebleau HS tours court



Students from Fontainebleau High School pose in front of the 400 Royal Street building following their tour in November.

Digest of 1808 CLE program held

The Law Library of Louisiana and The New Orleans Association of Law Libraries held a celebration of the bicentennial of the *Digest of the Civil Laws Now in Force in the Territory of Orleans* (1808), the first step in the history of Louisiana's codification of the civil law at the Law Library of Louisiana. The program included Alain Levasseur, who is the Hermann Moyse, Sr. Professor of Law at Louisiana State University's Paul M. Hebert Law Center, discussing his new book *Moreau Lislet: The Man Behind the Digest of 1808* and Vicenç Feliú, who is the Foreign, Comparative and International Law Librarian at LSU's Paul M. Hebert Law Center, discussing the Spanish sources of the Digest of 1808.



(l to r) Alain Levasseur, Hermann Moyse, Sr. Professor of Law, Paul M. Hebert Law Center, LSU, Louisiana Supreme Court Justice Catherine D. "Kitty" Kimball, Vicenç Feliú, Foreign, Comparative and International Law Librarian, Paul M. Hebert Law Center, LSU, and Georgia Chadwick, Director of the Law Library of Louisiana with portrait of Moreau Lislet.

Court Tours

Tulane TIDES Class



(left) Deputy Judicial Administrator/Community Relations Valerie Willard begins a tour of the Louisiana Supreme Court building with a group of students from Tulane University's TIDES (Tulane InterDisciplinary Experience Seminars) program.

Lakeshore Women's Club



(left) Miriam Childs, head of Technical Services for the Law Library of Louisiana, details a number of titles housed in the Rare Books Room for the Lakeshore Women's Club during their visit to the Louisiana Supreme Court.

Tulane Law Clinic Swearing-In



Prior to their swearing-in ceremony, Chief Justice Pascal F. Calogero, Jr. takes a few minutes to speak to students from the Tulane Law Clinic.

Court Tours

Court Tours allow many groups an opportunity to learn about the State of Louisiana's Judicial System.

Riverdale High School Visits LASC



During their tour of the Louisiana Supreme Court, students from Riverdale High School view documents from the case Plessy v. Ferguson, on display in the Louisiana Law Museum, located on the 1st floor of the Court's 400 Royal Street home.

ABA Council on Legal Education



Chief Justice Pascal F. Calogero, Jr. (right) meets with members of the American Bar Association's Council on Legal Education during their visit to New Orleans in December.

2008-2009 Organizational Officers Elected during 2008 Fall Judges' Conference

CONFERENCE OF COURT OF APPEAL JUDGES

Chairman - Judge Gene Thibodeaux, 3rd Circuit
Vice-Chairman - Judge Joan Bernard Armstrong, 4th Circuit
Secretary/Treasurer - Judge David Painter, 3rd Circuit

LOUISIANA DISTRICT JUDGES ASSOCIATION

President - Judge John E. Conery, 16th JDC
First Vice-President - Judge Glenn Everett, 15th JDC
Secretary - Judge Sharon Ingram Marchman, 4th JDC
Treasurer - Judge Madeleine Landrieu, Orleans Civil District Court (41st JDC)

LOUISIANA COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

President - Judge Lilynn A. Cutrer, 14th JDC
Vice-President - Judge Grace Gasaway, Hammond City Court
Secretary - Toni Higginbotham, Family Court of East Baton Rouge
**Treasurer - Judge Ernestine Gray, Orleans Parish Juvenile Court
**Treasurer appointed (not elected) by President pursuant to ByLaws Amendment adopted 10/4/93.

LOUISIANA CITY COURT JUDGES ASSOCIATION (Oct. 2008-Oct. 2010) (2-year terms)

President - Judge Paul Sens, New Orleans Municipal Court
Vice-President - Judge John Slattery of Springhill City Court
Secretary - Judge Laura Prosser Davis, Baton Rouge City Court
Treasurer - Judge James M. Cunningham, III, Rayne City Court

Your Honors



Retired Orleans Parish Criminal Court Judge Calvin Johnson was named the recipient of the St. Ives Award, the highest award presented by Loyola's College of Law Alumni Association. The St. Ives Award, named for the patron saint of lawyers, is presented annually to an alumnus who has volunteered services to the College of Law or the university, maintained the highest standards of the profession and furthered the mission of the alumni association.

Smith Named to NACM Board of Directors

Orleans Parish Criminal District Court Chief Deputy Judicial Administrator Carla Smith was elected to the National Association for Court Management (NACM) Board of Directors as the At Large Court Director at their annual conference held in Anaheim, California. Smith is also the Immediate Past President of the Louisiana Court Administrators Association.



COURT COLUMN SUBMISSIONS

We would like to encourage judges, clerks of court and court administrators to submit any outreach activities, awards received, or other "good news" about your court to rgunn@lajao.org for publication in future issues of Court Column.