

THE PROMULGATOR

The Official Magazine of the Lafayette Bar Association



CLYDE SIMIEN & RICKEY MINIX:
PARTNERS PAYING IT FORWARD

AUGUST 2026 | VOLUME 39 | ISSUE 4



Way above. Way beyond. In defending your family.

Lindsay Meador Young and Galloway family law attorneys are dedicated to providing result-driven representation that protects and defends families. We are tenacious and steadfast champions for our clients. With years of experience and success, Lindsay and her team have gained a strong reputation for putting people first and producing favorable outcomes for each type of family law case.

Practice Areas of Expertise:

- Prenuptial Agreements
- Divorce
- Child Support
- Spousal Support
- Child Custody
- Community Property Partitions

YOUR TRUSTED CORPORATE DEFENSE AND LITIGATION FIRM

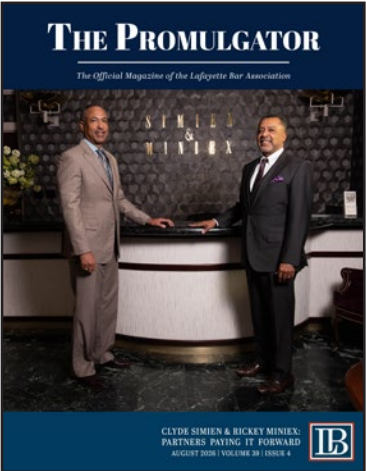
Lindsay Meador Young, Director
(337) 735-1760
3861 Ambassador Caffery Pkwy, Suite 300
Lafayette, Louisiana 70503
GallowayLawFirm.com



LAFAYETTE BAR ASSOCIATION & FOUNDATION

OUR MISSION is to serve the profession, its members and the community by promoting professional excellence, respect for the rule of law and fellowship among attorneys and the court.

THE PROMULGATOR is the official magazine of the Lafayette Bar Association, and is published six times per year. The opinions expressed herein do not necessarily reflect the views of the Editorial Committee.



ON THE COVER

In this August issue of *The Promulgator*, we celebrate the long-term partnership of Clyde Simien and Rickey Miniex, who joined forces in 1987 and have built a successful practice over the years. Simien & Miniex has contributed over \$500,000 to graduating high school students in need. Read more about what motivates Clyde and Rickey to give back by returning a measure of themselves to the community in the article written by Brenda Piccione on pages 16-17.

ARTICLES

President's Message.....	4
Executive Director's Message	5
Foundation Chair Update	6
Family Law Section Update	6
Young Lawyers Section Update	7

FEATURES

Bench Bar Agenda	8-9
<i>Lnu v. Blanche</i>	11
Attorney Misconduct at Formation	12
<i>ABA Formal Opinion 520</i>	15
Spotlight on Simien & Miniex	16-17

stay connected

 **Like us on Facebook**
facebook.com/lafayettebar

 **See us on Instagram**
@lba_lafayettebar

 **Follow us on Twitter**
@Lafayette_bar

 **Visit us online**
www.lafayettebar.org

UPCOMING EVENTS

BENCH BAR

The Grand, Point Clear, AL
August 20-22

YLS PICKLEBALL TOURNAMENT/CLINIC

Lafayette Pickleball Club
September 11

CHAMPIONS OF JUSTICE

Petroleum Club of Lafayette
October 30

To register for events,
visit lafayettebar.org or
call (337) 237-4700.

Interested in serving on the 2026-2027 LBA Board of Directors?

Please email Jan Swift at
jan@lafayettebar.org for an application
by September 1, 2026.

We offer several committees to serve
on with varying levels of commitment.

ASSOCIATION BOARD

Trey Hightower, President
Andrew Quackenbos, President-Elect
Jason Matt, Secretary/Treasurer
Stuart Breaux, Imm. Past President
Dean Cole, Foundation Chair
Jennifer Ardoin
Lesley Beam
Roya Boustany
Tamiko Chatman
Reed Ellis
J. P. Graf
Kenny Hebert
Logan Istre
Jonathan Jarrett
Rickey Miniex
Jared Nelson
Cameron Pontiff
Jamie Rhymes
Steven Ramos
Dyan Schnaars
Maggie Simar
Jonathan Woods

FOUNDATION BOARD

Dean Cole, Foundation Chair
Kenny Oliver, Vice-Chair
Kyle Gideon, Secretary/Treasurer
Greg Tonore, Imm. Past Chair
Stuart Breaux
Blake David
Glenn Edwards
George D. "Dave" Ernest
Thomas R. Hightower, Jr.
Thomas "Trey" R. Hightower, III
Jonathan Jarrett
Miles Matt
Dyan Schnaars
Maggie Simar

EDITORIAL COMMITTEE

Clare Roubion, Editor
Brenda Piccione

LAFAYETTE BAR STAFF

Jan Swift
Executive Director
Marilyn Lopez
Director of Pro Bono Services
Bailey Moyer
Events Coordinator
Becky Owens
Administrative Assistant
Melanie Zuniga
Marketing Coordinator

PRESIDENT'S MESSAGE

As summer begins to wind down, our Bar is gearing up for the signature event of our Association—the Bench Bar Conference, taking place August 20–22 at the Grand Hotel Golf Resort & Spa in Point Clear, Alabama.

Each year, I look forward to this conference more than any other event on our calendar because it is much more than a CLE. One of the greatest strengths of the Lafayette Bar Association has always been the collegiality of its members. While we advocate zealously for our clients, we also understand that professionalism and mutual respect make us better lawyers and ultimately serve the administration of justice. The Bench Bar Conference embodies that spirit better than any event we host.

The conference is a unique opportunity for our legal community of lawyers and judges to step away from the demands of busy practices and crowded court dockets to have meaningful conversations about the issues affecting our profession and the clients we serve. Those conversations often continue beyond the conference room and into the hotel lobby, over meals, on the golf course, or at the pool. More often than not, the insights shared at the conference during those few days carry over into our courtrooms and conference rooms back home and strengthen the relationships in our community so that justice is served more efficiently.

Our Bench Bar Committee, led by Judge Roya Boustany, Judge Cynthia Spadoni, and Jennifer Ardoin, has worked diligently to make this year's conference another outstanding success. Each panel this year will feature a "view from the bench." The participation from the judiciary is notable, as we have 16 judges already committed, and every level of the judiciary in Acadiana will be represented—Supreme Court, Third Circuit, 15th and 16th Judicial District Courts, City Courts for Lafayette, Kaplan, Minden, and New Iberia, and the U.S. District Court for the Western District of Louisiana.

I encourage every member, whether you are attending for the first time or the twenty-sixth, to make plans to join us. If you have a young lawyer in your office, invite them to come experience firsthand what makes our Bar so special. If you know a colleague who has not attended in recent years, encourage them to reconnect with the Association through this event. I am confident they will be glad they did.

Of course, the work of our Association continues well beyond Point Clear. Throughout the year, our committees and Sections remain committed to providing exceptional CLE programming, meaningful service opportunities, and social events that strengthen the bonds within our legal community. Whether through our Bench Bar Quarterly series, Young Lawyers programming, pro bono initiatives, or the many volunteer efforts carried out by our members, our Association continues to fulfill its mission of promoting justice, professional excellence, and fellowship.

Our Bar has earned a reputation as one of the finest bar associations in Louisiana, not because of its size but because of the willingness of its members to serve. That tradition did not happen by accident, and it will only continue if each of us remains engaged. I encourage you to attend our events and volunteer when your schedule permits. Small investments in one another strengthen our profession and our community in ways that cannot be measured.

Thank you for your continued support of the Lafayette Bar Association. I look forward to seeing many of you in Point Clear as we continue the tradition of making our Bar one of which we can all be proud.



Trey Hightower

EXECUTIVE DIRECTOR'S MESSAGE

One of the greatest joys of serving as executive director is watching our members come together to learn, serve, and support one another. Over the past couple of months, our calendar has been filled with opportunities to do just that.

From outstanding CLE programs to Section meetings and networking events, our members have continued to invest in their professional growth while strengthening the relationships that make our legal community so special. Our Real Estate Section recently welcomed Lafayette Parish Tax Assessor Justin Centanni for an informative presentation, and our annual Birdie with the Bar golf tournament once again reminded us that some of the best conversations happen outside the courtroom. Of course, our Young Lawyers Section knows how to throw good parties while offering CLE credits, as witnessed at its most recent event at Superior Grill in early June!

I am especially proud of the continued growth of Lafayette Bar Cares. Our recent Women's Safety Awareness program opened our doors to the general public and reflected our commitment to serving our community in meaningful ways. It was a powerful reminder that the legal profession has an

important role to play beyond the practice of law.

None of this happens by accident. Every successful program is the result of dedicated volunteers who generously share their time, talented speakers who willingly share their knowledge, generous sponsors who believe in our mission, and an exceptional staff that works tirelessly behind the scenes to make each event a success.

To our Board of Directors and leadership, thank you for your vision, encouragement, and steadfast support. To our members, thank you for showing up, getting involved, and making the Lafayette Bar Association and Foundation such vibrant and welcoming organizations.

Thank you for allowing me to be part of this remarkable community. I look forward to seeing you at our upcoming programming events, including Bench Bar on August 20–22!



Jan Swift



MEDIATION CENTER

- Fast & Reliable WIFI
- A/V Equipment
- Comfortable Space
- Soundproof Rooms
- Video Conferencing
- Helpful & Courteous staff
- Complimentary beverages, snacks, and more!

STARTING AT \$100 PER ROOM

LAFAYETTE BAR ASSOCIATION & FOUNDATION



ACCESS TO JUSTICE

A report of the Lafayette Bar Foundation, provided by Foundation Chair Dean Cole



I am pleased to report that the first Expungement Clinic provided to our community by the Bar Foundation and the ALSC was a resounding success. It was my privilege to participate with the generous lawyers who helped provide this potentially life-changing service to the less fortunate in our community. This program is a worthy tribute to the Honorable Judge Jules Edwards and the legacy he provided our legal community. I urge anyone who is interested to sign up for our next Expungement Clinic.

I am excited to announce that Louisiana Supreme Court Justice Cade Cole has graciously agreed to be this year's keynote speaker at the Champions for Justice Awards Breakfast! We would like to invite all members of the Lafayette Bar Association and Foundation to attend this year's Champions for Justice Awards Breakfast, which is scheduled for Friday, October 30, 2026, with breakfast beginning at 7:00 a.m. and the program beginning at 7:30 a.m.

This free event will take place at the Petroleum Club in Lafayette and aims to honor all individuals who supported the Foundation, whether through board service, contributions to the Easter Basket Drive, volunteering for free legal advice, presenting public seminars, assisting with Wills for Heroes or Elder Wills, or handling full cases. Additionally, this gathering provides an excellent

opportunity for attorneys to connect and engage with their peers, including judges and local dignitaries who will be present. We encourage all members, regardless of their level of involvement with the Foundation, to participate and show support for fellow volunteers. We look forward to celebrating the collective efforts and achievements of our community.

Please save the date, and we look forward to seeing you there!

We also have our traditional slate of activities to celebrate Pro Bono Week in October, which provides many opportunities for our volunteer lawyers to serve our community:

Saturday, October 24: Tentatively, Wills for Heroes event at the Bar office

Monday, October 26: St. Joseph's Diner — Serve lunch to the homeless

Wednesday, October 28: Tentatively, Second Harvest — Repackage food for those in need

Thursday, October 29: Counsel on Call at the Bar office

Please contact Marilyn at the Bar office to volunteer!

Last but certainly not least, congratulations to Marilyn Lopez on her 10th anniversary as director of Pro Bono Legal Services! Marilyn, we greatly appreciate your good work and dedication to the Foundation and the underprivileged of Acadiana!



YOUNG LAWYERS SECTION

AN UPDATE FROM PRESIDENT

J.P. GRAF

After a busy stretch for the Young Lawyers Section, I'm feeling mostly one thing: grateful.

We've had several recent events go especially well, and that is always worth pausing to appreciate. On June 4, we had a successful CLE and social at Superior Grill, with a great turnout and an excellent presentation by Beal & Hebert. But these events offer more than that. They give us the chance to step away from the office, catch up with colleagues, meet newer members of the Bar, and strengthen the relationships that make this legal community such a good one to be part of.

Then, on June 12, we held our annual Birdie with the Bar Golf Tournament, which was once again a success. As always, the day was a good mix of fellowship, competition, and very flexible definitions of the word "birdie." My team managed the rare albatross and still somehow did not crack the top five, which tells me either the field was unbelievably strong or a few scorecards were graded on a very generous curve. More importantly, the tournament gave members of the Bar another chance to spend time together outside the usual pace and pressure of practice. Those events matter. They build the kind of collegiality that makes our profession better.

I am especially grateful to the sponsors who helped make these events possible. Their support allows the Young Lawyers Section and the Bar to continue putting on worthwhile programs, and we do not take that generosity for granted. In alphabetical order, sincere thanks to: Acadiana Bottling, Barczyk Spine & Joint, Clark Integrated Medical Clinics, Dr. Brett Venable, Domengeaux Wright Roy & Edwards, Gordon Arata, Gordon McKernan, Hargrave Chiropractic, James Klock, Justice Medical Funding, Kean Miller, Lafayette Bone & Joint Clinic, Lori Heaphy & Associates, McCullough Cripps Settlement

Planners, NeunerPate, Northwestern Mutual, Oliver and Way, Ryan Harris, Special T's Ice, Vermilion Title

Please support those who support us. These businesses and professionals continue to invest in our Bar, our events, and our members, and they deserve our appreciation.

Looking ahead, we have more to be excited about. The upcoming Bench Bar Conference is one of the best events on our calendar and one of the best opportunities all year to connect with judges and fellow attorneys in a nonadversarial setting. It is a chance to learn, to spend time together outside the courthouse, and to build the relationships that make the practice of law more professional, more collegial, and, frankly, more enjoyable. If you have never attended, I would strongly encourage you to do so.

And while we are looking ahead, please go ahead and mark your calendar for our annual Bar Foundation Clay Shoot on October 16, 2026, at the Wilderness Gun Club. It is always a fun event and another good excuse to get out of the office, spend time with the Bar, and ignore your inbox for a few hours.

One of the best parts of serving in this role is seeing how many people consistently show up, pitch in, sponsor events, and help keep this organization moving. Good events do not happen by accident. They happen because lawyers, judges, sponsors, and volunteers keep saying yes when it would be easier to stay at the office—or at home.

So, to everyone who attended, sponsored, organized, or supported these recent events: thank you. We've had a strong run lately, and I'm genuinely grateful for it. I hope to see many of you at the Bench Bar Conference, at the clay shoot, and at everything in between.



FAMILY LAW SECTION

AN UPDATE FROM PRESIDENT

LOGAN ISTRE

While we may be on hiatus from our regularly scheduled meetings during the summer months, we are excited for our upcoming three-hour CLE opportunity taking place on September 18, 2026. We will have Dr. David Landry presenting on court-ordered mental health services, Brad Felder presenting on classifications and valuations in the community property realm, and Hearing Officer Maggie Simar and Kade Simar speaking on sexually transmitted infections and potential legal issues that may arise from their transmission.

In addition to the September three-hour CLE, our vice president, Brittany LaCombe, is in the process of arranging a joint CLE opportunity with the Young Lawyers Section when we return from the summer hiatus. As the details surrounding the joint CLE are solidified, we will send out the information so that our members can mark their calendars accordingly.

We'd like to take a second to update our family law practitioners in the area with some important legislative updates. Act 93 and Act 605 of the 2026 Legislative Session will take effect on August 1, 2026. Act 93 codified the Bergeron standard, putting the heightened standard that comes with a considered decree in effect for a period of five years after the judgment is rendered. Act 605 creates a presumption that shared custody is in the best interest of the minor child. We encourage family law practitioners in the area to look up the exact verbiage of each and to keep these new laws in mind when advising clients about their matters.

Lastly, we would like to pass along our condolences to the families of Diane Sorola and Trent Gauthier, two prominent members of the family law community who passed away during the summer. Their presence will be missed among the family law and general law communities in Lafayette.

**THERESA DE BÊCHE
& ASSOCIATES**

Theresa de Bêche, RN, MN, LNC

Legal Nurse Consultant

107 Shinnecock Hills Drive
Broussard, LA 70518



Cell: 337-781-0335
theresa.debeche@gmail.com



337.233.8973

Interpreters | Translators

LEGAL | OIL & GAS | TECHNICAL

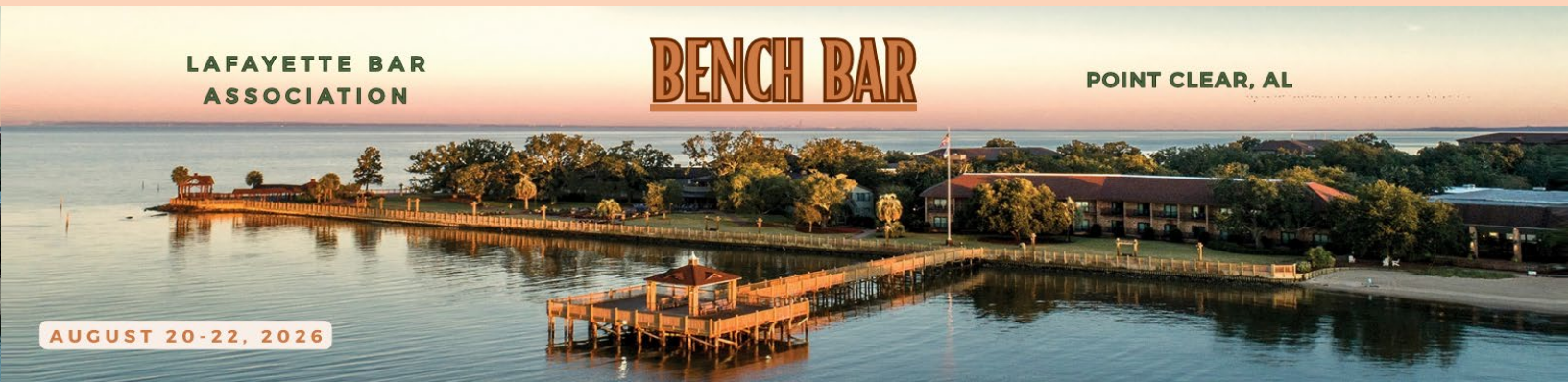
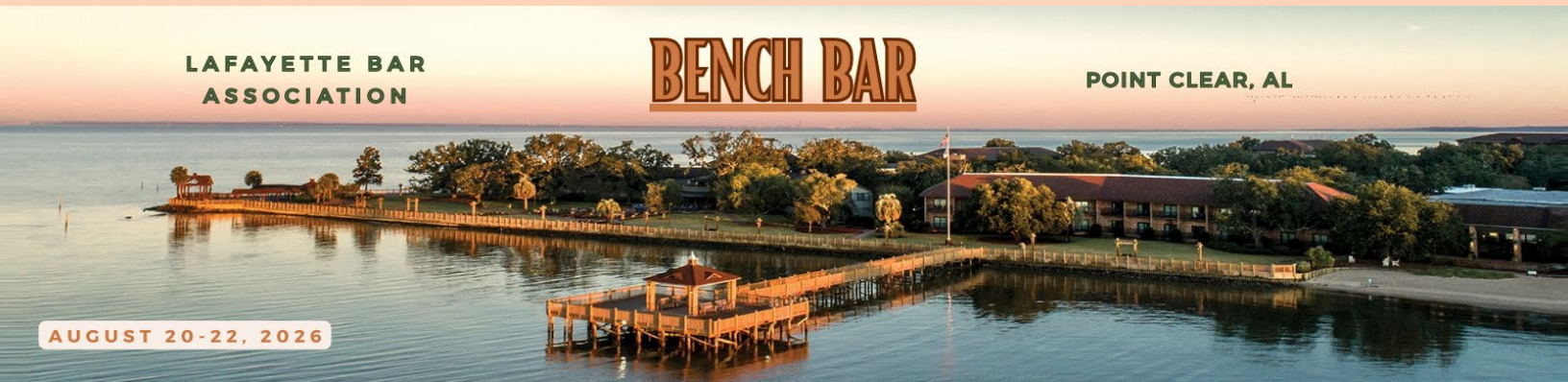
Depositions / Documents / Court

All Major World Languages

"When Your Business Hangs on Every Word."

lingua-translation.com | Lafayette LA





BENCH BAR
Agenda

THURSDAY, AUGUST 20

TIME	TOPIC	PRESENTER
4:00–5:15 p.m.	Mental & Physical Well-Being and Work-Life Balance in the Legal Arena	Judge Jonathan Perry
5:15–6:30 p.m.	Whiskey Law	Jonathan Jarrett and Jason Matt
6:30–7:30 p.m.	Welcome Reception at the Grand	

FRIDAY, AUGUST 21

TIME	TOPIC	PRESENTER
8:00–9:00 a.m.	Criminal Law for Civil Lawyers	Judge Billeaud, Judge Wagar, Lance Beal, and Alfred Boustany
9:00–10:00 a.m.	Recent City Court Appellate Updates	Judge Hardy, Judge Boustany, and Judge Sentell
10:00–10:15 a.m.	Break	
10:15–11:15 a.m.	From Third Circuit to Supreme Court: The Bench on Appellate Practice, Preferences, and Perspective	Judge Gremillion, Judge Ortego, and Justice Guidry
11:15 a.m.–12:15 p.m.	Recent Legislative Civil Procedure Updates and Other Procedural Issues	Judge Holdridge, Blake David, Jennifer Ardoin, and Trey Hightower
12:15–12:45 p.m.	Lunch	
12:45–1:00 p.m.	Qualifying an Expert	Judge Breaux, Dr. David Barczyk, and Andrew Quackenbos
1:45–3:00 p.m.	Judicial Roundtables	
3:00–6:00 p.m.	Free Time	
6:00–8:30 p.m.	Dinner off-site at The Wash House, with transportation provided	

SATURDAY, AUGUST 22

TIME	TOPIC	PRESENTER
9:00–10:00 a.m.	What Judges Wish Lawyers Knew: An Ethics Conversation from the Bench	U.S. Magistrate Judge Ayo and Clare Roubion
10:00–11:00 a.m.	Reflections from the Bench	Judge Saloom and Judge Duplantier

Attorney & Law Firm Sponsors

Small Firm Sponsors:



Medium Firm Sponsors:



Large Firm Sponsors:



Corporate Sponsors

Platinum Sponsors:



Gold Sponsor:



Silver Sponsors:



Bronze Sponsors:



Lanyard Sponsor:





The Lafayette Bar Foundation extends its heartfelt congratulations to Marilyn, our esteemed director of Pro Bono Services, as she commemorates a significant milestone—her tenth anniversary with the Lafayette Bar Foundation/ Association!

As we celebrate this remarkable achievement, we acknowledge the invaluable contributions

Marilyn has made to our organization and the profound legacy she continues to build within the community.

Pictured left to right are Kyle Gideon, secretary/treasurer; Kenny Oliver, vice chair; Marilyn Lopez; and Dean Cole, chair.

AI Didn't Get These Lawyers Suspended, Their Ethical Violations Did



Artificial intelligence has generated no shortage of headlines about lawyers filing briefs containing fabricated cases. The latest comes from the Ninth Circuit's decision in *Lnu v. Blanche*, where two attorneys were sanctioned, suspended from practice before the court for six months, ordered to notify clients and courts of the discipline, and referred to the California State Bar after filing briefs containing nonexistent authorities, fabricated quotations, and significant misrepresentations of actual cases.

The temptation is to view the opinion as another warning about artificial intelligence.

It is better understood as something else entirely.

The Ninth Circuit repeatedly emphasized that AI itself was not the problem. In fact, the court expressly stated that lawyers are not disciplined simply because they use generative AI. The ethical violation occurred when counsel signed and filed briefs containing authorities they had never verified. Whether the errors originated from ChatGPT, another AI platform, a law clerk, or the lawyer's own research made little difference. The duty belongs to the lawyer who signs the filing.

That principle should sound familiar.

Lawyers have always been responsible for the contents of documents filed under their names. A signature on a pleading is more than a formality—it is a representation that counsel has exercised professional judgment and verified the legal authorities relied upon. AI has not changed that obligation. It has simply created another way for lawyers to breach it.

The court identified several traditional duties that were violated.

First was the duty of competence. The opinion explains that competent representation requires more than confirming that a citation appears plausible. Lawyers must actually read the authorities they cite and determine whether those authorities support the propositions for which they are offered. Simply accepting AI-generated research—or even work prepared by another attorney or staff member—without independent verification falls short of that obligation.

Second was diligence. The attorneys admitted that

they did not ordinarily verify the citations prepared by nonlawyer brief writers before filing briefs with the court. The Ninth Circuit described that admission as extraordinary, emphasizing that a lawyer cannot delegate responsibility for substantive citation review simply because someone else prepared the first draft.

Perhaps the most significant discussion, however, involved the duty of candor.

The court explained that the original filing errors might have warranted substantially less severe sanctions had counsel immediately disclosed what happened. Instead, after fabricated authorities were discovered, the lawyers characterized the problems as typographical or copy-and-paste mistakes, denied that AI had been involved, and later attempted to replace nonexistent citations with real ones without fully explaining the nature of the original errors. According to the court, those repeated misrepresentations—not merely the fabricated citations themselves—transformed the matter into one warranting suspension.

That portion of the opinion may prove its most important lesson.

Mistakes happen. AI tools hallucinate. Lawyers make research errors. None of that is new in principle. What distinguishes an ethics issue from an honest mistake is often the lawyer's response after discovering the problem. The Ninth Circuit made clear that when counsel learns that a filing contains fabricated authorities or other material errors, the appropriate response is immediate disclosure to both the court and opposing counsel, coupled with an explanation of the source of the error. Attempting to minimize or obscure the mistake only compounds the ethical problem.

The opinion ultimately serves as a reminder that AI has not created new professional responsibilities so much as it has amplified existing ones. Competence still requires lawyers to understand the law they cite. Diligence still requires meaningful review before filing. Candor still requires truthful and complete disclosure when errors are discovered.

Technology continues to evolve. The lawyer's professional obligations do not.





UNBIASED CONCLUSIVE REPORTING

U.S. Forensic is experienced in investigating catastrophic events.

We perform storm damage assessments offering expert opinions on damages attributable to wind, water, surge, tornado, construction defects or long-term neglect.

WWW.USFORENSIC.COM (504) 831-7001

Attorney Misconduct at Formation:

WHEN A FEE CONTRACT NEVER EXISTED

For decades, Louisiana lawyers have understood that improper solicitation, prohibited fee sharing, and the unauthorized practice of law could lead to disciplinary sanctions. In *In Re: MMA Law Firm, PLLC*, however, the Louisiana Supreme Court emphasized that the consequences may extend well beyond lawyer discipline. Under certain circumstances, misconduct at the inception of the attorney-client relationship does not merely expose a lawyer to professional discipline—it can render the contingent fee contract absolutely null from the moment it was formed.

That distinction matters.

The Court drew a sharp line between misconduct that induces the client to hire the lawyer and misconduct that occurs after a valid attorney-client relationship already exists. If unethical or illegal conduct caused the client to enter the representation—for example, through prohibited solicitation, impermissible fee-sharing arrangements, or the unauthorized practice of law—the contract violates rules of public order under Louisiana Civil Code articles 7 and 2030 and is absolutely null. Legally speaking, the agreement is treated as though it never existed.

The practical consequences are significant. Because an absolutely null contract is deemed never to have existed, the lawyer generally cannot recover attorney's fees or litigation costs under the contract. Nor can the lawyer ordinarily avoid that result by seeking recovery under quantum meruit or unjust enrichment. Article 2033 of the Civil Code bars recovery where the lawyer knew or should have known that the agreement was illicit. The Rules of Professional Conduct reinforce that principle. Rule 7.4 expressly prohibits a lawyer from charging or collecting a fee for professional

employment obtained through prohibited solicitation. The Court was equally careful to explain what the opinion does not do.

Not every ethical violation voids a fee contract. When the attorney and client enter into a valid agreement, but misconduct occurs later during the representation, the contract is not automatically rendered null. Instead, fee disputes continue to be governed by the familiar framework established in *Saucier v. Hayes Dairy Products* and *O'Rourke v. Cairns*. Under that approach, courts allocate the contingent fee between predecessor and successor counsel while considering the Rule 1.5 factors and the nature and gravity of any misconduct that contributed to the attorney's discharge or withdrawal. Depending on the circumstances, the attorney's recovery may be reduced—or eliminated altogether—but the contract itself is not treated as though it never existed.

The opinion therefore reinforces an important principle that extends beyond contingency-fee disputes. The Rules of Professional Conduct are not merely disciplinary standards; in appropriate circumstances, they operate as substantive rules of Louisiana law. When misconduct infects the formation of the attorney-client relationship itself, the consequences may include not only professional discipline but also the complete loss of the lawyer's contractual right to compensation.

For Louisiana practitioners, the lesson is straightforward. Ethical compliance at the outset of a representation is more than a matter of avoiding disciplinary complaints. It may determine whether an enforceable fee agreement exists at all.



Dr. Brett Venable

RECOVERY
CHIROMED

Board Certified Neuromusculoskeletal Specialist (DIANM)

Only a handful of chiropractors in the state can legally identify as specialists. Any chiropractor can testify as an expert, but only a DIANM chiropractor is recognized as an expert among chiropractors and within the VA healthcare system.

- Official Chiropractor of the Louisiana Ragin Cajuns
- Multidisciplinary clinic with on-site Collaborative Medical Care
- Tulane Board member for school of Professional Advancement
- Spanish speaking staff

Lafayette | New Iberia | Opelousas | Luling | Kenner



P: 337-988-2188 | F: 337-988-2187 WWW.RECOVERYCHIROMED.COM

NEED A REAL COURTROOM SETTING?

The Louisiana Physical Therapy Board, 214 Jefferson Street in Lafayette, has a full-scale, authentic courtroom available for legal trainings, mock trials, classes, and more.

Message for rates and scheduling at info@laptboard.org

FORMER SOCIAL SECURITY JUDGE

PETER J. LEMOINE

Social Security Disability Law

Recipient of Social Security Disability Leadership Award:
National Top 100 Social Security Disability Law Firms

MEMBER: Louisiana State Bar Association, Lafayette Bar Association, Avoyelles Parish Bar Association, National Organization of Social Security Claimants' Representatives

PUBLISHED ARTICLES: "The Work-Out Worker Rule Revisited", "Significant Work-Related Limitations of Function under SS 12.05C", "Questionable Retirement and the Small Business Owner", "Crisis of Confidence: The Inadequacies of Vocational Evidence Presented at Social Security Hearings", "An Unsolved Mess: Analyzing the Social Security Administration's Methodology for Identifying Occupations and Job Numbers".

(337) 534-4049

ALLEN & GOOCH
A LAW CORPORATION

Expanded Team and Broader Expertise—Under One Roof

Allen & Gooch announces a powerful expansion of its firm with the addition of five attorneys to its roster. From the prestigious 100-year-old law firm of Voorhies & Labbe, attorneys Lamont Domingue, Beau LeBlanc, Robert Ellender, Robert Francez, and Cyd Page have joined Allen & Gooch. This partnership allows us to bolster our capabilities and strengthen our commitment to excellence. We are excited to welcome them to our team and to the next chapter of growth and service to our clients.



Lamont Domingue



Beau LeBlanc



Robert Ellender



Robert Francez



Cyd Page

2000 Kaliste Saloom Road, Suite 400, Lafayette LA 70508 // 337-291-1000 // allengooch.com
301 N Columbia Street, Covington LA 70433 // 504-836-5200

LA-26-20287
Emile Joseph

THE GRAPEVINE



firm's practice areas: Bankruptcy/Restructuring, Energy & Natural Resources: Oil & Gas, Litigation: General Commercial, and Real Estate.

Chambers USA recognized **Gordon Arata** attorneys **Stephen P. Beiser, Magdalen B. Bickford, Michael E. Botnick, Bob J. Duplantis, Ewell "Tim" E. Eagan, C. Peck Hayne Jr., Terrence K. Knister, Armistead M. Long, Anthony Marino, Cynthia A. Nicholson, Scott A. O'Connor, Doug Rhorer, and Marion W. Weinstock** in its 2026 Louisiana legal guide.

Chambers ranked four of the

Do you have a new member at your firm, a new edition to your family, or just any life updates that you'd like to share? Submit it for The Grapevine and you'll be featured in our next *Promulgator*! Email your submission to marketing@lafayettebar.org.

A LETTER FROM THE EDITOR

One of the things I love most about practicing legal ethics is that no two months are ever quite the same. Just when I think I've seen every conflict issue, disciplinary case, or professional responsibility question imaginable, a new opinion lands on my desk that reminds me how quickly our profession continues to evolve.

Lately, it seems that evolution has been happening at an even faster pace. Artificial intelligence is changing how many lawyers research and write. Courts are confronting ethical questions that would have been difficult to imagine just a few years ago. At the same time, long-standing principles governing fee agreements, client

communication, competence, and candor continue to be refined through new opinions and advisory guidance.

As I worked on this issue of *The Promulgator*, I was struck by a common thread running through each of these developments. The technology may change. The facts certainly do. But the lawyer's role remains remarkably consistent. Good judgment, careful preparation, honesty with the court, and unwavering loyalty to our clients are not becoming less important; they are becoming more important than ever.

I hope this issue not only keeps you informed about recent developments in legal ethics

but also encourages you to pause and reflect on how these principles apply in your own practice. As always, thank you for reading, and thank you for your continued commitment to professionalism and ethical lawyering.

Warm regards,
Clare Roubion
clareroubion@roubionlawfirm.com
337-258-0101
Editor, *The Promulgator*



WHEN THE FILE IS CLOSED, ARE YOUR ETHICAL DUTIES?

Most lawyers understand what happens when a representation ends: return the client's file, refund any unearned fees, and close the matter. But what if, months or even years later, a former client or successor counsel asks about information that was never written down?

In *ABA Formal Opinion 520*, the ABA Standing Committee on Ethics and Professional Responsibility concluded that, in limited circumstances, a lawyer may have an obligation to answer.

The opinion addresses information that exists only in the lawyer's memory—not documents in the client file. According to the ABA, a former lawyer should provide that information when three conditions are met: the lawyer learned it during the representation, it is not reasonably available from another source, and it is necessary to protect the client's interests in the same matter.

The opinion is careful to emphasize what it does not require. Lawyers are not obligated to perform new legal research, prepare affidavits, draft memoranda, or otherwise resume representation. Nor does the opinion impose a continuing duty to volunteer information after the attorney-client relationship has ended. Rather, it recognizes a narrow obligation to provide existing, unrecorded information when necessary to protect the former client's interests.

Perhaps the most practical takeaway is not about former clients at all—it's about current ones. The more thoroughly lawyers

document important conversations, strategic decisions, and case developments during the representation, the less likely it is that critical information will exist only in memory after the file is closed.

Whether every jurisdiction ultimately adopts the ABA's reasoning remains to be seen. Nevertheless, Formal Opinion 520 serves as a useful reminder that while most professional obligations end with the representation, some responsibilities may continue when protecting a former client's interests requires one final conversation.

How Much Info Must a Lawyer Give a Former Client's New Lawyer?



TEAMWORK &
HARD WORK:
AN UNBEATABLE
COMBINATION

Spotlight on
Simien & Miniex

Somewhere northwest of Sunset, in the tiny farming community of Bellevue, Louisiana, Rickey Miniex grew up harvesting sweet potatoes, showing champion cattle, and laboring on the family farm. A few miles north, in the city of Opelousas, Clyde Simien spent his free time playing football at OHS, working at Winn-Dixie, selling newspapers, and serving as an altar boy. They were raised by working-class parents who instilled in them the values of family life, faith, education, and hard work. Education was paramount in both families; education was the key to success and a pathway out of poverty. Rickey and Clyde walked that path and, through the years, have built a thriving law practice, an impressive business enterprise, and an impactful 30-year philanthropic endeavor.

After graduating from Opelousas High School, Clyde studied accounting at what was then USL. His intention was to go to law school. He had always longed to go to a historically Black university, and his interest was reinforced by his undergraduate experience at USL: a disappointing and frustrating lack of support and concern for Black students, a dearth of Black faculty and staff, and the complete disregard of an organization Clyde founded to encourage the



success and continuing enrollment of Black students. Clyde built relationships with instrumental figures at USL, such as Raymond Blanco and Dr. James Callier, as he laid the foundation for more minority support and encouragement at the university.



After graduation, and with support from Rev. A.J. McKnight of Holy Ghost Catholic Church, Clyde enrolled at Southern University Law Center, an HBCU, where he graduated in the top five of his class, was an editor of the Southern University Law Review, and served on the Moot Court Board.

Friends since childhood, Rickey and Clyde attended USL at the same time. Rickey likewise earned a degree in accounting. He also obtained a degree in finance, and he became a CPA in 1984. He relished education, however, and still was not satisfied that he had found his life's calling. With Clyde's encouragement, Rickey enrolled at Southern University Law Center. The two friends were roommates, and they thrived in the academic environment. Rickey graduated second in his class, was also on law review, and was a member of the school's "Best Moot Court Team."

"Education was the key to success
and a pathway out of poverty."

Both men came out of law school optimistic about their futures. But after each sent out over a hundred résumés to private firms, neither had a single job offer. Undeterred, they put private practice on hold and went to work in the court system. Rickey clerked for Judge Bradford Ware, and Clyde went to the 16th Judicial District Court with Judge Richard Haik. Both judges were great teachers and mentors to Rickey and Clyde, helping them establish a good foundation for their future practice.

When the clerkships ended, the two longtime friends were determined to form a partnership and practice together. No longer interested in sending out résumés to other firms, they set about finding the resources to open their own firm. Once again, most doors were closed on them, but eventually, Dr. Callier introduced them to Wayne Elmore, then president of Commerce and Energy Bank. He was impressed with Clyde and Rickey's credentials, ambition, and work ethic. He

offered them a loan of \$7,500, and from 1987 on, the law firm of Simien & Miniex has been one of the most well-regarded, highly successful, influential firms in Acadiana.

Their success in private practice enabled Clyde and Rickey to venture beyond the practice of law into both the business world and impassioned philanthropy. With their accounting and finance backgrounds, the partners invested in, developed, and operated several local businesses. Together they built Staybridge Suites,



selling it only after ten years of successful operation. They also built La Veranda, a \$30 million, 220-unit apartment complex in Lafayette.

The point, however, was never just to make money. The point was always to give

back. Whether that meant getting the best possible result for their clients, employing minorities in their businesses, mentoring college students, or supporting worthy causes, Rickey and Clyde have made it their purpose to return to their community a measure of themselves. What they are most passionate about is the Virginia Miniex-Margo St. Julian Simien Scholarship Fund, established to honor the beliefs of Virginia Miniex, Rickey's mother, and Margo St. Julian Simien, Clyde's late wife, that obtaining a good education is pivotal in a young person's life.

Funded solely by Clyde and Rickey, the Fund provides scholarships to graduating high school seniors to attend a Louisiana university. Since 1996, awards have been given to students who have the potential to succeed but need encouragement to make it through college. They may already have a good work ethic, but these students might need extra funds, a mentor, or ongoing support to realize their dream of a college degree. Award recipients are required to keep in touch with Rickey and Clyde and report their progress in school. To date, over \$500,000 has been given to students in need. Both Clyde and Rickey enjoy the process of administering the scholarships



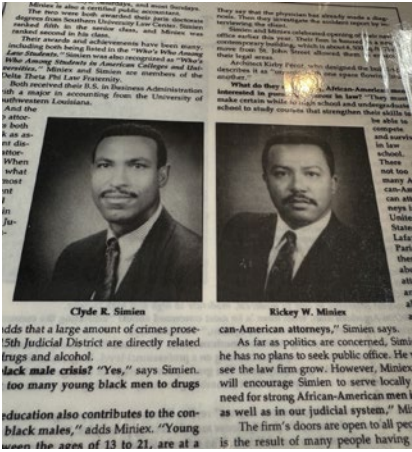
Written by:
Brenda Piccione, Partner
Piccione & Piccione
brenda@piccionelaw.com

and mentoring students, but they are truly touched by those who come back many years later to acknowledge the help that was given to them.

The Simien and Miniex partnership has endured because "we share a strong work ethic and a deep commitment to teamwork." In the beginning, their practice covered many areas, including governmental law, representing the Lafayette Consolidated Government, the Louisiana Public Service Commission, the Louisiana Department of Revenue and Taxation, and the Lafayette Airport Commission. Both partners worked for many years as part-time assistant district attorneys, Rickey in the 15th JDC and Clyde in the 16th JDC. Now, the practice is limited to personal injury cases, where they can truly make a difference in people's lives.

The work ethic is still strong, as they spend most Saturdays in the office. But Rickey and Clyde have found themselves handing down to the next generation the same values of hard work, family support, and giving back. Family is extremely important to both Clyde and Rickey. Clyde is married to Patricia Simien, and they have five children. Rickey is married to Valerie Miniex, and they have three children. Of the eight children, three are currently in law school, and one is an undergraduate planning to go to law school. "Our children witness how we can help others, and we think having a law degree is a great tool in that aspect." The other four children are also well educated and hardworking.

While professional pursuits take up most of their time, the partners have other interests as well. Clyde is a car enthusiast and owns several Ferraris. He is also a very good athlete and enjoys playing and watching basketball. Clyde attends Mass most weekdays and is always engaged in Bible study. Rickey loves the New Orleans Saints and enjoys a friendly game of basketball as well. True to form, though, their deep friendship and mutual respect prevented both from revealing who is the better player! After all, they're on the same team.



People First.

Kean Miller's presence in Lafayette brings together local perspectives backed by the full-service capabilities of a regional law firm. We serve the industries that define Acadiana and drive the Energy Belt forward.

From oil and gas exploration and offshore energy to construction, healthcare, manufacturing, and financial services, our attorneys deliver strategic counsel grounded in experience and collaboration.

OUR ATTORNEYS Chuck Boudreaux • Derek Brondum • Kevin Ellis
Thomas Frederick • Mary-Claire Hollier • Madeleine Hughes
Ranee Iles • Robert Kallam • Michael Lemoine • Brian Lindsey
Chris Peyton • Kyle Polozola • Tammy Scelfo • Ambrose Stearns
Mark Stipe • Emily Wright • Philip Young • Mattie Zepernick

Rediscover What's Possible.

At Kean Miller, great legal work starts with great people. Our culture is built on collaboration, mutual respect, and a genuine investment in each other's success.

Across our offices, you'll find people who value relationships and who create an environment where both our clients and our team thrive.

If you're seeking to grow in a firm that puts people first, let's connect at KeanMiller.com/Careers.



LOUISIANA • LAFAYETTE • BATON ROUGE
LAKE CHARLES • NEW ORLEANS • SHREVEPORT
TEXAS • HOUSTON • THE WOODLANDS

Rethink. Redefine. Rediscover.
KeanMiller.com

WHAT HAPPENED?

Complex questions answered

From accident reconstructions to evaluations, you can count on us to uncover the facts.



Consultants. Experts. Innovators.™

rimkus.com
+1 800 580 3228



BIRDIE WITH THE BAR

FRIDAY, JUNE 12, 2026



Thanks to everyone who joined us for the 18th Annual Birdie with the Bar Golf Tournament in support of the Lafayette Bar Foundation.

From friendly competition and great food to meaningful community impact, this event helps support the Foundation's mission of providing free legal resources and pro bono services to those who need them most.

Thanks to our Sponsors:





The Lafayette Bar Foundation expresses its gratitude to attorney Jared Nelson for his assistance during our mini-Elder Wills clinics held recently. Individuals aged 65 and older residing in Lafayette Parish have the opportunity to have their last will and testament prepared at no cost through our Elder Wills program, made possible by grants from the Louisiana Bar Foundation.

If you are an attorney interested in volunteering for this program, please contact Marilyn at 337-446-2187 or marilyn@lafayettebar.org.

EXPUNGEMENT CLINIC



The Lafayette Bar Foundation would like to thank all of our volunteers who made the Expungement Clinic possible on June 25, 2026! Qualified individuals receive assistance with expunging Lafayette City Court offenses from their records. The program is made possible in partnership with

Acadiana Legal Service Corporation and funding from the Louisiana Bar Foundation's Jock Scott Community Partnership Panel Acadiana Area Grant. This program helps community members move forward with their lives and qualify for employment, educational opportunities, and so much more!



WOMEN'S *Safety* AWARENESS CLASS



Thanks to Stacey Knight Mejia of Acadiana Karate for sharing her expertise in safety awareness on June 24, 2026!

We enjoyed hosting women of all ages in a warm environment where they could openly discuss measures to proactively protect themselves and their families.



PRESENTED BY:
**LAFAYETTE
BAR CARES**
SUPPORTING OUR COMMUNITY,
EMPOWERING EACH OTHER.



On June 26, 2026, Ric Mere provided insight into the principles, structure, and community resources associated with 12-step programs, along with practical considerations for attorneys working with individuals in recovery. Hosted by the Family Law Section, attendees learned how anonymous recovery programs operate and the role they can play in legal matters.



YLS SUMMER

Social & CLE



The Young Lawyers Section sure knows how to have a good time while learning the law! Thanks to Lance Beal of Beal & Hebert for presenting a CLE on Criminal Trial Strategy. The YLS Summer Social followed.

YLS is open to all current members of the Lafayette Bar Association who are under 40 or who have been practicing law for less than five years.

Thanks to our Sponsors:



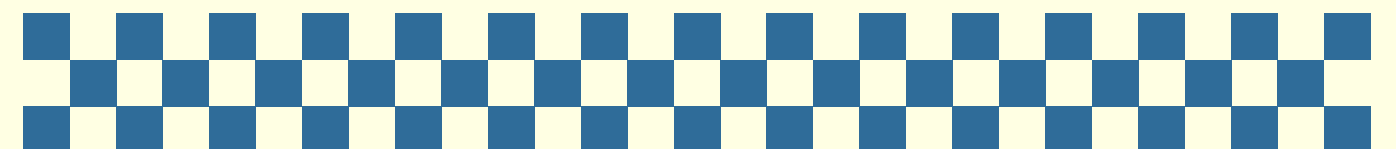
PICKLEBALL FREE PLAY



On July 10, the Young Lawyers Section hosted Pickleball Free Play at the Lafayette Pickleball Club! It was a fun afternoon of friendly matches, networking, and connecting with fellow attorneys and summer clerks.



Thanks to our Sponsor:



WE'RE MORE THAN A BANK. WE'RE PARTNERS.

In the course of regular business, Lawyers may need to hold funds for retainers, settlement proceeds, court-awarded damages, among other reasons. Using an IOLTA account – *Interest on Lawyers' Trust Accounts* – ensures any interest earned is paid to the Louisiana Bar Foundation, which is granted to support legal aid programs and other public service initiatives.

JD IOLTA CHECKING ACCOUNT

JD Bank's IOLTA account gives attorneys the freedom and flexibility to deposit funds while taking care of the accounts' interest being paid to the Louisiana Bar Foundation.



Account Qualifiers: Registered with the Louisiana Bar Foundation and the Louisiana Attorney Disciplinary Board
Maintain a JD Bank commercial checking account for your firm

PERRY DAMPF DISPUTE SOLUTIONS

Lafayette Panel



Pat Briney



Bob David



Pride Doran



Jim Gibson



Dicky Haik



Mike Hill



Richard Hymel



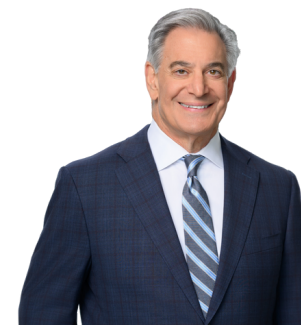
Tommy Juneau



Robert Kallam



Jim Lochridge



Robbie Mahtook



Frank Neuner



Steve Rabalais



Randy Theunissen

Perry Dampf Lafayette

1301 Camellia Blvd, Suite 400
Lafayette, LA 70508

337-905-3128

When Local Matters

PerryDampf.com

An Update from the Lafayette Bar Foundation

PRO BONO HONOR ROLL

The following attorneys have volunteered with the Lafayette Bar Foundation in the past two months through various pro bono programs.

Julia Autin Attorney at Law
Joshua Barnhill Law Office of
Joshua S Barnhill, LLC

Brandon Bradley
Bradley Moreau Title

Dean Cole NeunerPate

Kayla Fontenot David
Fontenot David Law Office

Wesley Galjour
Wesley J. Galjour, LLC

Corrie Gallien Gallien Law

Jeremy Garcia
Landgrave Garcia Injury Attorneys

Ryan Gudelocke Gudelocke Law

Rebecca Guidry Nustarr Equipment,
LLC & Guidry Organic Farms

Ellen Hahn Attorney at Law

Jean Hill Attorney at Law

David Kaufman Attorney at Law

James Klock ADA for the 15th JDC

Gregory Landry Attorney at Law

Jared Nelson Galloway Johnson
Tompkins Burr & Smith

Jo Ann Nixon Law Offices of
Glenda M. August & Associates

Taneisha Riggs Law Office of
Taneisha W. Riggs

Dyan Schnaars
Schnaars Law Firm, LLC

Phillip Smith NeunerPate

Matthew Spizale
Kellner Law Firm, LLC

Patrick Wartelle Leake Andersson



LAFAYETTE BAR
FOUNDATION

Did You Know?

Rule 6.1

Louisiana attorneys are encouraged to fulfill their professional obligations established by Rule 6.1 of the Rules of Professional Conduct, which set an aspirational goal of 50 hours of pro bono services per year.

CLE

CLE credits are available by providing pro bono legal services. **You can obtain 1 hour of CLE per 5 hours of pro bono representation** up to a maximum of 3 hours CLE for each calendar year.

Career Development

Taking pro bono cases provides career development & trial experience. It can also show a different side of yourself to potential employers and clients.

The Lafayette Bar Foundation has volunteer opportunities for any level of participation, ranging from one hour a week to full civil cases.



Pro bono attorneys are generally elevated to the top of the docket at hearings.



You can use the Lafayette Bar Association meeting rooms to meet with your pro bono client.



Support and guidance are offered to novice volunteer attorneys. Acadiana Legal Service Corporation (ALSC) will co-counsel on cases when needed.



You can receive awards based on the number of cases and hours you volunteer.



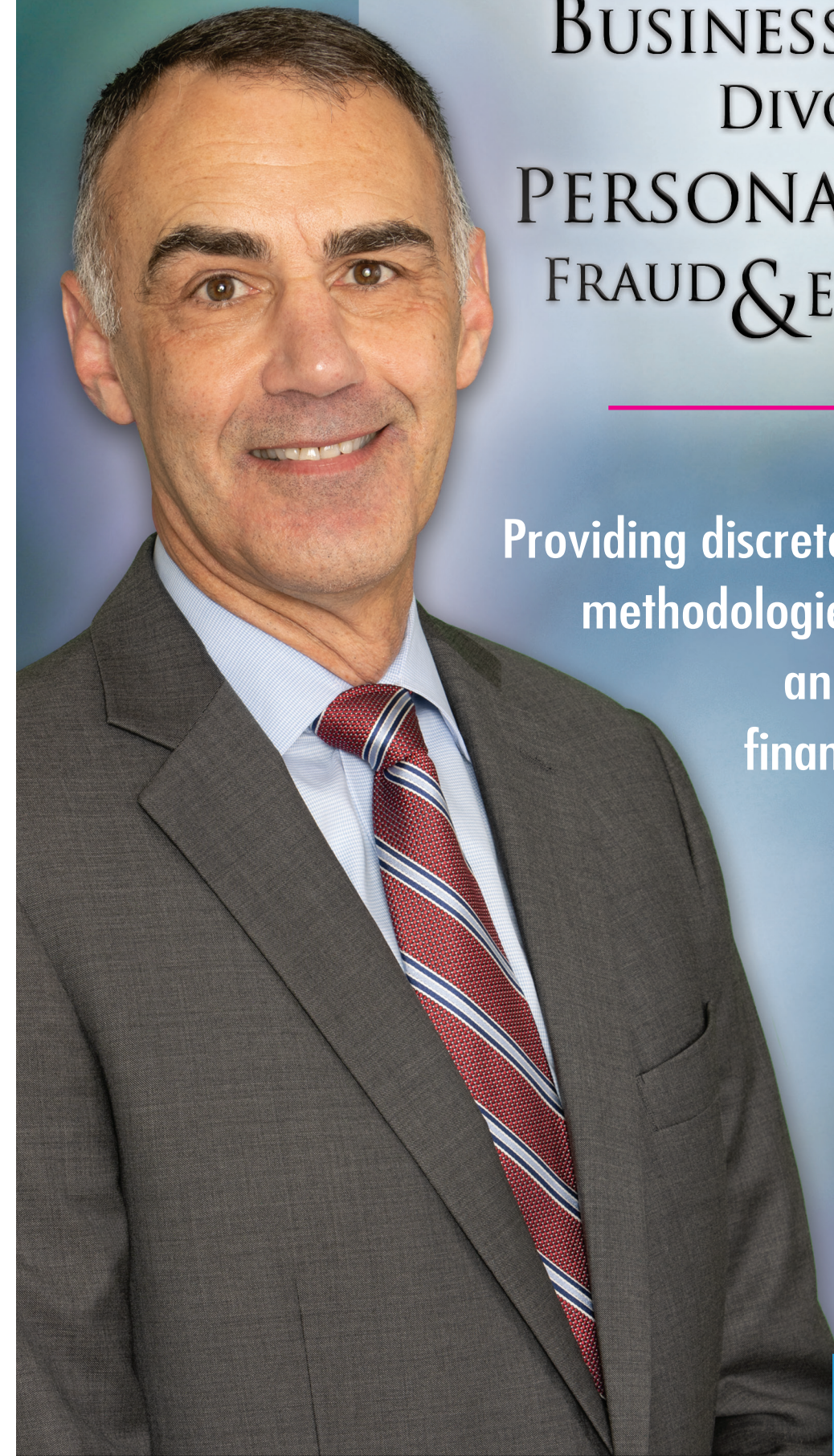
All cases are covered by the Professional Liability Insurance of either ALSC or the Lafayette Bar Foundation.



You are providing a valuable service to the community and helping someone less fortunate.

For more information, contact:
Marilyn Lopez, Director of Pro Bono Services
337-237-4700 ext 102 marilyn@lafayettebar.org

BUSINESS VALUATION BUSINESS DAMAGES DIVORCE PERSONAL INJURY FRAUD & EMBEZZLEMENT



Providing discrete and court accepted methodologies to assist attorneys and their clients in any financial litigation matter.



CHAD M. GARLAND
CPA, LLC



**LOUISIANA
REFERRAL
COUNSEL**

MILLIONS in fees earned by
our referral counsel annually.
Often monthly.



Need tried and trusted co-counsel?

Nationally renowned in personal injury law and licensed in Louisiana, Mississippi, and Texas, the attorneys of Broussard, David & Moroux are proven trial lawyers who work hand in hand with referral co-counsel. If you're considering counsel for major injury and death cases involving trucking, maritime, offshore, aviation, industrial, railroad, or product liability incidents - call us today.

Past results are no guarantee of future results.

No recovery, no fees, no costs, no expenses, free consultation.

**BROUSSARD
DAVID &
MOROUX**

INJURY LAW

LOUISIANA
TOP 10

RATED BY
Super Lawyers®

Blake R. David

**Call (337) 233-2323
BDM.Law**

Lafayette | New Orleans | North Shore

L to R: Blake R. David & Jerome H. Moroux
LA-25-19853