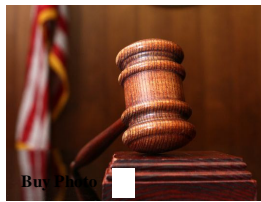# One judge to handle all of MCSB consent decree

Bonnie Bolden, bbolden@thenewsstar.com   *2:41 p.m. CST February 3, 2016*

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U.S. Magistrate Judge Karen L. Hayes vacated an order Wednesday she issued the day before (/story /news/education/2016/02/02/court-neville-ok-intervene-mcsb-case/79721028/) that would have permitted the Neville Alumni and Friends Association, Greg Jones and Nici Hanks to intervene in the Monroe City School Board's consent decree.

The request to intervene is now before U.S. District Judge Robbie James, and Hayes is no longer assigned to case. All motions and proceedings will be held before James.

At a midday school board meeting Wednesday, Doug Lawrence, the board's attorney, said that five communications from the court had moved within the past 24 hours. Those were:

- The Tuesday order by Hayes that permitted NAFA, Jones and Hanks to intervene;
- an order from Hayes vacating that order filed Wednesday;
- notification that Hayes will no longer be involved in the case and setting all motions before James;
- a notice referring the motion for permission to intervene before James that was filed Wednesday;
- and a corrected caption on the notice filed the same day.

"Judge James personally is taking over the entire case, which is inclusive of the petition to intervene in the lawsuit filed by an outside group, so the prior judge that issued the prior ruling is no longer involved in the case," Lawrence said.

Court documents state anyone who opposes the request of NAFA and the two parents to intervene should file a memorandum in opposition within 21 days. After that, they "may file a reply within 14 days after the memorandum in opposition is filed."

Additionally, court documents indicate James does not plan to set a hearing date on the matter.

The request to intervene was filed Friday. A memorandum filed with the motion alleges failure to act and bad faith on part of some board members and ignorance, complicity or nonfeasance regarding the board's actions on the part of the U.S. Department of Justice.

Scott Wolleson, one of the attorneys who drafted the motion and the memorandum, said Tuesday that neither he nor his clients (NAFA, Jones and Hanks) had a comment because the litigation is pending.

NAFA, Jones and Hanks object to hiring the Educational Planning Group LLC as the independent court monitor, a position required by the MCSB consent decree, because they say the consultants are inexperienced and unqualified and the firm is biased and lacks the objectivity required of an independent court monitor.

At MCSB meetings on Dec. 15 and Jan. 7, the majority of the board voted to hire the Educational Planning Group as the independent court monitor. At the Jan. 7 meeting, they also voted to hire the corporation, which consists of three consultants, as experts to help revise the medical magnet program at Carroll High School. Both positions are required by the consent decree that the board is under.

The memorandum sought an evidentiary hearing to aid in assessment of the proposed intervention. NAFA, Jones and Hanks would attempt to demonstrate to the court that a plan devised by Monroe City Schools Superintendent Brent Vidrine to partner with the University of Louisiana at Monroe for both positions required by the consent decree would be the proper course for the school district.

The notice of motion setting filed Wednesday states: "It is the policy of the court to decide motions on the basis of the record without oral argument. Briefs should fully address all pertinent issues. All parties will be notified if the court finds oral argument is necessary. A written ruling will be issued in due course."

Lawrence said he had good communication with legal counsel for the group seeking to intervene. He said the attorney asked whether board would consider some matters and said he would submit the requests in writing to be passed along to the board.

02032016 Notice of Motion Setting (https://www.scribd.com/doc/297828431/02032016-Notice-of-Motion-Setting)