

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
January 28, 2015
National Center for Civil and Human Rights/Atlanta, GA**

Members Present:

Patrise M. Perkins-Hooker, President; Robert J. Kauffman, President-elect; Rita A. Sheffey, Treasurer; Patrick T. O'Connor, Secretary; Charles L. Ruffin, Immediate Past President; V. Sharon Edenfield, YLD President; John R.B. Long, YLD President-elect; Darrell L. Sutton, YLD Immediate Past President; Elizabeth Louise Fite; Kenneth B. Hodges, III; Phyllis Holmen, David S. Lipscomb; and Nicki Vaughn.

Members Absent:

Brian D. Rogers.

Staff Present:

Sharon Bryant, Chief Operating Officer; Jeff Davis, Executive Director; Paula Frederick, General Counsel; Steve Laine, Chief Financial Officer; and Thomas Worthy, Director of Governmental Affairs.

Approval of the Meeting Agenda

Following a report by President Patrise M. Perkins-Hooker the Executive Committee adopted the meeting agenda by unanimous voice vote.

Future Meetings Schedule

The Executive Committee received a copy of the Future Meetings Schedule.

Consent Agenda

President Patrise Perkins-Hooker presented the Consent Agenda. There being no request for removal of any of the items, a motion was made and seconded to approve the following items on the Consent Agenda:

- a) Minutes of the November 20, 2014 Executive Committee Meeting
- b) Members Requesting Resignation (approve): Dmitry Savransky-627840, Dale Alton-257660, Brian P. Duncan-233395, Deborah Archie-021215, Hugh Meredith Flick Jr.-256476, Michael J. Gerhardt-291489
- c) Members Requesting Disabled Status (approve): Mary Louise Skene-650375, J. Daniel Butler-099750
- d) Approval of Member's Requests (staff recommendations in parenthesis):
 - 1) Christine Bryce (deny late fee appeal)
 - 2) Marianne Takas (approve appeal to change status from terminated to resigned/dues deficient)
 - 3) John Benneth Iwu (deny appeal to waive fitness for reinstatement from suspension)

The Executive Committee, by unanimous voice vote, approved the above items on the Consent Agenda.

Welcome - National Center for Civil and Human Rights

Deborah J. Richardson, Executive Vice President, National Center for Civil and Human Rights, welcomed the members of the Executive Committee to the Center and provided an overview of the Center's various exhibits.

Law School Incubator Program

President Patrise Perkins-Hooker reported that at its January 8 meeting, the Bar Center Committee approved recommending to the Executive Committee that office space be provided for the proposed incubator program rent-free for a three-year period, with the location of the space to be determined by the State Bar. She also reported that she had just received a letter from Chief Justice Hugh P. Thompson in support of the program. Since the formation of documents outlining the actual day-to-day operations, the Bylaws and governance of the incubator program are still being fleshed out, the action for the Executive Committee's consideration today is only the issue of rent abatement. Bucky Askew was present to answer questions on the incubator program. The Executive Committee took the following action:

- 1) A motion was made and seconded to accept the recommendation of the Bar Center Committee and to enter into a lease with the incubator program for the space identified by State Bar staff on the 4th floor of the State Bar Building for a three-year period rent-free;
- 2) A motion and second to table the issue and to place it on the agenda of the Spring Board of Governors Meeting failed by majority voice vote;
- 3) A motion and second to amend the original motion to state that approval by the Executive Committee of the Bar Center Committee's recommendation is a recommendation to the Board of Governors passed by a hand vote of 7 in favor to 6 opposed; and
- 4) The amended motion to accept the recommendation of the Bar Center Committee and to enter into a lease with the incubator program for the space identified by State Bar staff on the 4th floor of the State Bar Building for a three-year period rent-free, and to present the recommendation to the Board of Governors for its consideration and approval, passed by majority voice vote, with Treasurer Rita Sheffey abstaining.

The Executive Committee received a copy of the January 8 Bar Center Committee Meeting Minutes.

Civil Legal Services Task Force (CLSTF)

Treasurer Rita A. Sheffey, Chair of the CLSTF, provided an update on the activities of the Task Force. Since OCGA §36-15-7 provides for the granting of excess county law library funds to charitable tax exempt organizations that provide civil representation for low income people, the Task Force created an educational piece that can be used when judges are being asked to consider using some of their excess funds for indigent civil legal services. The Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors the Task Force's educational piece on Excess County Law Library Funds.

Institute for Advancement of the American Legal System

Following a report by President Patrise Perkins-Hooker the Executive Committee, by unanimous voice vote, approved the State Bar's participation in a membership survey on behalf of the national Foundations for Practice (FFO) project of the Institute for the Advancement of the American Legal System at the University of Denver. The survey is part of an effort to determine what law graduates need to launch successful careers in the legal profession, create models of legal education to better fulfill those needs, and identify tools legal employers can use to make better hiring decisions.

Clients' Security Fund (CSF) Task Force

David Lipscomb reported that he has a conflict of interest in this matter and excused himself from the room. YLD Immediate Past President Darrell Sutton, and chair of the Client Security Fund Task Force, reported on the reduction in the Fund balance due to a sustained reduction in the amount of interest income generated by the CSF corpus, the filing of several substantial claims by former clients of Miles Gammage, and the existence of several other substantial claims by former clients of other attorneys. Thereafter, the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors the following Task Force proposals:

- 1) A one-time contribution of \$500,000 from the State Bar's unrestricted surplus to help offset the size of the claims and reductions in the fund balance, and
- 2) A change to Bar Rule 10-103 providing for an increase in the annual claims paid cap from \$350,000 to \$500,000.

President Patrise Perkins-Hooker commended the work of the Task Force.

Pro Hac Vice – Year 2 Fees and Beyond

Following a report by President Patrise Perkins-Hooker the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors an amendment to the pro hac vice rules to allow that a \$75 administrative fee be collected for any pro hac vice application renewal so that State Bar gets adequately compensated for the processing of those applications.

Georgia Bar Journal In Memoriam Announcement and Ad

Following a report by President Patrise Perkins-Hooker the Executive Committee, by unanimous voice vote, approved including an In Memoriam announcement and an ad soliciting contributions to the Georgia Bar Foundation in future *Georgia Bar Journals*, and a list of lawyers who have made contributions to the Georgia Bar Foundation.

Resolutions

Following a report by President Patrise Perkins-Hooker, the Executive Committee, by unanimous voice vote, approved presenting State Bar resolutions (Exhibit A) to attorney Jeffrey R. Banish and compensation analyst Susan P. Logan, both with Troutman Sanders, in appreciation of their outstanding pro bono service to the State Bar in the administration of its employee pension plan.

Sponsorship Requests

Following a report by President Patrise Perkins-Hooker, the Executive Committee, by unanimous voice vote, approved the following sponsorship requests:

- 1) A \$3,000 sponsorship for the GABWA 2015 Glitter Gala and Auction on July 25, 2015,
- 2) A \$5,000 sponsorship for the 2015 Law Day Program *Magna Carta: A Symbol of Freedom Under Law*, and
- 3) A \$5,000 Ambassador Level sponsorship for the YLD 2015 Signature Fundraiser *Stars and Stripes*.

Harvey Weitz Conference Room – Coastal Georgia Office

The Executive Committee discussed various ways in which to recognize the late Harvey Weitz at the Coastal Georgia Office.

Burton Fletcher Membership Database Request

Following a report by President Patrise Perkins-Hooker the Executive Committee, by unanimous voice vote, denied a request by Bar member Burton Fletcher to modify the list of attorneys on the web site to include all names that an attorney has used in his or her law practice.

Funding for a Celebration of Civil Rights Milestones

President Patrise Perkins-Hooker presented a proposal for a joint collaboration between the State Bar and the National Center for Civil and Human Rights for a Voting Rights Act 50th Anniversary Celebration in the amount of \$79,000. The funds, which would be paid from the Cornerstones of Freedom budget, would support the following activities: SNCC Reunion (\$35,000), Women's Empowerment Summit (\$10,000), NCCHR Anniversary Programming (\$6,000), International Youth Day (\$3,000), and Administrative & Programming Coordination (\$25,000). The events would take place beginning March and run through early August. Treasurer Rita Sheffey reported that the contract needs to be thoroughly vetted to ensure that the State Bar has control over all aspects of the programs. The Executive Committee also discussed the need for a CLE component, active control over the events, a written contract, and the appointment of a committee for oversight. The Executive Committee took the following action:

- 1) A motion and second to approve providing up to \$79,000 to the National Center for Civil and Human Rights for a Voting Rights Act 50th Anniversary Celebration from the Cornerstones of Freedom budget was amended by a majority hand vote, and
- 2) The amended motion stating that the \$79,000 to the National Center for Civil and Human Rights for a Voting Rights Act 50th Anniversary Celebration from the Cornerstones of Freedom budget is contingent upon 1) all programming meeting the requirements of Keller, 2) the Bar exercising appropriate control over the programs, 3) the inclusion of a CLE component approved by ICLE, and 4) the President appointing an oversight committee, was approved by majority hand vote.

Note: This item was discussed further, followed with a motion, later in the meeting.

Funding for a Table at the Atlanta Bar Luncheon Honoring Linda Klein

Following a report by President Patrise Perkins-Hooker the Executive Committee, by unanimous voice vote, approved reserving a table for \$600 for an Atlanta Bar Luncheon honoring Past President Linda A. Klein on February 24.

President's Report

President Patrise Perkins-Hooker provided an update on her continued efforts regarding the rural lawyers initiative. Resolutions in support of the initiative are moving through various county commissions and the funding proposal is moving through the legislative process. The next step will be the development of suggested guidelines for the initiative, which will ultimately be administered by the Department of Community Affairs. She reported that the iCivics Committee is in the process of analyzing this year's efforts to determine how iCivics can be more efficiently administered in the various school systems and to determine how best to move forward with this initiative. iCivics will require the need for the Bar to provide someone, through the auspices of the Bar's Law-Related Program, to coordinate and train teachers, while the YLD will continue to solicit and coordinate the volunteer component. She announced that the State Bar, through the Cornerstones of Freedom budget, paid the airfare for a representative from the International Law Section to travel to Spain to sign the Barcelona Friendship Agreement. She continues her media outreach efforts.

RFP for PSA: Public Education Online Media Campaign

President Patrise Perkins-Hooker reported on the Communications Committee's Request for Proposals for a Public Education Online Media Campaign. The campaign will include Georgia lawyers and the good they do for the public and the state, the good work of lawyers specific to their pro bono efforts, and the importance of the Rule of Law. She encouraged the Executive Committee to forward the RFP to any qualified individuals or companies they know. The Executive Committee received a copy of the RFP.

Legislative Update

Thomas Worthy provided an update on the activities of the General Assembly and the Bar's legislative agenda. He announced that the State of the Judiciary Address will take place on February 4. Thereafter, the Executive Committee, by unanimous voice vote, approved a \$10,000 Gold Scholars Package sponsorship request from the Board of Regents for the 2015 Regents' Scholarship Gala. The Gala raises money for needs-based scholarships, particularly for law and medical education. The funds will be paid from the Legislative and Public Advocacy Fund.

Strategic Planning Committee

President Patrise Perkins-Hooker reported that an RFP has been sent out regarding the Bar's Strategic Planning. President-elect Bob Kauffman reported that this will be a very involved process with involvement by many segments of the Bar and its leadership. YLD President-elect Jack Long was added as a member on the Strategic Planning Committee. The Executive Committee received a copy of the RFP.

Treasurer's Report

Treasurer Rita Sheffey provided a report on the Bar's finances and investments. She reported that she is considering modifications to the State Bar's procedures for requests for reimbursements that are not accompanied with any detailed backup or sufficient documentation. Currently, she is sending those requests back for more information. The Executive Committee received copies of the Operations and Bar Center Consolidated and Individual Revenue and Expenditures Reports for the five months ended November 30, 2014, the Balance Sheet as of November 30, 2014, and the Summary of Dues and Voluntary Contributions for May-December 2012-2014.

The Executive Committee received a copy of the 2015-2016 Budget Timetable.

YLD Report

YLD President Sharri Edenfield reported on the activities of the Young Lawyers Division. She provided an update on the annual Signature Fundraiser that will take place on February 28 at Terminal West and encouraged everyone to attend. She reported that interest in the Long-Range Planning Committee's Succession Planning Program is high. The Solo-Small Firm Institute/Affiliates Conference featuring practical tips to open your own law practice will take place at Mercer Law School on February 21. The YLD Spring Meeting will be held in New Orleans on March 19-21 and will include a program on *Plessy v. Ferguson* and a meeting of the Leadership Academy.

Executive Director's Report

Jeff Davis reported that State Bar members are contacting the Bar for more information about the rural lawyers initiative. The Prosecuting Attorneys Council (PAC) is moving out on February 27-28, and the Criminal Justice Coordinating Council (CJCC) will be expanding into 10,000 square feet of PAC's vacated space. The Judicial Qualifications Commission is still interested in moving into the State Bar Building, but will wait to see what space becomes available on the 6th floor once CJCC consolidates all of its office space. He reported on building maintenance and parking upgrades. The Bar has conducted a major audit of all issued parking cards and implemented an approval process for additional card requests.

Upgrades to the current payment equipment and gate and ticket dispensing equipment in the parking deck are being discussed, and Haas Parking Engineers has presented a proposal to modify existing ingress and egress lanes to Spring and Marietta Streets to improve traffic flow. He is in the process of getting bids for these improvements. He has met with staff to prepare the proposed 2015-16 budget and personnel requests and the Bar is in the process of obtaining various quotes for health insurance. Responses to the Strategic Planning RFP are coming in and interviews will be conducted by the Strategic Planning Committee in late February.

Office of General Counsel Report

Paula Frederick reported on the activities of the Office of General Counsel. She announced that the Supreme Court just adopted a rule on provision of legal services after a major disaster based on an ABA Model Rule that was created after Hurricane Katrina. It allow out-of-state lawyers to come into Georgia either to provide pro bono legal services to Georgia citizens after a major disaster in this state, or to move their practice here on a temporary basis after a major disaster in their own home state. The rule goes into effect on February 5, 2015 and requires the out-of-state lawyer to register with the State Bar. The Office of General Counsel will probably handle the attorney's approval process similar to that of the pro hac vice approval process since it will need to verify the lawyer's disciplinary history. Although the rule will only take effect when there is a "major disaster" as declared by the Court, she reported that she is requesting \$3,000 in the 2015-16 OGC budget to help cover the expense of administering the rule.

Programs Committee Report

President-elect Bob Kauffman, Chair of the Programs Committee, reported on the actions of the Programs Committee at its January 16 meeting. Recommendations made by the Programs Committee included 1) the continuation of the iCivics initiative in the same fashion as this year with the caveat that the President-elect will continue to look at the viability of iCivics as a future State Bar program, 2) funding the LRE Program's Virtual Law Museum as a pilot project for year one (\$124,000-\$139,000) out of the Cornerstones of Freedom budget, after which its value will be assessed before proceeding to fund any future years, 3) providing \$5,000 to the Committee to Promote Inclusion in the Profession to allocate among its programs, but asking it to seek other funding sources such as sponsorships and registration fees and to seek collaboration with the law schools and the State Bar's Law School Outreach Committee with its Bar Exam and Judicial Clerkship Workshops, and the Georgia on My Mind Reception, 4) denied a request for funding by the International Law Section for a "Bar-to-Bar" Program that would develop collaborative relationships with leading foreign bar associations over the next three to five years, 5) approved a \$40,000 budget request by the Fee Arbitration Program Committee for contract attorneys to handle the enforcement of Fee Arbitration awards, and 6) approved an increase of \$15,000 for the YLD Committees line item and an increase of \$7,500 for the YLD Meetings line item.

The Executive Committee received a copy of the January 16 Programs Committee Meeting Minutes.

Executive Committee Session

Following a motion and second, the Executive Committee met in Executive Session. Thereafter, by unanimous voice vote, the Executive Committee moved out of Executive Session.

Insurance Committee Update

Treasurer Rita Sheffey, Chair of the Insurance Committee, provided an update on the activities of the Insurance Committee. It has undertaken a review of all the Bar's insurance policies and will be making some recommendations that will benefit and enhance the State Bar's insurance coverage.

Board of Governors Minutes

The Executive Committee received a copy of the Minutes of the January 10, 2015 Board of Governors Meeting.

Communications Report of Published Articles 2014-15

The Executive Committee received a copy of the 2014-15 Media Report.

LegalZoom Gets OK to Operate in UK

The Executive Committee received a copy of an *ABA Journal Business of Law* LegalZoom has gotten the green light to operate in the United Kingdom as an alternative business structure.

Old Business

There was no old business.

New Business

Following a motion made and second that all contracts entered into by the State Bar be reviewed and approved by the Office of General Counsel prior to them being signed, and that the Executive Director, or his designee, be the only authorized signatory of contracts, a motion and second to table was approved by majority voice vote.

Adjournment

There being no further business the Executive Committee meeting was adjourned by unanimous voice vote.

Immediately following adjournment, there was a motion and second to reconvene the Executive Committee Meeting. The motion was approved by unanimous voice vote. Thereafter, the Executive Committee, by unanimous voice vote, approved a motion that prior to any expenditure of funds for the Voting Rights Act 50th Anniversary Celebration there must be a contract in place, executed by the Executive Director, that includes the oversight elements as outlined in the previous motion approved under the Funding for a Celebration of Civil Rights Milestones agenda item. Those elements are 1) that all programming meets the requirements of Keller, 2) the Bar exercising appropriate control over the programs, 3) the inclusion of a CLE component approved by ICLE, and 4) the President appointing a committee to oversee the planning and programming for the Celebration.

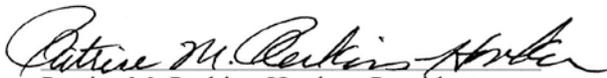
Adjournment

There being no further business the Executive Committee meeting was adjourned by unanimous voice vote.



Patrick T. O'Connor, Secretary

Approved:



Patrise M. Perkins-Hooker, President