

**STATE BAR OF GEORGIA  
EXECUTIVE COMMITTEE  
MINUTES  
Wednesday, October 12, 2017/2:00 p.m.  
State Bar Building/Atlanta, Georgia**

Members Participating:

Brian D. (Buck) Rogers, President (by phone); Kenneth B. Hodges, III, President-elect (by phone); Dawn M. Jones, Secretary; Darrell L. Sutton, Treasurer; Patrick T. O'Connor, Immediate Past President; Nicole C. Leet, YLD President (by phone); Rizza O'Connor, YLD President-elect (by phone); Jennifer Campbell Mock, YLD Immediate Past President (by phone); Damon E. Elmore; Elizabeth Louise Fite; Phyllis Holmen; David S. Lipscomb; Frank Strickland; and Nicki Vaughan.

Staff Participating:

Sharon Bryant, Chief Operating Officer; Christine Butcher Hayes, Director of Governmental Affairs; Jeff Davis, Executive Director; Paula Frederick, General Counsel (by phone); and Bill NeSmith, Deputy General Counsel.

Call to Order

Immediate Past President Patrick T. O'Connor called the meeting to order, presiding at the request of President Buck Rogers. Members of the Executive Committee in attendance are indicated above.

Future Meetings

President Buck Rogers reported that the agenda for the October 26, 2017, Executive Committee meeting will be a discussion on the Strategic Plan; it will not be a business meeting.

Executive Committee Minutes

Secretary Dawn Jones presented the minutes of the Executive Committee meeting held on September 20, 2017, which were approved by unanimous voice vote.

Members Requesting Resignation

Pursuant to State Bar Rule 1-208, the Executive Committee unanimously approved the following resignation requests by unanimous voice vote: Ronald F. Bennett-051725, Mark Stephenbever-055876, John Bouwsma-070400, Ruth Dow-227702, Jonathan Zadoff-232642, Julie Wood-334510, Kenneth Hindman-355750, Barbara Lengyel-446480, Davis Morse-525676, Douglas Perry-572512, Deanna Benjamin-622007, Russell Thomas-706175, David Kiernan-417414, David Krischer-429750, Anthony Coluzzi-179679, Peter F. Munger-529607, James Austin Martin-543521, Aviva Leebow-838261, Michelle Mersey-296489.

Members Requesting Disabled Status

Pursuant to State Bar Rule 1-202, the Executive Committee, by unanimous voice vote, approved one member's request for disabled status.

Members Requesting Military Dues Waiver

The Executive Committee, by unanimous voice vote, granted a Military Dues Waiver request for Andrew R. Fiddes (259319).

Members Requesting Waiver of Exam

The Executive Committee took the following action on a request by Rachel Cooper to waive the Bar exam:

- 1) By a roll call vote of 6 in favor to 7 opposed, a motion to approve the request failed to pass; and

- 2) By a roll call vote of 7 in favor to 6 opposed, a motion to deny the request passed.

Discussion held before and after these votes led to a consensus that additional follow up on this issue was needed.

#### Affiliate Membership and Law Student Membership Bylaw Changes

Following a report by Deputy General Counsel Bill NeSmith, and discussion held by the group concerning ways to increase law student involvement in the State Bar, the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors proposed Bylaw changes (Exhibit A) to Section 6. Affiliate Membership and Law Student Membership.

#### Executive Committee Travel Reimbursement Policy

Following a report by Treasurer Darrell Sutton and group discussion, the Executive Committee, by unanimous voice vote, with all of the non-Officer Executive Committee members abstaining, approved the following proposed Executive Committee Travel Policy:

##### Executive Committee Travel Policy (Proposal)

This policy applies to the non-officer members of the Executive Committee when participating in State Bar Executive Committee meetings.

- 1) For Executive Committee meetings that include travel that requires a hotel stay, the room and tax charges associated with an overnight stay prior to the beginning of the meeting, for the duration of the meeting, and an overnight stay following the conclusion of the meeting will be borne by the State Bar. To the extent these charges are not direct-billed to the State Bar; the State Bar will reimburse non-officer Executive Committee members for them.
- 2) If the State Bar has negotiated multiple room rates, the charges covered by this policy will be covered at the lowest negotiated hotel rate.
- 3) Charges covered by this policy specifically exclude optional entertainment expenses. Optional entertainment expenses include but are not limited to in-room movies, spa, sporting activities, tours or shows, or any other such personal activity that is outside of a planned Executive Committee group activity.

The implementation date of this policy was not discussed.

#### Officers' Allowance Policy

Following a report by Treasurer Darrell Sutton and discussion about revisions to the proposed policy draft, the Executive Committee, by majority voice vote, approved the following proposed Officers' Allowance Policy to replace the current Officers Reimbursement Policy:

##### Officers Allowance Policy

The president, president-elect, treasurer, secretary and immediate past-president of the State Bar of Georgia, as well as the president, president-elect and immediate past-president of the Young Lawyers Division of the State Bar of Georgia shall each be entitled to an allowance for expenses incurred while carrying-out their official duties. The amount of each allowance for any particular Bar year shall be established in the budget approved by the Board of Governors for that particular Bar year.

This allowance shall be used at the individual discretion of each officer. Provided, however, that the allowance is intended solely to cover the cost associated with travel, meetings, meals, entertainment, and all other reasonable expenses incurred while carrying-out official duties. This specifically includes the cost of registration, hotel, travel, meals, etc. for State Bar meetings (including Annual, Midyear, Board of Governors, Executive Committee and other committees), ABA meetings, and Southern Conference of Bar Presidents meetings.

The allowance in the respective amount approved by the Board of Governors shall be provided to the officer for whom it is designated in four equal installments, each coinciding with the four regularly scheduled meetings of the Board of Governors of the State Bar of Georgia during the particular Bar year for which it was approved.

Policy adopted by the Executive Committee on October 12, 2017. It is effective July 1, 2018, but subject to change at any time by action of the Executive Committee or Board of Governors.

The Treasurer will report this change in policy and procedure when the proposed 2018-2019 State Bar Budget is presented to the Board of Governors at the Annual Meeting.

#### Sponsorship Policy (Granting Process)

After group discussion about the \$40K line item amount currently budgeted for sponsorships, no action was taken on the current sponsorship guidelines previously approved by the Executive Committee on August 2, 2017. Executive Director Jeff Davis reported that he will put together information how other state bars procedurally handle publicizing notice of their sponsorship policy, the application method, and other processes used in granting sponsorships, and will bring suggested revisions to the next Executive Committee meeting.

#### Funding for the Georgia Diversity Program Independent Contractor Agreement

Executive Director Jeff Davis reported that the Georgia Diversity Program (GDP), created in 1993, receives no funds from the State Bar. The director of the program is a part-time independent contractor who has to raise funds to cover their own compensation and the costs of its programs. Marian Cover Dockery is the outgoing director and Rebecca Christian Smith is the incoming director. The two main sources of funding are from member dues from majority and minority owned law firms, sole practitioners, and corporations and from sponsorships raised for the Fall CLE each year. Annual program expenses (Fall CLE, High School Pipeline Project, Business Development Symposiums, Summer Associates and Judiciary Reception) are approximately \$17,500-\$18,000. The Bar was asked to provide \$20,000 to the Georgia Diversity Program to support its work and defray program expenses. The Executive Committee, by unanimous voice vote, approved providing the GDP with \$20,000 effective January 1, 2018.

#### Movies, Videos, Photographs and Press Conference Policy

Following a report by Executive Director Jeff Davis on proposed revisions to the Bar's Movies, Videos, Photographs and Press Conference Policy; the Executive Committee requested that further revisions be made to the policy for future consideration.

#### Officers and Executive Committee Policy (Rules regarding Judges serving as Bar Officers)

The Executive Committee took no action on this agenda item, and instead asked that the President and Bar staff determine whether or not this issue should be brought back for a discussion on a future agenda.

#### Bylaws and Rules Changes on Assessments

Following a report by General Counsel Paula Frederick, the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors proposed amendments to Bylaws Section 1. Registration of Members, and proposed revisions to Rule 1-506. Clients' Security Fund Assessment and

Rule 1-507. Bar Facility Assessment (Exhibit B). The Bylaws amendments would become effective with the approval by the Supreme Court of Georgia of Rules 1-506 and 1-507.

#### Pro Hac Vice Application Fee and Annual Fee/Rule Interpretation

Following a request by General Counsel Paula Frederick for guidance in interpreting Rule 4.4(E)(2) and (3) of the Uniform Superior Court Rules 4.4, it was the consensus of the Executive Committee that the \$200 application fee is a one-time annual fee and is not to be collected again if an attorney later applies for Pro Hac Vice admission in a new case that same year.

#### ICLE Update

Immediate Past President Pat O'Connor reported that there is a serious buyer for the ICLE Athens property and he will keep the Executive Committee apprised of any further developments. He recognized Past President Bob Kauffman for his continued work on the disposition of the property, and Board of Governors member Andy Davis for his work on behalf of the UGA Law Alumni Association. Lastly, he announced that the ICLE Board of Trustees will meet at Jekyll Island on October 27, 2017.

#### Strategic Plan

Executive Director Jeff Davis reported that the Strategic Plan will be discussed at the Executive Committee meeting on October 26, 2017.

#### Treasurer's Report

Treasurer Darrell Sutton reported on the Bar's finances. The Executive Committee received copies of the Consolidated (Operational and Bar Center) Preliminary Revenues and Expenditures Report as of June 30, 2017; Income Statement YTD for the Twelve Months Ended June 30, 2017; Bar Center Revenues and Expenditures Report for the Twelve Months Ended June 30, 2017; State Bar Balance Sheet as of June 30, 2017; Summary of Dues and Voluntary Contributions at July 31, 2017; and Legislative Fund and Cornerstones of Freedom Fund Activity Reports through June 30, 2017. He also reported that State Bar and ICLE audits should begin next week.

#### YLD Report

YLD President Nicole Leet reported that the YLD's annual Signature Service Project that is raising pro bono service hours is off to a great start. To date, young lawyers have pledged more than 4,050 hours of service. She asked the Executive Committee to encourage other young lawyers to take the pledge. She reported that the Access to Justice Committee is helping reduce perceived barriers to doing pro bono work and is offering a variety of opportunities for young lawyers to do so. She encouraged the "older" Executive Committee members to personally join the *Due Justice, Do 50* pro bono campaign. Lastly, she invited the Executive Committee to the YLD Fall Meeting at Brasstown Valley Resort the weekend of November 9-12, 2017.

#### Executive Director's Report

Executive Director Jeff Davis reported that his comments were discussed in earlier reports.

#### ACL/Legislative Report

Director of Governmental Affairs Christine Butcher Hayes reported on the activities of the Advisory Committee on Legislation (ACL) and the Bar's legislative agenda. She announced that the next ACL meeting will take place on November 28, 2017.

#### Office of General Counsel Report

The Executive Committee received a written Report of the Office of the General Counsel.

#### Access to Justice Strategic Plan – Update

Executive Director Jeff Davis reported that Past President Charlie Lester is still working on Access to Justice Strategic Plan proposal and it will be submitted later this year.

#### Due Justice Do Fifty Over 50: Complimentary CLE and Listening Event 9/22/17

Treasurer Darrell Sutton reported that the Access to Justice Committee completed its survey of senior Bar members. The survey was needed for the committee to submit its report to the American Bar Foundation for the grant it received to explore ways for semi-retired lawyers to narrow the justice gap by providing pro bono services to low-income older Georgians. He thanked Sarah Coole, Director of Communications, for her help in putting together the survey.

The Executive Committee received a copy of the survey results and notice of a CLE addressing the unmet legal needs of low-income Georgians that took place on September 22, 2017.

#### Resolution Recognizing Marlene Melvin's Contribution to the LRE Program

Following a report by Executive Director Jeff Davis, the Executive Committee, by unanimous voice vote, approved resolution (Exhibit C) recognizing Marlene Melvin's contributions to the LRE Program. The resolution will be presented to Marlene at the Midyear Meeting.

#### Georgia Department of Education – Link for Live Binders to Every Standard that Mentions Citizen Participation

The Executive Committee received information from the LRE Program on the Georgia Department of Education linking LRE's Live Binders to every standard that mentions citizen participation.

#### State Bar-related Civil Rights Lawyer Initiative Update

The Executive Committee received information on the Committee to Promote Inclusion in the Profession's initiative that will spearhead the establishment of an exhibit to honor and commemorate the role of lawyers and the legal profession in the civil rights movement, called the *Arc of Justice* project.

#### Old Business

There was no old business.

#### New Business

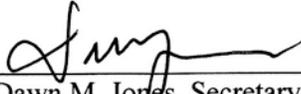
Following Secretary Dawn Jones' inquiry as to when the Judicial Qualifications Commission Nominating Committee will next meet to discuss the new rules and nominations for expiring terms on the commission, Director of Governmental Affairs Christine Butcher Hayes reported that she will follow up with the committee's chair, President-elect Ken Hodges.

Elizabeth Fite announced that she intends to run for the Office of Secretary this year. Secretary Dawn Jones announced that she intends to run for the Office of Treasurer.

Following a request by David Lipscomb, the Executive Committee, by unanimous voice vote, approved presenting a resolution to Past President Bryan Cavan thanking him for his service as the State Bar's first Coordinating Special Master. Since Bryan lives in Florida, it was suggested that the resolution be presented to him at the Annual Meeting that will be held at Amelia Island.

Adjournment

There being no further business the meeting was adjourned at approximately 4:30 pm.

  
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Dawn M. Jones, Secretary

Approved:   
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Buck Rogers, President