

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE MEETING
MINUTES
Wednesday, October 2, 2019/9:00 a.m.
State Bar Building/Atlanta, Georgia**

Members Participating:

Darrell L. Sutton, President; Dawn M. Jones, President-elect; Elizabeth Louise Fite, Treasurer; Sally B. Akins, Secretary; Kenneth B. Hodges, III, Immediate Past President; Bert D. Hummel, IV, YLD President-elect; Ivy N. Cadle; Tony DelCampo; Amy V. Howell; R. Javoyne Hicks; David S. Lipscomb; and Nicki Vaughan.

Members Absent:

William T. Davis, YLD President; and Rizza O'Connor, YLD Immediate Past President.

Guest Present:

Martin Valbuena, Chair, Programs Committee.

Staff Participating:

Sharon Bryant, Chief Operating Officer; Sarah Coole, Director of Communications; Jeff Davis, Executive Director; Paula Frederick, General Counsel; Christine Butcher Hayes, Director of Governmental Affairs; Bill NeSmith, Deputy General Counsel; and Ron Turner, Chief Financial Officer.

Call to Order

President Darrell Sutton called the meeting to order at 9:00 a.m. Members of the Executive Committee in attendance are indicated above.

Executive Committee Minutes

By unanimous voice vote, the Executive Committee approved, as revised, the minutes of the meeting held September 6-7, 2019.

State Bar Programs Presentations

Darrell reported about events that have taken place since the Executive Committee last met. First, he met with representatives of the Supreme Court to make them aware of the financial issues leading to this programs review, the process that preceded the September Executive Committee meeting, the recommendations made by the Executive Committee at that meeting, and the process to follow it.

Darrell also spoke with a representative of each impacted program, notifying them about the financial issues leading to this programs review, the process that preceded the September Executive Committee meeting, the recommendations made by the Executive Committee at that meeting, and the process to follow it, including the opportunity for each program to make a presentation to the Executive Committee, and if necessary, the Board of Governors. This was followed by an email detailing the same information.

The Executive Committee then received presentations from the following programs.

- 1) BASICS: Seth Kirschenbaum-BASICS Committee former chair and member, Michelle Menifee-BASICS Program Director, Judge Jill Pryor

Michelle Menifee provided an overview of the BASICS program. It is a 10-week reentry program operating in 22 correctional facilities around the state. Since its inception 43 years ago, the program has graduated nearly 15,000.

Seth discussed the benefits of the program that serves a segment of the Georgia population, mainly African-Americans, who live in poverty. BASICS reduces crime and prison costs, and transforms lives by helping graduates become more productive citizens. Efforts to get the Department of Corrections (DOC) to take over the BASICS program have been unsuccessful. While the DOC recently created a reentry campus program, it only services a limited number of prisoners. When asked about other funding sources for BASICS, Seth reported the program looks for grants and had a gala that raised some limited funds.

Judge Jill Pryor provided information about the crossover between the state and federal correctional systems. She said there are very few programs like BASICS, which take a burden off the criminal justice system, save lives, and go to the core of the legal and justice system.

- 2) Georgia Appellate Practice and Education Resource Center: Amy Rudolph-President of the Board of Directors, Anna Arceneaux-Executive Director, Sara Totonchi-Executive Director, Southern Center for Human Rights, Robert Remar, Gerald P. Word-Georgia Capital Defenders Office, Judge Jill Pryor

Amy Rudolph discussed The Resource Center mission to provide free representation to indigent death-sentenced prisoners in Georgia who are in state and federal habeas corpus proceedings. Georgia is only one of two states in the country that does not provide a right to counsel for death-sentenced inmates in post-conviction proceedings. The Resource Center was created in 1986 and provides expertise to lawyers who take on these decades-long cases.

Ms. Rudolph indicated the Resource Center furthers the Bar's goal to provide equal access to justice, and to a highly deserving segment of the population. Funding for the Resource Center has held steady for the past decade and there have been no staff raises since 2016. The Resource Center receives \$800,000 from the Georgia legislature, \$200,000-300,000 from federal vouchers, although that amount is unpredictable, and the remainder from the Bar and the Georgia Bar Foundation. The Resource Center is facing increased costs for rent due to a change in its landlord. At the same time, it is working to improve and stabilize its financial picture, compensation parity, and update its antiquated office systems.

Ms. Rudolph expressed skepticism about another entity's ability to make-up the funding difference resulting from the Executive Committee's recommendation to eliminate the Bar's funding of the program. Ms. Rudolph also indicated that the Bar rating the program desirable but not essential will make it difficult for the Resource Center to obtain funding elsewhere, and she asked the Bar reconsider its rating and recommendation.

Darrell explained that the rating system used by the Programs Committee was not an assessment of the Resource Center's operations, work, overall value or effectiveness, but instead an assessment of the relationship the Resource Center bears to the Bar's mission and the value the Bar derives from the funds it annually contributes to the Resource Center.

- 3) State Bar of Georgia Pro Bono Project/Military Legal Assistance Program: Rick Rufolo-GLSP Executive Director, Mike Monahan-Pro Bono Project Director, Jay Elmore-MLAP Committee Chair, Norman Zoller-former MLAP Director, Judge Jill Pryor,

Rick Rufolo provided an explanation about how the funds contributed by the Bar to the Pro Bono Project are annually used.

Following that presentation, Mr. Rufolo reported about the possibility of making MLAP a program of the Pro Bono Project, with GLSP absorbing the cost attributable to MLAP. He indicated this is a feasible option.

Jay Elmore reported that MLAP is agreeable to this arrangement, assuming the Bar's continued non-financial support of MLAP. Assurance was provided the MLAP Committee and Military/Veterans Section will continue to exist and remain involved with the operation of MLAP.

Mr. Elmore reported that since its creation, MLAP has served 2,200 servicemen and veterans, created VA clinics, drafted legislation that resulted in veterans' courts, and assisted Emory, Georgia State University, and the University of Georgia with their veterans' clinics. Five hundred lawyers have volunteered to participate with MLAP in the delivery of these services. MLAP also sponsored a nationwide symposium, and supports ICLE's trainings for attorneys seeking approval to practice before the VA.

Mike Monahan reported about the overlap between the Pro Bono Project and MLAP. He currently supervises MLAP Director Christopher Pitts, who assists the Pro Bono Project with trainings about veterans' issues. Mr. Monahan reported that this transition of MLAP provides an opportunity to enhance that synergy and collaboration.

Judge Jill Pryor reminded everyone that the Bar's strategic plan provided that access to justice is the Bar's highest priority.

Norman Zoller indicated MLAP has proven it does a great deal of good and provides an important source of business for lawyers. It is an important resource for the large population of veterans and military personnel in Georgia.

4) iCivics: Elizabeth Bradley Turner

Elizabeth Turner reported that she became involved with the Bar's iCivics program when it partnered with the Georgia Family Connection Partnership (GaFCP), a program created by Governor Zell Miller to raise Georgia's civic health through high quality civics education. It has allowed iCivics to expand its training opportunities for educators and communities across the state to teachers, after-school program leaders and others.

Ms. Turner reported that in FY '19 iCivics and GaFCP conducted 12 training sessions and attended 5 conferences for just under the iCivics \$12,000 budget. This was for travel and hard costs, while GaFCP donated the staff time. GaFCP recently updated its civic health index, which promoted the Bar and its iCivics program in 159 counties. Ms. Turner indicated that if the program did not receive funds from the Bar, they may possibly be able to locate funding from other sources.

Ms. Turner emphasized that improved civic knowledge leads to better civic engagement and a stronger democracy.

The Executive Committee received a copy of the State Bar of Georgia Programs and Related Entities, Cash Activity Projection, 2019-2020 and 2020-2021 Dues Notices, Definition of Ratings, the Programs Committee Meeting minutes of August 12, 2019, the Unified Bar Committee Meeting (draft) Minutes of August 22, 2019, and a copy of an email from Norman Zoller regarding the Military Legal Assistance Program.

Discussion

Following the directive to Bar staff to identify internal cost reductions, Darrell reviewed an itemization of these potential reductions.

The Executive Committee then received a Projection Information for 2019-2020 and for 2020-2021 report. The projected 2020-2021 budget takes into account both the staff reductions and the Executive Committee's proposed programs recommendations following the September Executive Committee meeting. These total \$1,010,133. Considering these internal budget reductions and a potential \$2 license fee increase, net income of \$212,425 is projected for 2020-2021.

Thereafter, the Executive Committee reviewed the program recommendations it made at its September meeting, and took the following action.

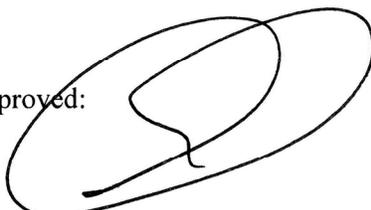
- 1) A motion and second to rescind the recommendation to eliminate the BASICS program and fund it at its current level failed by a majority voice vote. A motion and second to rescind the recommendation to eliminate the BASICS program and support it at a level 10% lower than its current level, or \$135,000, failed by majority voice vote.
- 2) A motion and second to rescind the recommendation to eliminate the Bar's funding for The Resource Center and fund it at its current level was amended to fund The Resource Center at its current level, subject to a determination by the Bar about the viability of the Resource Center becoming a Bar Center tenant, with a portion of rent abatement replacing the equivalent program funding, was approved by majority voice vote.
- 3) A motion and second to rescind the recommendation to sunset MLAP was approved by unanimous voice vote. A motion and second to endorse making MLAP a program of the Pro Bono Project, which is a Bar program conducted with GLSP, and with GLSP assuming the cost associated with MLAP, was approved by unanimous voice vote.
- 4) A motion and second to rescind the recommendation to eliminate funding for the iCivics program and to fund it at its current level failed by majority voice vote.

Darrell reported that he will inform the program proponents about this action. Representatives of BASICS and iCivics will be invited to make presentations in opposition to this action to the Board of Governors at the Fall Board meeting.

Adjournment

There being no further business, the meeting was adjourned at 12:45 p.m.

Approved:



Darrell L. Sutton, President



Sarah B. (Sally) Akins, Secretary