

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
March 27-28, 2015
The Grove Park Inn/Asheville, North Carolina**

Members Participating:

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; Elizabeth Louise Fite; Kenneth B. Hodges, III; Phyllis Holmen; David S. Lipscomb; Brian D. Rogers and Nicki Vaughn.

Members Absent:

Darrell L. Sutton, YLD Immediate Past President.

Staff Participating:

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

Approval of the Meeting Agenda

President Patrise M. Perkins-Hooker presented the Meeting Agenda and requested the addition of the following items: 1) a sponsorship request from the Northview High School Mock Trial State Championship team, and 2) a sponsorship request from Georgia Appleseed. The Executive Committee adopted the meeting agenda, as revised, 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 January 28, February 16, and March 2, 2015 Executive Committee Meetings
- b) Members Requesting Resignation (approve): Alan C. Wang-736509, Keith E. Sealing-632995. Emily Bernstein-155158, Laurie Gail Mayer-479540, W. Kimball Griffith-311950, David E. Allman-013175, Keila M. Selders-597620, Marianne H. Takas-696467, James E. Dunn Jr.-234273, Donald Blair Lowe-459675, David G. Bisbee-058312, Glee Anne Triplett-716387
- c) Approval of Member's Requests (based upon staff recommendations shown in parenthesis):
 - 1) Amy Beyer (approve waiver of Fitness and reinstatement from Administrative Suspension)
 - 2) Christopher L. Kottke (approve waiver to take Bar Exam but require Fitness and payment of back fees)
 - 3) Alicia Jones (approve waiver of late fees but not waiver of dues)
 - 4) R. Stephen Lane (approve waiver of late fees)
 - 5) Darian Ibrahim (approve waiver of late fees)

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

Approval of Contract with Strategic Plan Facilitator

Following a report by President Patrise Perkins-Hooker the Executive Committee, by unanimous voice vote, approved awarding Leadership Strategies, Inc. a contract to work with the Bar's Strategic Planning Committee, the Executive Committee, Board of Governors, committees, sections, programs, staff, members and other stakeholders to undertake a comprehensive strategic plan. The strategic plan will serve as a blueprint for the future operations of the State Bar in keeping with Bar's stated mission. The term of the Agreement is for April 1 – December 1, 2015. The cost of the undertaking is \$88,576 and will be paid from the Bar's excess surplus.

Investment Committee

Following a report by President Patrise M. Perkins-Hooker the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors proposed amendments to the State Bar of Georgia Investment Policy as recommended by the Investment Policy Committee. The approved amendments are attached as Exhibit A.

Civil Legal Service Task Force (CLSTF)

Following a report by Treasurer Rita A. Sheffey, Chair of the CLSTF, the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors the following Task Force's recommendations:

- 1) An educational piece (Exhibit B) on best practices for distributing Cy Pres funds that can be disseminated to state and federal judges in Georgia, as well as plaintiff and defense lawyers, encouraging Cy Pres funds in civil cases to be designated for civil legal services; and
- 2) Asking the Supreme Court of Georgia to recommend that state trial courts designate 25% of Cy Pres funds for civil legal services.

Recommendation from Cornerstones of Freedom to Approve Company for Production of PSA's

Following a report by President Patrise M. Perkins-Hooker on a recommendation from the Communications/Cornerstones of Freedom Committee to engage Big Table Agency for the creation and dissemination of public service announcements raising public awareness of the utility, value and good works of the Bar and its members, the Executive Committee requested additional information before taking any action on the proposal. If time permits, the Executive Committee agreed to revisit this issue on Saturday morning following the joint meeting of the Supreme Court of Georgia and the Executive Committee.

Recommendation from Communications Department to Discontinue Printed Directory

Jeff Davis reported on a recommendation from the Communications Department to discontinue the printed *Directory and Handbook*. In 2009-10, the Bar changed to an opt-in on the dues notice and the printing was reduced from 35,000 copies per year to 10,000. He reported that last year only 3,500 copies were printed. With nearly 1,000 membership changes per month (name changes, telephone numbers, and address changes), the Directory is outdated well before it is ready for printing. All of the information included in the Directory can be found online and is always up to date. Following a motion and second to approve discontinuing the printing of the State Bar Directory, an amended motion that we discontinue printing the Directory on a regular basis and instead allow members to order it for a charge of \$25 per Directory was approved by majority voice vote.

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 to celebrate Civil Rights Milestones associated with the passage of the 1964 Civil Rights Act, the March on Selma, and passage of the 1965 Voting Rights Act.

The program, which will recognize the roles of Georgia attorneys and activists in accelerating civil rights, includes a lecture by Charles Johnson on the afternoon of June 3, and a panel discussion with activists and attorneys in the evening and reception. The cost of \$50,000 will be paid from the Cornerstones of Freedom budget. The Executive Committee, by unanimous voice vote, approved the proposal.

Dues 2015-2016 Recommendation to the Board of Governors and Other Dues Items

Following a report by Treasurer Rita Sheffey, the Executive Committee, by unanimous voice vote, approved submitting the following recommendation to the Board of Governors for approval:

1. Maintaining dues at \$248 for active members and \$124 for inactive members, which reflects no dues increase, but does include indexing dues \$.90 per member for the Fee Arbitration Program contract attorney that will be absorbed from the Bar's excess surplus.

Approval of Other Bar Dues Statement Items

Following a report by Treasurer Rita Sheffey, the Executive Committee, by unanimous voice vote, approved the following other dues statement items:

1. Section dues to be reflected on the dues statement ranging from \$10-\$35; and
2. Continuation of assessments required by Bar Rules regarding the Clients' Security Fund (\$100 @ \$25/year) and Bar Center Facility (\$200 @ \$50/year); and
3. Continuation of a \$100 opt-out contribution for the Legislative and Public Education Fund; and
4. A suggested \$300 opt-in provision for individual contributions and a \$100 opt-in contribution for young lawyers for Georgia Legal Services Program.

Approval of Cherry Bekaert LLP Audit Report

The Executive Committee, by unanimous voice vote, approved and recommended to the Board of Governors the audited financial statements of the State Bar for the year ended June 30, 2014.

High School Mock Trial Program State Championship Team Donation

Following a report by President Patrise Perkins-Hooker, the Executive Committee, by unanimous voice vote, approved making a \$5,000 donation to the State Bar of Georgia Foundation to assist the mock trial team from Northview High School, which is the 2015 Georgia High School Mock Trial State Champion, with attending the National High School Mock Trial Championship in Raleigh, North Carolina, in May.

Georgia Appleseed Tenth Year Anniversary Celebration Sponsorship Request

Following a report by President Patrise Perkins-Hooker, the Executive Committee, by unanimous voice vote, approved a \$2,500 Silver Level Sponsorship for Georgia Appleseed's Tenth Year Anniversary Celebration that will be held April 21, 2015. The funds will be paid from the Conference Sponsorship Account.

President's Report

President Patrise Perkins-Hooker provided an update on her activities and reported that she will have a full written report in the Spring Board of Governors agenda book. She continues to travel around the state and educate members about the Bar. She has been working with Bucky Askew on refining plans for the law school incubator program. She met with Camila Knowles, Commissioner of the Department of Community Affairs, to discuss the rural lawyers initiative. Unfortunately, the rural lawyers program did not advance in this year's legislative session due to other funding requests under consideration. The *iCivics* program is doing well, and the *iCivics* Committee has identified five school districts to approach

next year for expansion and teacher training. The YLD continues to do a good job with pairing up 168 lawyers in classrooms and working with teachers to refine how they can help. She met with Richard Woods, Georgia's School Superintendent, who was excited about the *iCivics* initiative. He offered a link on the state's web site to *iCivics* and an opportunity to exhibit at the next Conference of Social Studies Teachers to promote it.

President Perkins-Hooker and Jeff Davis continue to work on the Bar's communication efforts so as to achieve better outreach to the community on the good work of lawyers.

Treasurer's Report

Treasurer Rita Sheffey provided a report on the Bar's finances and investments. The Executive Committee received copies of the Operations and Bar Center Consolidated and Individual Revenue and Expenditures Reports and Income Statement YTD for the seven months ended January 31, 2015, the Balance Sheet as of January 31, 2015, and the Summary of Dues and Voluntary Contributions for May-January 2013-2015. She thanked Steve Laine and his staff for their support.

The Executive Committee received a Summary of Committee Recommendations for the Fiscal 2015-16 Budget that were made by the Programs and Personnel Committees.

YLD Report

YLD President Sharri Edenfield reported on the activities of the Young Lawyers Division. She presented a request by the High School Mock Trial Competition Committee to submit a bid to host the National High School Mock Trial Championship in 2019. The Executive Committee, by unanimous voice vote, authorized the submission of the bid and to provide a letter of support. The 4th Annual Legal Food Frenzy begins April 20 and on-line registration is open now. President Patrise Perkins-Hooker encouraged all of the Executive Committees to participate. The YLD Spring Meeting was held in New Orleans on March 27-29. Over 100 registrants participated in the weekend activities, which included a CLE on *Plessey V. Ferguson*. The first Solo Small Firm/Affiliates Conference was held on February 21 in Macon. The YLD Signature Fundraiser had over 200 people in attendance and raised approximately \$61,000 for the Augusta Wounded Warriors Project.

Executive Director's Report

Jeff Davis reported that construction on the Spring Street Viaduct Project is still on schedule. In the meantime, the Bar plans to make improvements and technology upgrades to the parking deck. He also reported that the Criminal Justice Coordinating Council is expanding into 10,000 sq. ft. of space vacated by the Prosecuting Attorneys Council on the 4th floor. The Georgia Public Defender Standards Council has also requested additional space. There will still be approximately 7,000 sq. ft. of rentable space left on the 4th floor that could house the law school incubator program.

Office of General Counsel Report and ABA Report

Paula Frederick reported on the activities of the Office of General Counsel. Proposed revisions to the rules governing trust accounts are still pending at the Supreme Court. Rules changes approved by the Board of Governors in January are published in this month's *Georgia Bar Journal* and will be filed with the Supreme Court of Georgia in May. She announced that the Court of Appeals of Georgia affirmed the award in the Fee Arbitration case of *Cordell and Cordell, P.C. v. Shaojun Gao*. She reported that the ABA Governance Commission undertook a review the House of Delegates, the Nominating Committee, and the Board of Governors to ensure appropriate representation in each body and she referred the Executive Committee to the copy of its report titled ABA Governance Commission Preliminary Proposals for Public Comment.

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

Legislative Update

Thomas Worthy provided a recap of the 2015 General Assembly and disseminated a printed tracker of the Bar's legislative proposals. President Patrise Perkins-Hooker and Nicki Vaughan thanked Thomas for all of his efforts on behalf of the Bar's legislative program.

Admission of Attorneys Who Are Military Spouses

President Patrise M. Perkins-Hooker reported on a resolution and a draft Model Rule for Admission of Military Spouse Attorneys adopted by the ABA House of Delegates in February urging state bar admission authorities to adopt rules, regulations and procedures that accommodate the unique needs of military spouse attorneys who move frequently in support of the nation's defense. Following that, the Executive Committee, by unanimous voice vote, approved recommending the Model Rule to the Board of Governors for adoption and forwarding to the Supreme Court of Georgia.

Insurance Committee Report

The Executive Committee received a copy of the Insurance Committee Recommendations to the Executive Committee dated March 10, 2015. One recommendation is the adoption of a policy governing the use of the State Bar's workout room in the basement, including rules and regulations to be posted in the room, and a procedure for approval and execution of a waiver and release form by each employee or approved guest prior to use of the room. Another recommendation is a proposed Standing (Board or Executive Committee) Policy on Members Legal Service Programs. This policy would govern the creation and operation of Bar programs that provide free legal services to members of the public.

Communications Report of Published Articles 2014-15

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

IT Security Assessment and Network Penetration/Vulnerability Scan

The Executive Committee received a copy of the State Bar's IT Security Assessment and Network Penetration/Vulnerability Scan dated February 23, 2015.

ABA Journal Article *Young Lawyers Take Flight after Incubator Programs*

The Executive Committee received a copy of an article on young lawyers being helped by law school incubator programs.

ICLE Commitment to Georgia's Incubator Program

The Executive Committee received a copy of a Memorandum from ICLE to Bucky Askew that summarizes information from an ACLEA Workshop on Incubator Initiatives.

ABA Bar Leader Newsletter Articles on the Future of the Profession and Bar Associations

The Executive Committee received copies of articles on the National Conference of Bar Presidents discussion on the future of the profession for bar associations, pathways to the future of Main Street lawyers, and ABA President Hubbard urging NCPB members to focus on the future.

Daily Report Article *Washington State Program Would Allow Nonlawyers to Practice*

The Executive Committee received a copy of an article about Washington's Supreme Court adopting a rule that will allow licensed nonlawyers, known as limited license legal technicians, to handle family law matters, such as divorce and child custody.

Old Business

The Executive Committee reconsidered its previous decision to require Dock Davis to submit to fitness following his resignation, and by majority voice vote, with Treasurer Rita Sheffey abstaining, approved a

motion that Mr. Davis be required to submit to an evaluation by the Lawyer Assistance Program to determine his present fitness to practice law before being returned to active status.

New Business

There was no new business.

Adjournment

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

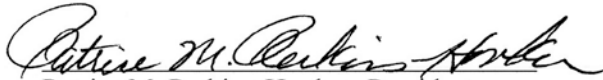
Executive Committee/Supreme Court Retreat

The Executive Committee and Justices of the Georgia Supreme Court conducted a joint meeting on March 28, 2015, to discuss pending issues and developments affecting the administration of justice and the regulation of the legal profession. Those present for the meeting from the Supreme Court of Georgia were Chief Justice Hugh P. Thompson, Presiding Justice P. Harris Hines, Justice Robert Benham, Justice Carol W. Hunstein, Justice Harold D. Melton, Justice David E. Nahmias, and Justice Keith R. Blackwell. All members of the Executive Committee were present, except YLD Immediate Past President Darrell Sutton. Bar staff in attendance included Sharon Bryant, Jeff Davis, Paula Frederick, Steve Laine, and Thomas Worthy.



Patrick T. O'Connor, Secretary

Approved:



Patrise M. Perkins-Hooker, President