

**STATE BAR OF GEORGIA  
EXECUTIVE COMMITTEE  
MINUTES  
Thursday, November 17, 2011  
The Pinnacle Club/Augusta, GA**

Members Present:

Kenneth L. Shigley, President; Robin Frazer Clark, President-elect; Patrise Perkins-Hooker, Secretary; S. Lester Tate, III, Immediate Past President; Stephanie J. Kirijan, YLD President (by phone); Jonathan B. Pannell, YLD President-elect; Michael G. Geoffroy, YLD Immediate Past President; Phyllis J. Holmen; Robert J. Kauffman; David S. Lipscomb; Rita A. Sheffey; and N. Harvey Weitz (by phone).

Members Absent:

Charles L. Ruffin, Treasurer; and Brian D. Rogers.

Staff Participating:

Cliff Brashier, Executive Director; Sharon L. Bryant, Chief Operating Officer; Paula Frederick, General Counsel; and Bob McCormack, Deputy General Counsel.

Welcome and Introductions

President Ken Shigley welcomed Board of Governors member Edward J. Coleman, Augusta Circuit, Post 1, and other members of the Augusta Bar in attendance at the Executive Committee. Prior to the meeting, the Executive Committee held a joint luncheon with the Augusta Bar Association and where they were welcomed by Sam G. Nicholson, President of the Augusta Bar.

Consent Agenda

President Shigley presented the Consent Agenda.

- 1) Previous Executive Committee Minutes of October 6, 2011
- 2) Future Meetings Schedule (Current Version)
- 3) Approval of Members' Requests:
  - a. Termination Appeal – Bradley Taylor
  - b. Late Fee Waiver Appeals for Approval – Savas Kyriakidis, Nichole Mitchell
  - c. Late Fee Waiver Appeals for Denial – Denise Hollingsworth, Ivan Zigler

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

YLD Report

YLD President Stephanie Kirijan provided an update on the activities of the YLD. The Fall meeting, held in Athens the weekend of November 11-13, 2012, had the highest attended business meeting in history. Attorney General Sam Olens was present to talk about The Legal Frenzy food and fund drive effort, and the local service project included donations to Nuçi's Space, a non-profit health and music resource center in Athens aimed at preventing suicides by musicians suffering from depression and other such disorders. The Leadership Academy is accepting applications through November 23, 2011, and costs for the Academy have been reduced in half to help make it more self-sufficient. The Executive Committee

members were invited to attend the YLD Holiday Party on December 15, 2011, at the Four Seasons Hotel, and to the Annual Signature Fundraiser on January 7, 2012, that will benefit the GLSP. The GLSP was also the recipient of the Family Law Committee's Supreme Cork fundraiser that raised \$21,000.

#### Legislation

Following a report by Tom Boller, the Executive Committee, by unanimous voice vote, approved recommending to the Advisory Committee on Legislation the following proposed legislation: 1) H.B. 397, Open Meetings and Open Records, 2) New Joint House/Senate Study Committee on E-Filing in Georgia Trial Courts, and 3) Garnishment. The Executive Committee took no action on H.B. 242, American Laws for Georgia Courts Act.

#### Legislative Service Award to Wendell Willard

Following a report by President Shigley, the Executive Committee, by unanimous voice vote, approved presenting the 2011-12 Legislative Service Award (Exhibit B) to the Honorable Wendell K. Willard.

#### Statute of Limitations for Professional Liability of Attorneys and Accountants

Following a report by Michael Geoffroy, Joe Kigma, David Lefkowitz, and Charlotte Perrell on the Professional Liability Section's draft Georgia Statute of Limitations, the Executive Committee, by unanimous voice vote, approved recommending version 2 (Exhibit A) to the Advisory Committee on Legislation, and also forwarding version 1 to the ACL for information purposes.

#### President's Report

President Shigley reported that the Special Council on Criminal Justice Reform has not yet submitted its report, but it will include community-based solutions, reclassification of minority offenses, and accountability. He reported that the Council did not reach a consensus on mandatory minimum sentencing for certain types of crimes. The State Bar's Criminal Justice Reform Committee will review and respond to the report. He also reported that the web site redesign is moving along as planned and should be completed by the Spring of 2012.

#### Treasurer's Report

The Executive Committee received a copy of the Bar's financial statements for the three months ended September 30, 2011.

#### Committee Updates

The Executive Committee Liaisons provided various committee reports.

#### Formal Advisory Opinion 86-1

Paula Frederick provided a report on the Supreme Court of Georgia's granting discretionary review of Formal Advisory Opinion 86-1 regarding lawyer-legislators also serving as part-time solicitors. A state statute already prohibits such an arrangement.

#### Meeting Plans

President Shigley announced that the Executive Committee Meeting and lunch with the Court of Appeals of Georgia will take place on December 14, 2011, and Michelle Garner provided a report on the Midyear Meeting, January 5-7, 2012, at the Lowe's Atlanta Hotel.

#### Board of Governors Minutes

The Executive Committee received a copy of the Board of Governors Minutes of the October 29, 2011, Board meeting.

Consumer Assistance Program

The Executive Committee received a written report from the Consumer Assistance Program for the month of October 2011.

Office of General Counsel

The Executive Committee received a written report of the Report on Matters Handled Administratively by the Office of General Counsel for the month of September 1, 2011, and a Year to Date Report on Lawyer Regulation for the months of May through September 2011.

Law Practice Management

The Executive Committee received a copy of the agenda and materials for the LPM Advisory Committee meeting held on October 29, 2011.

Fastcase

The Executive Committee received information on changes to Fastcase that will improve speed, content and ease of use.

Member Benefits Committee

The Executive Committee received a copy of the agenda and materials for the Member Benefits Committee Meeting held on October 28, 2011.

Access to Justice Committee

The Executive Committee received information on the proposed initiatives of the Access to Justice Committee for the year.

BPC Financial Health Insurance

The Executive Committee received a copy of the Georgia Lawyers HealthPlan Advantage Participation Report through October 3, 2011, from BPC.

Georgia Legal Services Program

The Executive Committee received a copy of a *Wall Street Journal* article concerning possible funding cuts for the Legal Services Corporation, and an article from *Civil Justice* featuring trailblazing lawyers for justice.

Judicial Funding

The Executive Committee received a copy of an article from *The Economist* concerning underfunded court systems weakening the economy and access to justice.

Atlanta Business Chronicle, "Atlanta Bar President Focuses on Diversity"

The Executive Committee received a copy of an article from the Atlanta Business Chronicle about the Atlanta Bar President, Rita A. Sheffey.

Wall Street Journal, "Glut of Criminal Cases Puts Squeeze on Civil Litigation"

The Executive Committee received a copy of an article from *The Wall Street Journal* on how the glut of criminal cases is putting the squeeze on civil litigation.

July 2011 Georgia Bar Exam Results

The Executive Committee received information on the results of the July 2011 Georgia Bar Examination.

Old Business

There was no old business.

New Business

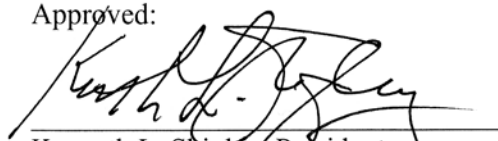
There was no new business.

Adjournment

There being no further business, the Executive Committee meeting was adjourned.

  
Patrie M. Perkins-Hooker, Secretary

Approved:

  
Kenneth L. Shigley, President