

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
September 11-12, 2015
Barnsley Gardens/Adairsville, GA**

Members Participating:

Robert J. Kauffman, President; Rita A. Sheffey, President-elect; Patrick T. O'Connor, Treasurer; Brian D. (Buck) Rogers, Secretary; Patrise M. Perkins-Hooker, Immediate Past President; John R.B. Long, YLD President; Jennifer Campbell Mock, YLD President-elect; V. Sharon Edenfield, YLD Immediate Past President (by phone); Thomas R. Burnside, III; Elizabeth Louise Fite; Kenneth B. Hodges, III; Phyllis Holmen; David S. Lipscomb (by phone); and Nicki Vaughn.

Staff Participating:

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

Future Meetings Schedule

President Bob Kauffman announced that the Strategic Planning Session on Saturday, October 3 has been eliminated. Thereafter he referred the Executive Committee to the Future Meetings Schedule.

Executive Committee Minutes

The minutes of the August 14, 2015 Executive Committee Meeting were approved, as revised, by unanimous voice vote.

Members Requesting Resignation

Pursuant to State Bar Rule 1-208, the Executive Committee, by majority voice vote, approved the following resignation requests: Martin Craig Dishner, 222691; Alyse Beth Heyman, 003330; Carolyn A. Farris, 545218; Donnika D. Stance, 131022; Bobby Gay Kirby, 422845; Sonia A. Bacchus, 030345; Michael J. Schwarz, 631275; Aufrea H. Finlay, 261448; Gary Michael Berkson, 054775; David J. White, 000440; David F. Dorsey Jr., 226296; F. Rodger Wrege, 777550; Martin Silfen, 645978; George W. Jordan III, 142193; Rex Berry, 055626; Tracy Hannan, 100143; Mark H. Taupeka, 699123; Leon K. Oxley, 558350; Dianne Smith Coscarelli, 949644; Mark Rubin, 618450; Edward M. Wayland, 522341; Susan Bass Bolch, 065765; Corey Steinberg, 118208; Joanne B. Brown, 045730; Britton Richardson, 603812; Frank Joseph Sparti, 669966; Carla Casas, 515074; David G. Gentry, 319609; Rebecca Wilson, 916729; Ester N. Leibfarth, 417183; Marsha A. Sajer, 622228; Michael P. Kennedy, 415004; David G. Fawcett, 256459; Linda Lofton, 462358; Garland Roy Miller, 506567; Mark A. Westhafer, 749735; Katherine Martinez, 474766; Louisa H. Warren, 738419; Betty Patricia Sinback, 648849

Members Requesting Disabled Status

Pursuant to State Bar Rule 1-202, the Executive Committee, by unanimous voice vote, approved the following requests for disabled status: Ted H. Reed, 597837; Carol Duvic Niven, 544708; Deborah A. Finnerty, 261578; Dena G. George, 297337; Charles B. Zirkle Jr., 785975; Mary Kathryn Davis, 212025; Stanley Calhoun, 142078

David Lipscomb asked that any resignation request that comes from a third party be documented. Jeff Davis reported that hereinafter those requests will be noted with an asterisk.

Approval of Members' Requests

The Executive Committee, by majority voice vote, approved a motion accepting Bar staff's recommendations for requests for waiver of late fees as follows:

- 1) Denied a waiver of late fee for Robert Coleman; and
- 2) Approved a waiver of late fee for Cynthia Roseberry; Stephen Vogt; Kirk Quillian; Diana Slocumb; and Charlotte Winkler.

Lawyers Helping Lawyers Policies and Guidelines – LAP

Following a report by Paula Fredrick, the Executive Committee, by unanimous voice vote, approved the proposed *Lawyers Helping Lawyers Policies and Guidelines* (Exhibit A) for the Lawyer Assistance Program's new peer volunteer program initiative. They will be included in the Fall Board of Governors agenda as an information item.

Parking Deck Proposed Improvement Efforts

Following a report by Jeff Davis, the Executive Committee, by unanimous voice vote, approved an additional \$13,103 in revised bids and equipment maintenance agreement for the parking deck improvements. He reported that improvements to the Spring Street entrance may not be as extensive as first anticipated. He announced that Spring Street is now reopened, and that Spring Street between Whitehall Street to West Peachtree Street has been renamed Ted Turner Boulevard.

Legislative Contracts

Following a report by Thomas Worthy, the Executive Committee, by unanimous voice vote, approved legislative consultant contracts with Meredith Hobbs and Roy Robinson for the 2016 Regular Session of the Georgia General Assembly (January 1 through April 30, 2016). Each will be compensated \$48,000 for their services. The costs will be paid from voluntary contributions in the Legislative and Public Advocacy Fund.

Sponsorship Request

Following a report by Nicki Vaughan, the Executive Committee, by unanimous voice vote, approved a \$2,500 request from the Indigent Defense Committee for a luncheon celebrating the 10th anniversary of the formation of the statewide public defender system.

Consumer Pamphlet's

Jeff Davis reported on the Bar's consumer pamphlets series. Updating the pamphlets to ensure accurate information is an ongoing challenge, and requests for the brochures continues to decline. YLD President Jack Long reported that they are used extensively in his area and that the YLD is in the process of rewriting the Senior Citizens Handbook and Choosing a Nursing Home. He said he would be happy to reach out to other YLD Committees for updating purposes. Since one of the functions of the Bar is public education, it was the consensus of the Executive Committee that the Bar convert into digital format those brochures that do not discuss specific areas of the law and to look at websites of other law-related organizations to see if they offer similar, but updated information that the Bar could hyperlink to. Whenever another brochure is updated and reviewed it can then be posted online. It was also suggested that solicitations to Bar members asking for volunteers to provide updates should go out under the President's signature.

President's Report

President Bob Kauffman reported that the Wellness Task Force, chaired by Ken Hodges, held its first meeting this week. Ken Hodges reported that the following subcommittees were formed: 1) Mental Health co-chaired by Javoyne Hicks White and Bill NeSmith, 2) Physical Well-Being co-chaired by Judge Elizabeth Branch and Laura Speed, 3) Social Well-Being co-chaired by Joyce Gist Lewis and Nicki Vaughan, 4) YLD Initiative chaired by Julia Bowen, 5) Technology chaired by Jeff Kuester, and 6) Branding chaired by Justice Harold Melton.

YLD Report

YLD President Jack Long reported on the activities of the Young Lawyers Division. The August 20-23 Summer Meeting at Greensboro and was the highest attended summer meeting in the history of the YLD and featured a CLE on the nuances of practicing law outside of the Atlanta metropolitan area. For the first time ever, the CLE and General Session were broadcast live via the internet for those who could not attend in person. He announced that the YLD and the Texas Young Lawyers Association are working together to create a consumer pamphlet for divorcing military spouses. The YLD is also planning a regional summit next year with the South Carolina, Florida, Alabama, North Carolina and Tennessee young lawyers to share ideas. The summit will be held at the Bar Center and there is ABA grant money available to help defray some of the costs. Tentatively, the Annual Signature Fundraiser will take place on January 23, 2016. This year's beneficiary is Camp Lakeside that enables children with all levels of disabilities and illnesses an opportunity to enjoy a typical summer camp experience. Through the YLD's law school outreach efforts, to date programs have been held at Mercer, Emory, University of Georgia, Georgia State University, and Atlanta's John Marshall. All of the programs have been well attended and 80-90% of the attendees have signed up to be YLD affiliate members. President Bob Kauffman reported that he was contacted by the chair of the Bar's Law School Outreach Committee to report that the YLD is doing such a great job with its law school outreach efforts that the Special Committee is no longer needed.

Executive Director's Report

Jeff Davis reported that the Criminal Justice Coordinating Council's construction build out is ongoing. He reported that Bar staff is excited about the wellness program and what it means for them, and that there is a health fitness screenings for staff later this month. President-elect Rita Sheffey reported that 88 out of 90 Bar employees responded to the Strategic Planning survey and believes it would be a nice gesture for the Executive Committee to let them know it was noticed and appreciated. The Executive Committee granted authority to Jeff Davis and Paula Frederick to give staff an extra "personal" day for their efforts.

Approval of Budget Overruns

Treasurer Pat O'Connor reported on the following 2014-15 budget overruns: 1) Tifton overage of \$5,582 due to videoconferencing equipment upgrades, 2) TILPP overage of \$5,476 due to budgeting error, 3) Savannah overage of \$23,707 due to video conferencing equipment upgrades and building insurance increases, 4) YLD overage of \$7,740 due to departure of PT employee and converting position to FT, and 5) Conference Center overage of \$146,482 due to video conferencing equipment upgrades. Immediate Past President Patrise Perkins-Hooker went on record to state that the original motion and the accompanying laundry list that was approved by the Executive Committee for the video conferencing upgrades, was approved as coming out of the capitol funds reserve so she has a problem with it now being expensed to individual departments. Steve Laine reported that he will go back and debit the Bar Center unrestricted funds reserve for the Tifton, Savannah, and Bar Center video conferencing upgrade costs. Thereafter, the Executive Committee, by unanimous voice vote, approved the following budget overruns 1) TILPP overage of \$5,476, 2) Savannah overage of \$2,020 (building insurance), and the 3) YLD overage of \$7,740.

Replenishment of Restricted Funds for Meetings

Following a report by Treasurer Pat O'Connor, the Executive Committee approved utilizing \$6,074.18 from the Bar's surplus to bring the restricted Meetings Account back to a zero balance.

Audit Selection

Treasurer Pat O'Connor reported that the Audit Committee will meet later this month to bring a recommendation on the new financial audit firm for the next three to five years. The recommendation will be presented to the Board of Governors at the Fall Board Meeting.

Year End Financials

Treasurer Pat O'Connor presented the June 30, 2015 year end financials, which included the 1) Consolidated Revenue and Expenditures as of June 30, 2015 (Operations and Bar Center), 2) Summary of Dues and Voluntary Contributions May through April 2014-2016, 3) Income Statement YTD for the Twelve Month Ending June 30, 2016 (Operations Only), 4) Bar enter Revenues and Expenditures for the Twelve Months Ended June 30, 2015, and the 5) State Bar Balance Sheet June 30, 2015.

Executive Session

The Executive Committee, by unanimous voice vote, approved a motion to go into Executive Session to discuss litigation and other matters. Thereafter, the Executive Committee, upon a motion and second, moved out of Executive Session.

Old Business


There was no old business.

New Business

Immediate Past President Patrise Perkins-Hooker disseminated a Charitable Donation Agreement prepared by the State Bar for Lawyers for Equal Justice. She stated that the funding approved by the Board of Governors in June for the law school incubator project in the amount of \$85,000/year for three years did not require any formal agreement or any other qualifiers, but the Lawyers for Equal Justice was presented with a Charitable Donation Agreement in order to receive the funds. She is concerned about the precedent of Bar staff to redirect and redefine what the Board of Governors voted to do. A motion asking that funding be mandated as directed by the Board of Governors without the Charitable Donation Agreement, or the deletion in the Agreement of the phrase in paragraph 9 that reads "this is not a project of the State Bar," failed for lack of a second.


Adjournment

There being no further business the Executive Committee, by unanimous voice vote, adjourned the Executive Committee meeting to begin the Executive Committee Retreat.



Brian D. (Buck) Rogers, Secretary

Approved:



Robert J. Kauffman, President