

**STATE BAR OF GEORGIA
BOARD OF GOVERNORS
MEETING MINUTES
Saturday, June 9, 2018/9:00 a.m.
Omni Amelia Island Resort/Amelia Island, FL**

The 274th meeting of the Board of Governors of the State Bar of Georgia was held at the date and location shown above. Ken Hodges, President, presided.

Call to Order and President's Remarks

Following a call to order and an introduction by Immediate Past President Buck Rogers, President Ken Hodges delivered the President's Address (Exhibit A).

Special Recognition

President Ken Hodges recognized the members of the judiciary, the Past Presidents of the State Bar, and other special guests in attendance.

Welcome to New Officers and Board Members

President Ken Hodges recognized the new Officers and Board of Governors members.

Roll Call

Secretary Elizabeth Fite circulated the roll for signature. The list of those in attendance is attached as Exhibit B.

Future Meetings Schedule

President Ken Hodges reviewed the Future Meetings Schedule.

Approval of President's Appointments to the State Disciplinary Boards

The Board of Governors approved the following presidential appointments to the State Disciplinary Board by unanimous voice vote:

Investigative Panel:

Maggie Puccini, Savannah (2021)

Jeffrey R. Harris, Savannah (2021)

Formal Advisory Opinion Board:

Georgia Association of Criminal Defense Lawyers: Amanda Clark Palmer, Atlanta (2020)

Young Lawyers Division: Nicole Christine Leet, Atlanta (2019)

Emory University: Melissa D. Carter, Atlanta (2020)

Georgia State University: Megan Elizabeth Boyd, Atlanta (2020)

At Large: Letitia A. McDonald, Atlanta (2020)

Mary Anita Prebula, Atlanta (2020)

Jeffrey Hobart Schneider, Atlanta (2020)

Approval of President's Appointments to the ICLE Board

The Board of Governors approved the following presidential appointments to the ICLE Board, for three-year terms, by unanimous voice vote: Buddy M. Mears, Laverne Lewis Gaskins, and C. James Callar, Jr.

Approval of 2018-2019 Standing and Special Committees, Program Committees and Boards

The Board of Governors approved the proposed 2018-2019 Standing, Special Committees, Program Committees and Boards by unanimous voice vote.

Treasurer's Report

Treasurer Dawn Jones reported on the Bar's finances and investments. She reported that the State Bar's share of the proceeds from the sale of the Athens ICLE property totaled \$528,219.75; membership growth is now at 49,927 total members; the Bar Center remains profitable; there are adequate reserves in place; and the surplus continues to decline by design and as per our plan. She reported that membership is comprised of 60.7% men and 39.3% women. She stated that there has been a slight decline in legislative contributions that totaled \$550,000 for the 2017-18 Bar year, but that contributions to the GLSP are steadily increasing. She also reported that the State Bar restricted reserves are \$5.65 million and the surplus is \$5.2 million. The State Bar continues to have minimal dues increases. Lastly, she reported that the "grey wave" of 55 and older members is increasing, which impacts wellness and receiverships so it is important for attorneys to have succession plans and to appoint a designated attorney on their dues notice.

Finance Committee Chair Nancy Whaley reported that at the last Board of Governors meeting there was a discussion on the Bar Facility assessment. She announced that the Finance Committee will be meeting sometime in the August/September timeframe to look at the impact that assessment has on new lawyers. Thereafter, she asked the Finance Committee members in the audience to stand and be recognized.

The Board of Governors received copies of the combined Operations and Bar Center Consolidated Revenues and Expenditures Report as of March 31, 2018; Income Statement YTD for the Nine Months Ended March 31, 2018; Bar Center Revenues and Expenditures Summary for the Nine Months Ended March 31, 2018; State Bar Balance Sheet for March 31, 2018; and the Summary of Dues and Voluntary Contributions at March 31, 2018, Legislative Fund and Cornerstones of Freedom Fund Activity Reports through March 31, 2018.

2018-2019 State Bar Budget

Treasurer Dawn Jones presented the consolidated 2018-2019 (3rd Draft) Proposed State Bar Operating and Bar Center Budgets (Exhibit C), which were approved by the Board of Governors by unanimous voice vote, and reflect the following:

- 1) Dues at \$252 for active members and \$126 for inactive members, which represents a \$2 increase in actives dues and a \$1 increase in inactive dues;
- 2) Section dues to be reflected on the dues statement ranging from \$10-\$40;
- 3) Continuation of assessments required by Bar Rules regarding the Clients' Security Fund (\$100 @ \$25/year) and Bar Center Facility (\$200 @ \$50/year);
- 4) Continuation of a \$100 opt-out contribution for the Legislative and Public Education Fund; and
- 5) A suggested \$300 opt-in provision for individual contributions (\$100 for young lawyers) for the Georgia Legal Services Program.

Financial Resolutions

As required by Article V, Section 8 of the Bylaws, the Board of Governors approved the following resolutions by unanimous voice vote:

- 1) Authorization for President to Secure Blanket Bonds for Officers and Staff
As required by Article V, Section 8 of the Bylaws, to authorize the President to secure a blanket fidelity bond to cover all officers, employees and other persons handling State Bar funds.
- 2) Designation of Depositories for General Operations of State Bar of Georgia
Pursuant to Article V, Section 6 of the Bylaws, that the State Bar of Georgia and related entities open appropriate accounts with such banks in Georgia, but excluding any bank that does not participate in the IOLTA Program, and other such depositories as may be recommended by the Finance Committee and designated by the Executive Committee of the Board of Governors of the State Bar of Georgia; and that the persons whose titles are listed below are authorized to sign an agreement to be provided by such banks and customary signature cards; and that the said banks are hereby authorized to pay or otherwise honor any check drafts or other orders issued from time to time for debit to said accounts when signed by two of the following: the Treasurer, the Secretary, the President, the Immediate Past President, the President Elect, the Executive Director, the Office Manager and the General Counsel, provided either the President, the Secretary or the Treasurer shall sign all checks or vouchers and that said accounts can be reconciled from time to time by said persons or their designees. The authority herein given is to remain irrevocable so far as said banks are concerned until they are notified in writing of such revocation of authority and in writing, acknowledge receipt thereof.
- 3) Employment of Independent Auditing Firm to Audit Financial Records of State Bar for FY 2018
That Mauldin & Jenkins be designated as the independent auditing firm to audit the financial records of the State Bar of Georgia for the fiscal year 2017-2018.

Executive Director Election

The Board of Governors elected Jeff Davis as Executive Director for the 2018-2019 Bar year by unanimous voice vote.

Election Schedule 2018-2019

The Board of Governors approved the proposed 2018-19 Election Schedule (Exhibit D) by unanimous voice vote.

Executive Committee Election

The Executive Committee election was held with the following results, and the Board of Governors accepted the slate of candidates by unanimous voice vote:

One-Year Term 2018-2019

Nominations:

Candidate: Amy V. Howell
Nominator: Judge Lawton E. Stephens
Seconded: Anita Wallace Thomas

Results:

Elected by majority ballot vote for a one-year term

Candidate: Eric A. Ballinger
Nominator: Judge Philip C. Smith
Seconded: Martin E. Valbuena

Two-Year Term 2018-2020

Nominations:

Candidate: J. Antonio DelCampo Elected for a two-year term
Nominator: Judge Diane E. Bessen
Seconded: Patrick T. O'Connor

Candidate: Sarah B. (Sally) Akins Elected for a two-year term
Nominator: Judge Susan E. Edlein
Seconded: Lester B. Johnson, III

Candidate: Nicki N. Vaughan Elected for a two-year term
Nominator: Seth D. Kirschenbaum
Seconded: Susan Warren Cox

Georgia Legal Services Appointments

The Board of Governors approved the appointments of Marquetta Bryan, Patrick J. Flinn, and Keishan J. Davis to the Georgia Legal Services Board of Trustees, for two-year terms, by unanimous voice vote.

Chief Justice's Commission on Professionalism Appointment

The Board of Governors approved the reappointment of Past President Gerald M. Edenfield to the Chief Justice's Commission on Professionalism, for a three-year term, by unanimous voice vote.

Young Lawyers Division

YLD President Rizza O'Connor reported that she is excited to serve as the 72nd President of YLD. As a first generation Asian-American, this position is extremely meaningful to her. She pursued the position of YLD President for the opportunity to give back on a greater scale. Her motivation this year is to live out the YLD's motto of working for the profession and the public. She stated that she comes from an interesting perspective and background. She is a Chief Magistrate Judge in rural South Georgia, specifically in Toombs County, and her projects will reflect that perspective. As lawyers, she stated that we never know who we will influence, who we will change, and whose lives we are going to make better. As a Magistrate Judge, she finds that in 90% of the cases one of the parties is a pro se litigant so her signature service project this year is a remote representation program. She can attest for the need for affordable legal services, especially in rural Georgia, so the YLD is partnering with the Lawyers for Equal Justice program and its Director Sarah Babcock. The idea is to use technology to bridge the access to justice gap. In Toombs County, which will be the test case, litigants will have the opportunity to hire lawyers from the Lawyers for Equal Justice Program. Those are typically young lawyers who want to set up their own practices, but need some training. So if there is lawyer-client relationship that is formed, the lawyers can file their pleadings electronically. If there is a hearing, it will be done in Toombs County and lawyers in Atlanta or other places in the state will be able to remotely represent that client wherever they are. This will accomplish two things. It will give the young lawyer who is filing the pleading more courtroom experience and provide the litigants with an opportunity to have a lawyer. No matter how big or small a case, that matter is the person's crisis and everyone can benefit from the advice of an attorney. She also reported that the heart of the YLD is in its committees and she looks forward to presenting the Board of Governors with the highlights the YLD will accomplish this year. She announced the YLD remaining meetings at which she will be bringing CLEs that focus on strong professional development. The Summer meeting in Savannah will feature a CLE on the iconic case of the Jim William trials. The Fall meeting will take place in Greensboro at Lake Oconee. The Spring meeting is in Washington, D.C. where the YLD has a reservation for the group to be sworn into the Supreme Court of the United States and a commitment from Justice Clarence Thomas. To close, she highlighted a program that was important

to her as a working mom. With the help of Executive Director Jeff Davis and Communications Director Sarah Coole, the State Bar has a lactation room on the Conference Center Floor at the State Bar. Lastly, she reported that she has designed the internal structure of the YLD to work with and support other organization like GABWA, GAPABA, GAWL, Gate City, and Stonewall, so she extends that invitation today for the YLD to partner with those organizations on programs and events in the future, and knows that so much more can be accomplished by working together.

Lawyers for Equal Justice Program

Executive Director Sarah Babcock reported on the activities of the Lawyers for Equal Justice Program (L4EJ). The L4EJ is helping close the justice gap by providing a springboard for new lawyers to launch sustainable practices that provide affordable representation for all Georgians. In the past two years, 40 attorneys have participated in the program, representing all five Georgia law schools, helped launch 33 solo or small law firms, and graduated 10 participants. The practices of the participating attorneys span more than 15 practice areas, covering almost every area affecting low and moderate-income consumers. L4EG offers over 300 hours of training, coaching, and mentoring. It has served over 500 clients on a pro bono basis, amounting to approximately 4500 hours. At present, there are 19 participating attorneys, 9 alumni participants, and 17 practice areas. Sarah also reported that 85% of requests to L4EJ come from outside metro Atlanta. She announced that future projects include the remote representation project in Toombs County Magistrate Court, a remote consultation project with the Dougherty County Law Library, offering relevant CLEs to all Bar members, and community education sessions and “well-checks.” Lastly, she thanked all of the L4EJ supporters for their generous contributions.

Georgia Bar Foundation Report

Len Horton, Executive Director, reported on the activities of the Georgia Bar Foundation, IOLTA, and the Fellows Program. He also reported on the Foundation’s philanthropic endeavors.

Legislative Report

Director of Governmental Affairs Christine Butcher Hayes reported on the Bar’s successful legislative session and the five bills that the Bar was able to get passed this year. Both the Victims of Domestic Violence and Appellate Practice Center funding requests were approved. She reported that there will be two new judiciary committee chairs next year. She announced that the Advisory Committee on Legislation will be chaired by Thomas Worthy. She thanked Immediate Past President Buck Rogers for his leadership and work this year, and the lobbying team of Rusty Sewell, Mark Middleton and Roy Robinson. Lastly, she reported that the submission deadlines for this year’s legislative proposals will be early September and early December.

Legislative Consultant Rusty Sewell urged the Board of Governors members to call their legislative representative, thank them for their help and for their service, and get to know them.

Business Court

Executive Counsel Carey Miller, Office of the Governor, reported on the Business Courts constitutional amendment, House Resolution 993. HR 993 establishes a constitutional authority for business courts divisions and provides for the creation of a new statewide business court that is a limited jurisdiction court. President Hodges reported that the State Bar’s Business Court Committee will help work on the enabling legislation.

Executive Committee Minutes

The Board of Governors received copies of the minutes of the Executive Committee meetings held on February 8, February 14, and March 5, 2018.

Office of the General Counsel

The Board of Governors received a written memorandum from the Office of the General Counsel with a link to access the Annual Report of the General Counsel.

Insurance Committee

The Board of Governors received a written report on the activities of the Insurance Committee.

Consumer Assistance Program

The Board of Governors received a written report on the activities of the Consumer Assistance Program.

Committee to Promote Inclusion in the Profession

The Board of Governors received a written report on the activities of the Committee to Promote Inclusion in the Profession.

Fee Arbitration Program

The Board of Governors received a written report on the activities of the Fee Arbitration Program.

Law Practice Management Program

The Board of Governors received a written report on the activities of the Law Practice Management Program.

Military Legal Assistance Program

The Board of Governors received a written report on the activities of the Military Legal Assistance Program.

Transition into Law Practice Program

The Board of Governors received a written report on the activities of the Transition into Law Practice Program.

Unlicensed Practice of Law

The Board of Governors received a written report on the formal Investigations undertaken by the Unlicensed Practice of Law Program.

Media Report

The Board of Governors received a copy of the 2017-18 Media Report.

Georgia Legal Services Program Report

The Board of Governors received a written report on the activities of the Georgia Legal Services Program.

Sections' Annual Reports

The Board of Governors received written reports on the activities of the following State Bar Sections: Child Protection and Advocacy, Creditor's Rights, Eminent Domain, Family Law, Fiduciary Law, Franchise and Distribution Law, General Practice and Trial, Health Law, Intellectual Property Law, Local Government Law, Nonprofit Law, Privacy and Technology Law, School and College Law, and Workers' Compensation Law.

Old Business

There was no old business.

New Business

There was no new business.

Remarks/Q&A/Comments/Suggestions

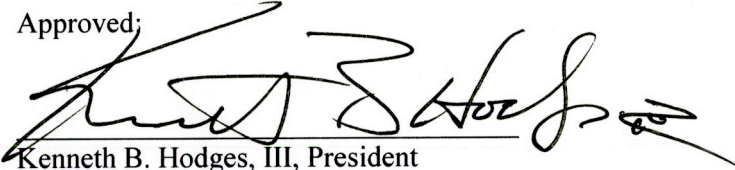
There were no remarks, questions, comments or suggestions.

Adjournment

There being no further business, the meeting was adjourned at 11:27 a.m.



Elizabeth D. Fite, Secretary

Approved:


Kenneth B. Hodges, III, President