

**STATE BAR OF GEORGIA  
BOARD OF GOVERNORS  
MEETING MINUTES  
Saturday, January 9, 2021, 9:00 a.m.  
Zoom**

The 285<sup>th</sup> meeting of the Board of Governors of the State Bar of Georgia was held virtually at the date and time shown above. President Dawn M. Jones presided and called the meeting to order at 9:05 a.m. She began the meeting with a moment of silence, and shared her regret for not being able to hold this Midyear meeting at the Georgia State University College of Law, her law school alma mater, as planned. However, she was grateful for several fellow law alumni who would be participating in this meeting and hoped that a future BOG meeting or event would be held at her law school.

Pledge of Allegiance

Board of Governors Member Catherine Koura, a Georgia State University College of Law graduate, led the pledge of allegiance to those in attendance.

Invocation

Board of Governors Member Joyce Gist Lewis, a Georgia State University College of Law graduate, gave the invocation.

Special Recognition

Board of Governors Member Lisa Liang, a Georgia State University College of Law graduate, recognized the members of the judiciary, the past presidents of the State Bar and other special guests in attendance.

Roll Call

Secretary Tony DelCampo, a Georgia State University College of Law graduate, reminded everyone that Zoom automatically creates a report of attendees. However, he requested that any attendees who telephoned into the meeting to email Chief Operating Officer Sarah Coole to ensure you are reflected in the attendance record as being present.

Future Meetings Schedule

President Dawn M. Jones and President-Elect Elizabeth L. Fite reviewed the Future Meetings Schedule. President Jones announced that because of the current state of COVID-19 cases in Georgia, the Spring BOG Meeting will be held virtually instead of in person at Brasstown Resort.

President-Elect Fite reported that she is choosing future meeting sites that will have plenty of space to adhere to social distancing guidelines if necessary: Fall Meeting, joint meeting with the Young Lawyers Division, October 22-24, 2021, Westin Savannah and Savannah Convention & Trade Center, Savannah, GA; Midyear Meeting, Jan. 6-8, 2022, The Westin Buckhead, Atlanta, GA; Spring Meeting, April 1-3, 2022, The Classic Center and Hyatt Place, Athens, GA; and Annual Meeting, June 2-5, 2022, Omni Amelia Island Resort, Amelia Island, FL. She also announced that she will be hosting a virtual “Fireside Chat with the President-Elect” during the Spring Meeting and will be available to answer any questions or address concerns.

Midyear Members’ Meeting Action Items

The BOG Meeting was adjourned, and the Midyear Members’ Meeting was called to order. President Jones welcomed all Bar members in attendance.

### Bylaws Changes

Following a report by Deputy General Counsel Bill NeSmith, active members of the State Bar of Georgia, approved proposed bylaws changes to (Exhibit A):

1. Article I Members. Section 4. Failure to Register, passed unanimously.
2. Article I Members. Section 9. Retired Member, passed by majority.
3. Article II Meeting of Members. Section 1. Annual Meeting, passed by majority.
4. Article III Board of Governors. Section 11. Meetings, passed by majority, with changes.
5. Article IX Sections. Section 3. Other Sections – Purposes; Article IX Sections. Section 4. Establishment of Sections; Article IX Sections. Section 5. Abolition of Sections, passed as a slate by majority.

The Midyear Members' Meeting was adjourned, and the BOG Meeting was called to order.

### Minutes of the 284<sup>h</sup> Meeting of the Board of Governors

The minutes of the Board of Governors meeting held October 24, 2020, via Zoom, were approved with changes by unanimous electronic vote.

### Proposed Rules Changes

Following a report by Deputy General Counsel Bill NeSmith, the Board of Governors, by electronic vote, approved proposed rules changes to (Exhibit B):

1. Rule 1-601 (Chapter 6, Bylaws), passed by majority vote.
2. Rule 1.0 Terminology and Definitions, passed unanimously.
3. Rule 8.4 Misconduct, passed unanimously.
4. Rule 9.3 Cooperation with Disciplinary Authority, passed by majority vote.
5. Rule 4-202 Receipt of Grievance; Initial Review by Bar Counsel; Rule 4-203 Powers and Duties; Rule 4-204 Investigation and Disposition by State Disciplinary Board; Rule 4-204.1 Notice of Investigation; Rule 4-203.3 Answer to Notice of Investigation Required; Rule 4-208.2 Notice of Discipline; Contents; Service; Rule 4-208.4 Formal Complaint Following Notice of Rejection of Discipline; Rule 4-222 Limitation; Rule 4-223 Advisory Opinions; and Rule 4-224 Expungement of Records, passed unanimously as a slate.
6. Rule 10-106 Eligible Claims, passed by majority vote.

### Approval of the Religious Liberty Law Section

Following a report by General Counsel Paula Frederick and section representatives Maxwell Thelen, Victoria Cuneo Powell and Mathew K. Titus, the Board of Governors had a Keller vote, as to the germanous to the scope and purposes of the Bar, that passed by majority vote. Following the successful Keller vote and lengthy discussion, the Board of Governors passed the creation of the new Religious Liberty Law Section by majority vote.

Amendments to Section Bylaws

Following a report by Deputy General Counsel Bill NeSmith, the Board of Governors, by unanimous electronic vote, approved proposed section bylaw changes to the Animal Law Section and Entertainment and Sports Law Section.

Nominations of ABA Delegates

The Board of Governors, by majority electronic vote, nominated the following attorneys for two-year terms to the Georgia ABA Delegate Posts indicated. These positions are open to Georgia lawyers who are members of the ABA. Anyone else interested in running for these posts can do so by filing a petition as outlined in Article VII Section 1 of the Bylaws.

<u>Post</u>	<u>Delegate</u>
2	Past President S. Lester Tate, III
4	General Counsel Paula Frederick

Nominations of State Bar Officers

The Board of Governors received the following nominations for State Bar officers for the 2021-2022 Bar year:

<u>Office</u>	<u>Nominator</u>	<u>Nominee</u>
Secretary	Shondeana Morris Joseph Sumner (Seconding)	Ivy Cadle
Treasurer	Stacey Hydrick Chris Twyman (Seconding)	Tony DelCampo
President-elect	Lawton Stephens Paul Painter, III (Seconding)	Sarah (Sally) Brown Akins

Advisory Committee on Legislation (ACL)/Legislative Proposals

Following a report by ACL Chair and Executive Committee Member Javoyne Hicks, the Board of Governors took the following action on proposed legislation:

<u>Legislative Proposal</u>	<u>Germane to Purposes of the Bar</u>	<u>Support on Merits 2/3 Majority</u>
<i>Comm. to Promote Inclusion in the Profession</i>		
1) Support for Judicial Council Budget Request for FY 2022 Funding for Civil Legal Services Grants for Victims of Domestic Violence	Passed by majority vote	Passed by majority vote
<i>Indigent Defense Committee</i>		
2) Support for Judicial Council Budget Request for FY 2022 Funding for Georgia Resource Center	Passed by majority vote	Passed by majority vote

*Real Property Law Section*

3) Remote Online Notary Legislation                      Passed by unanimous vote                      Passed by majority vote

*Fiduciary Law Section*

4) Codification of Psychiatric Advance                      Passed by unanimous vote                      Passed by majority vote  
    Directive

*General Practice and Trial Section*

5) Proposed State Bar Support for Digital                      Passed by unanimous vote                      Passed by majority vote  
    Court Reporting Legislation

*Appellate Section*

6) Draft Superior and State Court Appellate                      Passed by unanimous vote                      Passed by majority vote  
    Practice Act

*Dispute Resolution Section*

7) Uniform Mediation Act (SB 464- 2020)                      Passed by unanimous vote                      Passed by majority vote

Legislative Update

Governmental Affairs Director Christine Butcher Hayes provided an update on the upcoming legislative session. She reported that the 2021 Legislative Session starts on Monday, January 11, 2021. Governmental Affairs Director Hayes said that other than what the Board had just voted on, she expects the hot topics to include the state budget and the election process in the upcoming session. She said that due to COVID-19, they will be restricting the number of people who will be allowed at the Capitol and requiring testing twice a week, along with no large group visits.

The Board of Governors received a copy of the December 1, 2020, Advisory Committee on Legislation meeting minutes.

President's Report

Since the meeting was running much later than scheduled, President Jones asked that her president's report be deferred, as well as the reports of the Executive Director, ICLE Director, and YLD President, which was agreed to by consensus. As a result, no president's report was given. She also postponed the special recognition of Jeff Davis and stated it would be rescheduled for the Spring BOG Meeting, with Jeff's knowledge and consent.

Executive Director's Report

No executive director's report was given, due to the extended meeting time, as mentioned above. Executive Director Damon Elmore will submit a written report to the Board of Governors.

Treasurer's Report

No verbal treasurer's report was given, due to the extended meeting time. Treasurer Sally Akins asked for questions, and there being none, then referred Board members to the written materials included in the Board Book.

Bar Center Assessment Discussion

President Dawn M. Jones reported that the Bar Center Committee met at least three times in the past six months and, among other topics, the Bar Facility Assessment was discussed during those meetings. At the 2019 Spring Meeting, the Board of Governors, by a majority vote, decided to discontinue the assessment.

She said that at the time, the impact on the budget was unknown, but it is now known to be around \$200,000 per year. Bar Center Committee Members and Past Presidents Hal Daniel, Bill Barwick, Patrise Perkins-Hooker and Lester Tate all reported on their perspectives and roles in purchasing and paying off the Bar building. The general consensus was the assessment was to be paid by every Georgia lawyer going forward, so every Georgia lawyer would have an equity interest and investment in the building.

Board Member Henry Walker, who was a YLD officer on the Executive Committee when the building was purchased, provided a different viewpoint. He recalled that, at the time the Bar building was purchased, the plan had been to discontinue the assessment when the Bar building was paid in full.

After extensive discussion, President Jones asked those in attendance to send her, Executive Director Damon Elmore or Chief Operating Officer Sarah Coole any additional comments on this agenda topic. Her only goal was to ensure that Board members received pertinent historical information from those who were there at the time the Bar Facility Assessment was established, as well as a clear picture of the current economic impact of it no longer being existence. This topic was for discussion only during this meeting and will likely be brought before the Board as an action item at the 2021 Spring Meeting with applicable options per Bar Rules. In the meantime, she will meet with Past President Hal Daniels, Board Member Henry Walker and senior Bar staff to discuss further. President Jones said that if another informational meeting is needed, she will ensure that is scheduled.

#### Young Lawyers Division

The Young Lawyers Division report was not given, due to limiting the extended meeting time as mentioned above. YLD President Bert Hummel referred Board members to the written report included in the Board Book.

#### ICLE Update

ICLE Director Michelle West agreed to submit a written report, in order to preserve time as mentioned above.

#### Georgia Legal Services Program

To preserve time, GLSP Executive Director Rick Rufolo provided the following via Zoom chat: “Thank you for your continued support of GLSP! Your financial and Pro Bono support is integral to our mission to provide Access to Justice and Opportunities out of Poverty. We have several Signature Projects for volunteer lawyers including our Housing and MLAP projects. Refer to [written materials] for additional information. We especially need help to address the Housing Crisis facing far too many Georgians! Please reach out to GLSP at [www.glspace.org](http://www.glspace.org).”

#### Seeking Equal Justice and Addressing Racism and Racial Bias Committee

To preserve time, this report will be postponed until the Spring Board of Governors Meeting.

#### Executive Committee Minutes

The Board of Governors received copies of the minutes of the Executive Committee meetings held on September 11, 2020; September 25, 2020; October 8, 2020; and October 13, 2020.

#### Office of General Counsel

The Board of Governors received a written report of the Office of the General Counsel.

Law Practice Management Program

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

Communications Update

The Board of Governors received a media report from the Communications Department.

Attorney Wellness Committee Report

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

Chief Justice's Commission on Professionalism Report

The Board of Governors received a written report on the activities of the Chief Justice's Commission on Professionalism.

Georgia Diversity Program Report

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

Old Business

There was no old business.

New Business

There was no new business.

Announcements

There were no announcements.

Executive Session

There was no executive session.

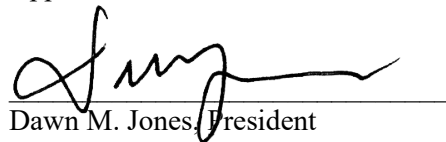
Remarks / Q&A / Comments / Suggestions

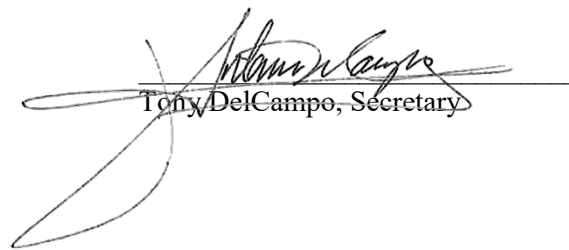
President Dawn M. Jones opened the floor to remarks, questions, comments and suggestions. There being none, President Jones said that while this meeting was six hours long, she greatly appreciated everyone's time and patience to move through the agenda and give the necessary time for discussions. She stated that she was proud of everyone for continuing to do the work of the Bar, even though virtual meetings take longer than in-person meetings. President Jones thanked everyone on behalf of the members of the Bar who elected them all to do this important work.

Adjournment

There being no additional business, the meeting was adjourned at 3:09 p.m.

Approved:

  
Dawn M. Jones, President

  
Tony DelCampo, Secretary