



State Bar
of Georgia

BOG BOARD BOOK

**2022 Spring Meeting
Athens, GA**

This book serves as the agenda and materials for the State Bar of Georgia's 2022 Spring Board of Governors Meeting.



State Bar of Georgia

291st BOARD OF GOVERNORS MEETING

Saturday, April 2, 2022

9:00 a.m. – 12:00 p.m.

Hyatt Place Athens & The Classic Center

Athens, Georgia

Zoom Webinar:

<https://gabar.zoom.us/j/95376680559?pwd=Vi95bjh1bWtFbDN3M3FTWjBndnVKQT09>

Passcode: 236587

Webinar ID: 953 7668 0559

Dress: Business

AGENDA

Topics

Presenter

1) ADMINISTRATION

- | | | |
|---------------------------------------|--------------------------------------|------|
| a) Welcome and Call to Order | Elizabeth L. Fite | 1-4 |
| | President | |
| b) Pledge of Allegiance..... | Hon. Charles E. Auslander III | |
| | Judge, Athens-Clarke Co. State Court | |
| c) Invocation..... | R. Chiny Law | |
| | Member-at-Large, Post 2 | |
| d) Recognition of Special Guests..... | Elizabeth L. Fite | |
| e) Roll Call..... | Ivy N. Cadle | 5-8 |
| | Secretary | |
| f) Future Meetings Schedule..... | Elizabeth L. Fite | 9-10 |

2) ACTION

- | | | |
|--|--------------------|-------|
| a) Minutes of the 290 th Meeting of the
Board of Governors on January 8, 2022..... | Ivy N. Cadle | 11-15 |
|--|--------------------|-------|

Topics

Presenter

Page No.

b) Dues 2022-2023	Elizabeth L. Fite/	16-22
	Elena Kaplan	
	Finance Chair	

(1) Recommendations of the Executive Committee

- **Active Dues \$260**
- **Inactive Dues \$130**

(2) Approval of Other Bar Dues Statement Items:

- a) Section Dues (\$10 to \$40 opt-in)
- b) Assessments Required by Bar Rules or Mandated by the Supreme Court
 - Clients’ Security Fund (\$15 per member per Bar Rule 1-506)
 - Professionalism Fee (\$11/year)
- c) Other Contributions
 - Legislative and Public Education Fund Contribution (\$100 optional contribution)
 - Georgia Legal Services Program (\$400 suggested individual contribution/ \$100 suggested contribution for YLD)

3) INFORMATIONAL REPORTS

a) Executive Director’s Report	Damon E. Elmore	
	Executive Director	
b) Treasurer’s Report.....	Tony DelCampo	23-36
	Treasurer	
c) Young Lawyers Division	Elissa B. Haynes	37-41
	YLD President	
d) Investment Policy Statement	Elizabeth L. Fite	42-51
Proposed Changes		
e) President’s Report.....	Elizabeth L. Fite	

4) LEGISLATION

a) 2022 Legislative Update	Christine Butcher Hayes	
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Topics

Presenter

Page No.

5) WRITTEN REPORTS

a) Executive Committee Minutes
 (1) December 10, 202152-55
 (2) February 18, 202256-59

b) Law Practice Management60-64

c) Office of the General Counsel Report 65-66

d) Media Report..... 67

e) Chief Justice’s Commission on Professionalism 68-77

5) CLOSING

a) Old Business Elizabeth L. Fite

b) New Business Elizabeth L. Fite

c) Announcements Elizabeth L. Fite

d) Executive Session Elizabeth L. Fite

e) Remarks / Q&A / Comments / Suggestions

f) Adjournment

2022 SPRING MEETING

STATE BAR OF GEORGIA
BOARD OF GOVERNORS



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ATHENS, GEORGIA • APRIL 1-3, 2022



HOTEL CUT-OFF: FRIDAY, MARCH 11
REGISTRATION CUT-OFF: FRIDAY, MARCH 25

SCHEDULE OF EVENTS

FRIDAY, APRIL 1

10 - 11 a.m.

Senior Lawyers Committee Meeting

11:30 a.m. - 1:30 p.m.

ICLE Board Meeting

12 - 1 p.m.

Law Practice Management Program
Advisory Committee Meeting
(Virtual only)

12 - 3 p.m.

ICJE Board of Trustees Meeting

2 - 3 p.m.

SOLACE Committee Meeting

2 - 4 p.m.

Disciplinary Rules and Procedures
Committee Meeting

3 - 5 p.m.

Georgia Lawyer Competency Task Force
Town Hall Meeting

3 - 5 p.m.

Member Benefits Committee Meeting

6:30 - 9 p.m.

Board of Governors Dinner

SATURDAY, APRIL 2

7 - 7:45 a.m.

Morning Yoga

9 a.m. - 12 p.m.

Board of Governors Meeting

12:30 p.m.

Past Presidents' Luncheon
(By invitation only)

1:30 - 2:30 p.m.

Afternoon Yoga

OTHER EVENTS

GEORGIA LAWYER COMPETENCY TASK FORCE TOWN HALL MEETING

Friday, April 1

3 - 5 p.m.

The Georgia Lawyer Competency Task Force is hosting a town hall meeting in conjunction with the Bar's Spring Meeting to discuss its work. The task force is charged with evaluating current requirements for admission to practice law in Georgia, including taking and passing the bar exam, and evaluating alternatives to the bar exam. It will also evaluate mechanisms and alternatives for ensuring competency of experienced lawyers, including current Continuing Legal Education requirements. The task force will make initial recommendations to the Supreme Court of Georgia by July 1, 2022.

BOARD OF GOVERNORS DINNER

Friday, April 1

6:30 - 9:30 p.m.

Please join us for Friday night's Board dinner where you can network with your fellow Board members.

YOGA

Saturday, April 2

7 - 7:45 a.m. and 1:30 - 2:30 p.m.

Take some time in the morning or afternoon (or both) to enjoy a session of gentle yoga, led by certified instructor Laura Penn at Hybar on the rooftop of the Hyatt Place Athens/Downtown (weather permitting). Enjoy the beautiful 360 views of downtown Athens while you work through a series of gentle yoga moves to relax and strengthen the body and mind.

PAST PRESIDENTS' LUNCHEON

Saturday, April 2

12:30 - 2 p.m.

(By invitation only)

This luncheon at the Classic Center will be hosted by 2019-20 President Darrell Sutton.



HOTEL ACCOMMODATIONS

Hyatt Place Athens/Downtown
412 N. Thomas St.
Athens, Georgia 30601
706-425-1800
Cut-off date | Friday, March 11

Hyatt Place Athens/Downtown will be our host hotel offering discounted room rates. A block of rooms has been reserved for the meeting. Room rates are \$119 single/double plus applicable taxes and fees. To make reservations and receive our special rate, call 888-492-8847 or 706-425-1800 and reference the State Bar of Georgia Spring Board of Governors Meeting, group code G-STA4, or visit www.hyatt.com/en-US/hotel/georgia/hyatt-place-athens-downtown/ahnz?corp_id=g-sta4 to register online. Please make sure to have the group code handy when making your reservation. Reservations must be made by Friday, March 11, as rooms will be on a space and rate availability basis after this date.

- Self-parking is \$10/day.
- Check-in is 3 p.m. | Check-out is 11 a.m.

ATTIRE

Business casual dress for all meetings.

THINGS TO DO AROUND ATHENS

Athens is a lot more than just a college town. From its musical roots to a growing food scene to a vibrant arts community and a wide range of outdoor recreation options, there are plenty of things to do and see on a spring weekend in the Classic City, even if you aren't a Georgia fan. For information and ideas about what to do and where to go while in this charming city, visit www.visitathensga.com.



Please Note | COVID-19 Precautions

We are mindful that COVID-19 guidance and recommendations continue to change and we remain prepared to adjust as necessary. We are continuing to keep the safety of our members a top priority and recommend the following precautions: wearing masks indoors, being vaccinated, testing and knowing your status prior to arrival at all meetings, in addition to following social distancing measures.

Under Georgia law, there is no liability for an injury or death of an individual entering State Bar of Georgia premises, or premises occupied or leased by the State Bar of Georgia if such injury or death results from the inherent risks of contracting COVID-19. Attendees and guests are assuming this risk by entering such premises. Any person entering the premises waives all civil liability against the State Bar of Georgia for any injuries caused by the inherent risk associated with contracting COVID-19 at public gatherings, except for gross negligence, willful and wanton misconduct, reckless infliction of harm, or intentional infliction of harm, by the State Bar of Georgia.



REGISTRATION FORM

Please complete and remit the enclosed registration form by Friday, March 25, 2022. Please use this form to register by checking all events you plan to attend. Registration is required for all events, including "no charge" functions.

Attendee Information

Bar Number _____

Name _____

Nickname _____

Spouse/Guest Name (if applicable) _____

Address _____

City/State/Zip _____

Phone _____

Email _____

Special Needs/Dietary Restrictions _____

ADA: If you qualify for assistance under the Americans with Disabilities Act, please email johns@gabar.org for assistance.

Registration and Payment Information

Register online at www.gabar.org. Visa, MasterCard and American Express are accepted. If paying by check, please make checks payable to State Bar of Georgia and mail to Gakii Kassamba, Director of Meetings, Spring Board of Governors Meeting, 104 Marietta St. NW, Suite 100, Atlanta, GA 30303. Registrations will be processed on a first-come, first-served basis.

Cancellation/Refund Policy

Cancellation of registration must be received in writing no later than Friday, March 25, 2022. Cancellations will receive a full refund, less a \$25 administrative charge. Absolutely no refunds will be made after Friday, March 25. Requests should be emailed to gakiik@gabar.org; mailed to the State Bar of Georgia, Attn: Gakii Kassamba, 104 Marietta St. NW, Suite 100, Atlanta, GA 30303; or faxed to 404-527-8717.

Board Functions

- | | In-person | Virtual |
|---|-------------|-----------|
| <input type="radio"/> BOG Dinner — Friday..... | \$100 _____ | |
| <input type="radio"/> BOG Meeting — Saturday..... | N/C _____ | N/C _____ |

Committee Meetings

- Disciplinary Rules and Procedures Committee.....N/C _____ N/C _____
- Law Practice Management Advisory CommitteeN/C _____
- Senior LawyersN/C _____
- SOLACE Committee.....N/C _____ N/C _____

Other

- Georgia Lawyer Competency Task ForceN/C _____ N/C _____
- Past Presidents' LuncheonN/C _____
(By invitation only)

Wellness Events

- Yoga Morning Session..... \$10 _____
- Yoga Afternoon Session.....\$10 _____

Total Enclosed \$ _____

Credit Card Information

Please bill my Visa MasterCard AmEx

Credit Card Number _____

Expiration Date _____

Name as it appears on the card (Please print) _____

Signature _____

Credit card and "no charge" registrations may be faxed to 404-527-8717.

THANK YOU TO OUR CORPORATE SPONSOR

5-GAVEL

MB | MemberBenefits



Board of Governors Attendance Record

	6-20	10-20	1-21	3-21	6-21	6-21	6-21	10-21	1-22	
	Zoom Webinar	Zoom Webinar	Zoom Webinar	Zoom Webinar	Friday	Saturday	Wild Dunes/Zoom	Savannah/Zoom	Zoom Webinar	
Sarah Brown Akins	*	*	*	*	*	*	*	*	*	Sarah Brown Akins
Mark W. Alexander	*	*	*	*	*	*	*	*	*	Mark W. Alexander
Kent Edward Alton	*	*	*	*	*	*	*	*	*	Kent Edward Alton
Anthony B. Askew	*	*	*	*	*	*	*	*	*	Anthony B. Askew
JaDawnya Cintelle Baker	*	*	*	*	*	*	e	*	*	JaDawnya Cintelle Baker
Nina M. Baker	*	u	*	*	u	u	e	*	*	Nina M. Baker
Eric A. Ballinger	*	*	*	*	*	*	*	*	*	Eric A. Ballinger
Donna G. Barwick	*	*	*	*	*	*	*	*	*	Donna G. Barwick
Tracee R. Benzo	*	*	*	*	*	*	*	*	*	Tracee Ready Benzo
James D. Blitch IV	u	*	*	e	*	*	*	*	*	James D. Blitch IV
Joshua I. Bosin	*	*	*	*	*	*	*	*	*	Joshua I. Bosin
Sherry Boston	*	*	*	*	*	*	*	*	*	Sherry Boston
Ashley Mackin Brodie	*	*	*	u	*	*	*	*	*	Ashley Mackin Brodie
Ben Brewton	n/a	n/a	n/a	n/a	n/a	n/a	n/a	*	*	Ben Brewton
Thomas R. Burnside	u	*	u	u	u	u	*	*	*	Thomas R. Burnside
Stephanie D. Burton	*	*	*	*	*	e	*	*	*	Stephanie D. Burton
Ivy Neal Cadle	*	*	*	*	*	*	*	*	*	Ivy Neal Cadle
Jerry Cadle	n/a	n/a	n/a	n/a	n/a	*	*	*	*	Jerry Cadle
Richard D. Campbell	*	*	*	e	u	*	*	*	*	Richard D. Campbell
David L. Cannon	*	u	*	u	u	u	*	*	*	David L. Cannon
Carl S. Cansino	*	e	*	u	u	u	*	*	*	Carl S. Cansino
Chris M. Carr	*	*	*	*	u	u	u	u	u	Chris M. Carr
Carol V. Clark	*	*	*	*	*	*	*	*	*	Carol V. Clark
Edward R. Collier	*	u	*	*	*	*	*	*	*	Edward R. Collier
Daniel Jackson Connell III	n/a	n/a	n/a	n/a	*	*	*	*	*	Daniel Jackson Connell III
Christopher S. Connelly	*	*	*	u	*	*	*	*	*	Christopher S. Connelly
Martin L. Cowen III	*	*	*	*	*	*	*	u	*	Martin L. Cowen III
Kenneth B. Crawford	*	*	*	*	*	*	*	*	*	Kenneth B. Crawford
Terrence Lee Croft	*	*	*	e	*	*	*	*	*	Terrence Lee Croft
Gerald Davidson Jr.	*	*	*	*	*	*	*	*	*	Gerald Davidson Jr.
C. Lee Davis	*	*	*	*	*	*	*	*	*	C. Lee Davis
J. Anderson Davis	*	e	*	*	*	*	e	*	*	J. Anderson Davis
Randall H. Davis	*	*	*	e	*	*	*	*	*	Randall H. Davis
William T. Davis	*	*	*	*	*	*	*	*	*	William T. Davis
J. Antonio Delcampo	*	*	*	*	*	*	*	*	*	J. Antonio Delcampo
Joseph W. Dent	*	*	*	u	u	u	*	*	*	Joseph W. Dent
Foy R. Devine	*	u	u	u	u	u	*	*	u	Foy R. Devine
Daniel S. Digby	*	*	*	u	e	e	*	*	*	Daniel S. Digby
George P. Donaldson, III	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	George P. Donaldson, III
Danny L. Durham	*	*	*	u	e	e	*	*	*	Danny L. Durham
V. Sharon Edenfield	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	V. Sharon Edenfield
Susan E. Edlein	*	*	*	*	*	*	*	e	*	Susan E. Edlein

To request an excused absence, please email Secretary Ivy Cadle (icadle@bakerdonelson.com)

Board of Governors Attendance Record

	6-20	10-20	1-21	3-21	6-21	6-21	10-21	1-22	
	Zoom Webinar	Zoom Webinar	Zoom Webinar	Zoom Webinar	Wild Dunes/Zoom	Saturday Wild Dunes/Zoom	Savannah/Zoom	Zoom Webinar	
Christopher Edwards	*	*	*	*	u	*	*	u	Christopher Edwards
Archibald A. Farrar	*	*	*	*	*	*	*	*	Archibald A. Farrar
Elizabeth L. Fife	*	*	*	*	*	*	*	*	Elizabeth L. Fife
Amanda Renee Fibra	n/a	n/a	n/a	n/a	*	*	*	*	Amanda Renee Fibra
Harold Eugene Franklin Jr.	*	*	*	*	u	*	*	u	Harold Eugene Franklin Jr.
Keith E. Gammage	u	*	*	*	u	*	*	*	Keith E. Gammage
William C. Gentry	*	*	*	*	*	*	*	*	William C. Gentry
Michael G. Geoffroy	*	*	*	*	u	*	*	*	Michael G. Geoffroy
Patricia A. Gorham	*	*	*	*	*	*	*	*	Patricia A. Gorham
Rebecca Holmes Liles Grist	n/a	n/a	n/a	n/a	*	*	*	*	Rebecca Holmes Liles Grist
Thomas B. "Britt" Hammond	n/a	n/a	n/a	n/a	*	*	*	*	Thomas B. "Britt" Hammond
John Haubenreich	*	*	*	*	*	*	*	*	John Haubenreich
Elissa B. Haynes	*	*	*	*	*	*	*	*	Elissa B. Haynes
Patrick H. Head	*	*	*	*	*	*	*	*	Patrick H. Head
Lawton C. Heard, Jr.	e	u	*	*	*	*	*	*	Lawton C. Heard, Jr.
Render M. Heard Jr.	*	*	*	*	*	*	*	*	Render M. Heard Jr.
Amanda Nichole Heath	n/a	n/a	n/a	n/a	u	*	*	u	Amanda Nichole Heath
Matthew J. Hennessy	*	*	*	*	*	*	*	*	Matthew J. Hennessy
Thomas W. Herman	*	*	*	*	*	*	*	*	Thomas W. Herman
R. Javoyne Hicks	*	*	*	*	*	*	*	*	R. Javoyne Hicks
Kimberly Wilkerson Higginbotham	n/a	n/a	n/a	n/a	*	*	*	*	Kimberly Wilkerson Higginbotham
Donna S. Hix	*	*	*	*	*	*	*	*	Donna S. Hix
Michael D. Hobbs	*	*	*	u	e	e	*	*	Michael D. Hobbs
Amy V. Howell	*	*	*	*	*	*	*	*	Amy V. Howell
Bert Hummel IV	*	*	*	*	*	*	*	*	Bert Hummel IV
James W. Hurt	u	u	u	u	*	*	*	u	James W. Hurt
Christopher Huskins	u	u	u	u	u	u	u	u	Christopher Huskins
Stacey K. Hydrick	*	*	*	*	*	*	*	*	Stacey K. Hydrick
James T. Irvin	*	*	*	*	*	*	*	*	James T. Irvin
William Dixon James	*	*	*	*	u	*	*	*	William Dixon James
Curtis S. Jenkins	u	u	u	u	*	*	*	*	Curtis S. Jenkins
Charles Michael Johnson	*	*	*	u	*	*	*	*	Charles Michael Johnson
Lesler B. Johnson, III	*	*	*	*	*	*	*	*	Lesler B. Johnson, III
Shiriki L. Cavitt Jones	*	*	*	*	*	*	*	*	Shiriki L. Cavitt Jones
Dawn M. Jones	*	*	*	*	*	*	*	*	Dawn M. Jones
Austin O. Jones	*	*	*	*	*	*	*	u	Austin O. Jones
Jennifer A. Jordan	u	u	u	u	*	*	*	u	Jennifer A. Jordan
Zahra S. Karimshak	u	u	u	u	*	*	*	*	Zahra S. Karimshak
John F. Kennedy	u	u	u	u	u	*	u	*	John F. Kennedy
Barry E. King	*	*	*	*	*	*	*	*	Barry E. King
Judy C. King	*	*	*	*	*	*	*	*	Judy C. King
Seth Kirschenbaum	*	*	*	*	*	*	*	*	Seth Kirschenbaum

To request an excused absence, please email Secretary Ivy Cagle (icagle@bakerdonelson.com)

Board of Governors Attendance Record

	6-20	10-20	1-21	3-21	6-21	6-21	10-21	1-22
	Zoom Webinar	Zoom Webinar	Zoom Webinar	Zoom Webinar	Friday Wild Dunes/Zoom	Saturday Wild Dunes/Zoom	Savannah/Zoom	Zoom Webinar
Catherine Koura	*	*	*	*	*	*	*	*
Edward B. Krugman	*	*	*	*	e	*	*	*
Jeffrey R. Kuester	*	*	*	*	*	*	*	*
Rosten Dara Diya "Chinny" Law	n/a	n/a	n/a	n/a	*	*	*	*
Allegria Lawrence-Hardy	*	*	*	*	*	e	*	*
Nicole C. Leet	*	*	*	*	*	*	*	*
Katie K. Leonard	*	*	*	u	*	*	*	*
Dawn Renee Levine	*	*	*	*	u	u	*	*
Joyce Gist Lewis	*	*	*	*	*	*	*	*
Lisa Katsuko Liang	*	*	*	*	u	*	*	*
David S. Lipscomb	*	*	*	*	*	*	*	*
John R. B. Long	*	*	*	*	*	*	*	*
Dax Eric Lopez	*	*	*	*	u	*	*	e
Ronald A. Lowry	u	u	u	u	u	u	*	*
John Bell Manly	*	u	u	*	*	*	*	e
Hugh J. McCullough	*	*	*	*	*	*	*	*
Graham Elliott McDonald	*	*	*	*	*	*	*	*
Letitia A. McDonald	*	*	*	*	*	*	*	*
Brad J. McFall	*	*	*	*	*	*	e	*
Scott R. McMillen	n/a	n/a	n/a	n/a	u	*	*	u
Michael D. McRae	*	*	*	*	u	*	u	u
Terry L. Miller	*	*	*	*	*	*	*	*
William J. Monahan	u	*	*	*	*	*	*	*
Shondeana Crews Morris	*	*	*	u	*	*	*	e
John T. Mroczko	u	u	u	u	u	u	u	u
Laura J. Murphree	*	*	*	*	*	*	*	*
Paul Wain Painter III	*	*	*	*	*	*	*	*
Amanda Rourke Clark Palmer	*	*	*	*	*	*	e	*
Jonathan B. Pannell	*	*	*	*	*	*	*	*
Joy Renea Parks	*	*	*	*	u	u	*	*
Tabitha Edwina Payne	*	*	u	*	u	*	*	*
Brandon Lee Peak	*	*	*	*	*	*	*	*
Edward Piasta	n/a	n/a	n/a	n/a	n/a	n/a	n/a	e
Will H. Pickett, Jr.	u	u	u	u	u	u	*	*
Robert Allen Plumb, Jr.	*	*	*	*	*	*	*	u
Kathryn Lauranne Powers	*	*	*	*	*	*	*	*
Jill Pryor	*	*	*	*	*	*	*	*
William M. Ragland	*	*	*	*	u	*	*	*
Tina S. Roddenberry	*	*	*	*	*	*	*	*
Joseph Roseborough	*	*	u	u	u	u	u	u
Wesley Charles Ross	*	*	*	*	*	*	*	*
Claudia S. Saarl	*	*	*	*	*	*	*	*

To request an excused absence, please email Secretary Ivy Cadle (icadle@bakertonselson.com)

Board of Governors Attendance Record

	6-20	10-20	1-21	3-21	6-21	6-21	6-21	10-21	1-22
	Zoom Webinar	Zoom Webinar	Zoom Webinar	Zoom Webinar	Friday	Saturday	Wild Dunes/Zoom	Savannah/Zoom	Zoom Webinar
Alex Musole Shalishali	*	*	*	*	*	*	*	*	*
H. Burke Sherwood	*	*	*	*	*	*	*	*	*
Mitchell McKinley Shook	*	*	*	*	*	*	*	*	*
Robert H. Smalley, III	*	*	*	*	*	*	*	*	*
Philip C. Smith	*	*	*	*	*	*	*	*	*
R. Rucker Smith	*	*	*	*	*	*	*	*	*
Daniel B. Snipes	*	*	*	*	*	*	*	*	*
R. Gary Spencer	*	*	*	*	*	*	*	*	*
H. Craig Stafford	*	*	*	*	*	*	*	*	*
Lawton E. Stephens	*	*	*	*	*	*	*	*	*
Donna Coleman Stribling	*	*	*	*	*	*	*	*	*
C. Deen Strickland	*	*	*	*	*	*	*	*	*
Frank B. Strickland	*	*	*	*	*	*	*	*	*
Joseph C. Sumner, Jr.	*	*	*	*	*	*	*	*	*
Jason W. Swindle	*	*	*	*	*	*	*	*	*
Michael B. Terry	*	*	*	*	*	*	*	*	*
Anita W. Thomas	*	*	*	*	*	*	*	*	*
Stephen Elliot Tillman	n/a	n/a	n/a	n/a	*	*	*	*	*
Edward D. Tolley	*	*	*	*	*	*	*	*	*
Clayton Tomlinson	*	*	*	*	*	*	*	*	*
Chris P. Twyman	*	*	*	*	*	*	*	*	*
Martin E. Valbuena	*	*	*	*	*	*	*	*	*
Nicki N. Vaughan	*	*	*	*	*	*	*	*	*
Carl A. Veline, Jr.	*	*	*	*	*	*	*	*	*
J. Henry Walker	*	*	*	*	*	*	*	*	*
Janice M. Wallace	*	*	*	*	*	*	*	*	*
Amy Carol Walters	*	*	*	*	*	*	*	*	*
Harold B. Watts	*	*	*	*	*	*	*	*	*
John P. Webb	*	*	*	*	*	*	*	*	*
Christopher F. West	*	*	*	*	*	*	*	*	*
Nancy J. Whaley	*	*	*	*	*	*	*	*	*
Paige Reese Whitaker	*	*	*	*	*	*	*	*	*
Martha Wilson Williams	*	*	*	*	*	*	*	*	*
Douglas Woodruff	*	*	*	*	*	*	*	*	*

* - attended meeting

To request an excused absence, please email Secretary Ivy Cadle (icadle@bakerdonelson.com)

Future Meetings Schedule (03/03/2022)



Executive Committee

April 14, 2022		Zoom, all virtual – 1 p.m.
May 13, 2022		Hotel Indigo Columbus at Riverfront Place Columbus, GA, hybrid – 12 p.m.
August 18-19, 2022		Supreme Court/Executive Committee Joint Meeting, Barnsley Resort Adairsville, GA

Board of Governors

Spring 2022	April 1-3, 2022	Hyatt Place Athens/Classic Center Athens, GA
Annual 2022	June 2-5, 2022	Omni Amelia Island Resort Amelia Island, FL
Fall 2022	October 1, 2022	Virtual
Midyear 2023	January 12 – 14, 2023	Westin Buckhead, Atlanta, GA (Contract Pending)
Spring 2023	March 23-26, 2023	Callaway Gardens, Pine Mountain, GA (Contract Pending)
Annual 2023	June 8-11, 2023	Westin Savannah Harbor Resort & Savannah Convention Center, Savannah, GA
Annual 2024	June 6-9, 2024	Omni Amelia Island Resort Amelia Island, FL

Young Lawyers Division

Spring 2022	March 18-20, 2022	Westin Chattanooga Chattanooga, TN
Annual 2022	June 2-5, 2022	Omni Amelia Island Resort Amelia Island, FL
Fall 2022	Sept. 23-25, 2022	Disney's Yacht Club Resort, Orlando, FL In conjunction with ABA YLD
Midyear 2023	January 12 – 14, 2023	Westin Buckhead, Atlanta, GA
Spring 2023	March 23-26, 2023	Callaway Gardens, Pine Mountain, GA (Contract Pending)
Annual 2023	June 8-11, 2023	Westin Savannah Harbor Resort & Savannah Convention Center
Annual 2024	June 6-8, 2024	Omni Amelia Island Resort Amelia Island, FL

Savannah Boat Ride

April 2022	April 1, 2022	Savannah, GA
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American Bar Association Meetings

Annual 2022	Aug. 3-9, 2022	Chicago, IL
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Southern Conference Meetings

2022	Oct. 27-30, 2022	Omni Resorts, Barton Creek Austin, TX
2023	Oct. 19-22, 2023	The Greenbrier Hotel White Sulphur Springs, WV

- 2024 Mississippi
- 2025 South Carolina
- 2026 Alabama
- 2027 Maryland

DRAFT
STATE BAR OF GEORGIA
BOARD OF GOVERNORS
MEETING MINUTES
Saturday, January 8, 2022, 9:00 a.m.
Zoom

The 290th meeting of the Board of Governors of the State Bar of Georgia was held virtually at the date and time shown above. President Elizabeth L. Fite presided and called the meeting to order at 9:00 a.m.

Pledge of Allegiance

Hon. Rachel Krause, Judge, Fulton County Superior Court, led the pledge of allegiance to those in attendance.

Invocation

M. Khurram Baig, State Bar of Georgia Professionalism Committee member, gave the invocation.

Special Recognition

President Elizabeth L. Fite recognized the members of the judiciary, the past presidents of the State Bar and other special guests in attendance.

Roll Call

Secretary Ivy N. Cadle reminded everyone that Zoom automatically creates a report of attendees. However, he requested that any Board of Governors members who telephoned into the meeting to email him to ensure they are reflected in the attendance record as being present.

Future Meetings Schedule

President Elizabeth L. Fite reviewed the Future Meetings Schedule.

Remarks from the Governor

Gov. Brian Kemp provided recorded remarks that were played during the meeting.

Midyear Members' Meeting Action Items

The Board of Governors Meeting was adjourned, and the Midyear Members' Meeting was called to order.

Bylaws Changes

Following a report by Deputy General Counsel Bill NeSmith, active members of the State Bar of Georgia approved proposed bylaws changes to Article III Board of Governors, Section 7, Honorary Members (Exhibit A).

The Midyear Members' Meeting was adjourned, and the Board of Governors Meeting was called to order.

Minutes of the 289th Meeting of the Board of Governors

The minutes of the Board of Governors meeting held October 23, 2021, were approved as presented by unanimous electronic vote.

Nominations of ABA Delegates

ABA Delegate Robert Rothman provided a brief ABA report and proposed the nominations listed below. The Board of Governors 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.

<u>Post</u>	<u>Delegate</u>
1	Hon. Alvin. T Wong
3	C. Elisia Frazier
7	V. Sharon Edenfield

Nominations of State Bar Officers

The Board of Governors received the following nominations for State Bar officers for the 2022-2023 Bar year:

<u>Office</u>	<u>Nominator</u>	<u>Nominee</u>
Secretary	Andy Davis Jonathan Pannell (Seconding)	Christopher P. Twyman
Treasurer	Hon. Kathryn Powers Hon. Paige Whitaker (Seconding)	Ivy N. Cadle
President-elect	Hon. Dax Lopez Joyce Gist Lewis (Seconding)	J. Antonio DelCampo

Per Article VII, Section 1 “Nominations and Elections” of the State Bar of Georgia Bylaws, nominations are open 10 days after this meeting.

Update on Germaneness

General Counsel Paula Frederick provided information to the Board of Governors regarding *Keller v. State Bar of California*, 496 U.S. 1 (1990), which states a mandatory bar cannot spend dues for activities not “germane” to the purposes of the organization. *Keller* purposes include regulating the legal profession and improving the quality of legal services available to the people of the state. It says a mandatory bar may not fund activities which fall outside the scope and purposes of the organization, and legislative/lobbying activities that are political or ideological in nature are typically not germane. General Counsel Frederick said that current litigation involves challenges to compelled dues, freedom of association claims, and narrower interpretations of “germaneness.” Per State Bar of Georgia Rule 1-103, the purposes of the Bar are to foster the principles of duty and service, to improve the administration of justice, and to advance the science of law. Along with continued discussion at the Board of Governors level, General Counsel Frederick said the Office of the General Counsel will continue to monitor current litigation surrounding *Keller*, and OGC will in the future provide opinions on germaneness of items coming before the Advisory Committee on Legislation.

Advisory Committee on Legislation (ACL)/Legislative Proposals

Following a report by ACL Chair Kyle Williams, 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>Access to Justice Committee</i>		
1) Support for Judicial Council Budget Request for FY 2023 Funding for Civil Legal Services Grants for Kinship Care	Passed by majority vote	Passed by 2/3 majority

Indigent Defense Committee

- | | | |
|--|-------------------------|------------------------|
| 2) Support for Judicial Council Budget Request for FY 2023 Funding for the Georgia Resource Center | Passed by majority vote | Passed by 2/3 majority |
|--|-------------------------|------------------------|

Child Protection and Advocacy Section

- | | | |
|--|-------------------------|------------------------|
| 3) Support for HB 272 “Raise the Age” of Juvenile Court Delinquency Jurisdiction | Passed by majority vote | Passed by 2/3 majority |
|--|-------------------------|------------------------|

Bench and Bar Committee

- | | | |
|---|-------------------------|------------------------|
| 4) Support for HB 409 – Establishing a Judicial Legal Defense Fund Commission | Passed by majority vote | Passed by 2/3 majority |
|---|-------------------------|------------------------|

Legislative Update

Governmental Affairs Director Christine Butcher Hayes provided an update on the upcoming legislative session. She reported that the 2022 Legislative Session starts on Monday, January 10, 2022, continuing through the end of March. Governmental Affairs Director Hayes said that in addition to the items the Board approved today, and the two funding items that were approved at the Fall Meeting, there are two pieces of carryover legislation from last year: (1) HB 334, the remote online notary bill, and (2) HB 752, the advanced psychiatric directive bill. There were also two proposals from the Judicial Council last year that the Board of Governors voted to support, but they were not filed during last year’s session: (1) the Court Reporting Act, and (2) the State Court Appellate Act. The legislative team will follow those this year. She encouraged Board members to contact her if they are interested in visiting the Capitol during the legislative session.

The Board of Governors received a copy of the November 30, 2021, Advisory Committee on Legislation meeting minutes.

Treasurer’s Report

Treasurer Tony DelCampo reported on the finances of the Bar, reporting that revenues have stayed on track, driven mostly by Bar license fees. He stated that while parking revenue is down due to COVID, it was budgeted for, and the finances of the Bar remain fiscally sound.

Executive Director’s Report

Executive Director Damon Elmore reported that Bar operations remain steady because necessary and incremental changes have been implemented since the beginning of the Bar year. He reported that the Bar continues to resume programming and in-person meetings, and all staff and departments are key in making sure services to members continue. He said the Coastal Georgia Office lease expires this year, and because of a number of factors, including significant increases in costs, convenient access for visitors and guests, and additional accessibility issues, the Bar will not renew in the current location. Relocation options will be evaluated thoroughly before a decision is finalized. He reported on staff who have moved on from the Bar and staff who have been newly hired or moved into other positions. He said that ICLE remains a top priority. With continual improvement for ICLE operations generally, they are actively making key changes to the organizational structure that will be beneficial to its long-term sustainability.

Young Lawyers Division

YLD President Elissa Haynes reported she is appreciative of YLD involvement and interaction with members of the judiciary, seeing many YLD members at the 175th anniversary of the Supreme Court of

Georgia. She said GLSP gave the YLD an award recognizing their 50 years of partnership. She reported on a new initiative that encourages young lawyers to take other young lawyers out to lunch to talk and check in with each other during December, #lunchandlisten. She announced the YLD Signature Fundraiser will be held on April 30 at 433 Bishop, benefiting Kate's Club, an organization that helps children who lost a loved one.

Proposed Revisions to the Advertising Rules

General Counsel Paula Frederick reported the Disciplinary Rules and Procedures Committee has been working on revising Part VII of the disciplinary rules, which deals with advertising and solicitation, bringing the Bar's rules more in line with the ABA model rules of professional conduct. The committee is looking for feedback on what they have drafted. They held a 1-hour CLE this week to explain the changes. Once they receive initial feedback, they will revise what they have done based and report back to the Executive Committee and Board of Governors. This is being reported as an informational item at this meeting in order to allow ample time for Board members to talk with their constituents. She said to send all feedback to Disciplinary Rules and Procedures Committee Chair Judge Mike Bagley.

President's Report

President Elizabeth L. Fite thanked everyone for participating virtually to ensure everyone's safety. She reminded everyone that the Bar has information and tools regarding succession planning and to be sure to name a designated attorney on the license fee notice. President Fite reported that she's spent the last six months cultivating relationships with all branches of government, educating them about the Bar, and being present and answering questions about the Bar when needed. She said she's also attended several local bar association meetings – both in-person and via Zoom – and is happy to visit Board members' local bars. She said that she's made an effort to involve upcoming officers, including the YLD officers, in the big picture things that are multiyear projects, placing a lot of value on continuity. She reported she continues to have weekly meetings with senior Bar staff as well.

Executive Committee Minutes

The Board of Governors received copies of the minutes of the Executive Committee meetings held on September 23, 2021, and November 5, 2021.

Office of the General Counsel

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

Georgia Legal Services Program

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

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.

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.

Old Business

There was no old business.

New Business

President Elizabeth L. Fite said boxes will be placed at the Bar Center for the clothing drive benefitting Canine Cellmates. She also said that the Pure Barre was cancelled, and that she would reschedule with anyone who would like to go at another time.

Announcements

There were no announcements.

Executive Session

There was no executive session.

Remarks / Q&A / Comments / Suggestions

President Elizabeth L. Fite opened the floor to remarks, questions, comments and suggestions.

Adjournment

There being no additional business, the meeting was adjourned at 10:59 a.m.

Ivy Cadle, Secretary

Approved:

Elizabeth L. Fite, President

State Bar Budget Timetable for the 2022-2023 State Bar Budget

Nov. 8, 2021	Budget Timetable and the Budget Request Forms are sent to President-elect, YLD President-elect, Committee/Program Chairs and Bar staff directors.
Dec. 3, 2021	Deadline for submission of all new budget requests to be submitted to Executive Director, Chief Operating Officer or Chief Financial Officer. Non-emergency requests received after this date will be held for consideration in the next year's budget cycle.
Dec. 6, 2021	Personnel Committee reviews any new staffing and compensation change requests. Proponents requested to appear to present and justify their requests.
Dec. 17, 2021	Programs Committee reviews any new budget requests from existing State Bar programs and any requests for new programs. Proponents are requested to appear to present and justify their requests.
Jan. 14, 2022	Personnel Committee reviews any final requests.
Feb. 2, 2022	Finance Committee reviews the recommendations of the Programs and Personnel Committees (the review is limited to their financial impact on dues and budget) and recommends the 2022-2023 license fee level to the Executive Committee for the February 18 Executive Committee meeting. (Note: EC agenda deadline Feb. 1; financials by Feb. 7.)

(Dates below are determined by the Executive Committee meeting schedule and subject to change.)

Feb. 18, 2022	Executive Committee receives the recommendations of the Programs and Personnel Committees, and the Finance Committee's draft budget (including its report on the financial impact of those recommendations) and recommends the 2022-2023 license fee level to the Board of Governors for the April 2 Board meeting. (Note: Board agenda deadline March 1.)
March 14, 2022	Finance Committee recommends the 2022-2023 proposed budget to the Executive Committee for the April 14 Executive Committee meeting. (Note: EC agenda deadline is <u>March 24.</u>)
April 2, 2022	Board of Governors sets the 2022-2023 license fee level at the Spring Board Meeting (Hyatt Place Athens/Classic Center, Athens, GA)
April 6, 2022	Finance Committee recommends the final 2022-2023 proposed budget for the April 14 Executive Committee meeting. (This meeting will only be necessary if the Board of Governors changes the 2022-2023 license fee level that was originally approved by the Finance Committee at the March 14 meeting.)
April 14, 2022	Executive Committee recommends the 2022-2023 proposed budget to the Board of Governors for the June 4 Board meeting. (Note: Board agenda deadline May 3.)
June 4, 2022	Board of Governors receives 2022-2023 final draft budget for approval at the Annual Board Meeting (Omni Amelia Island Resort, Amelia Island, FL).

Overview of the Budget Process:

1. Programs Committee recommends **substantial program changes** (additions, changes or deletions) to the Executive Committee.
2. Personnel Committee recommends staffing for **existing programs** to the Executive Committee.
3. Finance Committee recommends a draft budget to the Executive Committee, including the financial impact of the recommendations of the Programs and Personnel Committees. It does not hear from proponents or repeat the work of the Programs and Personnel Committees, but instead advises on the financial results of their work.
4. Executive Committee reviews the recommendations of all three committees and suggests dues level and budget to the Board of Governors.
5. Board of Governors sets the dues level, check-offs and section fees at its Spring Meeting, and sets the 2022-2023 budget at its Annual Meeting after a hearing open to all members.

2022-2023 Budget Assumptions

1. Dues at \$260. Information about budget impact of lower increases is also included. Number of members was estimated based upon December 31, 2021 members and estimated additional members based upon the historical passing rate of the Bar exams along with estimated dates of joining the Bar, as well as expected attrition.
2. In the fiscal year 2020-2021, CCLC offered to provide up to \$300,000 of a grant to cover Bar operational expenses. The Bar returned this grant to CCLC and did not use any of it. No such grant is included in the 2022-2023 assumptions.
3. Investment (interest) income, bond amortization premium and investment expenses are based upon the annualization of available actual results. Since investments are not sold but are held until maturity, no gains or losses are budgeted. However, accounting rules dictate that all gains and losses whether realized or not must be recorded.
4. Inflation has been at 5.08% based on Annual CPI—BLS South Region. Salary increases are included at 5%. Expected total impact of salary increases and new position is approximately \$500,000. The last general salary increase occurred in 2019.
5. Vendor quotes or actual contracted amounts used whenever information was available.
6. The Bar does not pay rent to any independent company or organization for the Bar Center in Atlanta. In the fiscal year 2018-2019, the Bar charged itself rent. Rent expense was recognized by the Bar, and rental income was recognized by the Bar Center. This imputed rent transfer from State Bar to Bar Center has been eliminated in all years subsequent to 2018-2019.
7. For building rental income, assumed all tenants in building as of January 1, 2022 will continue to be in building for the 2022-2023 year and that the amount of leased space would be the same.
8. Due to the effects of the pandemic, the parking deck has not been substantially used since March 2020. Assumed that parking operations will begin to return to a more normal operation beginning July 1, 2022.
9. Excludes any income associated with Bar assessments (e.g. Bar Facility (Building Assessment)).
10. Includes the effects of items recommended by the Programs Committee.
11. Includes estimated income of a \$3.00 per transaction credit card convenience fee associated with the payment of the annual dues. This fee is only charged if the member pays by the use of a credit card.
12. Includes officer reimbursement for projected officer slate.
13. Assumes that ICLE has an estimated profit of \$99,132.

State Bar of Georgia
2022-2023 Proposed State Bar of Georgia Consolidated Budget - with Bar Center
(Active dues \$260 and Inactive dues \$130 in 2022-2023)
For the Fiscal Year 2022-2023

	2018-2019 Actual	2019-2020 Actual	2020-2021 Actual	Year To Date January 31, 2022	2020-2021 Annual Budget	2021-2022 Annual Budget	2022-2023 Annual Budget
Membership Numbers							
Active Members	39,193	39,892	40,611	41,119	40,200	40,800	41,500
Inactive Members	8,838	8,713	8,459	8,241	8,550	8,580	8,175
Provisional Members	0	15	28	28	250	200	185
Associates/Affiliates	13	17	15	12	14	12	12
Foreign Legal Consultants	6	6	7	6	6	6	6
Students	274	362	344	379	400	360	325
Emeritus	2,745	3,127	3,434	3,678	2,950	3,300	3,970
Total Membership Numbers	51,069	52,132	52,898	53,463	52,470	53,258	54,173
Revenue							
Dues Active	9,896,539	10,097,880	10,242,211	10,397,334	10,210,800	10,363,200	10,790,000
Dues Inactive	1,144,650	1,127,351	1,115,041	1,073,835	1,098,550	1,089,660	1,062,750
Dues Provisional	0	2,159	32,004	15,367	31,750	25,400	24,050
Dues Associates	1,400	1,550	1,350	1,200	1,200	1,200	1,200
Dues Foreign Legal Consultant	0	1,524	1,270	1,524	1,524	1,524	1,560
Dues Late Fees	197,730	248,175	66,060	266,195	220,000	67,000	260,000
Dues NSF Check Fee	320	140	180	80	300	200	200
Dues Prior Years	5,550	6,615	6,309	4,746	6,000	5,000	5,000
Total License and Dues	11,246,189	11,485,394	11,464,425	11,760,281	11,570,324	11,553,184	12,144,760
CLE Contributions to SBG	0	0	0	0	300,000	0	0
Program Registration Income	6,380,881	5,852,321	4,464,018	1,988,353	5,530,000	3,782,858	4,150,000
Section Expense Reimbursement	191,196	190,644	187,835	188,676	187,835	188,676	202,923
CSF Expense Reimbursement	73,000	73,000	73,000	42,583	73,000	73,000	73,000
Advertising and Sales	36,716	49,895	47,225	27,245	45,200	59,400	45,600
Membership Income	158,266	129,012	167,079	84,568	121,000	140,050	140,300
Credit Card Processing Fees	0	0	50,754	49,482	0	90,000	102,000
Interest Income	228,618	554,231	213,145	(123,160)	235,000	293,156	230,000
Miscellaneous Revenues	35,234	35,154	490	383	5,900	8,000	6,000
Total Bar Revenue	18,350,100	18,369,651	16,667,971	14,018,411	18,068,259	16,188,324	17,094,583
Total Bar Expenses	18,555,680	15,997,912	14,134,578	7,905,448	17,320,842	16,375,506	17,276,405

Note: Non-Cash depreciation expenses are excluded from this schedule.

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State Bar of Georgia
2022-2023 Proposed State Bar of Georgia Consolidated Budget - with Bar Center
(Active dues \$260 and Inactive dues \$130 in 2022-2023)
For the Fiscal Year 2022-2023

	2018-2019 Actual	2019-2020 Actual	2020-2021 Actual	Year To Date January 31, 2022	2020-2021 Annual Budget	2021-2022 Annual Budget	2022-2023 Annual Budget
SBG Net Gain (Loss)	\$ (205,580)	\$ 2,371,739	\$ 2,533,393	\$ 6,112,963	\$ 747,417	\$ (187,182)	\$ (181,822)
Total Bar Center Operations Revenue	4,042,903	3,241,522	2,663,244	1,173,085	3,231,138	2,529,300	2,487,700
Total Bar Center Operations Expenses	2,500,072	2,589,261	2,163,117	1,253,000	2,680,546	2,309,152	2,356,339
Total Bar Center Operations Net Gain (Loss)	\$ 1,542,831	\$ 652,261	\$ 500,127	\$ (79,915)	\$ 550,592	\$ 220,148	\$ 131,361
Combined Revenue	23,393,003	21,611,173	19,331,215	15,191,496	21,299,397	18,717,624	19,582,283
Combined Expenses	21,055,752	18,587,173	16,297,695	9,158,448	20,001,389	18,684,658	19,632,744
Total Combined Net Income (Loss)	\$ 1,337,251	\$ 3,024,000	\$ 3,033,520	\$ 6,033,048	\$ 1,298,009	\$ 32,966	\$ (50,461)

Note: Non-Cash depreciation expenses are excluded from this schedule.
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**State Bar of Georgia
2022-2023 Proposed Total Bar Center Operations Budget
For the Fiscal Year 2022-2023**

	2018-2019 Actual	2019-2020 Actual	2020-2021 Actual	Year To Date January 31, 2022	2020-2021 Annual Budget	2021-2022 Annual Budget	2022-2023 Annual Budget
Bar Center Income and Cash Receipts							
Bar Center Assessments	206,173	1,150	100	300	1,000	0	200
Conference Center Copier	738	506	0	0	850	500	0
Gain/Loss Investment Interest Allocation	23,210	96,937	(51,762)	(65,944)	0	0	0
CCLC Contributions to Bar Center	1,339,560	1,322,797	1,291,495	500,000	1,325,000	1,275,000	1,325,000
Transfer from Operations	628,512	0	0	0	0	0	0
Interest Income	51,941	92,296	97,965	54,768	64,000	94,000	100,000
Bar Center Income and Cash Receipts	\$ 2,250,134	\$ 1,513,686	\$ 1,337,798	\$ 489,124	\$ 1,390,850	\$ 1,369,500	\$ 1,425,200
Bar Center Expenses and Cash Disbursements							
Furniture/Equipment	0	0	0	0	0	0	0
Bond Premium Amortization	0	16,918	30,561	19,966	12,000	27,000	40,000
Investment Service Fees	0	13,312	16,866	10,456	12,000	16,000	22,000
Parking Deck Construction	0	2,510	0	0	0	0	0
Conference Center Contingency	5,780	-37	0	0	0	0	0
Conference Center Renovations	93,304	29,299	36,792	827	54,400	18,000	0
Museum and 1st Floor Exhibit	0	0	300	0	0	3,000	5,000
Audio Video, Furniture and Equipment	71,666	0	16,317	650	16,000	0	28,000
Building Rehabilitation	84,504	350,650	70,622	20,294	0	0	0
President's Boardroom	2,848	610	0	0	5,000	0	0
Bar Center Expenses and Cash Disbursements	258,102	413,336	171,458	52,193	99,400	64,000	95,000
Bar Center Combined Net Cash Flow	\$ 1,992,032	\$ 1,100,349	\$ 1,166,340	\$ 436,931	\$ 1,291,450	\$ 1,305,500	\$ 1,330,200
Conference Center Income and Expenses							
Room Rentals and Various Charges	16,113	12,284	0	1,460	15,800	11,500	11,500
Conference Center Operating Expenses	429,191	428,618	383,815	234,028	448,526	435,223	463,069
Conference Center Combined Net Cash Flow	\$ (413,078)	\$ (416,335)	\$ (383,815)	\$ (232,568)	\$ (432,726)	\$ (423,723)	\$ (451,569)
Rental Income and Expenses							
Rental Income	1,365,050	1,422,142	1,301,083	586,181	1,447,488	959,800	875,000
Building Operating Expenses	1,493,785	1,477,412	1,481,971	809,496	1,805,430	1,579,359	1,512,300
Rental Combined Net Cash Flow	\$ (128,735)	\$ (55,270)	\$ (180,888)	\$ (223,316)	\$ (357,942)	\$ (619,559)	\$ (637,300)

**State Bar of Georgia
2022-2023 Proposed Total Bar Center Operations Budget
For the Fiscal Year 2022-2023**

	2018-2019 Actual	2019-2020 Actual	2020-2021 Actual	Year To Date January 31, 2022	2020-2021 Annual Budget	2021-2022 Annual Budget	2022-2023 Annual Budget
Parking Income and Expenses							
Parking Income	411,606	293,411	24,363	96,321	377,000	188,500	176,000
Parking Deck Operating Expenses	318,992	269,894	125,872	157,283	327,190	230,570	285,970
Parking Combined Net Cash Flow	\$ 92,613	\$ 23,517	\$ (101,509)	\$ (60,963)	\$ 49,810	\$ (42,070)	\$ (109,970)
Total Bar Center Operations Net Gain (Loss)	\$ 1,542,833	\$ 652,261	\$ 500,127	\$ (79,915)	\$ 550,592	\$ 220,148	\$ 131,361

**State Bar of Georgia
Dues and Revenue History**

Dues History:		Year End 6-30	Active & Inactive Members (Includes Nonpaying students)
\$75	8 Years	1976-1983	6/30/83 = 15,000
\$90	4 Years	1984-1987	6/30/87 = 19,425
\$110	2 Years	1988-1989	6/30/89 = 20,193
\$135	6 Years	1990-1995	6/30/95 = 26,320
\$150	5 years	1996-2000	6/30/00 = 30,694
\$175	3 years	2001-2003	6/30/03 = 33,706
\$190	1 year	2004	6/30/04 = 34,717
\$208	1 year	2005	6/30/05 = 35,704
\$218	1 year	2006	6/30/06 = 36,694
\$230	2 years	2008	6/30/08 = 38,852
\$236**	3 years	2009-2011	6/30/11 = 42,334
\$238	1 year	2011-2012	6/30/12 = 42,957
\$240	1 year	2012-2013	6/30/13 = 44,184
\$246***	1 year	2013-2014	6/30/14 = 45,143
\$248	3 years	2014-2017	6/30/17 = 47,967
\$250	1 year	2017-2018	6/30/18 = 48,046
\$252	1 year	2018-2019	6/30/19 = 48,324
\$254	1 year	2019-2020	6/30/20 = 49,005
\$254	1 year	2020-2021	6/30/21 = 49,464
\$254	1 year	2021-2022	6/30/22 = 49,958 - Budgeted

**One time dues credit of \$20 per active member (\$10 inactive) approved by Board of Governors, reducing net active dues to \$216 (\$108 inactive) for 2008-09 only.

***One time dues credit of \$2 per active member (\$1 inactive) approved by Board of Governors, reducing net active dues to \$244 (\$122 inactive) for 2013-14 only.

Membership counts as of June 30, 2017 and subsequent represent total members excluding emeritus.



State Bar of Georgia

To: Bar Officers
Finance Committee

From: Ron Turner RWT

Date: February 17, 2022

Re: January 2022 Financial Statements-Bar Operations and Bar Center

Attached please find the January 2022 financial statements. These financial statements are presented at a summary level for clarity and to convey overall trends. Full departmental detail is attached at year-end (6/30) and upon request.

Line item variance explanations follow. Department managers are expected to specify savings elsewhere in their budgets when exceeding a line item, unless there was a budgeting error. Line item variances < **\$500** are not explained to conserve your time.

New and revised items are highlighted in bold.

Savings will be realized in each department to offset these overages.

Office of General Counsel and Client Assistance Program

Subscriptions and books is in excess of the budget by **\$3,883 primarily** due to the purchase of Shepard's Georgia Citations. The Bar does not know exactly when a new bound set will come out, but when they do the Bar purchases them. This purchase was not included in the original budget.

Computer software exceeded the budget by \$2,422 primarily due to (1) the purchase of Adobe VIP Acrobat Pro for the department and (2) the purchase of licenses for voting software to be used in voting at various meetings. These overages are because these expenditures were not originally budgeted.

Law Practice Management

Postage and freight costs have exceeded the budget due to increase in postage costs to send our resource materials. We have adjusted the cost to be charged to the member to more closely match the actual postage costs incurred to mail the resource materials. In addition, we have offered to email the information to the member at no additional cost.

Tifton

Costs incurred for computer hardware is \$1,777 in excess of the budget due to the purchase of emergency equipment for the firewall. This overage is because this expenditure was not originally budgeted.

High School Mock Trial

Law Academy expenses have exceeded the budget by **\$963**. This overage is primarily due to being consistent with COVID and other safety protocols, we used more hotel rooms to place two students to a room instead of the normal three to four students to a room. **The prior month this line item was also in excess of budget by \$1,729. However, of this overage in the prior month, \$766 was due to a duplicate credit card payment to a hotel. We worked with the hotel and received a refund in January of this amount.**

Fastcase

Total costs for Fastcase exceeded the budget by \$2,738 due to an increase greater than anticipated in the number of members along with an increase in the price per member.

Conference Center

Furniture and equipment is over budget by \$672 due to the purchase of a lectern. This purchase was not included in the original budget.

Other Bar Center Operations

Audio Video exceeded the budget by \$650 due to the purchase of projector bulbs. This purchase was not originally budgeted.

Building rehab costs incurred have exceeded the budget by \$20,294. This overage is due to the following items: (1) an amount incurred of \$1,128 was due to the repair of a broken window in the security center (2) an additional amounts incurred \$16,666 in costs associated with the security office and (3) costs of \$2,500 associated with additional building costs for tenant improvements on the second floor. Georgia Legal Services agreed in principal to a new five-year lease and the Bar agreed to make certain tenant improvements for them. We anticipate making additional tenant improvements for this space over the next two to three months. These expenditures were not originally anticipated.

Shared Office Overhead

Shared office allocations exceed actual shared office expense by approximately **\$37,800**. This is a positive variance. This number will fluctuate throughout the year.

Please give me a call at (404) 527-8748 or my cell number at 678-761-5889 if you have any questions regarding the attached financial statements.

cc: Damon Elmore
Paula Frederick
Sarah Coole

State Bar of Georgia
Consolidated Revenues and Expenditures
Operations and Bar Center Combined
For the Year To Date Period Ending January 31, 2022

	Year Ending 06/30/2021 Actual	Year To Date January 31, 2022 Actual	% of Budget	Year Ending 06/30/2022 Annual Budget
Membership Numbers				
Active Members	40,611	41,119	100.78 %	40,800
Inactive Members	8,459	8,241	96.05 %	8,580
Provisional Members	28	28	14.00 %	200
Associates/Affiliates	15	12	100.00 %	12
Foreign Legal Consultants	7	6	100.00 %	6
Students	344	379	105.28 %	360
Emeritus	3,434	3,678	111.45 %	3,300
Total Membership Numbers	52,898	53,463	100.38 %	53,258
Revenue				
Dues Active	10,242,211	10,397,334	100.33 %	10,363,200
Dues Inactive	1,115,041	1,073,835	98.55 %	1,089,660
Dues Provisional	32,004	15,367	60.50 %	25,400
Dues Associates	1,350	1,200	100.00 %	1,200
Dues Foreign Legal Consultant	1,270	1,524	100.00 %	1,524
Dues Late Fees	66,060	266,195	397.31 %	67,000
Dues NSF Check Fee	180	80	40.00 %	200
Dues Prior Years	6,309	4,746	94.92 %	5,000
Total License and Dues	11,464,425	11,760,281	101.79 %	11,553,184
Program Registration Income	4,464,018	1,988,353	52.56 %	3,782,858
Section Expense Reimbursement	187,835	188,676	100.00 %	188,676
CSF Expense Reimbursement	73,000	42,583	58.33 %	73,000
Advertising and Sales	47,225	27,245	45.87 %	59,400
Membership Income	167,079	84,568	60.38 %	140,050
Credit Card Processing Fees	50,754	49,482	54.98 %	90,000
Interest Income	213,145	(123,160)	(42.01) %	293,156
Miscellaneous Revenues	490	383	4.79 %	8,000
Total Bar Revenue	16,667,971	14,018,411	86.60 %	16,188,324
Total Bar Expenses	14,134,578	7,905,448	48.28 %	16,375,506
SBG Net Gain (Loss)	\$ 2,533,393 \$	6,112,963	(3,265.79) % \$	(187,182)

Note: Non-Cash depreciation expenses are excluded from this schedule.

State Bar of Georgia
Consolidated Revenues and Expenditures
Operations and Bar Center Combined
For the Year To Date Period Ending January 31, 2022

	Year Ending	Year To Date	% of Budget	Year Ending
	06/30/2021	January 31, 2022		06/30/2022
	Actual	Actual		Annual Budget
Total Bar Center Operations Revenue	2,663,244	1,173,085	46.38 %	2,529,300
Total Bar Center Operations Expenses	2,163,117	1,253,000	54.26 %	2,309,152
Total Bar Center Operations Net Gain (Loss)	\$ 500,127 \$	(79,915)	(36.30) % \$	220,148
Combined Revenue	19,331,215	15,191,496	81.16 %	18,717,624
Combined Expenses	16,297,695	9,158,448	49.02 %	18,684,658
Total Combined Net Income (Loss)	\$ 3,033,520 \$	6,033,048	18,300.82 % \$	32,966

Note: Non-Cash depreciation expenses are excluded from this schedule.

State Bar of Georgia
Total Bar Center Operations
Revenues and Expenditures - Executive Summary
For the Year To Date Period Ending January 31, 2022

	Current Month Actual	Month % of Budget	Year to Date Actual	YTD % of Budget	Budget	Remaining Balance of Budget	Prior Year
Bar Center Income and Cash Receipts							
Bar Center Assessments	50	0.00 %	300	0.00 %	0	(300)	100
Conference Center Copier	0	0.00 %	0	0.00 %	500	500	0
Gain/Loss Investment Interest Allocation	0	0.00 %	(65,944)	0.00 %	0	65,944	(51,762)
CCLC Contributions to Bar Center	0	0.00 %	500,000	39.22 %	1,275,000	775,000	1,291,495
Interest Income	0	0.00 %	54,768	58.26 %	94,000	39,232	97,965
Bar Center Income and Cash Receipts	\$ 50	0.00 %	\$ 489,124	35.72 %	\$ 1,369,500	\$ 860,376	\$ 1,337,798
Bar Center Expenses and Cash Disbursements							
Bond Premium Amortization	0	0.00 %	19,966	73.95 %	27,000	7,034	30,561
Investment Service Fees	0	0.00 %	10,456	65.35 %	16,000	5,544	16,866
Conference Center Renovations	0	0.00 %	827	4.60 %	18,000	17,173	36,792
Museum and 1st Floor Exhibit	0	0.00 %	0	0.00 %	3,000	3,000	300
Audio Video, Furniture and Equipment	0	0.00 %	650	0.00 %	0	(650)	16,317
Building Rehabilitation	0	0.00 %	20,294	0.00 %	0	(20,294)	70,622
Bar Center Expenses and Cash Disbursements	0	0.00 %	\$ 22,193	81.55 %	\$ 64,000	\$ 11,807	\$ 171,458
Bar Center Expenses and Cash Disbursements	\$ 50	0.00 %	\$ 436,931	33.47 %	\$ 1,305,500	\$ 868,569	\$ 1,166,340
Conference Center Income and Expenses							
Room Rentals and Various Charges	460	4.00 %	1,460	12.70 %	11,500	10,040	0
Conference Center Operating Expenses	31,230	7.18 %	234,028	53.77 %	435,223	201,195	383,815
Conference Center Combined Net Cash Flow	\$ (30,770)	7.26 %	\$ (232,568)	54.89 %	\$ (423,723)	\$ (191,155)	\$ (383,815)
Rental Income and Expenses							
Rental Income	84,366	8.79 %	586,181	61.07 %	959,800	373,619	1,301,083
Building Operating Expenses	106,055	6.72 %	809,496	51.25 %	1,579,359	769,863	1,481,971
Rental Combined Net Cash Flow	\$ (21,689)	3.50 %	\$ (223,316)	36.04 %	\$ (619,559)	\$ (396,243)	\$ (180,888)
Parking Income and Expenses							
Parking Income	18,557	9.84 %	96,321	51.10 %	188,500	92,180	24,363
Parking Deck Operating Expenses	21,373	9.27 %	157,283	68.22 %	230,570	73,287	125,872
Parking Combined Net Cash Flow	\$ (2,815)	6.69 %	\$ (60,963)	144.91 %	\$ (42,070)	\$ 18,893	\$ (101,509)
Total Bar Center Operations Net Gain (Loss)	\$ (55,224)	(25.09) %	\$ (79,915)	(36.30) %	\$ 220,148	\$ 300,063	\$ 500,127

Note: Non-Cash depreciation expense and gain/loss on disposal of fixed assets are excluded from this schedule.

Created on: 02/16/2022

State Bar of Georgia
Income Statement YTD - Operations
For the Year To Date Period Ending January 31, 2022

	<u>YTD Actual</u>	<u>Annual Budget</u>	<u>YTD % of Budget</u>	<u>Prior Year</u>
Revenues				
Dues - Active	\$ 10,397,334	\$ 10,363,200	100.33 %	\$ 10,242,211
Dues - Inactive	1,073,835	1,089,660	98.55 %	1,115,041
Dues - Provisional	15,367	25,400	60.50 %	32,004
Dues - Misc. Types	2,724	2,724	100.00 %	2,620
Dues - Late Fees	271,021	72,200	375.38 %	72,549
Total Dues & Licenses	11,760,281	11,553,184	101.79 %	11,464,425
Program Registration Income	1,988,353	3,782,858	52.56 %	4,464,018
Section Expense Reimbursement	188,676	188,676	100.00 %	187,835
CSF Expense Reimbursement	42,583	73,000	58.33 %	73,000
Advertising and Sales	27,245	59,400	45.87 %	47,225
Membership Income	42,343	68,250	62.04 %	70,354
Pro Hac Vice	295,425	313,000	94.38 %	411,725
Pro Hac Vice Contra	(253,200)	(241,200)	104.98 %	(315,000)
Credit Card Processing Fees	49,482	90,000	54.98 %	50,754
Interest Income	(123,160)	293,156	(42.01) %	213,145
Miscellaneous Revenues	383	8,000	4.79 %	490
Total Revenues	14,018,411	16,188,324	86.60 %	16,667,971
Expenses				
Administration	1,413,912	2,511,998	56.29 %	2,463,115
General Counsel	2,365,676	4,277,317	55.31 %	4,081,949
Communications	420,732	854,097	49.26 %	745,962
Lawyer's Assistance Program	63,750	85,000	75.00 %	85,000
Fee Arbitration	326,323	579,905	56.27 %	548,940
Law Practice Management	200,265	472,299	42.40 %	408,396
Sections	106,639	188,676	56.52 %	187,292
Savannah Office	150,419	268,805	55.96 %	263,175
Tifton Office	74,655	140,777	53.03 %	129,140
Young Lawyers	185,159	410,304	45.13 %	276,040
Unauthorized Practice of Law	494,854	867,115	57.07 %	834,443
Law Related Education	177,974	372,417	47.79 %	288,293
High School Mock Trial	61,072	164,409	37.15 %	116,482
ICLE	1,233,367	3,802,496	32.44 %	2,434,549

State Bar of Georgia
Income Statement YTD - Operations
For the Year To Date Period Ending January 31, 2022

	YTD Actual	Annual Budget	YTD % of Budget	Prior Year
Pro Bono	123,793	212,216	58.33 %	212,216
Fastcase	267,738	265,000	101.03 %	253,598
Officers' Expenses	12,576	101,809	12.35 %	29,781
BASICS Program Contribution	0	0	0.00 %	37,500
Resource Center Contribution	55,166	55,166	100.00 %	110,332
Total Other Expenses	209,175	745,700	28.05 %	720,120
Unallocated Services	(37,797)	0	0.00 %	(91,746)
Total Expenses	7,905,448	16,375,506	48.28 %	14,134,578
Net Income	\$ 6,112,963	\$ (187,182)	(3,265.79) %	\$ 2,533,393

State Bar of Georgia
Income Statement YTD - Operations
For the Year To Date Period Ending January 31, 2022

	YTD Actual	Annual Budget	YTD % of Budget	Prior Year
Other Expenses				
BOG and Member Meetings	\$ 74,864	\$ 395,000	18.95 %	\$ 347,883
Supreme Court Meetings	14,753	40,000	36.88 %	15,549
Executive Committee Meetings	28,385	50,000	56.77 %	7,091
State Disciplinary Board Lawyers	0	20,000	0.00 %	31,888
Electronic Ballots	11,728	34,000	34.49 %	34,898
Dues Notice	4,605	34,000	13.54 %	27,904
Letters of Good Standing	1,455	2,500	58.23 %	2,073
Bar Membership Cards	6,131	10,500	58.39 %	7,895
50 Year Certificates	0	2,700	0.00 %	2,033
Membership Database Project	0	0	0.00 %	12,605
Recruitment Costs	0	0	0.00 %	74,934
State Bar Committees	399	20,000	1.99 %	7,491
Georgia Diversity Program	10,000	10,000	100.00 %	20,000
ABA Delegate Breakfast	0	2,500	0.00 %	0
1st Floor Office Furniture Project	0	0	0.00 %	15,137
1st Floor Painting	0	3,000	0.00 %	0
Commitment to Equality Awards	2,500	2,500	100.00 %	2,500
Bond Premium Amortization	25,671	75,000	34.23 %	70,759
Investment Service Fees	28,683	44,000	65.19 %	39,480
Total Other Expenses	\$ 209,174	\$ 745,700	28.05 %	\$ 720,120

State Bar of Georgia
Status and Use of Cash and Investments as of January 31, 2022

Cash and Investments - January 31, 2022 - Bar	32,456,773
Less:	
Georgia Bar Foundation Cash Included in Above Amount	(1,770)
CCLC Cash and Investments Included in Above Amount	(4,988,975)
Net Cash Available for State Bar	27,466,028
 Use of Cash:	
Less:	
Board Designated - See Separate Schedule Attached	(8,994,599)
Temporarily Restricted - See Separate Schedule Attached	(2,463,058)
Total Board Designated and Temporarily Restricted	(11,457,657)
 Other - Cash Allocated:	
Collection of Outstanding Accounts Receivable	128,881
Payment of Accounts Payable	(177,159)
Payment of Accrued Vacation	(691,188)
Deferred Income	(50,520)
Payment of Credit Card Bill	(36,720)
Payment of Accrued Salary	(352,056)
Payment of Accrued Taxes	(26,932)
Other Accrued Expenses (primarily pension)	(352,709)
Payment to Client Security Fund	(1,726,670)
Operational Expenses for Remaining Bar Year	(8,060,670)
Additional Revenue for Bar Operations (Excluding Bar Center)	2,169,913
Net Amount to be paid to Related Entities	(396,428)
Total Other - Cash Allocated	(9,572,258)
 Estimated Cash and Investments - June 30, 2022 - Bar	 6,436,113
 Cash and Investments - January 31, 2022 - Bar Center	 30,142
 Other Cash Allocated - Bar Center:	
Collection of Outstanding Accounts Receivable	235,362
Payment of Accounts Payable	(27,720)
Deferred Income	(23,924)
Other Accrued Expenses	(109,388)
Additional Revenue for Bar Operations	300,063
Total Other - Cash Allocated - Bar Center	374,393
 Estimated Cash and Investments - June 30, 2022 - Bar Center	 404,536
 Total Estimated Cash Balance at June 30, 2022	 6,840,648

Note: The above schedule reflects the status of cash and investments as of the month end indicated above. There are no other State Bar funds or investments held in any institution that are not included on this schedule.

Also included in the above are the following assumptions: (1) Actual expenses for 2021 - 2022 would be 97.5% of budget. This is for Bar operations only and not Bar Center. (2) Additional revenue for Bar operations is based upon the assumption of achieving additional revenue through June 30, 2022 to equal 100% of the total budgeted revenue. (3) Bar Center would contribute additional cash flow through June 30, 2022 to equal their budget.

State Bar of Georgia
Board-Designated and Donor Temporarily Restricted Net Assets
For the Year To Date Period Ending January 31, 2022

	June 30, 2019	June 30, 2020	June 30, 2021	January 31, 2022
Board Designated				
Board Designated - General Operations - Bar	2,750,000	2,750,000	2,750,000	2,750,000
Board Designated - General Operations - Bar Center	2,000,000	2,000,000	2,000,000	2,000,000
Litigation	300,000	300,000	300,000	158,291
Board Designated - Sections	2,793,142	3,097,034	3,431,439	3,949,084
YLD Meetings	29,717	87,820	116,852	137,224
Total Board-Designated excludes ICLE	\$ 7,872,859	\$ 8,234,854	\$ 8,598,291	\$ 8,994,599
Donor Temporarily Restricted				
Legislative	1,285,674	1,094,092	1,350,873	1,815,764
Law Related Education/Marshall fund	316,570	233,708	231,160	225,011
High School Mock Trial	14,095	15,486	15,482	18,354
Basics Program	67,032	69,517	119,460	131,333
Younger Lawyers	125,032	170,213	115,020	131,546
Lawyers Assistance	32,553	34,698	34,650	34,969
Georgia Diversity Program	18,957	13,596	55,807	45,250
Bar Media Conference	18,697	20,839	21,834	21,719
Justice Hunstein's Portrait	7,813	15,152	25,651	2,361
Law Day	6,356	6,517	6,516	6,481
Access to Justice	1,456	1,493	1,492	1,485
iCivics Program	603	868	0	0
Promote Inclusion	11,120	14,211	13,285	12,785
State Bar of Georgia Foundation	0	100	3,134	1,271
Military Vet Pro Bono	13,854	14,711	14,807	14,729
Total Donor Temporarily Restricted	\$ 1,919,812	\$ 1,705,201	\$ 2,009,171	\$ 2,463,058
Net Board Designated and Donor Temporarily Restricted	\$ 9,792,671	\$ 9,940,054	\$ 10,607,462	\$ 11,457,657

State Bar of Georgia
Summary of Members and Voluntary Legislative Contributions
With Contributions Paid Through January 31, 2022

Dues	2021-22 Dues Season	2020-21 Dues Season	2019-20 Dues Season
Total Number of Members at Apr 30 of Previous Bar year (active and inactive)	<u>48,965</u>	<u>48,538</u>	<u>47,964</u>
Active - Number Paid	41,436	41,043	40,379
Inactive - Number Paid	<u>8,508</u>	<u>8,780</u>	<u>8,929</u>
Total Number of Members With Dues Paid	<u>49,944</u>	<u>49,823</u>	<u>49,308</u>
Percent of Total Members With Dues Paid	<u>102.0%</u>	<u>102.6%</u>	<u>102.8%</u>
Number of Members Who Made A Contribution	<u>8,133</u>	<u>8,325</u>	<u>3,704</u>
Percent of Members Who Made A Contribution	<u>16.3%</u>	<u>16.7%</u>	<u>7.5%</u>
Total Contribution Amount	<u>\$ 758,975</u>	<u>\$ 766,123</u>	<u>\$ 322,708</u>
Average Amount Paid	<u>\$ 93</u>	<u>\$ 92</u>	<u>\$ 87</u>

Legislative Contribution Amounts by Dues Year

2021 - 2022	<u>\$ 758,975</u>
2020 - 2021	<u>\$ 766,123</u>
2019 - 2020	<u>\$ 322,708</u>
2018 - 2019	<u>\$ 494,906</u>
2017 - 2018	<u>\$ 546,905</u>
2016 - 2017	<u>\$ 557,991</u>
2015 - 2016	<u>\$ 565,004</u>
2014 - 2015	<u>\$ 640,505</u>
2013 - 2014	<u>\$ 691,736</u>
2012 - 2013	<u>\$ 685,283</u>

Purpose: The purpose of the above schedule is to reflect donations to the Legislative Fund for each period shown. The information reflects the total number of members who have made a contribution along with applicable percentages. The number of members above reflect the members who paid during the dues season indicated above. The dues season does not correspond to the fiscal year but starts in advance of the fiscal year. In addition, if members change status (active, inactive, emeritus, etc), this change will be reflected in the membership counts at month end but will not be reflected in the above schedule.

State Bar of Georgia
Summary of Members and Voluntary Contributions to Georgia Legal Services Program (GLSP)
With Contributions Paid Through January 31, 2022

Dues	2021-22 Dues Season	2020-21 Dues Season	2019-20 Dues Season
Total Number of Members at Apr 30 of Previous Bar year (active and inactive)	48,965	48,538	47,964
Active - Number Paid	41,436	41,043	40,379
Inactive - Number Paid	8,508	8,780	8,929
Total Number of Members With Dues Paid	49,944	49,823	49,308
Percent of Total Members With Dues Paid	102.0%	102.6%	102.8%
Number of Members Who Made A Contribution	3,638	3,509	3,001
Percent of Members Who Made A Contribution	7.3%	7.0%	6.1%
Total Contribution Amount	\$ 477,806	\$ 436,815	\$ 366,674
Average Contribution Amount	\$ 131	\$ 124	\$ 122

GLSP Contribution Amounts by Dues Year

2021 - 2022	<u>\$ 477,806</u>
2020 - 2021	<u>\$ 436,815</u>
2019 - 2020	<u>\$ 366,674</u>
2018 - 2019	<u>\$ 295,454</u>
2017 - 2018	<u>\$ 312,251</u>
2016 - 2017	<u>\$ 276,487</u>
2015 - 2016	<u>\$ 264,492</u>
2014 - 2015	<u>\$ 255,713</u>
2013 - 2014	<u>\$ 241,362</u>
2012 - 2013	<u>\$ 244,707</u>

Purpose: The purpose of the above schedule is to reflect donations to the Georgia Legal Services Program for each period shown. The information reflects the total number of members who have made a contribution along with applicable percentages.

The number of members shown above is not the same as the number of members at the end of the month. The number of members above reflect the members who paid during the dues season indicated above. The dues season does not correspond to the fiscal year but starts in advance of the fiscal year. In addition, if members change status (active, inactive, emeritus, etc), this change will be reflected in the membership counts at month end but will not be reflected in the above schedule.

**State Bar of Georgia
Income Statement
From July 1, 2021 Through January 31, 2022**

July 1, 2021 Beginning Balance	\$ 1,350,873
Income:	
Interest Income	12,398
Gain/Loss Investment Interest Allocation	(15,491)
Miscellaneous Income	758,475
Total Income	<u>755,382</u>
Expenditures:	
Staff and Contract Lobbyists	258,680
Grassroots Efforts	5,869
Travel	731
Shared Office Allocation	9,905
Miscellaneous	15,305
Total Expenditures	<u>290,490</u>
Net Donor Temporarily Restricted Balance	<u>\$ 1,815,764</u>

Client Security Fund

**State Bar of Georgia
Summary of Client Security Fund Activity
For the Year To Date Period Ending January 31, 2022**

	2019 June 30	2020 June 30	2021 June 30	January 31, 2022
Fund Balance, Beginning of Year	\$ 1,450,249	\$ 1,031,012	\$ 1,009,586	\$ 1,798,187
Income:				
Interest Income	11,922	13,214	17,568	12,437
Gain/Loss Investment Interest Allocation	4,544	13,064	(9,942)	(14,959)
Client Security Fund Assessments	102,884	85,896	78,279	76,030
Restitution Income	30,451	30,027	23,095	4,085
Total Income	\$ 149,801	\$ 142,201	\$ 109,000	\$ 77,593
Transfer from Others				
Miscellaneous Income	0	388,000	0	0
Operating Transfer In	0	0	1,000,000	0
Total Transfer from Others	\$ 0	\$ 388,000	\$ 1,000,000	\$ 0
Expenses:				
Restricted Expenses	(73,000)	(73,000)	(73,000)	(42,583)
Client Security Fund Claims Payments	(496,038)	(474,387)	(238,713)	(99,619)
Bond Premium Amortization	0	(2,341)	(5,630)	(4,534)
Investment Service Fees	0	(1,900)	(3,056)	(2,375)
Total Expenses	\$ (569,038)	\$ (551,628)	\$ (320,399)	\$ (149,111)
Net Income	\$ (419,237)	\$ (21,427)	\$ 788,601	\$ (71,517)
Fund Balance, End of Period	\$ 1,031,012	\$ 1,009,586	\$ 1,798,187	\$ 1,726,670



March 8, 2022

Board of Governors,

I am pleased to give you an update on what we have accomplished over the past several months of the 2022-23 Bar year and to report on our future plans. The YLD is committed to continually promoting the mission of our Bar through its younger members, who number nearly 10,000.

YLD COMMITTEES

The YLD has more than 25 committees working to support our motto of service to the community and our profession. Each committee works diligently to provide substantive programming in their respective focus areas. Below are some of the accomplishments of our YLD committees this year:

YLD Estate and Elder Law

Amber Crawford and Cameron H. A. Saunders, Co-Chairs

The committee successfully administered and hosted its first-ever Virtual Wills Clinic for Augusta's first responders by assisting with and providing last wills and testaments, powers of attorney, and advance directives for health care for approximately 20 of Augusta's first responders and their spouses. The success of this clinic is due to many members of the Young Lawyers of Augusta and YLD Estate and Elder Law Committee. They stepped up tremendously despite working through Zoom and virtual aspects to connect with clients and their wishes, prepare the documents, and ultimately signing the completed documents.

Special thanks to the participating attorneys in this program who took on multiple clients over the Martin Luther King Jr. holiday weekend: Stacy Norris, Angelyn McDonald, Tyler Bhaum, Stetson Cromer, Kelly Williamson, Igor Bielkin, and Matthew Padgett.

The Richmond County Sheriff's Office helped serve as witnesses and notaries for the execution of the estate planning documents, and we could not have completed this without them.

The committee is comprised of 16 attorneys currently and is always seeking further engagement from the YLD or Bar community—whether to assist in hosting webinars, meetings, gatherings, future Wills Clinics or helping other organizations with their CLE or Wills Clinic programs.

The committee has plans in the works for hosting another Wills Clinic in 2022. The location is to be determined, and any recommendations for areas currently underserved, or areas that have yet to be served by a Wills Clinic, would be highly appreciated.

YLD Family Law

Samantha Lennon and Megan Wyss, Co-Chairs

The YLD Family Law Committee co-hosted two additional “Back to Basics” Lunch and Learn CLEs with the Family Law Section since the last YLD meeting—“EBITDA, Multiples, and Other Foreign Language Words (to Attorneys)—Understanding Business Valuations” and “What Family Lawyers Need to Know About Mediating Domestic Violence Cases—Rules and Best Practices.”

We continue to be the administrators of the Child Support Worksheet Helpline. Since the beginning of the 2021-2022 Bar Year, we have connected over 25 pro se individuals with volunteer lawyers to help them complete Child Support Worksheets.

On January 5, 2022, the Committee met to discuss the committee's goals and upcoming events and programming. The Committee discussed planning for the Supreme Cork, and the Committee is in the process of searching for a venue and date for the event, as well as sponsors and donations, and items for the live auction. If you are interested in getting involved in the planning of the Supreme Cork, please reach out to Samantha Lennon or Megan Wyss. Our next Family Law Committee Meeting will be by Zoom on March 21, 2022.

YLD Government Law

Kelsey Kicklighter and Andy Navratil, Co-Chairs

On Tuesday, Dec. 14, the committee hosted a webinar, "Making Sense of Public Service Loan Forgiveness," where experts from Equal Justice Works discussed recent changes to the Public Service Loan Forgiveness Program and explained how government and public interest attorneys could have their federal student loans forgiven. If you missed the program, you can watch a previous recorded version or sign-up for a future live session offered by Equal Justice Works at <https://pslfcoalition.org/temporary-waiver/>. The YLD Government Law Committee is also exploring offering an educational program about state and governmental immunity defenses in late spring 2022.

YLD Inclusion in the Profession

Chanel Chauvet, Essie Lazarus and Mishael Najm, Co-Chairs

On the heels of national mentoring month, the YLD Inclusion in the Profession Committee partnered with Big Brothers, Big Sisters (BBBS) – the nation's largest volunteer supported mentoring network to recruit and match attorney volunteers (Bigs) with preteens and teens (Littles). We facilitated meaningful and positive mentorships that will have a direct and lasting effect on the lives of youth, some of whom aspire to be attorneys. On Feb. 15, BBBS facilitators Mercedes Johnson and Tara Spann led an orientation amongst 20 participants outlining the application and matching process. Since then, we have had numerous volunteer mentors apply with matches to be made later this year.

If you are interested but were not available for the orientation, that's no problem. The application process is still open, and we can provide a recording of the presentation.

On Feb. 24, the committee held a "Yoga from Home" event in honor of Black History Month. Leana Marshall, MHA, RHIA, led a one-hour online beginner class to nourish the body and spirit. She included soulful music and mindfulness practices to celebrate and highlight Black historical figures, including pioneer Shirley Anita Chisholm of New York, who became the first African American congresswoman.

As always, please feel free to reach our committee at inclusionlpa@gmail.com.

YLD Law School Outreach

Eric Abney and M. Brandon Rosenstein, Co-Chairs

The YLD Law School Outreach Committee plans to host several lunch and learn visits at all four of Georgia's major law schools at the end of February and early March 2022. Committee members will visit each school to provide lunch and speak to students about transitioning from student to lawyer, facing hurdles as a young lawyer and getting involved with the YLD upon graduation.

YLD Legal Food Frenzy

Morgan Lyndall and Veronica Rogusky, Co-Chairs

The 11th Annual Legal Food Frenzy Competition will run April 18–29. Registration kicked off on February 15th. Still, amidst a pandemic, 1 in 6 children in Georgia are at risk for food insecurity. Our food banks have been working hard to meet a sustained increase in demand. We encourage everyone to champion a team and think of creative ways to raise the bar.

We are especially thankful for the help of this year's regional representatives: Jeremy Baker, Kirsten Charles, Kyle Davis, Virginia Josey, Megan Kelley, Tina Lute, Alison Majoney, Quentin Marlin, Anna Mills, Nathan Nicholson, Justin Olivero, Susannah Pedigo, Cameron Roberts, Alex Shalishai, Mitchell Snyder, Steven Swinson and Amanda Szokoly.

For more information, visit www.galegalfoodfrenzy.org.

YLD Leadership Academy

Kindall Browning, Kyle Davis and Samantha Mullis, Co-Chairs

The YLD Leadership Academy has been hard at work learning about leadership and building their leadership foundations. In January, we learned about Foundations in Leadership where we heard from Damon Elmore, executive director of the State Bar, and a panel of past YLD presidents.

In February, the Leadership Academy was able to meet in person for the first time this year. We heard from riveting speakers such as David Dove, executive counsel to Governor Kemp, Attorney General Chris Carr and State Bar Lobbyists Mark Middleton and Roy Robinson. Lunch was held at the Sloppy Floyd Building for the annual Capitol Leadership Luncheon with a panel of six lawyer-legislators from across the state. We had a behind the scenes tour of the Nathan Deal Judicial Center where we heard from Court of Appeals Judges Andrew Pinson and Trea Pipkin and Supreme Court Justice Shawn LaGrua. We toured Georgia's State-Wide Business Court and met Judge Walt Davis. A special treat was touring Chief Justice Nahmias' chambers.

The Leadership Academy is looking forward to Session 3 as we cross state lines to Chattanooga, Tennessee, in conjunction with the YLD Spring Meeting.

YLD Litigation

Carlos Fernandez and Kathryn Reddy, Co-Chairs

The YLD Litigation Committee is proud to announce its upcoming spring events:

- On March 23, join us virtually as we interview Amber Lengacher, corporate counsel at Trulieve—one of the largest cannabis companies in the world. We will be discussing cannabis law, legalization and what is to be expected from Georgia's industry. CLE credit will be made available.
- On April 7, we will host a happy hour event at New Realm to reconnect with our members over curated snacks and a Beltline sunset.

YLD Real Estate Law

Gabrielle Espy, Richard Sarrell II and Kaitlyn Sayne, Co-Chairs

On March 29, the YLD Real Estate Law Committee will host "Changes in the Georgia Housing Market." Two real estate brokers licensed in Georgia will discuss the current Georgia housing market and the changes they have seen in the past two years.

YLD Signature Fundraiser

Audrey Bergeson, Hannah Couch and Virginia Josey, Co-Chairs

On April 30, the YLD is hosting the Annual Signature Fundraiser. The Peach Pit Band Party, an event with a southern, casual twist, will be held from 7-11 p.m. at 433 Bishop in Atlanta. All proceeds will

benefit Kate's Club, a 501(c)(3) organization that supports children and teens who have experienced the death of a parent, sibling or primary caregiver. Tickets can be purchased [online here](#).

YLD William W. Daniel National Invitational Mock Trial
Matthew Jones, Lindsey Macon, and Samantha Mullis Co-Chairs

Teams from Georgia State University College of Law, Emory University School of Law, Mercer University Walter F. George School of Law and University of Georgia School of Law competed in the 2021 William H. Daniel Invitational Mock Trial Competition on Nov. 12-13. Due to concerns about COVID-19, the competition was limited to Georgia law schools. UGA and Emory advanced to the final round, with UGA winning the competition. Several YLD members volunteered as presiding judges or jurors during the trials, and Judge Trea Pipkin of the Court of Appeals of Georgia presided over the final round.

YLD Women in the Profession
Meredith Layman and Andrew Navratil, Co-Chairs

The YLD Women in the Profession Committee had an exciting close to the calendar year, and we're looking forward to some great events at the start of 2022.

On Jan. 13, the committee hosted a virtual personal branding event to kick off the new year. Kimberly Lerman and Lisa Lenke with Legality spoke with our committee about how to define ourselves as female lawyers. We learned about creating our personal brand, tips for building our personal brand and using our personal brand to advance our careers. We had a great turnout for this virtual event, and look forward to welcoming Kimberly and Lisa again for more career development-focused learning.

On Feb. 20, the committee joined forces with the Legal Food Frenzy Committee to volunteer with the Atlanta Community Food Bank and the Middle Georgia Community Food Bank. Thank you to all of our volunteers who showed up to serve our local communities.

In the month of March, the committee is honoring great mentors of our members. Be on the lookout for shoutouts all month long.

The committee is planning a sexual assault CLE for the month of April and an outdoor outing in Atlanta in May. Join us!

YLD Workers' Compensation
Oliver Ladd and Liz Phrampus, Co-Chairs

On Nov. 8, the YLD Workers' Compensation Committee hosted the second installment of our Lunch & Learn series, featuring Judge Kimberly Boehm. The committee co-chairs asked Judge Boehm several questions over the one-hour session regarding her career and background, her opinions on hearing technique, preparing and utilizing mediation, and writing tips. The presentation was well received by attendees and was approved for 1 hour of CLE credit. The next installment is planned for April 14 featuring Judge Edwina Charles. The committee co-chairs will ask Judge Charles questions about her experience in the Alternative Dispute Resolution division of the State Board of Workers' Compensation and general workers' compensation litigation. CLE credit will be applied for.

YLD AFFILIATES

The YLD currently has seven recognized active affiliates around the state: Young Lawyers of Augusta, Cobb County Younger Lawyers Division, Columbus YLD, Glynn County YLD, Houston County YLD, Macon YLD and Savannah YLD. The Western Circuit YLD has been inactive for a few years but has recently expressed an interest in reorganizing.

MEETINGS

Spring Meeting | March 17-20 | Chattanooga, Tennessee

The YLD Spring Meeting will be held at The Westin Chattanooga. The YLD is planning a CLE, a service project, a General Session and a group dinner. The 2022 YLD Leadership Academy will have their third session of activities.

Annual Meeting | June 2-5 | Fernandina Beach, Florida

The YLD Annual Meeting will be held in conjunction with the State Bar's Annual Meeting at Omni Amelia Island Resort. The YLD is planning a General Session, the annual Pool Party and Meet the Candidates Reception and the YLD Awards Dinner and Swearing-In Ceremony. The 2022 YLD Leadership Academy will have their closing session and graduation ceremony.

Thank you again for your continued support.

Sincerely,



Elissa B. Haynes
2021-22 YLD President

State Bar of Georgia

Statement of Investment Policy

~~March 2019~~ November ~~May~~ 2021

GENERAL INFORMATION

Entity name: State Bar of Georgia

Description: The State Bar of Georgia exists to foster among the members of the Bar of this state the principles of duty and service to the public; to improve the administration of justice; and to advance the science of law.

Fund's purpose: The Fund consists of reserve assets as well as operating cash, both accumulated primarily from the collection of member dues. Reserve funds are set aside for future needs, while operating cash is expected to be spent within the fiscal year.

SCOPE OF STATEMENT

This Statement of Investment Policy ('Policy') reflects the investment policy, objectives, and constraints of the fund.

To assure continued relevance of the guidelines, objectives, and financial status as established in this statement of investment policy, the State Bar of Georgia plans to review investment policy at least annually.

PURPOSE OF STATEMENT

The State Bar of Georgia sets this statement of investment policy forth in order to:

1. Define and assign the responsibilities of all involved parties.
2. Establish a clear understanding for all involved parties of the investment goals and objectives of Fund assets.
3. Offer guidance and limitations to all Investment Managers regarding the investment of Fund assets.
4. Establish a basis for evaluating investment results.
5. Establish the relevant investment horizon for which the Fund assets will be managed.

The statement is not a binding contract; rather, it is a summary of understanding that provides guidance to all involved parties. It is intended to be sufficiently specific to be meaningful, yet flexible enough to be practical.

DELEGATION OF AUTHORITY

Board of Trustees of State Bar of Georgia

The governing body of the Fund is the Board of Governors ("Board"), who have overall responsibility for Policy. As such, the Board is authorized to delegate certain responsibilities to others. The Board has delegated responsibility for the investment of the Fund's assets to the Investment Committee, which may further delegate certain responsibilities to appropriate experts.

Responsibility of the Board of Trustees

- Approve investment policy.

- Ensure that the costs are appropriate and reasonable in relation to the assets, the purposes of the institution, and the skills available to the institution.
- Make reasonable effort to verify facts relevant to the management and investment of the Fund assets.

Investment Committee

The Board has established the Investment Committee (“Committee”). The Committee is responsible for directing management of Fund assets and monitoring compliance with their policies and guidelines. While the Board bears ultimate responsibility for the Fund, the Committee shall recommend to the Board the general policy for the State Bar of Georgia and shall be responsible for day-to-day guidance, monitoring and oversight.

Responsibility of the Committee

- Develop, review and present a Statement of Investment Policy to the Board.
- Develop, review and recommend the overall asset allocation for the Fund, as well as funding level for each manager or strategy in the Fund.
- Approve the investment allocation of Fund assets, both strategic and potential tactical asset allocation changes.
- Oversee investments made by/through delegated parties to confirm their adherence to the investment guidelines in this IPS.
- Communicate changes, if any, to the investing objectives, to the Investment Management Consultant or other delegated parties servicing the portfolio in whole or in part.
- Review the performance in light of the Fund’s investment objectives.
- Appoint, evaluate and remove investment managers for the assets.
- Appoint, evaluate and remove other service providers, such as Investment Management Consultant and Custodian, that it deems necessary.
- Negotiate compensation arrangements with all service providers; control and account for all investment expenses.
- Receive, review and retain the reports of the investment management consultant, and the custodian and other reports on the financial condition of the Fund.
- Manage and monitor all defined risks in the portfolio with assistance of the Investment Management Consultant.
- Designate an individual staff person with the day-to-day administrative responsibility.
- Report recommendations and conclusions to the Board of Governors.

As such, the Committee is also authorized to delegate certain responsibilities to professional experts in various fields. These include, but are not limited to:

Investment Management Consultant(s)

The Investment Management Consultant's role is that of a non-discretionary advisor to the Investment Committee of the State Bar of Georgia. Investment advice concerning the investment management of Fund assets will be offered by the Investment Management Consultant, and will be consistent with the investment objectives, policies, guidelines and constraints as established in this statement.

Responsibility of the Investment Management Consultant(s)

- Assist in the development and periodic review of investment policy and objectives.

- Assist in the development and periodic review of asset allocation strategy. Recommend strategic and tactical asset allocation changes within the guidelines of the policy.
- Review the capital markets in light of the Fund's investment objectives.
- Assist in the management and tracking of risks in the portfolio.
- Implement portfolio rebalancing upon direction of the Committee within the guidelines of the policy.
- Assist in compensation negotiations with investment managers, custodians and other service providers. Assist the Investment Committee in the determination, understanding, negotiation and accountability of all Fund investment costs.
- Conduct investment manager searches, make recommendations, provide "due diligence" or research on Investment Managers.
- Provide the performance of the total Fund and Investment Manager(s) to assist the Committee with the ability to determine the progress toward the investment objectives.
- Communicate matters of policy, manager research, and manager performance.
- Communicate matters of policy and investment direction to the investment managers when necessary.
- Review Fund investment history, historical capital markets performance and the contents of this investment policy statement with any newly appointed members of the Committee.
- The Investment Management Consultant must operate without any undisclosed conflict of interest.

Investment Manager(s)

Each Investment Manager will have full discretion to make all investment decisions for the assets placed under its jurisdiction and within guidelines of their stated investment methodology.

Responsibility of the Investment Manager(s)

- Investment managers are required to maintain prudent diversification and manage the risk of their portfolios.
- Discretionary investment management including decisions to buy, sell, or hold individual securities, and to alter asset allocation within the guidelines of their stated methodology.
- Report, on a timely basis, quarterly investment performance results.
- Communicate any major changes to economic outlook, investment strategy, or any other factors that affect implementation of investment process, or the investment objective progress of the Fund's investment management.
- Inform the Investment Management Consultant regarding any qualitative change to investment management organization: Examples include changes in portfolio management personnel, ownership structure, investment philosophy, etc.
- Meet with the Investment Management Consultant and/or Investment Committee as needed.
- The Investment Manager must operate without any undisclosed conflicts of interest.

Custodian(s)

The custodian(s) will physically (or through agreement with a sub-custodian) maintain possession of securities owned by the Fund, collect dividend and interest payments, redeem maturing securities, and effect receipt and delivery following purchases and sales. The

custodian(s) may also perform regular accounting of all assets owned, purchased, or sold, as well as movement of assets into and out of the Fund accounts.

Other Professional Experts

Additional specialists such as attorneys, auditors and others may be employed by the Committee to assist in meeting its responsibilities and obligations to administer Fund assets prudently.

GENERAL INVESTMENT PRINCIPLES

1. The Fund shall be invested with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent man acting in like capacity and familiar with such matters would use in the investment of a fund of like character and with like aims.
2. The Board and Committee understand that risk is present in all types of securities and investment styles and recognize that some risk is necessary to produce long-term investment results that are sufficient to meet the Fund's objectives. However, the investment managers are to make reasonable efforts to control risk, and will be evaluated regularly to ensure that the risk assumed is commensurate with the given investment style and objectives.
3. Investment managers are expected to adhere to the investment management styles for which they were hired. Managers will be evaluated regularly for adherence to investment discipline.

INVESTMENT OBJECTIVES

Fund assets represent reserves, ~~all of which may be spent within the next five years~~with a time horizon of greater than 10 years, and operating cash, which is planned to be spent within the next twelve months. Therefore, the ~~Fund has a short term investment horizon, and the~~ primary objectives of the Fund shall be:

- **Liquidity** - To ensure the ability to meet all expected or unexpected cash flow needs by investing in securities which can be sold readily and efficiently.
- **Preservation of Capital** - To minimize the probability of loss of ~~principal-purchasing power (inflation-adjusted principal)~~ over the investment horizon. Emphasis is placed on minimizing volatility rather than maximizing return.
- **Income and Growth** - To achieve a balanced return of current income and modest growth of principal.

Asset Allocation:

An estimate of operating cash flows should be provided and updated regularly by the Committee or the CFO to the Investment Management Consultant.

- **Operating Cash** (an amount equal to projected net cash inflows, less projected net cash outflows, over the next twelve months) should be allocated to cash, money market funds, or fixed income securities with maturity or weighted average life (WAL) less than one year.
- **Reserve Assets** (Fund assets in excess of estimated operating cash) may be allocated to equities, and fixed income securities with maturity or WAL up to five years.

Fixed income securities are limited to five year maturity or average expected life.

Fixed income securities at the time of purchase must be rated investment grade (no lower than BBB- / Baa3).

Equity securities are permitted up to 30% of the portfolio, with a target weight of 20%.

~~Currently, equity securities are prohibited.~~

Eligible Investments:

1. Money Market Mutual Funds*
2. Certificates of Deposit
3. Commercial Paper
4. Obligations of the U.S. Treasury, states and their political subdivisions and municipalities
5. Obligations of U.S. Federal Agencies, state agencies and their political subdivisions and municipalities
6. Mortgage-backed securities (MBS) issued by U.S. government agencies or government-sponsored enterprises (GSE).
7. U.S. Corporate Bonds, debentures, or other forms of corporate debt
8. Bonds issued in the U.S. by foreign entities that are traded on U.S. exchanges and in U.S. dollars (“Yankee Bonds”)
9. Commercial Mortgage Backed Securities (“CMBS”)
10. Asset-Backed Securities (“ABS”) and Mortgage-Backed Securities (“MBS”) issued by non-governmental entities (“non-agency”)
11. Collateralized Mortgage Obligations (“CMO”)
12. Common stocks
13. Depository Receipts (“ADRs”)
14. Real Estate Investment Trusts (“REITs”)
- ~~15. Master Limited Partnerships (“MLPs”)~~
16. Fixed Income and Equity Mutual Funds and Exchange-Traded Funds (ETFs) registered with the Securities and Exchange Commission of the United States under the Investment Company Act of 1940*

* With respect to the inclusion of mutual funds, exchange-traded funds (ETFs) or commingled vehicles, the Committee understands that the Investment Management Consultant does not have any control over the management or portfolio composition of such funds. While the Investment Management Consultant will use best efforts to recommend funds with investment objectives and policies that, at the aggregate portfolio level, are generally consistent with the IPS restrictions, the Committee understands that individual portfolio holdings may not at all times be consistent with the restrictions.

Prohibited Investments:

- ~~1. Equity investments including mutual funds and exchange-traded funds (ETFs)~~
- ~~2.1. Preferred stock and convertible bonds~~
- ~~2.2. Direct mortgages or privately-held real estate~~
- ~~4. Real Estate Investment Trusts (REITs)~~

~~5. Master Limited Partnerships (MLPs)~~

~~6.3. Commodities or commodity futures~~

~~7.4. Short sales and margin purchases~~

~~8.5. Oil, gas, mineral or other types of leases~~

~~9.6. Futures, options, and other derivative securities~~

~~10.7. Hedge funds and limited partnerships~~

~~11.8. Auction Rate Bonds~~

SPECIFIC INVESTMENT GOALS

Over a five-year time horizon, it is the return goal of the aggregate Fund assets to exceed U.S. inflation, as measured by the Consumer Price Index (CPI). This investment goal is the objective of the aggregate Fund, and is not meant to be imposed on each investment account (if more than one account is used). The goal of each investment manager, over the investment horizon, shall be to:

1. Meet or exceed the market index, or blended market index, selected and agreed upon by the Committee that most closely corresponds to the style of investment management.
2. Display an overall level of risk in the portfolio that is consistent with the risk associated with the benchmark specified above. Risk will be measured by the standard deviation of returns, as well as other statistical measures such as beta and capture ratios; and portfolio characteristics such as duration, sector positioning, and credit quality.

INVESTMENT POLICIES AND PROCEDURES

Risk

The Committee realizes that there are many ways to define risk. It believes that any person or organization involved in the process of managing the State Bar of Georgia's assets understands how it defines risk so that the assets are managed in a manner consistent with the Fund's objectives and investment strategy as designed in this statement of investment policy. The Committee defines risk as:

- The possibility of downside surprise in investment returns and the permanent loss of capital.

To measure risk for the management of the investment portfolio, a variety of risk characteristics and measures will be considered and evaluated. These risk measurements will be included in the quarterly performance reports. For the basis of comparison, a broad fixed income index is used as the benchmark. The risk benchmark for the total fund is:

- 80% Bloomberg Barclays 1-3 Year Government/Credit Index
- 20% MSCI All Country World Index (net of taxes)-

Asset Allocation

The Committee shall invest the Fund using asset allocation that is designed to meet the Fund's liquidity needs and long-term goals. The allocation will be based on the objectives of the Fund set forth in this policy statement.

Due to the need for diversification and the longer funding periods for certain investment strategies, the Committee recognizes that an extended period of time may be required to fully

implement the asset allocation plan. It is expected that market value fluctuations will cause deviations from the target allocations to occur.

The strategic asset allocation outlined in the Asset Allocation Addendum reflects an expected portfolio at the beginning of the fiscal year, as cash receipts build and assets are at their highest level. As a fiscal year progresses, operating cash will be drawn down; towards the end of the fiscal year, operating cash may represent a minimal portion of the portfolio.

The Asset Allocation Addendum utilizes Modern Portfolio Theory with inputs provided and the methodology outlined in the addendum. The purpose and objective of this analysis is to illustrate and compare the risk and return characteristics of the portfolio's strategic asset allocation in line with investment objectives. There are inherent limitations for any analysis predicated on probabilistic forecast of the behavior of the forward capital markets. That being said, the statistical analysis outlined in the appendix does provide valuable insight to the risk and return characteristics of the portfolio.

The strategic asset allocation targets are subject to modification and change based on recommendations from the Investment Management Consultant and approval of the investment committee.

Rebalancing

From time to time, market conditions may cause the Fund's investment in various asset classes to vary from the approved allocation. The investment portfolio will be reviewed quarterly and rebalanced, within guidelines, when any asset class is outside the minimum or maximum policy allocation.

Liquidity

Liquidity is the time to convert a security to cash at little or no loss; maximums are put on each liquidity category based on the overall cash needs of the client. Certain investment strategies have different liquidity characteristics. To better define the liquidity of various investment strategies, the follow definitions will apply:

- **Liquid:** Marketable securities with daily liquidity or up to one-week, depending on capital market conditions.

SELECTION OF INVESTMENT MANAGERS

The Committee's selection of Investment Manager(s) must be based on prudent due diligence procedures. The Manager selection process should include both quantitative and qualitative characteristics. A qualifying investment manager must be a registered investment advisor under the Investment Advisors Act of 1940 ("Act"), or an entity that qualifies for an exemption under the Act. The Investment Committee will use the services of a qualified Investment Management Consultant to assist in the Manager Selection and evaluation process.

Investment Manager Risk:

Investment managers are required to maintain prudent diversification and manage the risk of their portfolios. The Investment Management Consultant will maintain responsibility for the evaluation of the diversification and risk management of the investment managers and their

continued due-diligence to assure the investment managers are operating according to the stated investment methodology approved by the Investment Management Consultant and Investment Committee. In the evaluation of investment managers, the following risk factors and exposures will be considered but not be limited to the following:

Equity Managers

- Evaluating methodology of security selection and portfolio construction
- Benchmark used for performance evaluation
- Role of manager in the portfolio
- Diversification in economic & geographic sectors
- Diversification in market capitalization

Fixed Income Managers

- Evaluating methodology of security selection and portfolio construction
- Benchmark used for performance evaluation
- Role of manager in the portfolio
- The overall duration and yield of the portfolio in relation to various specific benchmarks
- Diversification in economic sectors
- Diversification in the type of fixed-income securities
- The quality of the Securities
- Allocation to foreign securities

PERFORMANCE MEASUREMENT

Performance reports generated by the Investment Management Consultant shall be compiled quarterly and communicated to the Committee for review. Performance measurement will focus on the evaluation of meeting the specific investment goals identified above.

Investment managers shall be reviewed regularly regarding performance, personnel, strategy, research capabilities, organizational and business matters, and other qualitative factors that may impact their ability to achieve desired investment results.

INVESTMENT POLICY REVIEW

To assure continued relevance of the guidelines, objectives, financial status and capital markets expectations as established in this statement of investment policy, the Committee plans to review investment policy at least annually.

| This statement of investment policy is adopted on _____, 2019-2021 by the State Bar of Georgia.

_____	_____
_____	_____
_____	_____
_____	_____

DRAFT

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE MEETING
MINUTES
Friday, December 10, 2021, at 1 p.m.
Zoom Meeting**

Members Participating

Elizabeth L. Fite, President; Sally B. Akins, President-Elect; Tony DelCampo, Treasurer; Ivy N. Cadle, Secretary; Dawn M. Jones, Immediate Past President; Ronald E. Daniels, YLD President-Elect; Elissa B. Haynes, YLD President; Bert D. Hummel, IV, YLD Immediate Past President; William C. Gentry; R. Javoyne Hicks; Shiriki Jones; David S. Lipscomb; Martin Valbuena; and Nicki N. Vaughan.

Members Absent

All were present.

Staff Participating

Sarah Coole, Chief Operating Officer; Damon Elmore, Executive Director; Paula Frederick, General Counsel; Christine Butcher Hayes, Director of Governmental Affairs; Bill NeSmith, Deputy General Counsel; and Ron Turner, Chief Financial Officer.

Call to Order

President Elizabeth L. Fite called the meeting to order at 1:04 p.m. Members of the Executive Committee in attendance are indicated above.

Future Meetings Schedule

President Elizabeth L. Fite reviewed the Future Meetings Schedule. She announced the January Executive Committee meeting will be cancelled.

Executive Committee Minutes

Secretary Ivy Cadle presented for approval the minutes of the November 5, 2021, Executive Committee meeting, which were passed by unanimous voice vote as presented.

Members Requesting Resignation

Pursuant to State Bar Rule 1-208, the Executive Committee approved the following resignation requests by unanimous voice vote: Patricia Banks Morrison-036296, Lee Rivera Williams-002540, Michael F. Nullet-688096, Dean Carl Arvidson-023890, Frank Liss-453880, William Montross-517663, Mark Tomaszek-152574.

Disability Status

Pursuant to State Bar Rule 1-202, the Executive Committee approved one request for disabled status by unanimous voice vote.

Member Status Appeals

The Executive Committee, by unanimous voice vote, approved the staff recommendation of waiving the late fee for Mansoor Ansari; and approved the staff recommendation to vacate the administrative suspension for Amy Koontz and have her pay annual fees and late fees for 2020-2021 and 2021-2022.

Review of Investment Policy Statement

Andy Harbour, the managing partner of Greystone Atlanta, attended the Executive Committee meeting to discuss the Investment Committee's proposed changes to the Investment Policy. He said the goal of updating the policy is to move from a very conservative model to something more in line with the current financial climate to provide an optimal investment mix for the State Bar. The changes provide for longer-term investing and allow up to 30% with a target of 20% of the portfolio to be invested in equities, which are excluded from the current policy. This report was informational and required no action by the Executive Committee, but will likely come before the committee at the February meeting.

Committee Updates

The following committee updates were provided:

- President Elizabeth L. Fite reported that representatives from the Military Legal Assistance Program have asked about the possibility of bringing back an executive director or staff person. She asked them to identify the gap in services that are not currently being covered and to submit that to the Programs Committee for review.
- Executive Committee Member Martin Valbuena reported the Programs Committee will meet next Friday, Dec. 17, to review all requests and will send their recommendations to the Finance Committee.
- Executive Committee Member Martin Valbuena said the Indigent Defense Committee is also meeting next Friday, and they are talking to the ACL and getting them to approve those funding items. The "Raise the Age" bill was approved by the ACL.
- Executive Committee Member Martin Valbuena reported the Law Practice Management Program Committee had a meeting in October, and in November, they held a series of virtual lunch and learns that were well received.
- Executive Committee Member Martin Valbuena said the Formal Advisory Opinion Board will meet in January.
- Executive Committee Member Shiriki Jones said the Local and Voluntary Bars Committee hasn't had an official meeting this year, but the committee helps support the various local and voluntary bars, who are all very busy right now.
- Executive Committee Member Shiriki Jones reported the Professionalism Committee met on Sept. 29, with members providing updates of the various subcommittees.
- Immediate Past President Dawn M. Jones reported that she plans to meet with the chairs of the Seeking Equal Justice and Addressing Racism and Racial Bias Committee, the Georgia Diversity Program and the Committee to Promote Inclusion in the Profession to discuss how to coordinate between the interested committees who want to work together.
- Immediate Past President Dawn M. Jones said the Committee to Promote Inclusion in the Profession is working on planning their CLE program for the Annual Meeting in June.
- Immediate Past President Dawn M. Jones reported that Executive Director Halima White sends weekly updates to the Georgia Diversity Program Committee.
- Executive Committee Member Nicki Vaughan reported the COVID-19 Committee is paused indefinitely.
- Executive Committee Member Nicki Vaughan said BASICS Committee Chair Mike Terry said they were finally able to get back in the prisons for their programming after being denied entry due to COVID.

Proposed Revisions to the Advertising Rules

General Counsel Paula Frederick reported the Disciplinary Rules and Procedures Committee has been working on revising Part VII of the disciplinary rules, which deals with advertising and solicitation, bringing our rules more in line with the ABA model rules of professional conduct. The committee is

looking for feedback on what they have drafted. They will hold a 1-hour CLE at the Midyear Meeting to explain the changes, and then they will revise what they have done based on that feedback. This will also be reported as an informational item at the Board of Governors Midyear Meeting as well, so Board members can then talk to their constituents. President Elizabeth L. Fite said she will share the proposed revisions with GTLA and GDLA leadership, along with other organizations, to ensure they have an opportunity to comment on the proposed revisions.

Executive Director's Report

Executive Director Damon Elmore reported that he followed up with Past President Bob Kauffman regarding the 2016-2018 Strategic Plan Closing Report. He said that GLSP will be renewing their lease, and they have asked for some renovations that are being reviewed. He reported that Bar staff have started the process of finding new space for the Coastal Georgia Office in Savannah. Priorities for the new space include ample and easily accessible parking, necessary meeting room space, and convenient location. He said the Membership and Communications departments have been working together to notify Bar membership about the changes to the delivery of the State Bar election ballot. Notifications that members must opt-in to receive a paper ballot include: a barwide email in November; an ad in the December issue of the *Georgia Bar Journal*; inclusion in three issues of Enews; a follow-up email in January; and social media posts. Executive Director Elmore said the Elections Committee is reviewing Standing Executive Committee Policy 1000 that deals with the State Bar Election process, specifically the portion about false, misleading, or disparaging remarks in the Election process. He said meetings and events continue to steadily increase at all Bar offices, and ICLE has been working diligently to schedule and hold CLE programming. Executive Director Elmore also mentioned he has been in discussions with the General Practice and Trial Section leadership after unexpectedly losing Betty Simms, their longtime executive director. Right now, the Sections Department will absorb those additional duties and support the section, but for the long-term, there will be additional discussions to decide if the section requires a dedicated person to support them.

ACL/Legislative Report

Legislative and Governmental Affairs Director Christine Hayes reported on the Advisory Committee on Legislation meeting that was held on Nov. 30. She said four proposals were approved, including: Access to Justice Committee, Support for Judicial Council Budget Request for FY 2023 Funding for Civil Legal Services Grants for Kinship Care; Indigent Defense Committee, Support for Judicial Council Budget Request for FY 2023 Continued Funding for the Georgia Resource Center; Child Protection and Advocacy Section, Support for HB 272 "Raise the Age" of Juvenile Court Delinquency Jurisdiction; and Bench and Bar Committee, Support for HB 409 – Establishing a Judicial Legal Defense Fund Commission.

Treasurer's Report

Executive Director Damon Elmore reported on the finances of the Bar and said everything is fiscally sound. He said the budget process has begun and is moving along.

Office of the General Counsel Report

General Counsel Paula Frederick reported the new e-filing system has been launched and is working well. She said has not yet heard from the Supreme Court on Rule 3.8, but she will update the committee when she knows more. She reported there has been an increased amount of activity in receiverships. She said she plans to review germaneness at the Board of Governors Midyear Meeting. General Counsel Frederick said she is drafting an in-house counsel registration rule based on the ABA model rule, and she will present it to the Executive Committee to review and decide if that is something they want to pursue.

Following a motion, second, and unanimous voice vote, the Executive Committee met in Executive Session to discuss the litigation report. Thereafter, by unanimous voice vote, the Executive Committee emerged from Executive Session.

YLD Report

YLD President Elissa Haynes announced her new initiative that encourages young lawyers to take other young lawyers out to lunch to talk and check in with each other during December, #lunchandlisten. She reported that they are finalizing details for the YLD Signature Fundraiser, and she will announce a date at the Midyear Meeting.

Lawyer Competency Task Force

President-elect Sally Akins reported that the Lawyer Competency Task Force subcommittees are continuing to meet and form their recommendations to present to the full committee by the end of the year. She said there will be a town hall at the Midyear Meeting with task force members present to answer questions.

President's Report

President Elizabeth Fite reported that she has continued to attend and speak at local and voluntary bar meetings, both in-person and virtually. She said that she was honored to give greetings on behalf of the Bar at the Supreme Court's 175th anniversary. She also presented the Access to Justice Awards and reported the recipients were very appreciative of the recognition. President Fite said the February meeting agenda items will include the State Bar, CJCP, CCLC, ICLE flow chart of monies; the officer reimbursement policy; and in-house counsel registration, among other items.

Old Business


There was no old business.

New Business


President-Elect Sally Akins announced that the 2022 Fall Meeting will be all virtual. Historically, the Fall Meeting is the least attended meeting and this provides an opportunity to save a significant amount of money on meeting costs. Immediate Past President Dawn M. Jones announced she will be speaking about designated attorneys at the CJCP Professionalism CLE on Friday, Dec. 17, and encouraged all to attend.

Adjournment

There being no further business, the meeting was adjourned at 3:10 p.m.


Ivy Cadle, Secretary

Approved:


Elizabeth Fite, President

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE MEETING
MINUTES
Friday, February 18, 2022, at 1 p.m.
Zoom Meeting**

Members Participating

Elizabeth L. Fite, President; Sally B. Akins, President-Elect; Tony DelCampo, Treasurer; Ivy N. Cadle, Secretary; Dawn M. Jones, Immediate Past President; Ronald E. Daniels, YLD President-Elect; Elissa B. Haynes, YLD President; Bert D. Hummel, IV, YLD Immediate Past President; William C. Gentry; R. Javoyne Hicks; Shiriki Jones; David S. Lipscomb; Martin Valbuena; and Nicki N. Vaughan.

Members Absent

All were present.

Staff Participating

Sarah Coole, Chief Operating Officer; Damon Elmore, Executive Director; Paula Frederick, General Counsel; Christine Butcher Hayes, Director of Governmental Affairs; Bill NeSmith, Deputy General Counsel; and Ron Turner, Chief Financial Officer.

Call to Order

President Elizabeth L. Fite called the meeting to order at 1:02 p.m. Members of the Executive Committee in attendance are indicated above.

Future Meetings Schedule

President Elizabeth L. Fite reviewed the Future Meetings Schedule. She said details for the Tifton Executive Committee meeting on March 11 will be sent in the next few days and if there is anyone in the area they would like to invite to the reception and dinner, to please let her know.

Executive Committee Minutes

Secretary Ivy Cadle presented for approval the minutes of the December 10, 2021, Executive Committee meeting, which were passed by unanimous voice vote as presented.

Members Requesting Resignation

Pursuant to State Bar Rule 1-208, the Executive Committee approved the following resignation requests by unanimous voice vote: Jane Stebbins-705405, William P. Davis-213370, Frank O. Brown-087475, Amanda Jensen-391221, Matthew Moffitt-289132, Eugene Terk-591547, Ronald McBay-480840, Dennis Bouxsein-070375, James R Wyche-337700, David Harrison-331950, Kelly Kirkland-573590, Michele Merkel-502519, Clay Karwisch-945372, Grace Hanson-595319, Richard Klopfer-425216, Armin Naghashzadeh-113145, Carole Cox-192266, Mary F. O'Toole-555316, Lauren Schreeder Sundberg-629845, Christopher Alan Potts-430927, John Walker Chidsey III-124417, Laura D. Duston-948658, James Henry Wynn-779520, Krista Hardwick-836441.

Disability Status

Pursuant to State Bar Rule 1-202, the Executive Committee approved four requests for disabled status by unanimous voice vote.

Member Status Appeals

The Executive Committee, by unanimous voice vote, approved the staff recommendation for Eun A. Park to waive the reinstatement fee, but require her to pay the late fee. The Executive Committee, by unanimous voice vote, denied waiving inactive or late fees for William Davis, but approved removing the dues delinquency status from his status on the Bar's website and instead reflect that he has resigned.

Investment Policy Statement Proposed Changes

Chief Financial Officer Ron Turner presented the Investment Policy Statement proposed changes that were discussed at the previous Executive Committee meeting. The Executive Committee, by majority vote, approved the proposed changes to the policy as presented. The proposed changes will now be considered by the Board of Governors at the 2022 Spring Meeting.

2022-2023 Dues Recommendation to the Board of Governors

President Elizabeth L. Fite presented the 2022-2023 dues recommendation. The motion to submit the following recommendation to the Board of Governors for approval passed by majority vote:

1. Dues at \$260 for active members and \$130 for inactive and provisional members;
2. Section dues to be reflected on the dues statement ranging from \$10-\$40;
3. In accordance with Bar Rule 1-506 regarding the Clients' Security Fund, each member is assessed a fee of \$15. This assessment shall be used only to fund the Clients' Security Fund;
4. Professionalism Fee (\$11) mandated by the Supreme Court;
5. Continuation of a \$100 opt-out contribution for the Legislative and Public Education Fund; and
6. A suggested \$400 opt-in provision for individual contributions (\$100 for younger lawyers) for the Georgia Legal Services Program.

Legislative Proposals

Per Standing Board Policy 100, Legislative Policy and Procedure, the Executive Committee considered a request by the Real Property Law Section to oppose HB 974 so long as it does not allow for mail-in or in-person filing. Rob Brannen presented the Real Law Property Section's request and answered questions from the committee. Following a motion, second, and unanimous voice vote, the Executive Committee met in Executive Session to discuss this request. Thereafter, by unanimous voice vote, the Executive Committee emerged from Executive Session. The Executive Committee, by majority vote, determined that the request is *Keller* compliant and meets the criteria of not being able to go before the Board of Governors due to timing. By majority vote, the Executive Committee voted to not take a formal position on HB 974.

The Georgia Association of Solicitors-General and the District Attorneys Association requested that the State Bar oppose HB 411. Following a motion, second, and unanimous voice vote, the Executive Committee met in Executive Session to discuss this request. Thereafter, by unanimous voice vote, the Executive Committee emerged from Executive Session. The Executive Committee, by majority vote, determined that the request is *Keller* compliant and meets the criteria of not being able to go before the Board of Governors due to timing. A motion and a second to oppose HB 411 failed because it did not receive the required two-thirds vote of approval of the members of the Executive Committee, and no further action was taken.

ACL/Legislative Report

Legislative and Governmental Affairs Director Christine Hayes reported that the Legislature was on Day 16. She said that she and the lobbyist team are continuing to watch the funding proposals for legal services. She also reported there have been a lot of fiduciary and real property bills, and those sections have been very active.

Committee Updates

This item will be held for the March 11 Executive Committee meeting. President Elizabeth L. Fite said to send updates to Chief Operating Officer Sarah Coole if they need to go out prior to the next meeting.

State Bar of Georgia and Related Organizations Flow of Cash Receipts and Disbursements

This item will be held for the March 11 Executive Committee meeting.

Officer and Executive Committee Expense and Reimbursement Policy

This item will be held for the March 11 Executive Committee meeting.

Executive Director's Report

This item will be held for the March 11 Executive Committee meeting.

Treasurer's Report

Treasurer Tony DelCampo reported that everything is in order regarding the finances of the Bar. He noted a variance in the budget regarding updating space on the second floor to accommodate a current tenant.

Office of the General Counsel Report

General Counsel Paula Frederick reported on a request to file a proposed amicus brief and gave background information regarding the case that was involved. While it was a discussion item and not an official vote, the Executive Committee did not feel like it would be approved. General Counsel Frederick will contact the requesting parties and let them know the outcome of the discussion.

ICLE Update

This item will be held for the March 11 Executive Committee meeting.

YLD Report

YLD President Elissa Haynes reported that the YLD Spring Meeting will be held March 17-20 at the Westin Chattanooga, and there will be a joint networking event with Tennessee Young Lawyers Division. They continue to work on planning for the YLD Signature Fundraiser on April 30, with Kate's Club as the beneficiary. YLD President Haynes said that the Legal Food Frenzy sign-up is now open and encouraged Executive Committee members to register their firms.

Lawyer Competency Task Force

President Elizabeth L. Fite reported that the Lawyer Competency Task Force will host a town hall at the Spring Meeting with task force members present to answer questions (rescheduled from the Midyear Meeting).

President's Report

President Elizabeth Fite congratulated Immediate Past President Dawn M. Jones for receiving an honorable mention for the 2022 NCBP President's Page Award for her column, "The Rule of Law: Liberty and Justice for All" appearing in the February 2021 issue of the *Georgia Bar Journal*. President Fite confirmed that Gov. Brian Kemp's appointment of Judge Andrew Pinson to the Supreme Court of Georgia to the seat vacated by Chief Justice David Nahmias ended her judicial race for Judge Pinson's seat on the Court of Appeals of Georgia.

Board of Governors Minutes

The Executive Committee was provided a draft of the 2022 Midyear Meeting Minutes.

Old Business

There was no old business.

New Business

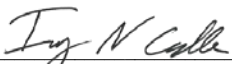
There was no new business.

Announcements

- Executive Committee Member Javoyne Hicks announced she has a new job as senior attorney at Lawrence & Bundy LLC.
- Immediate Past President Dawn M. Jones announced she is receiving Georgia State College of Law's Ben F. Johnson Jr. Public Service Award, the college's highest honor.


Adjournment

There being no further business, the meeting was adjourned at 4:42 p.m.



Ivy Cadle, Secretary

Approved:



Elizabeth Q. Fite, President

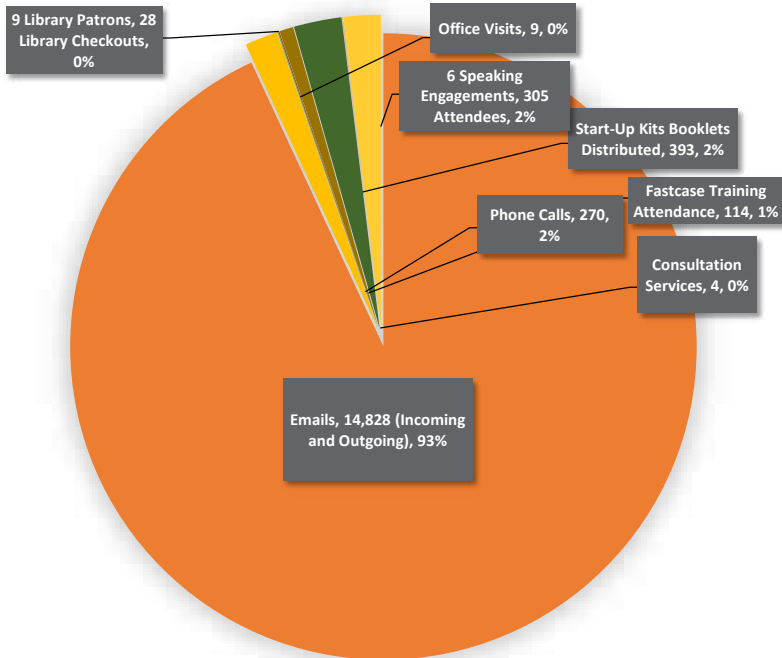
Law Practice Management Program

(Abbreviated report for the 2021-2022 Bar Year)

Members Served by LPMP

Total Number of Members Served 15,932

July 1, 2021 – March 4, 2022



Office Visits/Phone Calls/Emails

A total of **9** member visited LPMP. There were **1** startup discussions, **9** walk-in visits, and **0** visits to the software library conducted by the Program. In addition, LPM distributed **393** *Starting Your Georgia Law Practice* booklets as requested by attorneys, as well as, answered and responded to **270** phone calls and **14,828** emails to and from members.

Consultations

There were **4** general consultation virtual visits during this period. Firms assisted were in solo practice (2 firms); 2-4 attorney firms (2 firms).

Resource Library

Our lending library has a grand total of **1,663** books, CDs, and DVDs for checkout to members and their staff with an option to pick up materials at the Bar Center or to be mailed. During this period, there were a total of **28** items checked out by **9** patrons.

Speaking Engagements

There were a total of **8** completed and scheduled programs during this period. The Program's staff has given **6** continuing legal education and special presentations to Georgia lawyers and other related groups. These presentations have been held in various local and national venues; and have been made directly to at least **50** Georgia Bar members and law students. **2** programs are scheduled at a future date.

LPMP Advisory Committee Webinar CLE Report

There were a total of **5** completed and scheduled programs during this period. The LPMP Advisory Committee has given **4** continuing legal education Zoom webinars that can be viewed on the Bar's YouTube Channel at <https://www.youtube.com/user/StateBarofGeorgia/featured>. Below is a breakout of the sessions:

Date	Webinar Title	Registered	Attended Live Session
11/2/2021 Members attained 1 CLE Credit	Social Media 101, Part 1: Everything You Wanted to Know About Marketing Your Law Practice ... But Were Too Afraid to Ask ... How to Get Started Speakers: Pamela Peynado, Crystal Kesler and Rodolfo Ruiz Sosa	167	94
11/9/2021 Members attained 1 CLE Credit	Social Media 101, Part 2: Everything You Wanted to Know About Marketing Your Law Practice ... But Were Too Afraid to Ask ... I think I'm getting the hang of it. Am I doing this right? Speakers: Pamela Peynado, Crystal Kesler and Rodolfo Ruiz Sosa	121	61
11/16/2021 Members attained 1 CLE Credit	Social Media 101, Part 3: Everything You Wanted to Know About Marketing Your Law Practice ... But Were Too Afraid to Ask ... Becoming a Pro Speakers: Pamela Peynado, Crystal Kesler and Rodolfo Ruiz Sosa	107	58
11/30/2021 Members attained 1 CLE Credit	Social Media 101, Part 4: Everything You Wanted to Know About Marketing Your Law Practice ... But Were Too Afraid to Ask ... Ethical Issues and Social Media Speaker: Pam Peynado and Leigh Burgess	111	42
3/15/2022 No CLE Credit	Immigration 101: What Every Lawyer Must Know Speaker: Pamela Peynado Register at https://www.gabar.org/calendar/eventdetail.cfm?id=29371881	--	--
Total		506	255

Fastcase Report

Since implementation, **30,021** members have logged on at least once with an increase of **459** first time users this period: Over 50% of our members have used [Fastcase](#) since it was available as a bar member benefit. There were **85,360** total logins since July 1, 2021.

Since implementation, **2,511** attorneys and **114** staff members have attended Fastcase live training. Others have taken advantage of webinar training.

Update on the Fastcase /Casemaker Union

The big project for last year was to get Casemaker partners ready to move into the Fastcase platform. With that, all bar associations have fully transitioned to Fastcase.

Parallel to that, Fastcase has moved over data that was only available in Casemaker into the Fastcase platform. This includes pre-1950 caselaw in many jurisdictions, court rule libraries, tribal law from many tribes and much more.

Interestingly, Fastcase and the State Bar of Texas are partnering to provide all active State Bar members free access to Fastcase's 56 million briefs, pleadings, motions, and orders powered by Docket Alarm within the Fastcase legal research platform. I have asked for more information on this.

During 2022, bar members can expect a significant improvement to the Fastcase search and citator within the platform. Due to these changes and additions, I have asked Fastcase to host training for their bar association partners as well as informal meetups to discuss the new platform and materials so that we can better serve our members.

Fastcase Usage Report July 2021 – February 2022

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Total
First Time Logins	62	43	57	55	63	57	64	58	459
Total Logins	10,266	11,001	10,482	10,641	9,334	12,546	10,639	10,451	85,360
Total Users Who Logged In	2,763	2,846	2,788	2,805	2,661	2,514	2,687	2,710	21,774
Searches Conducted	35,772	40,305	36,921	38,894	34,581	28,874	37,251	36,554	289,152
Documents Viewed	127,776	146,610	138,343	135,924	124,028	107,643	135,447	135,401	1,052,172
Documents Printed	27,703	30,645	35,286	29,085	25,007	20,291	26,975	35,229	230,221
Total Transactions	204,342	231,450	223,877	218,404	195,674	171,925	213,063	220,403	1,679,138

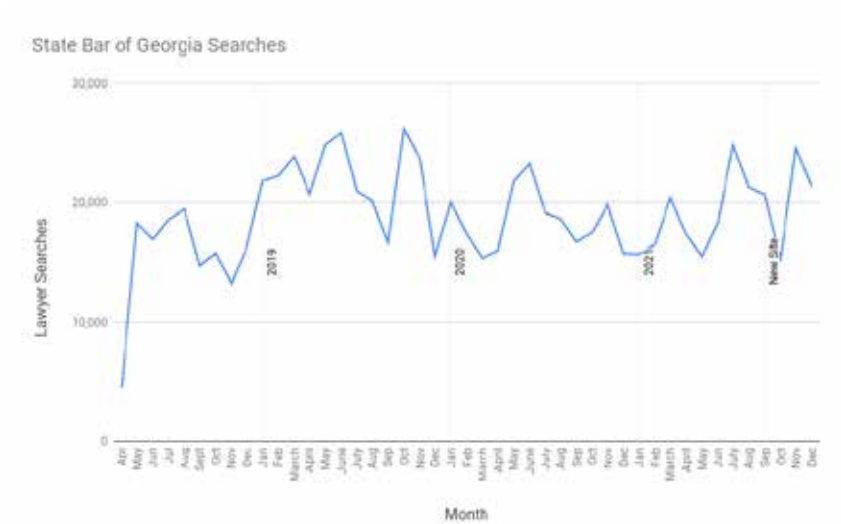
Fastcase Reported issues / Problems Report July 1, 2021 – March 2022

Fastcase Reported Issues/Problems	
Issue Reported	Response
Sheila, SBOG Member Benefits Coordinator-9/2/2021: Negative citing cases appeared in the timeline view but quickly disappeared from the screen.	Fastcase Response-9/2/2021: Suggested the development team would have to check into this issue. Most likely, the merge with Casemaker data caused a temporary problem.
Sheila, SBOG Member Benefits Coordinator-11/30/2021: Other calls and emails during this period have to do with user error or forgotten credentials. The Fastcase app is in desperate need of updating. It is very unstable, crashing easily.	Fastcase Response-11/30/2021: The Fastcase App will be getting a major update but no date given.
Sheila, SBOG Member Benefits Coordinator-12/07/2021: Fastcase reported an outage due to AWS. It was lengthy. Several members contacted me and I kept them informed.	Fastcase Response-12/07/2021: The Fastcase team informed their users through their site.
Sheila, SBOG Member Benefits Coordinator-03/08/2021: The integration with Fastcase/Casemaker is complete and one member who was a paid subscriber to Casemaker is unhappy with having to move to Fastcase.	Fastcase Response-03/08/2021: Their Director of Customer Support, who has built a relationship with this member over the years, is handling our member's concerns.

CloudLawyers/ReliaGuide Report

The State Bar of Georgia [Find A Lawyer](#) directory has started the year off strong. Since the start of 2022 the directory has facilitated **59,661** lawyer searches. There have been **53,501** interactions with member profiles (views and clicks) including **1,145** completed contact form requests and **2,655** clicks on lawyer phone numbers and emails.

[ReliaGuide](#) and the bar association communication team are continuing to work on marketing campaigns and updating the State Bar of Georgia site information to build awareness about the Find A Lawyer directory and its value to members and the general public. Since the beginning of the year, **700** members have signed into their profile and **260** members have edited their profile. Currently there are **230** members signed up for Profile Plus (the enhanced profile). Members with profiles that have a photo, practice areas, biography (Profile Plus) and case examples (Profile Plus) are ten times more likely to get contacted by a potential client than those that do not. Through the site's new analytics, available to each lawyer, the bar continues to learn more about how the directory is utilized to assist lawyers and members of the public.



**State Bar of Georgia
Private Health Insurance Exchange**

March 9, 2022

WEBSITE ANALYTICS	
Total Users	60,283
Total Sessions	83,120
Total Pageviews	225,693
INDIVIDUAL ENROLLMENTS	
Total Enrollments	5,043
• Medical	2,064
• Medicare	26
• Dental	701
• Vision	365
• Telehealth	481
• ID Theft Protection	43
• Life / AD&D	1,063
• Disability	232
• Long-Term Care Enrollments	68
EMPLOYER ENROLLMENTS	
Total Enrollments	1202
• Medical	710
• Ancillary	317
• Workers' Comp	14
• Professional Liability	159
• Cyber Security	2



To: Members, Board of Governors

From: Paula J. Frederick, General Counsel

Date: March 2022

Re: Quarterly Report of the Office of the General Counsel

I am pleased to report on the activity of the Office of the General Counsel since the Midyear meeting.

Client Assistance. The Client Assistance Program received an average of 34 calls, letters and emails each workday. They handled 1596 new matters between January and March. Poor communication is the number one cause of client inquiries, and it seems that the pandemic has exacerbated communication problems between lawyers and clients.

Discipline: The State Disciplinary Board has met monthly by Zoom, but plans to meet in person in conjunction with the Spring Board of Governors meeting. Members are investigating 104 matters, with an additional 250 undergoing initial screening in the Office of the General Counsel. The Supreme Court entered orders in eight cases in January and February.

The State Disciplinary Review Board met January 7 and February 7 to consider three contested matters.

Rule Changes: By order of January 28, 2022 the Supreme Court of Georgia adopted the amendments to the Clients' Security Fund (amount of assessment) and the Fee Arbitration rules that the Board approved at the Midyear meeting.

Formal Advisory Opinion Board: Proposed Formal Advisory Opinion 20-1, a rewrite of opinion 94-3 (communication with former employees of a represented entity), is pending with the Supreme Court. The Georgia Defense Lawyers Association filed objections to the proposed amendment and the Court heard oral argument on the objections in October.

The Board has three other requests under consideration: 1) whether a lawyer may fulfill the requirement of physical presence at a real estate closing through the use of communication technology; 2) whether an out-of-state lawyer may work remotely from a location inside

Georgia; and 3) whether a lawyer may ethically include a mandatory arbitration clause in a fee contract. The Board last met in January in conjunction with the Midyear meeting.

Receiverships: The Office of the General Counsel has filed two Petitions for Appointment of Receiver since January to take custody of the files of a lawyer who has died. In both cases Deputy General Counsel Bill NeSmith will serve as receiver. We continue to encourage lawyers to designate another lawyer to serve as successor counsel in the event of sudden death or disability.

Committees and other meetings:

- Clients' Security Fund—The Fund trustees will meet April 12.
- Disciplinary Rules & Procedures—the Committee met in January and will meet again in conjunction with the Spring Board meeting.
- OGC Overview Committee—the Committee meets every other month. It is helping the Office develop a succession plan.
- International Trade in Legal Services—the committee met in February, and has a meeting scheduled for April 14.

CLE Presentations: OGC lawyers and staff have served as presenters at the following Continuing Legal Education programs since January:

- How to Avoid a Grievance—Clayton County Bar
- Social Media and Client Communication—Young Lawyers Division
- Supervisor Responsibilities—National Organization of Bar Counsel
- Ethics Issues and Mental Illness—Gwinnett Bar
- Advertising in the 21st Century—offered by the Disciplinary Rules Committee
- Professionalism—Chief Justice's Commission on Professionalism
- Wellness and Professionalism—Cobb Bar Family Law and GAL Sections
- Ethics Issues for Death Penalty Cases—Capital Defenders Office
- Ethics Update—Columbus Bar Association

Special Recognition: I am delighted to report that Deputy General Counsel Jenny Mittelman received the President's Award from the National Organization of Bar Counsel at their Midyear meeting in February. The award is in recognition of her valuable and sustained service to the Organization.

PUBLISHED ARTICLES 2021-2022			
Date	Newspaper	Headline	Circulation
5/5/2021	Valdosta Daily Times	Congratulations to new Municipal Court judge	6,215
5/12/2021	Jeff Davis Ledger, Hazlehurst	Congratulations to new solicitor	3,112
5/26/2021	Adel News-Tribune	Congratulations to Chase Studstill on appointment as District Attorney	2,490
5/26/2021	Clinch County News, Homerville	State Bar President congratulates Studstill on appointment as DA	1,350
5/26/2021	Lanier County Advocate, Lakeland	State Bar President congratulates Studstill on appointment as DA	1,250
5/27/2021	Darien News	Sam Oliver appointed to Public Defenders Supervisory Panel for Atlantic Circuit	2,415
6/1/2021	Times Georgian, Carrollton	Swindle reelected to State Bar board	3,504
6/3/2021	Haralson County Gateway-Beacon, Bremen	Swindle re-elected to Board of Governors	1,000
6/18/2021	Daily Report	State Bar Mourns Loss of Clay C. Long	2,243
6/22/2021	Americus Times-Recorder	Judge Rucker Smith Re-Elected to Board of Governors of State Bar of Georgia	2,065
6/22/2021	Covington News	Covington attorney reelected to State Bar of Georgia Board of Governors	3,132
6/22/2021	Jackson Herald, Jefferson	King re-elected to Board of Governors of State Bar of Georgia	4,376
6/23/2021	Albany Herald	Trey Underwood reelected to State Bar Board of Governors	5,271
6/23/2021	Cordele Dispatch	James Hurt Re-Elected to Board of Governors of State Bar of Georgia	2,268
6/23/2021	Champion, Decatur	Georgia legal community mourns loss of Sissie Rary	494
6/23/2021	Jeff Davis Ledger, Hazlehurst	Tillman elected to State Bar Board	3,112
6/23/2021	Metter Advertiser	Jerry Cadle is elected to State Bar Board of Governors	1,627
6/23/2021	Walton Tribune, Monroe	Geoffroy reelected to State Bar's board	4,249
6/23/2021	Forest-Blade, Swainsboro	Cadle elected to Board of Governors of State Bar of Georgia	3,938
6/23/2021	News-Reporter, Washington	Hammond elected to State Bar of Ga. For Toombs Circuit	1,987
6/24/2021	Toccoa Record	Irvin re-elected	3,444
6/26/2021	Daily Tribune News, Cartersville	Mroczo re-elected to State Bar of Georgia's board of governors	4,986
6/26/2021	Daily Citizen-News, Dalton	Smalley re-elected to State Bar of Georgia Board of Governors	5,320
6/26/2021	Henry Herald, McDonough	Judge Amanda Flora elected to Board of Governors of State Bar of Georgia	1,250
6/28/2021	Gwinnett Daily Post, Lawrenceville	Gwinnett County Bar Association honored by State Bar of Georgia	50,011
6/30/2021	Blackshear Times	Strickland re-elected to Board of Govs of State Bar of GA	2,469
6/30/2021	Elberton Star	Higginbotham elected to board	2,531
7/1/2021	Log Cabin Democrat, Conway (AR)	Hendrix College graduate elected President of Georgia State Bar	3,925
7/1/2021	Pickens County Progress, Jasper	Pickett re-elected to Board of State Bar of Georgia	4,286
7/1/2021	Press-Sentinel, Jesup	Tillman elected to Board of Governors, State Bar of Georgia	4,055
7/1/2021	Gwinnett Daily Post, Lawrenceville	Gwinnett County attorneys re-elected to State Bar of Georgia leadership posts	50,011
7/7/2021	Cairo Messenger	Payne re-elected to board of State Bar	6,083
7/7/2021	Monroe County Reporter, Forsyth	Forsyth's Jenkins re-elected to lead State Bar of Georgia	3,920
7/14/2021	Dahlonega Nugget	Jerry Bruce appointed as Georgia child advocate	3,994
7/15/2021	Clayton Tribune	McNatt remembered for courtroom eloquence	3,480
7/16/2021	Jackson Herald, Jefferson	Congratulations to new Piedmont Circuit Bar Association officers	4,376
7/21/2021	Covington News	State Bar congratulates scholarship winners	3,132
7/21/2021	Moultrie Observer	Legal community mourns Schwall	2,947
7/22/2021	Daily Tribune News, Cartersville	Bar offers its condolences on loss of Ed Clary	4,986
7/24/2021	Walton Tribune, Monroe	Congratulations to New Rock scholar winners	4,249
7/28/2021	Walton Tribune, Monroe	Daily earns Bar Leadership Award	4,249
7/29/2021	Clayton Tribune	Congratulations to Rickman	3,480
8/2/2021	Coastal Courier, Hinesville	Luke Moses Honored by State Bar of Georgia's Young Lawyers Division	3,100
8/5/2021	Gwinnett Daily Post, Lawrenceville	Duluth attorneys honored by State Bar of Georgia's Young Lawyers Division	50,011
8/10/2021	Griffin Daily News	State Bar of Georgia congratulates Kreuziger	3,331
8/11/2021	Daily Report	Ga. Legal Community Mourns Loss of John T. Marshall	2,243
8/11/2021	Walton Tribune, Monroe	Legal Precedents: Walton's first 2 female attorneys set a path	4,249
8/25/2021	Atlanta Daily World	Congrats to Georgia State University Law Dean	1,000
10/12/2021	Union Recorder, Milledgeville	Congratulations to new Georgia College & State University President Cathy C	4,353
10/13/2021	Savannah Tribune	Congratulations to Judge Colbert on Appointment to State Commission	4,000
11/21/2021	Albany Herald	Attorney Patrick Flynn recognized for state appointment	5,271
11/23/2021	Marietta Daily Journal	Cobb attorneys congratulated	9,515
11/26/2021	Champion, Decatur	Congratulations to DeKalb judge, attorney on appointments to state commission	494
12/3/2021	Brunswick News	State Bar remembers Brunswick lawyer	10,009
1/19/2022	The Northeast Georgian, Cornelia	Elizabeth L. Fite: Mourning the loss of Jim Cox	4,662
1/26/2022	Daily Report	Georgia Legal Community Mourns Loss of Marcus Calloway	2,243
		TOTAL CIRCULATION	331,548



CHIEF JUSTICE’S COMMISSION ON PROFESSIONALISM

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Supreme Court of Georgia Advisor
The Honorable Justice Shawn Ellen LaGrua
Supreme Court of Georgia
Atlanta, Georgia

Staff
Karlise V. Grier
Executive Director

TO: Board of Governors of the State Bar of Georgia
FROM: Karlise Yvette Grier
Executive Director, Chief Justice’s Commission on Professionalism
DATE: April 2, 2022
RE: Chief Justice’s Commission on Professionalism

The Chief Justice’s Commission on Professionalism (Commission), the first body of its kind in the nation, was created in 1989 by the Supreme Court of Georgia. The Commission’s primary charge is to enhance professionalism among Georgia’s judges and lawyers. **Chief Justice David E. Nahmias** serves as the current Chair of the Commission. **Justice Shawn Ellen LaGrua** serves as the Supreme Court Advisor to the Commission. A brief update regarding the Commission’s work as of March 7, 2022, is as follows.

22ND ANNUAL JUSTICE ROBERT BENHAM AWARDS FOR COMMUNITY SERVICE

The 22nd Annual Justice Robert Benham Awards for Community Service (CSA22) **was held on Saturday, March 19, 2022, at the Loudermilk Conference Center.** The CSA22 Co-Chairs were **Christopher J. Chan**, Eversheds Sutherland (US) LLP, and **LaToya S. Williams**, Esq., LL.M., Warner Robins, Georgia. The honorees were as follows.

District Award Recipients

Mr. Michael D. St. Amand, *Atlanta*
Ms. Lindsay Beth Gardner, *Marietta*
Mr. Paul E. Weathington, *Atlanta*

Lifetime Award Recipients

Mr. Richard Gerakitis, *Atlanta*
Mr. S. Wade Malone, *Atlanta*

The Commission thanks all CSA22 sponsors. Below are the confirmed CSA22 sponsors when this report was submitted. See <http://cjcpga.org/benhamcsa22/> for sponsor updates.

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FINAL REPORT FOR THE COMMISSION'S DECEMBER 17, 2021: DESIGNATED ATTORNEY FELLOWSHIP AND CLE

On December 17, 2021, the Commission hosted a small in-person *Designated Attorney Fellowship and CLE* program. The Program Co-Chairs were **Ms. Terrica Redfield Ganzy**, the current Executive Director, Southern Center for Human Rights and **Mr. William C. (Bill) Gentry**, Founder and Managing Attorney, Gentry Law Firm. In addition, State Bar of Georgia General Counsel, **Ms. Paula Frederick**, and Commission Member, **Mrs. Molly Gillis**, Founding Partner, Gillis Law Firm, LLC, served on the planning team for the CLE. The program Co-Chairs and planning team members also participated in the CLE. Commission Chair, **Chief Justice David E. Nahmias**, made closing remarks. Other program participants were: **Ms. Nkoyo-Ene Effiong**, Director, State Bar of Georgia Law Practice Management Program; **Ms. TaKisha Heyward**, Layperson Community Member and wife of the late Attorney Sparticus Heyward; **Mr. James D. Hogan, Jr.**, Attorney at Law, Hogan & Stoye Law Group; **Hon. LaTisha Dear Jackson**, Superior Court Judge, Stone Mountain Judicial Circuit; and **Hon. Martin Enrique Valbuena**, Chief Magistrate Judge, Paulding County Magistrate Court and Trial Lawyer, Martin Enrique Valbuena, P.C. During the CLE, the Commission discussed the "Notice of Designated Attorney" statement that appears on the State Bar of Georgia License Fee and explored the professionalism and ethical issues that arise when an attorney designates another attorney to act for him or her if the attorney making the designation becomes an "absent attorney" as defined under Rule 4-228(a) of the Georgia Rules of Professional Conduct. The Commission's Executive Director is currently working to make a video of the CLE an "on demand" webinar that would be available on the Commission's website at www.cjcpga.org.

FINAL REPORT FOR THE FEBRUARY 22, 2022: PERSPECTIVES ON PROFESSIONALISM AND ETHICS CLE

The Commission held its first **FREE** online for 2022 entitled "*Perspectives on Professionalism and Ethics*" on February 22, 2022, from 2:55 pm – 5:00 p.m. The Program presenters were **Hon. Eric Richardson**, Judge State Court of Fulton County; **T. Matthew Mashburn**, Partner, Aldridge Pite, LLP; **Angela Hsu**, Counsel, Bryan Cave Leighton Paisner; and **Jenny K. Mittelman**, Deputy General Counsel, State Bar of Georgia. The Commission hosted the CLE on the Zoom Webinar platform. According to the Zoom report generated for the CLE, the CLE was attended by 846 "Unique Viewers." The Commission has reported attendance for 826 attorneys to the State Bar of Georgia's Commission on Continuing Legal Education Department. A flyer about the program is attached and incorporated by reference as "Exhibit A." Local and voluntary bar associations are encouraged to use the materials from the CLE to continue a discussion of the issues raised by the hypotheticals in their local judicial circuits. To view the complete materials for the CLE, please visit: <http://cjcpga.org/022222-cjcp-cle/>.

PROFESSIONALISM PAGE ARTICLES

The Commission communicates with judges and lawyers through the Professionalism Page that appears in each issue of the Georgia Bar Journal, which is published six times per year. The December 2021 Georgia Bar Journal Professionalism Page was entitled *Professionalism After the Statewide Judicial Emergency Order* and discussed the Commission's September 28, 2021, CLE. The article is attached hereto as "Exhibit B." The February 2022 Georgia Bar Journal Professionalism Page, entitled *Designated Attorney Fellowship and CLE*, discussed the Commission's December 17, 2021, CLE. The article is attached hereto as "Exhibit C."

COMMISSION ASSISTANCE WITH BAR ASSOCIATION AND SECTION PROFESSIONALISM CLE PROGRAMS

The Commission's Executive Director is available to assist State Bar of Georgia sections, local and voluntary Bar associations, and other law-related organizations with their professionalism CLE programming. Please contact the Commission's Executive Director if you would like assistance in planning a professionalism CLE program or if you would like to have the Commission's Executive Director to make a professionalism presentation to your organization. Please contact the Commission's Executive Director, Karlise Y. Grier, via e-mail at kygrier@cjcpga.org for information or assistance.

Commission Website and Social Media

The Commission enjoys communicating with lawyers and judges about professionalism on the Commission's social media platforms and via its website. Tell us what #professionalism means to you and why it matters. Connect with us!

Professionalism 2U: <http://cjcpga.org/2u/>
Twitter: <https://twitter.com/CJCPGA>
LinkedIn: <https://www.linkedin.com/company/cjcpga/>
YouTube: <https://www.youtube.com/user/cjcpga/videos>





Chief Justice's Commission
on Professionalism

POP-UP CLE:

Perspectives on Professionalism & Ethics

February 22, 2022

3pm-5pm

Virtual via Zoom

For more information and to
register, visit:

<http://cjcpga.org/022222-cjcp-cle/>

Approved for 2 CLE hours including:

1 Professionalism hour

1 Ethics hour



SPEAKERS



Angela Hsu

*Counsel
Bryan Cave Leighton Paisner*



T. Matt Mashburn

*Partner
Aldridge Pite, LLP*



Jenny K. Mittelman

*Deputy General Counsel
State Bar of Georgia*



Hon. Eric Richardson

*Judge
State Court of Fulton County*

EXHIBIT B

GBJ | Professionalism Page

Professionalism After the Statewide Judicial Emergency Order

The Chief Justice's Commission on Professionalism hosted a CLE in September to explore the issue of professionalism following a series of statewide judicial emergency orders.

BY KARLISE Y. GRIER

On Sept. 28, 2021, the Chief Justice's Commission on Professionalism hosted a free CLE to explore the issue of professionalism after the statewide judicial emergency order.¹ The CLE program was co-chaired by State Bar of Georgia President Elizabeth L. Fite and by Hon. T. Russell McClelland, vice chair of the Judicial Council COVID-19 Task Force; chair of the Task Force's Civil Sub-Committee; past president of the Council of State Court Judges; and chief judge, State Court of Forsyth County. Judges from each class of court, as well as lawyers from diverse practice areas from around Georgia participated in the CLE.²

Program Co-Chair Judge Russ McClelland gave opening remarks. He traced the history of the previous Statewide Judicial Emergency Orders (SJEOS) and reminded the audience that on March 14, 2020, the Supreme Court of Georgia entered its first SJEIO in response to the COVID-19 pandemic. Approximately 15 months later, the final SJEIO ended on June 30, 2021. McClelland told the audience that at the time of the CLE, the Supreme Court did not anticipate entering future SJEIOS since the Supreme Court's authority by statute

[O.C.G.A. § 38-3-60, et seq.] to enter the SJEIO was based on the governor determining that a Public Health State of Emergency existed. When the pandemic first began, McClelland said, "We as lawyers and judges came together to learn how to work in this new environment, how to keep the courts open, how to continue representing our clients, presenting our cases to the court, having the court decide cases and dispose of cases. It took all of us coming together as lawyers and judges and as associations of lawyers and associations of judges to learn how to do this and to operate in this new environment."

"Now we have to learn how to operate without an SJEIO," he said, "and we hope we will not have a need for another SJEIO. Therefore, processes and procedures that were previously provided for under Supreme Court's SJEIO are now up to local courts to do."

McClelland said confidently that he anticipated that the local bench and Bar would work together going forward to determine the processes and procedures that would work best in each local judicial circuit. Finally, McClelland discussed the ongoing work of the Judicial COVID-19



Task Force³ and resources available from the Administrative Office of the Courts to assist lawyers and judges during the ongoing pandemic.⁴

A panel of judges from each class of court then addressed the audience after McClelland concluded his remarks. The judges explained the work that each class of court was considering in terms of changes to court rules or the Georgia statutes and/or court rules related to the class of court. The purpose of the changes would be to maintain the practices that the Court wanted to continue post-SJEIO. The judges also explained to the audience how the proposed statutory or rule changes helped to preserve and improve the law, the legal system and other dispute resolution processes as instruments for the common good.⁵ The judges shared a wide range of ideas for how lawyers and judges could continue to work together post-SJEIO, including holding voir dire in alternate locations other than a courtroom, having smaller calendar calls and more calendars, and continuing virtual proceedings where possible. During the panel, the judges challenged both their colleagues on the bench and lawyers to



PHOTO PROVIDED BY SUPREME COURT OF GEORGIA

be flexible and creative. The judges also wrote papers to explain in more detail their class of court's thoughts on post-SJEO considerations.⁶ Subsequent to the CLE on Oct. 28, 2021, the Judicial Council of Georgia/Administrative Office of the Courts announced that Gov. Brian Kemp had allocated up to \$110 million in federal American Rescue Plan Act funds to address backlogs of court cases, particularly cases involving serious violent felonies.⁷

After the judges spoke, a member from the Georgia Trial Lawyers Association, the Georgia Defense Lawyers Association, the Prosecuting Attorneys Council and the Georgia Association of Criminal Defense Lawyers presented on professionalism during the pandemic. The practitioners panel discussed a wide range of challenges facing lawyers, including the difficulty of balancing the interests of clients with the public good. The panel also shared a variety of professionalism tips. One attorney commented that she wanted to be someone that an opposing counsel wanted to work with again. Another attorney said that we as professionals need to be reasonable, accommodating and respectful. The panelist said, "I check

myself by asking if I stated my position to a judge, would the judge think that my position was reasonable, accommodating and respectful?" Yet another panelist noted that her professional association had begun to examine whether its programs, policies and practices promote equity and inclusion and mitigate biases. A female litigator panelist discussed some of the special challenges she faced as a mother and a trial attorney during the pandemic. A parents' ability to work is directly tied to the schools staying open, having child care and having her children to stay healthy, she noted. She said the profession needed to work to find solutions so that we can keep parents in the litigation field. The panelists agreed that lawyers and judges should continue to look for and retain creative solutions post-SJEO. The practitioners panel shared other thoughts that are included in the papers they wrote for the CLE.⁸

A third and final panel discussed the importance of lawyers engaging in the legislative process. The panel began by discussing the nexus between professionalism and legislative advocacy. One panelist referenced a line from A Lawyer's

Creed which says, "I will strive to improve the law and our legal system" He continued by stating that it is a charge to us as lawyers to improve the law. Another attorney advised the audience that when considering legislative advocacy to think about the role which the person is advocating. Are you advocating on behalf of a client, are you advocating as a citizen and voter in a particular legislative district, or are you advocating as a representative of the State Bar of Georgia? The role in which you are advocating impacts how you engage with legislators. He said regardless of your role, however, some professionalism tenants are universal, such as competency, trustworthiness, candor and disclosure of conflicts of interests. Another panelist explained the importance of lawyers helping legislators to understand the ramifications of legislation and offered his opinion that lawyers outside of the metro-Atlanta area could be especially helpful since most of the current legislative leadership lived outside of metro-Atlanta. The panel also discussed the role of judges and the Judicial Council of Georgia in the legislative process. One legislative tip that the audience found particularly

helpful during the CLE was that there is a user's guide to the Georgia Code.¹⁰ The panelists shared a wealth of other important information that is contained in their written materials.¹¹

At the conclusion of the panels, President Fite introduced Chief Justice David E. Nahmias. Chief Justice Nahmias told the audience, "Because professionalism is so important to our legal system, especially as it gets larger and more complex, the Supreme Court of Georgia created this professionalism program for Georgia lawyers in 1989. It was the first one in the country although most states have now followed our lead. We want lawyers to focus on not only their minimal ethical duties but on the higher standards of our profession, and we want to provide training and encouragement to do that." He also said that the Supreme Court's May 2020 SJEO emphasized the importance of professionalism among lawyers and judges as the legal system faced the pandemic and all of the consequences that flowed from it. That provision emphasizing professionalism was repeated in every subsequent extension of the SJEO, although the Court also later added a line focused on the obligation to engage in discovery in good faith and in a safe manner because we heard that civil discovery was a particular point of concern. Chief Justice Nahmias also shared that he, former Chief Justice Melton and the other Supreme Court of Georgia justices all tried to emphasize the importance of professionalism at almost every opportunity to address Georgia judges and lawyers about the pandemic. He said the justices realized that in this time of heightened professional and personal stress, it's more important than ever for lawyers and judges to think about and live up to the aspirations of our profession.

Chief Justice Nahmias also addressed some questions lawyers had shared with him about a small number of judges

whose conduct had raised public health concerns. He told the audience we have a pretty good system in place to address those concerns informally, as long as those concerns get communicated to the COVID-19 Task Force, the State Bar leadership, the leadership for the council for the relevant class of court, or to Justice LaGrua, Presiding Justice Boggs or himself. You should feel free to raise safety concerns in that way so we have the opportunity to address them with the judge involved. "With that said," he continued, "I don't want to suggest that we have seen a large number of problems with the professionalism of lawyers or judges. To the contrary—I've been incredibly impressed with the overall high level of professionalism our colleagues at the Bar and on the bench have displayed throughout this challenging time, which we have endured now for almost 18 months. Indeed, your work has often been inspirational."

Chief Justice Nahmias concluded, "When we finally emerge from this pandemic, we are going to be in a new normal. We won't go back to the pre-COVID ways of doing things and we shouldn't do that. We've learned a lot of valuable lessons and we have realized some new and better ways of making our legal system function ... No matter where we go from here, we are going to need a high level of professionalism from our lawyers and judges to keep our justice system functioning effectively on behalf of the citizens we serve. I thank all of you for being professional ... I thank you for encouraging professionalism among your colleagues and holding them to a high standard." ●



Karlise Y. Grier
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Endnotes

1. See <http://cjcpga.org/092821-cjcp-cle/>.
2. <http://cjcpga.org/wp-content/uploads/2021/09/Speaker-Cover-Page-and-Biographies-for-09-28-21-Website-UPDATED.pdf>.
3. <https://georgiacourts.gov/judicial-covid-19-task-force/>.
4. *Id.*
5. See *A Lawyer's Creed and the Aspirational Statement on Professionalism* at Lines 58-59, <http://cjcpga.org/wp-content/uploads/2019/07/2-Lawyers-CreedAspStatement-v-2013-Line-Number-with-new-logo-and-seal-v07-25-19.pdf>.
6. See <http://cjcpga.org/wp-content/uploads/2021/09/Judges-09-28-21-Written-Materials-for-Upload-to-Web.pdf>.
7. See <https://jcaoc.georgiacourts.gov/wp-content/uploads/sites/6/2021/10/Press-Release-ARPA-funding-for-Judicial-Branch.pdf>.
8. See <http://cjcpga.org/wp-content/uploads/2021/09/Practitioners-Panel-09-28-21-Written-Materials-for-Upload-to-Web.pdf>.
9. See *A Lawyer's Creed and the Aspirational Statement on Professionalism* at Lines 20-21, <http://cjcpga.org/wp-content/uploads/2019/07/2-Lawyers-CreedAspStatement-v-2013-Line-Number-with-new-logo-and-seal-v07-25-19.pdf>.
10. See https://www.legis.ga.gov/api/document/docs/default-source/lc-resources/user-s-guide-to-the-official-code-of-georgia-annotated1.pdf?sfvrsn=bd4e3b0f_2.
11. See <http://cjcpga.org/wp-content/uploads/2021/09/Legislative-Panel-09-28-21-Written-Materials-for-Upload-to-Web.pdf>.

Designated Attorney Fellowship and CLE

The Chief Justice's Commission on Professionalism hosted a Designated Attorney Fellowship and CLE on Dec. 17, 2021.

BY KARLISE Y. GRIER



SCREENSHOT COURTESY OF KARLISE Y. GRIER

Chief Justice David E. Nahmias shared that he hoped planning for a volunteer designated attorney becomes a normal routine of law practice management.

"The Lawyer's Creed¹ encourages us to prioritize fidelity to our clients and to preserve the dignity and integrity of our profession. An important way to adhere to these ideals is to engage in succession planning for your practice," said State Bar of Georgia Committee on Professionalism Vice Chair and CLE program Co-Chair Terrica Ganzy, who opened the Chief Justice's Commission on Professionalism's Designated Attorney Fellowship and CLE on Dec. 17, 2021. The Commission hosted the Designated Attorney Fellowship and CLE, in part, to assist the State Bar of Georgia in educating attorneys about the voluntary Designated Attorney Program and to alert attorneys, regardless of their age or practice setting, that selecting or becoming a volunteer designated attorney is an affirmative way to enhance professionalism and a sense of community among lawyers.² Ganzy, who serves as the executive director of the Southern Center for Human Rights, also told the CLE audience she looked at the topic of designated attorneys and succession planning in a whole new light because in May 2021, the Southern Center lost a dear friend and colleague, Marissa McCall Dodson, who died unexpectedly at the age of 37. Ganzy continued, "We often live each day like we'll



GETTYIMAGES.COM/MICHAEL_PETROV-86

have many more tomorrows, like sudden illness couldn't strike us or people in our care, like natural disasters happen to other people, as if each day is going to be sunshine and blue skies. But failing to think about and prepare for rainy days does not prevent them from occurring. And rainy days happen to organizations, too."

Jim Hogan, another presenter at the CLE, spoke about his experiences after years of volunteering with the Cobb County Bar Association to assist the staff and families of deceased attorneys in winding up their practices. One thing Hogan noted about solo practitioners in particular was that through the years of helping in this process, he learned that most of the spouses of a deceased lawyer had little or no knowledge of the inner workings of the law practice. Hogan concluded, "If we care about our spouses and families and the difficulties they may face in the absence of a smooth transition of our law practice, then we need to make a succession plan a priority." Takisha Heyward confirmed Hogan's anecdotal observations from her own personal experience. Heyward lost her husband, attorney Sparticus Heyward then age 45, in February 2021, in a car accident. Ms. Heyward said she and her husband did not discuss the operation of his law practice

and she had very little information about it at the time of his death. In addition, she said that while she and her husband had discussed preparing a will, they thought they had more time to do so. In the midst of grieving for her husband, Heyward shared she received calls from her late husband's clients about their cases. One client's case was scheduled for a murder trial the week after her husband's death. She said having attorney Jim Hogan to assist her in transitioning her husband's cases to other attorneys was a tremendous help. She encouraged attorneys to learn from her experience and to discuss the basics of their law practices with their spouses, partners or other family members, and to have plans in place if the unexpected happened.

Hon. LaTisha Dear Jackson and Hon. Martin Valbuena spoke about their experiences helping to wind up practices for attorneys who had unexpectedly left the practice of law. Prior to becoming a judge in the DeKalb County Superior Court, Dear Jackson said she shared space with another attorney who unexpectedly entered a coma and then later died. Since she shared space with the attorney, Dear Jackson assisted in managing the attorney's affairs when his unexpected absence occurred. She emphasized that attorneys

who ensure their volunteer designated attorney can easily determine their cases' status—and especially upcoming court dates, depositions and mediations—not only perform a professionalism service for their clients, but also for opposing counsel and the courts. Valbuena, a member of the State Bar of Georgia's Executive Committee, concurred and shared an experience in which he was able to easily transition cases in one instance compared with difficulties in another instance when information was not as readily available.

Bill Gentry, another member of the State Bar of Georgia's Executive Committee and the chair of the Senior Lawyers Committee, who also served as a co-chair of the CLE Program, explained to the audience the numerous resources that are available to Bar members on the Bar's Sudden Health Crisis Succession Plan (SHCSP) webpage.³ The SHCSP portal is divided into two primary sections, he said. The first section is designed with resources to help lawyers plan in advance for a possible sudden exit from the practice of law. The other section of the portal is designed to help guide a lawyer's staff and family through the process of closing down and transitioning the lawyer's practice in the event that the lawyer had

The Commission encourages all lawyers—regardless of their age or practice setting—to establish a meaningful relationship with a volunteer designated attorney and to create and regularly update a sudden health crisis succession plan.

failed to create a sudden health crisis exit plan from the practice of law. Gentry also encouraged attorneys to consider how the one or two people with the most knowledge of the workings of the firm and the clients' cases, would be compensated for a reasonable period of time crisis to help in transitioning the clients' cases, and perhaps to preserve any value of the practice for the absent attorney's family, after an attorney's death or sudden health crisis.

Nkoyo Effiong, director of the Bar's Law Practice Management Program, also told the audience how her office could assist Bar members in planning for unexpected absences from the practice of law. She shared that technology such as password management software could greatly assist a volunteer designated attorney if the unexpected happened. She also explained that her office could assist attorneys in finding the correct software to meet their needs for both day-to-day law practice management and if a volunteer designated attorney needed to assist in transitioning an absent attorney's cases. Paula Frederick, the general counsel for the State Bar of Georgia and a member of the CLE planning team, reviewed some of the ethical rules that govern receiverships. She said that not all volunteer designated attorneys needed to be appointed as receivers, but she discussed the process if a receivership was needed and when a volunteer designated attorney might want to consider a receivership. Frederick also talked about the impact on clients when a volunteer designated attorney could not be located and the State Bar of Georgia became the receiver.

To close the CLE program, Chief Justice David E. Nahmias shared his thoughts. He said that the Commission hoped that planning for a volunteer designated attorney becomes as much a part of the normal routine of law practice management as using written retainer agreements and establishing sound fiscal practices for managing trust accounts. Lawyers are an integral part in ensuring the efficient and effective administration of justice, he continued. If an attorney leaves the practice of law with little to no advance warning, whether due to death, disability or otherwise, making plans in advance for how to transition client files and property not only fulfills a private duty to a client, it is also in the public interest. It is a courtesy that judges will appreciate because it is a great help to the courts as the court fulfills its responsibilities to all of the parties.

The CLE was moderated by Commission member Molly Barrett Gillis, a partner at the Gillis Law Firm, LLC. During the CLE, Gillis discussed the importance of a lawyer's reputation. She then shared that if she unexpectedly became absent from the practice of law, she would want her clients to remember in their last interactions with her law practice that Gillis had taken steps to ensure her client's cases were properly handled and smoothly transitioned to another attorney. In conclusion, the Commission encourages all lawyers—regardless of their age or practice setting—to establish a meaningful relationship with a volunteer designated attorney and to create and regularly update a sudden health crisis succession plan. ●



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Endnotes

1. See *A Lawyer's Creed and the Aspirational Statement on Professionalism*, <http://cjcpga.org/wp-content/uploads/2019/07/2-Lawyers-CreedAspStatement-v-2013-Line-Number-with-new-logo-and-seal-v07-25-19.pdf>.
2. Beginning with the State Bar of Georgia's 2018-19 State Bar of Georgia License Fee Notice, the Bar began to ask attorneys to nominate a fellow Georgia Bar member to assist with coordinating the return of client files and property in the event the attorney completing the License Fee Notice became an "absent attorney" as defined under Rule 4-228(a) of the Georgia Rules of Professional Conduct. In implementing this voluntary program, the Bar asked attorneys to consider, "What happens to your clients if you suddenly become an 'absent attorney,' one who leaves the practice of law with little to no advance warning, whether due to death, disability or otherwise?" Noting that other states that had implemented this program had seen substantial success in timely transitioning client files to other lawyers, the Bar encouraged Georgia lawyers to speak with another lawyer and obtain his or her willingness to work with the State Bar to return files and other property to clients in the event an attorney became an absent attorney through death, disability or otherwise.
3. See <https://www.gabar.org/attorneyresources/succession.cfm>.

