



STATE BAR OF GEORGIA

249th BOARD OF GOVERNORS MEETING

Saturday, November 2, 2013

8:30 a.m.–11:30 a.m.

Jekyll Island Club

Jekyll Island, Georgia

Dress: Casual

AGENDA

<u>Topics</u>	<u>Presenter</u>	<u>Page No.</u>
1) ADMINISTRATION		
a) Welcome and Call to Order	Buck Ruffin, President.....	1-2
b) Invocation	Lester Johnson	
c) Pledge of Allegiance	Lester Johnson	
d) Recognition of Former Presidents, Judges And Special Guests	Buck Ruffin	
e) Roll Call (by signature).....	Rita Sheffey, Secretary.....	3-9
f) Special Resolution	Buck Ruffin.....	10-11
2) CONSENT AGENDA		
(Unanimous consent items. Any item may be moved from Consent Agenda to Action Items agenda upon request of any member of the Board of Governors)		
a) Minutes of the 247 th & 248 th Meeting of the Board of Governors	Rita Sheffey.....	12-19

b) Executive Committee Minutes (information)	Rita Sheffey	
(1) May 23, 2013		20-26
(2) June 26, 2013.....		27
(3) July 2, 2013		28
c) Future Meetings Schedule (information)	Buck Ruffin.....	29-30
d) Judicial Qualifications Commission	Buck Ruffin	
Appointment of Graham A. Thorpe, 2013-2017		
e) Commission Continuing Lawyer Competency	Buck Ruffin	
Appointments		
(1) Reappointment of Robin Frazer Clark, 2014-2016		
(2) Reappointment of R. Javoyne Hicks White, 2014-2016		

3) LEGISLATION

a) ACL September 27, 2013 Meeting	Dan Snipes, Chair	31-33
New Legislative Proposals (action)	Dawn Jones, Vice Chair	
(1) Committee to Promote Inclusion in.....	Javoyne Hicks White	34-35
the Profession - Funding for Victims		
of Domestic Violence (\$2,500,000)		
(2) Georgia Appellate Resource Center.....	Brian Kammer	36-42
(\$800,000)		
b) Citizens' Advisory Council (information)	Lester Tate	43-44
c) Grass Roots Legislative Events (information)	Zach Johnson	45
d) 2013 Final Legislative Report	Rusty Sewell.....	46-49

4) ACTION

a) New Section Request:	Buck Ruffin.....	50-54
Law and Economics Section	Bob McCormack	
b) Civil Legal Services Task Force	Randy Evans, Chair.....	55-59
	Rita Sheffey, Vice Chair	
c) Proposed Amendments to Bar Rule 1.15	Paula Frederick	60-74
and New Part XV	General Counsel	

5) INFORMATIONAL REPORTS

a) President's Report	Buck Ruffin	
(1) State Bar's 50 th Anniversary Celebration, Jan. 10, 2014		75
(2) Constitutional Law Symposium, March 12-14, 2014		76-77
(3) Secretary of State Website		78-79
b) Treasurer's Report	Bob Kauffman	80-85
	Treasurer	
c) Young Lawyers Division	Darrell Sutton	86-93
	YLD President	
d) Real Estate Task Force	Patrise Perkins-Hooker	94
	President-Elect	
e) ABA Report	Linda Klein	95-107
	Paula Frederick	
f) Private Insurance Exchange	John Kennedy, Chair	108-110
by Member Benefits	Ron Lowry, Vice Chair	
	Bob Kauffman	
g) Elections Committee: New Elections Policy	Thomas Burnside, Chair....	111-117
Standing EC Policy 1000	Rita Sheffey	
h) SOLACE Program	Ken Shigley, Chair	118-123

i) Long Range Planning CommitteePat O'Connor, Chair124-127

6) WRITTEN REPORTS

a) Annual Meeting Surveys 128-170

b) Suicide Awareness Campaign, "How to Save a Life"171-178

c) Office of General Counsel Report 179-182

d) Military Legal Assistance Program 183-188

e) Consumer Assistance Program..... 189-190

f) Law Practice Management Program 191-193

g) Chief Justice's Commission on Professionalism 194-201

h) BASICS 202

i) ABA 2013 Charles Dorsey Award (Steve Gottlieb) 203

j) State Bar History: Homes of the State Bar 204

7) CLOSING

a) Old BusinessBuck Ruffin

b) New BusinessBuck Ruffin

c) Questions/Answers; Comments/Suggestions.....Board of Governors
Officers
Executive Committee
Executive Director
General Counsel

d) AdjournmentBuck Ruffin

Schedule of Events

Friday, Nov. 1

9:30 a.m. – 4 p.m.

Investigative Panel

12 – 1 p.m.

ICLE Board of Trustees Meeting

1 – 4 p.m.

Review Panel

2 – 5 p.m.

Disciplinary Rules and Procedures

3 – 4 p.m.

Member Benefits Committee

4 – 5 p.m.

Law Practice Management Program Committee

5 – 6 p.m.

SOLACE Committee

6:30 – 9:30 p.m.

Board of Governors Dinner

Saturday, Nov. 2

8:30 – 11:30 a.m.

Board of Governors Meeting

12 p.m.

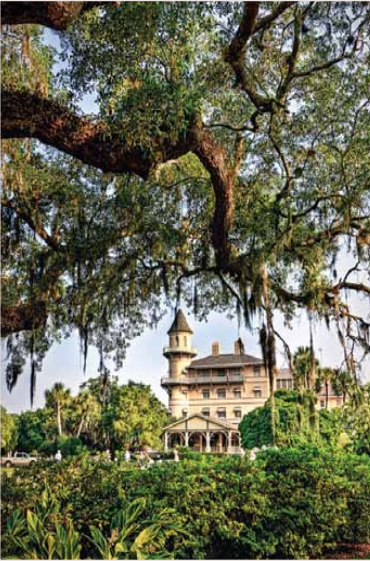
Optional trip to Jacksonville to tailgate at the Georgia-Florida game

3:30 p.m.

Tailgate Party at hotel

Afternoon

On your own for the afternoon



Host Hotel

Cut-off date is Friday, Oct. 4

Jekyll Island Club Hotel, 371 Riverview Drive

Jekyll Island, GA 31527; 912-635-2600

Jekyll Island Club Hotel will be our host hotel offering discounted room rates. A block of rooms has been reserved for the meeting. Our room rate is: standard room, \$189 plus applicable room tax (11 percent), sales tax (6 percent) and resort fee (\$10, plus tax).

To make reservations and receive our special rate, call the Jekyll Island Club group reservations department at 800-535-9547 and tell them you are with the State Bar of Georgia Fall Board of Governors Meeting. Reservations must be made by Friday, Oct. 4, as rooms will be on a space and rate availability basis after this date.

Hotel Check-in/Check-out Time

Check-in: 4 p.m.

Check-out: 12 p.m.

Directions

- Take I-95S to Exit 29 onto Highway 17/82 North.
- Follow for 6 miles to the Jekyll Island Causeway (SR 520).
- Proceed on the Causeway East 6 miles to the Jekyll Island collection station (\$5 park entry fee).
- Make the first left (U-turn) and move to the far right lane. This is Riverview Drive, which takes you to the front of the hotel.



Events

Board of Governors Dinner

Friday, Nov. 1

6:30 – 9:30 p.m.

Please join us Friday evening for dinner and drinks with fellow Board members and their guests.

Optional Trip to Jacksonville to Tailgate at the Georgia-Florida Football Game

Saturday, Nov. 2

12 p.m.

For those interested in tailgating at the Georgia-Florida game, whether or not you have tickets, we will be traveling by bus to Jacksonville and tailgating just outside the gates of EverBank Field. The bus will leave at 12 p.m. sharp and will be available to take everyone back to Jekyll Island at the end of the evening.

Tailgate Party at Hotel

Saturday, Nov. 2

3:30 p.m.

For those of you who prefer a more laid back approach to the game, we are providing a tailgate and game-watching party at the hotel, complete with food and beverages. And if football just isn't your thing, enjoy the afternoon and explore the island on your own.

For information on the activities the resort has to offer, please visit the website at www.jekyllclub.com/activities/.

Attire

Casual dress for all meetings.

Thank You Corporate Sponsors

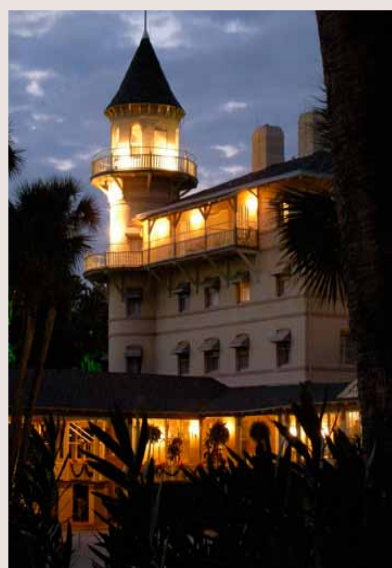
5-gavel

MB | MemberBenefits

LawyerCare

PROFESSIONAL LIABILITY COVERAGE
for Georgia Lawyers & Firms

1-gavel



Board of Governors Attendance Record

	6-11(Fri)	6-11(Sat)	8-11	10-11	1-12	3-12	6-12(Fri)	6-12(Sat)	10-12	1-13	3-13	6-13(Fri)	6-13(Sat)
	Myrtle	Myrtle	ATL	Jekyll	ATL	Oconee	Sav	Sav	Jekyll	ATL	Oconee	HH	HH
Sarah Atkins	•	•	•	•	•	•	•	•	e	e	•	•	•
Mark W. Alexander	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	e	•	•	•	•
Anthony B. Askew	•	e	•	•	•	•	•	•	•	•	•	•	•
Emily S. Bair			•		•	•	•	•	•	•	e	•	•
Eric A. Ballinger	•	•	•	•	•	•	•	•	•	•	•	•	•
Donna Barwick	e	e	e	•	•	•	•	•	e	•	e	e	e
Joshua C. Bell	•	e	•	e	•	•	•	•			•		•
Kenneth R. Bernard, Jr.	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	e	•	•
Diane E. Bessen		•	•	e	•	•	•	•	e	•	•	•	•
Sherry Boston	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•
Jeb T. Branham	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
Thomas Neal Brunt	e	e	•	•	•	•	•	•	•	•	•		•
Thomas R. Burnside III	•	•		•	•	•	•	•	•	•	•	•	•
Stephanie D. Burton	n/a	•	e	e	•	•	•	•	e	•	•	•	•
JaDawyna C. Butler	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
S. Kendall Butterworth	•	•	•	•	•	•	•	•	e	•	e	•	•
Ralph J. Caccia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	e	•	•	e		
David Lee Cannon, Jr.	•	•	•			•	•	•		•		•	•
Paul Todd Carroll, III	•	•	•	•	•	•	•	•		•	•	•	•
Thomas C. Chambers, III	•	•	•	•	e	•	•	•	•		•	•	•
Carol V. Clark	n/a	n/a	n/a	n/a	•	•	e	e	•	•	•	•	e
John Christopher Clark	•	•	•	•	•	•	•	•	•	•	•	e	e
Robin Frazer Clark	•	•	•	•	•	•	•	•	•	•	•	•	•

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	Myrtle	Myrtle	ATL	Jekyll	ATL	Oconee	Sav	Sav	Jekyll	ATL	Oconee	HH	HH
Edward J. Coleman III	n/a	•	•	•	•	•		•	•	•	•		•
Ed Collier	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
Martin L. Cowen III	n/a	•	•		•	•		•			•		•
Susan W. Cox	•	•	e	•	•	•	•	•	•	•	•	•	•
Terrence Lee Croft	•	•	•	e	•	•			•	•	•	•	•
Matthew B. Crowder	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
William V. Custer, IV	•	•	•	•	•	•	•	•			•	•	•
David P. Darden	e	e	•	•	•	•	•	•	e	•	•	•	•
Gerald Davidson		•	•	•	•	•	•	•	•	•	•	•	•
J. Anderson Davis	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•
Randall H. Davis	•	•	•	•	•	•	•	•	e	•	•	•	•
J. Antonio Delcampo	•	•	•	e	e	•	•	•	•	•	e	•	•
Joseph W. Dent	•	•	•	•	•	•	•	•	•	e	•	•	•
Foy R. Devine			•	•	•	•	•	•	e	•	•	•	•
Thomas V. Duck, III	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
Myles E.. Eastwood	•	•	•	•	•	•	•	•	•	•	•	•	•
V. Sharon Edenfield	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
Damon E. Elmore	e	e	•		•	•	•	•	e	•	•		•
J. Randolph Evans	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
Archibald A. Farrar	•	•	•	•	•	•	•	•	•	•	•	e	e
Douglass Kirk Farrar	•	•	•	•	e	•	•	•		•	e	•	•
Elizabeth L. Fite	•	•	•	e	•	•	•	•	•	•	•	•	•
John A. Fitzner III	n/a	•	•	•	•	e		•	•	•	•	•	•

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	Myrtle	Myrtle	ATL	Jekyll	ATL	Oconee	Sav	Sav	Jekyll	ATL	Oconee	HH	HH
Gregory A. Futch		•	e	•	•	•	e	e	•	•	•		
William Gilmore Gainer			•		•	•	•	•			•	e	e
Laverne Lewis Gaskins	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
William C. Gentry	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•	•
Walter J. Gordon Sr.	n/a	•	•	•	•		•	•		•	e	e	e
Patricia A. Gorham	•	•	•	•	•	•	•	•	•	•	•	e	e
Karlise Y. Grier	•	•	•	•	•	•	•	•	•	•	•	•	•
Thomas F. Gristina	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•	•
John Kendall Gross	•	•	•	e	•	e	•	•	e	•	•	•	•
James E. Hardy	•	•	e	•	•		e	e	•	•			•
Steven A. Hathorn	•	•		•	e	•	•		e		e	e	e
John G. Haubenreich	n/a	n/a	n/a	•	•	•	•	•	•	•	•	•	•
Patrick H. Head	e	e	•	•	•	e	•	•	•	•	•	e	e
Lawton C. Heard, Jr.	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•	•
Render M. Heard Jr.		•	•	•	•	e	•	•	e	•	•	•	•
Thomas W. Herman	•	•	•		•	•	•	•		•	•	•	•
R. Javoyne Hicks White	•	•	e	e	•	•	•	•	•	•	•	•	e
Donna Stanaland Hix	n/a	•	•	•	•	•	•	•	•	•	•	•	•
Michael D. Hobbs		•	•	e	•	•	•	•	e	•	•	•	•
Kenneth B. Hodges, III	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•	•
Phyllis J. Holmen	•	•	•	•	•	•	•	•	•	•	•	•	•
J. Marcus E. Howard	•	•	•	•	•	•	•	•	•	•	•	•	•
Amy V. Howell			•	•	•	•	•	•	e	•	•	•	•

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	Myrtle	Myrtle	ATL	Jekyll	ATL	Oconee	Sav	Sav	Jekyll	ATL	Oconee	HH	HH
Roy B. Huff Jr.	•	•	•	e	•		e	e	e	•	•	e	e
James W. Hurt	•	•	•		•	•	•	•	•	•		•	•
Chris Huskins	e	e	•		•	•	•	•		•	•		
James T. Irvin	•	•	•	•	•		•	•	•	•	e	•	•
Robert D. James Jr.	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•	•
William Dixon James	n/a	n/a	•	e	•	•	•	•	•	•	•	•	•
Curtis S. Jenkins	n/a	n/a	•	•	•	•	•	•	•	•	•	•	•
Lester B. Johnson, III	•	•	•	•	•	•	•	•	•	•	•	•	•
Dawn M. Jones	•	•	•	•	•	•	•	•	•	•	•	•	•
Michael R. Jones, Sr.					•			•	•				•
Elena Kaplan	•	•	•	•	•	•	•	•	•	•	•	•	•
Robert J. Kauffman	•	•	•	•	•	•	•	•	•	•	•	•	•
John Flanders Kennedy	•	•	•	•	•	•	•	•	•	•	•	•	•
William J. Keogh, III	•	•	•	•	•	•	•	•	•	•	•	•	•
Barry E. King	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
Judy C. King	•	•	•	•	•	•	•	•	•	•	•	•	•
Seth D. Kirschenbaum	•	•	•	•	•	•	•	•	•	•	•	•	•
Catherine Koura	e	•	•	•	•	•	e	e	•	•	•	e	•
Edward B. Krugman	e	e	•	•	•	•	e	e	•	•	•	•	•
Jeffrey R. Kuester	n/a		•	•	•	•			•	•	•		•
Allegra Lawrence-Hardy	•	•	•	•	•	•	•	•	•	•	•	•	•
J. Alvin Leaphart	•	•	e	•	•	•	•	•	•	•	•	•	•
Steven K. Leibel		•	•	•	•	•		•	e	•	•	•	•

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	Myrtle	Myrtle	ATL	Jekyll	ATL	Oconee	Sav	Sav	Jekyl	ATL	Oconee	HH	HH
David S. Lipscomb	•	•	•	•	•	•	•	•	•	•	•	•	•
Ronald A. Lowry	•	•			•		•	•		•	e	•	•
Samuel M. Matchett		•	•	e	•			•		•	•	•	•
William R. McCracken	•	•		•	•	•		•	•	•	e	e	•
Brian A. McDaniel					•	•	e	e		•			
Letitia A. McDonald	e	e	•	e	•	•		•	•	•	•	•	•
Brad J. McFall			e		•	•				•	•		
A. Dionne McGee	n/a	•	•	e	•		•	•	e	•	•	e	e
Ashley McLaughlin	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•					
Michael D. McRae			•		•	•				•			
Terry L. Miller	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•	•
W. Benjamin Mitcham, Jr.		•		•	•		•	•	•	•	•		•
Jeffery O'Neal Monroe			•	•	•		•	•		•			
G.B. Moore III	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	e	•	•	•	•
Laura J. Murphree	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
Gwyn P. Newsom	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•	•
Dennis C. O'Brien	•	•	•		•	e	•	•	•	•	•	•	•
Pat O'Connor		•	•	•	•	•	•	•	•	•	•	•	•
Samuel S. Olens			•		•								•
Jonathan B. Pannell	n/a	•	•	•	•	•	•	•		•	•	•	•
Carson Dane Perkins				•	•	•						•	•
Patrise Perkins-Hooker		•	•	•	•	•	•	•	•	•	•	•	•
R. Chris Phelps		•	•	•	•	•			•		•		•

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	Myrtle	Myrtle	ATL	Jekyll	ATL	Oconee	Sav	Sav	Jekyl	ATL	Oconee	HH	HH
Will H. Pickett, Jr.	•	•	•	•	•	•		•	•	•	•	e	e
Jill Pryor	•	•	•	•	•	•	e	e	e	•	•	e	e
William M. Ragland, Jr.	•	•	•	e	•	e	•	e	e	•	•	•	•
Robert V. Rodatus	•	•	•	•	•	•	e	e	e	•	•	e	e
Tina S. Roddenbery	•	•	•	•	•	•	•	•	•	•	•	•	•
Brian D. Rogers	•	•	•	•	•	•	•	•	•	•	•	•	•
Joseph Roseborough	•	•	•	•	•	•	•	•	•	•	•	•	•
Charles L. Ruffin	•	•	•	•	•	•	•	•	•	•	•	•	•
William C. Rumer	e	e	•	•	•	•	•	•	•	•	•	•	•
Claudia Saari	•	•	•	•	•	•	•	•	e	•	•	•	•
Dennis C. Sanders	•	•	•	e	•	•	•	•	•	•	•	•	•
J. Stephen Schuster	•	•	•	e	•	•	•	•	e	e	•	e	e
Rita A. Sheffey	•	•	•	•	•	•	•	•	•	•	•	•	•
Robert H. Smalley, III	n/a	•	•	•	•	•	•	•	•	•	•	•	•
Philip C. Smith	•	•	•	•	•	•	•	•	•	•	•	e	e
R. Rucker Smith	•	•	•	•	•	•	•	•	•	•	•	•	•
Daniel B. Snipes	•	•	•	e	•	•	•	•	e	•	e	•	•
H. Craig Stafford	•	•	•	•	•	•	•	•	•	•	•	•	•
Lawrence A. Staggs	•	•	•	•	•	•	•	•	e	•	•	•	•
Lawton E. Stephens	•	•	•	•	•	•	•	•	•	•	•	•	•
C. Deen Strickland	•	•	•	•	•	•	•	•	•	e	•	•	•
Frank B. Strickland	•	•	•	e	•	•	•	•	e	•	•	•	•
Darrell L. Sutton	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	e	•	•

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	Myrtle	Myrtle	ATL	Jekyll	ATL	Oconee	Sav	Sav	Jekyll	ATL	Oconee	HH	HH
Gregory T. Talley		•	•		•	•			•	•		•	•
Michael B. Terry	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•	•
Anita W. Thomas	•	•		e	•		e	e	•		•	•	•
Dwight L. Thomas	•	•		•	•		•	•	e	•		e	•
Edward D. Tolley		•	•	e	•					•			
Martin E. Valbuena	•	•	•	e	•	•	•	•	•	•	•	•	•
Carl R. Varnedoe	n/a	•	•	•					•	•	•		•
Nicki N. Vaughan	•	•	•	•	•	•	•	•	•	•	•		•
Carl A. Veline, Jr.	•	•		•					•	•	•		•
J. Henry Walker	•	•	•	•	•	•	•	•	e	•		•	•
Janice M. Wallace	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	•	•	•
Jeffrey S. Ward	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•	•	e	•	•	•
Harold B. Watts	•	•	•	e	•	•	•	•	e	•	•	•	•
John P. Webb	•	•	•	•	•	•	•	•	•	•	•	•	•
N. Harvey Weitz	•	•	•	•	•	e	•	•	e	e	•	•	•
Nancy J. Whaley	•	•	e	•	•	•	•	•	e	•	•	•	•
Sandy Wisenbaker	n/a	•	•	•	e	•	•	•	e	•	•	•	•
Kathleen M. Womack	n/a	•	•	•	•	•	•	•	e	•	e	•	•
Katie Wood	•	•	•	•	•	•	•	•	•	•	•	•	•
Doug Woodruff	n/a	•	•	•	•	•	•	•	•	•	e	•	•
Gerald P. Word	•	•		•	e	•	•	•	•	e	•	•	•
Fred A. Zimmerman	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	•
• - Attended Meeting													
e - Excused Absence													
n/a - Not on BOG													

State Bar of Georgia
Resolution Recognizing Chief Justice Carol W. Hunstein
for Outstanding Service to the Justice System
of the State of Georgia

WHEREAS, as Chief Justice of the Supreme Court of Georgia, the Honorable Carol W. Hunstein has rendered significant service to the justice system of the State of Georgia; and

WHEREAS, the Honorable Carol W. Hunstein is a graduate of Miami-Dade Junior College and Florida Atlantic University and earned her law degree from Stetson University College of Law; and

WHEREAS, the Honorable Carol W. Hunstein was admitted to the State Bar of Georgia in 1976; and

WHEREAS, the Honorable Carol W. Hunstein gained valuable experience in private law practice prior to her election to Judge of the Superior Court of DeKalb County in 1984; and

WHEREAS, during the Honorable Carol W. Hunstein's eight years of service as a Superior Court Judge, she chaired many DeKalb County Committees, including the Alimony and Child Support Unit Committee, the Diversion Center Committee, the Probation Committee and the Domestic Violence Committee; and

WHEREAS, in 1989, Chief Justice Thomas O. Marshall of the Supreme Court of Georgia appointed the Honorable Carol W. Hunstein as Chair of the Georgia Commission on Gender Bias in the Judicial System, and she also served as President of the Georgia Council of Superior Court Judges and as a District Director of the National Association of Women Judges; and

WHEREAS, the Honorable Carol W. Hunstein was appointed to the Supreme Court of Georgia in 1992 by Governor Zell Miller, becoming the second woman in Georgia history to serve as a permanent member of the Court, and was subsequently re-elected to consecutive six-year terms in 1994, 2000, 2006 and 2012; and

WHEREAS, while serving as a Supreme Court Justice, the Honorable Carol W. Hunstein has additionally served the legal profession and justice system by chairing the 1993, 1998 and 2001 State Commissions on Child Support Guidelines, the Committee on Access and Fairness in the Courts, the Georgia Commission on Interpreters and the Unlicensed Practice of Law Committee, as a Rosalynn Carter Honorary Fellow in Public Policy at the Emory University Institute on

Women's Studies, as liaison to the Chief Justice's Commission on Professionalism and as a member of the Advisory Board of the Justice Center of Atlanta, the Georgia Campaign for Adolescent Pregnancy Prevention, the Atlanta Bar Association's Reputation and Public Trust Committee, and the Bleckley Inn of Court ; and

WHEREAS, in the course of her exemplary career, the Honorable Carol W. Hunstein has received many honors, including an honorary LL.D. from Stetson University College of Law, a commendation for outstanding service from the Georgia General Assembly, the Emory University Legal Association for Women Students' Public Service Award, the DeKalb County Women's Network "Women Who Have Made a Difference" Award, the Joseph T. Tuggle Professionalism Award, the American Bar Association Commission on Women in the Profession's Margaret Brent Award, induction into the Florida Atlantic University Hall of Fame and the Commitment to Equality Award from the State Bar of Georgia Committee to Promote Inclusion in the Profession; and

WHEREAS, since 2009, the Honorable Carol W. Hunstein has served as Chief Justice of the Supreme Court of Georgia, and her term in that office will end in August 2013; and

WHEREAS, the Board of Governors of the State Bar of Georgia is deeply appreciative of the numerous contributions of the Honorable Carol W. Hunstein to the rule of law, the justice system and the people of Georgia throughout her judicial career.

NOW THEREFORE BE IT RESOLVED, the State Bar of Georgia does formally recognize and express its appreciation to the Honorable Carol W. Hunstein for the strong working relationship between the Supreme Court of Georgia and the State Bar of Georgia, which has continued during her term as Chief Justice; and

BE IT FURTHER RESOLVED, the State Bar of Georgia wishes the Honorable Carol W. Hunstein many more years of successful public service as a member of the Supreme Court of Georgia.

Given this 22nd day of June 2013.

Charles L. Ruffin
President, State Bar of Georgia

D-R-A-F-T
STATE BAR OF GEORGIA
BOARD OF GOVERNORS
MINUTES
June 21, 2013
Marriott Hilton Head Resort & Spa/Hilton Head Island, SC

The 247th meeting of the Board of Governors of the State Bar of Georgia was held at the date and location shown above. Robin Frazer Clark, President, presided.

Special Recognition

President Clark recognized the Past Presidents of the State Bar, members of the judiciary and other special guests in attendance, and the retiring members of the Executive Committee and Board of Governors.

Roll Call

Secretary Bob Kauffman circulated the attached roll (Exhibit A) for signature.

Future Meetings Schedule

The Board of Governors received a copy of the Future Meetings Schedule.

Special Recognition

President Clark presented a resolution (Exhibit B) to Jessica Powell who was diagnosed several years ago with Addison's disease, but recently went into Addisonian Crisis. The resolution honors Jessica for the extraordinary courage and strength she has displayed throughout her trials and tribulations and expresses the Bar's best wishes for her recovery in the months ahead, as well as a bright future and lifetime of success and happiness. Jessica is the daughter of Jay Powell, a State Bar member and a State Representative from Georgia House District 171, and Carol B. Powell.

State Bar Employee of the Year Award

Paula Frederick presented the State Bar Employee of the Year Award to Bobbie Kindall, who is a legal secretary in the Office of General Counsel.

Corporate Sponsors

President Clark recognized the Annual Meeting Sponsors: Georgia Lawyers Insurance Program, BPC Financial, Daily Report, ABA Retirement Funds and Thomson Reuters.

Awards

President Clark acknowledged the recipients of the Pro Bono Awards (Dan Bradley, H. Sol Clark, William B. Spann Jr.) and A Business Commitment Pro Bono Award that will be presented at a reception in their honor later in the year. She then presented the following State Bar awards: Thomas O. Marshall Professionalism Award, Commitment to Equality Awards, Local Bar Awards (Award of Merit, Best New Entry, Best Newsletter, Law Day Award of Achievement, Best Website, and President's Cup); and Section Awards (Section of the Year and Awards of Achievement), and the Military Legal Assistance Program Committee Award.

Consent Agenda

President Clark presented the Consent Agenda. There being no objection or request for removal of the item, a motion was made and seconded to approve the following item:

1) Minutes of the 246th Meeting of the Board of Governors

The minutes of the Board of Governors meeting held on March 9, 2013, at the Ritz Carlton Lodge at Lake Oconee in Greensboro, Georgia, as presented.

The Board of Governors, by unanimous voice vote, approved the above item on the Consent Agenda.

General Session

President Clark called to order the General Session of the Annual Meeting of the State Bar of Georgia. Pursuant to Article II, Section 4, of the State Bar Bylaws, at least fifty active members were present at the meeting, thereby constituting a quorum.

Bylaw Amendment, Article III, Section 3, Term of Office

Following a report by Bob McCormack, the Board of Governors, by unanimous voice vote, approved recommending to the Supreme Court of Georgia proposed amendments to Article III, Section 3 as follows:

Article III - Section 3, Term of Office

The term of office of the circuit members, nonresident members, and the appointed members of the Board of Governors shall be two years; the word “year” as used here shall mean the period from the adjournment of an annual meeting until the adjournment of the next annual meeting of the members. Each circuit member, nonresident member, and appointed member shall continue to serve (a) until the term for which the member was elected or appointed has expired, and (b) until a successor has been elected or appointed. Notwithstanding the above, the Board may adopt attendance requirements which condition or terminate the term of a Board member for failure to attend Board meetings.

Board of Governors Meeting

President Clark reconvened the Board of Governors Meeting of the State Bar of Georgia.

Memorials

President Clark presented the Memorials report.

Investigative Panel

Larry I. Smith provided an update on the activities of the Investigative Panel and recognized the current and retiring Panel members.

Review Panel

Tony Askew provided an update on the activities of the Review Panel and recognized the current and retiring Panel members.

Formal Advisory Opinion Board

Jim Ellington provided an update on the activities of the Formal Advisory Opinion Board and recognized the current and retiring Board members.

Office of the Governor

The Honorable Nathan Deal, Governor of the State of Georgia, delivered the Office of Governor address.

State of the Supreme Court of Georgia

The Honorable Carol W. Hunstein, Chief Justice of the Supreme Court of Georgia, delivered the State of the Supreme Court of Georgia address. Following that, she presented a resolution from the Supreme Court of Georgia to the family of the late former Chief Justice, and State Bar Past President, Harold G. Clarke.

State of the Court of Appeals of Georgia

The Honorable John J. Ellington, Chief Judge of the Court of Appeals of Georgia, delivered the State of the Court of Appeals of Georgia address.

State of the U.S. District Court, Southern District

The Honorable Lisa G. Wood, Chief Judge of the United States District Court, Southern District, delivered the State of the United States District Court, Southern District address.

State of the Georgia Law Department

Attorney General Sam Olens delivered the State of the Georgia Law Department.

State of the Georgia Senate Judiciary Committee

Senator Josh McKoon, Chair of the Senate Judiciary Committee, provided an update on the Committee's activities.

State of the Georgia Senate Special Judiciary Committee

Senator Curt Thompson, Chair of the Senate Special Judiciary Committee, provided an update on the Committee's activities.

State of the Georgia House of Representatives Judiciary Committee

Representative Wendell Willard, Chair of the House Judiciary Committee, provided an update on the Committee's activities.

State of the Georgia House of Representatives Judiciary Non-Civil Committee

Due to Representative Rich Golick having to leave early, Representative Ed Lindsey provided an update on the Georgia House of Representatives.

President's Address

Following an introduction by Immediate Past President Ken Shigley, President Clark delivered the President's address.

Adjournment

There being no further business, the meeting was adjourned.

Robert J. Kauffman, Secretary

Approved:

Robin Frazer Clark, President

D-R-A-F-T
STATE BAR OF GEORGIA
BOARD OF GOVERNORS
MINUTES
June 22, 2013
Marriott Hilton Head Resort & Spa/Hilton Head Island, SC

The 248th meeting of the Board of Governors of the State Bar of Georgia was held at the date and location shown above. Charles L. Ruffin, President, presided.

Special Recognition

President Ruffin recognized the Past Presidents of the State Bar, members of the judiciary and other special guests in attendance, and the new Officers and members of the Board of Governors.

Roll Call

Secretary Rita A. Sheffey circulated the attached roll (Exhibit A) for signature.

Future Meetings Schedule

The Board of Governors received a copy of the Future Meetings Schedule.

Consent Agenda

President Ruffin presented the Consent Agenda. There being no objection or request for removal of any of the items, a motion was made and seconded to approve the following items:

1) Approval of President's Appointments to the State Disciplinary Boards

Investigative Panel:

District 8: Donald W. Huskins (2016)

District 9: Ramon Alvarado (2016)

District 10: Larry I. Smith (2016)

At-Large: Dan Reinhardt (2016)

Review Panel:

Northern District: Brad Marsh (2016)

Middle District: Rusty Simpson (2016)

Southern District: Sarah Brown Akins (2016)

Formal Advisory Opinion Board:

Georgia Trial Lawyers Assoc.: Jack Helms, Jr. (2015)

Georgia Defense Lawyers Assoc.: Evelyn Fletcher Davis (2015)

Young Lawyers Division: Christopher R. Abrego (2015)

Atlanta John Marshall Law School: Jeffrey Van Detta (2015)

Mercer University: Patrick Longan (2015)

University of Georgia: Lonnie Brown, Jr. (2015)

At-Large: Edward B. Krugman (2015)

Travis Sakrison (2015)

Jeffrey Schneider (fills unexpired term of Ed Carriere) (2014)

2) Approval of 2013-14 Standing, Special, Program Committees and Boards

Copies were distributed at the meeting.

- 3) Executive Director Election (2013-14)
Cliff Brashier
- 4) Georgia Legal Services Appointments
Appointments of Damon Elmore; Albert Reichart, Jr.; and Jill Pryor for two-year terms (6/13-6/15).
- 5) Chief Justice's Commission on Professionalism Appointment
Reappointment of Jennifer Davis for a three-year term (7/13-6/16).
- 6) 2013-14 State Bar Election Schedule
- 7) Authorization for President to Secure Blanket Bonds for Officers and Staff
As required by Article V, Section 8 of the Bylaws, to authorize the President to secure blanket fidelity bonds for the Bar's Officers and staff handling State Bar funds.
- 8) Designation of Depositories for General Operations of State Bar of Georgia
Pursuant to Article V, Section 6 of the Bylaws, to direct the State Bar and related entities to open appropriate accounts with such banks in Atlanta, Georgia, but excluding any banks that do not participate in the IOLTA Program, and other such depositories as may be recommended by the Finance Committee and designated by the Executive Committee of the Board of Governors of the State Bar of Georgia, said depository currently being Merrill Lynch, and that the persons whose titles are listed below are authorized to sign an agreement to be provided by such banks and customary signature cards, and that the said banks are hereby authorized to pay or otherwise honor any check drafts, or other orders issued from time to time for debit to said accounts when signed by two of the following: Treasurer, Secretary, President, Immediate Past President, President-elect, Executive Director, General Counsel, and Officer Manager provided either the President, Secretary, or Treasurer shall sign all checks or vouchers, and that said accounts can be reconciled from time to time by said persons or their designees. The authority herein given is to remain irrevocable so as said banks are concerned until they are notified in writing, acknowledge receipt thereof.
- 9) Employment of Independent Auditing Firm to Audit Financial Records of State Bar for FY 2012
Pursuant to Article V, Section 6 of the Bylaws, to designate that Cherry Bekaert & Holland be designated as the independent auditing firm to audit the financial records of the State Bar for the fiscal year 2011-2012.
- 10) Executive Committee Minutes
The minutes of the February 21, 2013, and April 26, 2013, Executive Committee Minutes, as presented.

The Board of Governors, by unanimous voice vote, approved all of the above items on the Consent Agenda.

Report of the President

President Ruffin addressed the Board of Governors and presented an overview of his proposed program of activities for the 2013-2014 Bar year (Exhibit B).

Executive Committee Election

The Executive Committee election was held with the following results:

Election 1:

Nominations:

Candidate: John Flanders Kennedy
Nominator: Thomas W. Herman
Seconded: Catherine Koura

Results:

Candidate: Kenneth B. Hodges, III
Nominator: S. Lester Tate, III
Seconded: Hon. Lawton E. Stephens

Elected by majority ballot vote (to fill the unexpired term of Rita A. Sheffey) for a one-year term

Candidate: Eric Alvin Ballinger
Nominator: Martin Enrique Valbuena
Seconded: Lester B. Johnson, III

Election 2:

Nominations:

Candidate: Eric Alvin Ballinger
Nominator: Martin Enrique Valbuena
Seconded: Lester B. Johnson, III

Candidate: David S. Lipscomb
Nominator: N. Harvey Weitz
Seconded: Nancy J. Whaley

Elected by majority ballot vote for a two-year term

Candidate: Brian D. Rogers
Nominator: Stephanie J. Kirijan
Seconded: H. Craig Stafford

Elected by majority ballot vote for a two-year term

Candidate: John Flanders Kennedy
Nominator: Thomas W. Herman
Seconded: Catherine Koura

Candidate: Elizabeth Louise Fite
Nominator: Elena Kaplan
Seconded: R. Chris Phelps

Elected by majority ballot vote for a two-year term

Suicide Prevention Video

Immediate Past President Robin Clark presented the Suicide Prevention and Awareness video. She also announced that several PSA's have been developed in conjunction with this effort to educate Bar members, their families, and business associates how to recognize the symptoms of suicide and where to seek help.

Treasurer's Report and 2013-2014 State Bar Budget with Board Restrictions

Treasurer Bob Kauffman, after recognizing the hard work done last year by former Treasurer Patrise Perkins-Hooker, provided a report on the Bar's finances and investments. Following that, the Board of Governors, by unanimous voice vote, approved the proposed 2013-2014 State Bar Operating and Bar Center Budgets as presented (Exhibit C).

The Board of Governors received a copy of the Revenue and Expenditures, Income Statement YTD, Balance Sheet, and Bar Center Revenue and Expenditures for the ten months ended April 30, 2013.

Rule 4-228, Receiverships

Following a report by Paula Frederick, the Board of Governors, by unanimous voice vote, approved recommending to the Supreme Court of Georgia proposed amendments (Exhibit D) to Rule 4-228, Receiverships. The proposed amendments will be published for members' comments before being forwarded to the Court.

Rule 7.3, Advertising Rule Amendments

Following a report by Paula Frederick, the Board of Governors, by unanimous voice vote, approved recommending to the Supreme Court of Georgia proposed amendments (Exhibit E) to Rule 7.3, Advertising Rules. The proposed amendments will be published for members' comments before being forwarded to the Court.

Next Generation Courts Commission

Following a report by Judge Lawton Stephens, the Board of Governors, by unanimous voice vote, approved the recommendations (Exhibit F) of the Next Generation Courts Commission as outlined in its Executive Summary. The Commission heard from a variety of respondents about issues currently facing the courts, and looked at trends likely to affect the courts in the next ten to fifteen years. The Commission will next develop a long-term strategy and proposed action plan based on the recommendations.

YLD Report

YLD President Darrell Sutton addressed the Board of Governors and presented an overview of his proposed program of activities for the 2013-2014 Bar year. He thanked former YLD President Jon Pannell for all of his accomplishments as President. This year will be characterized by service to the YLD members around the state who have been impacted by the downturn in the economy. He will be taking the YLD on the road to meet with and visit all of the 12 local YLD affiliates around the state. He will be reaching out to the law schools to start a fellows program wherein a 3L from each of Georgia's law schools will be named a fellow and serve on the YLD Executive Council. He will continue to strengthen the Bar's legislative program, and has invited State Bar legislative consultant Jim Collins and grassroots coordinator Zack Johnson to attend each YLD meeting to inform young lawyers about the legislative process and encourage them to run for office. Lastly, he will continue with and seek permanent funding for the YLD Public Interest Internship Program. The Board of Governors also received a written report on the YLD Committees, Programs and Projects.

2014 Legislation Preview

Rusty Sewell provided a recap of the Bar's 2012-13 legislative program and a preview of the 2014 legislative session. President Ruffin recognized the Bar's legislative consultants and thanked them for their work during this year's legislative session: Rusty Sewell, Jim Collins, Meredith Weaver, Roy Robinson, and grass roots coordinator Zach Johnson.

ABA

Paula Frederick announced that the ABA House of Delegates will be meeting in August and that she will be providing Board members with copies of the proposals the Delegates will be considering at that meeting.

Office of General Counsel

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

Fee Arbitration Program

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

Law Practice Management Program

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

Military Legal Assistance Program

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

Professionalism Committee

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

Unlicensed Practice of Law Program

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

Transition into Law Practice Program

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

Real Estate Task Force

The Board of Governors received a written report on the activities of the Real Estate Task Force.

Section Annual Reports

The Board of Governors received written annual reports from the following Sections: Aviation, Business Law, Child Protection and Advocacy, Creditors' Rights, Family Law, General Practice and Trial Law, Individual Rights Law, Intellectual Property Law, Judicial, Local Government Law, Military and Veterans Law, Nonprofit Law, Taxation Law, Technology Law, and Workers' Compensation.

Old Business

There was no old business.

New Business

There was no new business.

Remarks, Questions/Answers, Comments and Suggestions

The President opened up the meeting for questions and comments.

Adjournment

There being no further business, the meeting was adjourned.

Rita A. Sheffey, Secretary

Approved:

Charles L. Ruffin, President

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
Thursday, May 23, 2013
Coastal Georgia Office/Savannah, GA**

Members Present:

Robin Frazer Clark, President; Charles L. Ruffin, President-elect; Patrise M. Perkins-Hooker, Treasurer; Robert J. Kauffman (by phone); Secretary; Kenneth L. Shigley, Immediate Past President; Jonathan B. Pannell, YLD President; Darrell L. Sutton, YLD President-elect; Stephanie J. Kirijan, YLD Immediate Past President; Elizabeth Louise Fite (by phone); Phyllis J. Holmen; David S. Lipscomb (by phone); Patrick T. O'Connor (by phone); Brian D. Rogers; and Rita A. Sheffey.

Staff Participating:

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

Recognition of Outgoing Executive Committee Members

President Robin Frazer Clark recognized outgoing Executive Committee members Immediate Past President Ken Shigley and YLD Immediate Past President Stephanie Kirijan and thanked them for their service and support.

Consent Agenda

President Robin Frazer Clark presented the Consent Agenda. There being no objection or request for removal of any item, a motion was made and seconded to approve all of the following items on the Consent Agenda:

- 1) Previous Executive Committee Minutes of April 26-27, 2013 (As Revised)
- 2) Future Meetings Schedule (Current Version)
- 3) Approval of Members' Requests:
 - a. Resignation Requests (grant):
Linda Maney Thorpe (495805), Susan L. Jones (403579)
 - b. Petition for Disability Requests (grant):
Miguel J. Cortez, Jr. (840179), Todd Cline (170533)

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

Distinguished Service Award

President Clark announced her recipient for this year's Distinguished Service Award and members of the Executive Committee nominated others for future consideration.

2013 Employee of the Year

Paula Frederick announced that Bobbie Kendall has been selected as the 2013 Employee of the Year.

Personnel Committee

Following a report by Paula Frederick and President-elect Buck Ruffin, the Executive Committee, by majority voice vote, with YLD President Stephanie Kirijan abstaining, approved the independent

contractor agreements for Norman Zoller (Military Legal Assistance Program Director) and Marlene Melvin (Law-Related Education Program) as recommended by the Personnel Committee.

Following a report by President Clark on the State Bar adopting domestic partner benefits for State Bar staff, as was recommended by the Personnel Committee, the Executive Committee took the following action:

- 1) By a hand vote of 4 in favor to 9 opposed, defeated a motion to table the issue until the next Executive Committee meeting following the U.S. Supreme Court's rulings on current cases pending before it on same sex issues; and
- 2) After additional discussion, and by majority voice vote, tabled a motion to accept the Personnel Committee's recommendation to expand the definition of dependents in the State Bar's insurance policies to include those that have submitted an affidavit of domestic partnership. At the request of President Clark, she wants the minutes to reflect that she moved in favor of changing the current policy so as to allow domestic partner benefits for State Bar staff and that she also voted against tabling the motion.

2013-2014 State Bar Budget

Following a report by Treasurer Perkins-Hooker, the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors at the 2013 Annual Meeting the proposed 2013-2014 State Bar Budget and 2013-2014 Bar Center Budget (Exhibit A). Please see item 4) below for insurance premium additions.

Paula Frederick and Cliff Brashier provided an overview of the State Bar's Unlicensed Practice of Law (UPL) program. Following that, President-elect Ruffin requested that the UPL program provide an update on its activities at a future Executive Committee, and Pat O'Connor said he would ask the UPL Standing Committee chair to invite President-Elect Ruffin to its meeting on June 13, 2013.

The Executive Committee concurred with Secretary Bob Kauffman's idea of utilizing up to \$25,000 out of the Cornerstones of Freedom 2013-14 budget to help the State Bar's Law-Related Education Program to provide funds for school buses to those schools that are more than 100 miles away, as it has done in the past when it has obtained grant money.

Following a report by Secretary Kauffman, the Executive Committee took the following action on State Bar insurance policies:

- 1) Approved, by majority voice vote, a motion to increase the Professional Liability Policy liability limit from \$1 million to \$2 million, and keep the \$250,000 litigation reserve as is;
- 2) Approved, by unanimous voice vote, a motion to increase the liability limit for the Umbrella policy from \$4 million to \$10 million;
- 3) Approved, by unanimous voice vote, a motion to purchase an endorsement to the State Bar's Automobile Coverage for certain Bar employees who transport Bar leaders/members/volunteers to and from Bar events at an annual premium of \$1500;
- 4) Approved, by unanimous voice vote, a motion to recommend to the Board of Governors that the additional premiums for these insurance policies be included the 2013-14 Proposed State Bar Budget; and

- 5) Recommended that the incoming President appoint an Insurance Committee to further review the State Bar's insurance policies. Members of the Executive Committee who volunteered to serve on that committee included Buck Rogers, Immediate Past President Ken Shigley and Treasurer Patrise Perkins-Hooker.

President-elect Ruffin requested that the Office of General Counsel verify for the Executive Committee the types of insurance, and for whom, that are provided under the State Bar's current insurance policies.

Following a discussion by President Clark, the Executive Committee, by unanimous voice vote, approved amending the State Bar's employee manual to reflect that Bar employees will not conduct Bar business on their cell phones while driving, including 1) no texting in compliance with Georgia state law, and 2) no telephone conversations, including hands free conversations, while driving unless pulled over in a safe parking area. Paula Frederick reported that she will have the Bar's Employee Manual updated to reflect that policy.

Pro-rated Dues/Assessments for New Attorneys

Following a report by YLD President Jon Pannell, the Executive Committee asked the State Bar Membership Department to look into and research the idea of pro-rating dues for new Bar members and report back its findings.

Real Estate Task Force

After President-elect Ruffin recused himself, Treasurer Perkins-Hooker provided an update on the activities of the Real Estate Task Force. Upon a motion and second, the Executive Committee went into Executive Session for further discussion. After which a motion was made and seconded to move out of Executive Session.

Next Generation Courts Commission

Following a report by Judge Lawton Stephens on the Next Generation Courts Commission's study on improving the courts over the next ten to fifteen years and its recommendations outlined in its Executive Summary, the Executive Committee, by unanimous voice vote, approved recommending the Executive Summary (Exhibit B) to the Board of Governors.

Treasurer's Report

Treasurer Perkins-Hooker provided a report on the Bar's finances. The Executive Committee received copies of the Revenues and Expenditures, Income Statement YTD, Balance Sheet, and Bar Center Revenues and Expenditures Executive Summary for the nine months ending March 31, 2013.

Treasurer Perkins-Hooker reported that to date over 1,000 Bar members have included either the \$2 credit for active members or the \$1 credit for inactive members in their dues payment. Thereafter, and in lieu of sending out individual refund checks, the Executive Committee, by majority voice vote, approved giving Bar members who failed to deduct the \$1 or \$2 in their dues payment a corresponding credit on their next year's (2014-15) dues statement. A letter or email will be sent to the affected members to notify them of the overpayment and credit on their 2014-2015 dues statement.

The Executive Committee received a copy of the State Bar's Investment Policy. No changes were recommended.

Committee to Promote Inclusion in the Profession

Following a report by R. Javoyne Hicks White on a request from the Committee to Promote Inclusion in the Profession for \$1500 for its 2013 Equality Awards Reception that will take place in conjunction with the Annual Meeting, the Executive Committee, by unanimous voice vote, approved the request.

Spring Street Viaduct, GDOT Condemnation

Following a motion and second, the Executive Committee discussed this item in Executive Session. Thereafter a motion was made and seconded to move out of Executive Session.

Rule 7.2 Advertising Rule Amendments

Following a report by Paula Frederick on suggested changes to Rule 4-228 Receiverships, and Rule 7.3 Direct Contact With Prospective Clients, the Executive Committee, by unanimous voice vote, approved recommending the changes to the Board of Governors and republishing them for members' comments before refileing them with the Supreme Court of Georgia.

ABA Resolution Sponsorship

Following a report by Paula Frederick on a Resolution and Report that will be submitted to the ABA House of Delegate in August by the ABA International Trade in Legal Services Task Force and the ABA Standing Committee on Professional Discipline on proposed Guidelines for an International Regulatory Information Exchange, the Executive Committee, by unanimous voice vote, agreed that the State Bar of Georgia be listed as a cosponsor.

Following a report by Paula Frederick on revisions to the ABA's Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means as recommended by the ABA Standing Committee on Legal Aid and Indigent Defendants and the ABA Center for Pro Bono, the Executive Committee, by unanimous voice vote, agreed that the State Bar of Georgia be listed as a cosponsor.

Sponsorship Request

Following a report by Paula Frederick, the Executive Committee, by unanimous voice vote, declined a sponsorship request by the Georgia Association of Black Women Attorneys for its 2013 Glitter Gala and Auction on July 20, 2013.

Standing Executive Committee Policy 800

Following a report by Cliff Brashier, the Executive Committee, by unanimous voice vote, approved proposed amendments (Exhibit C) to Standing Executive Committee Policy 800 (Fastcase Policy).

Report: Legislative Representation Committee

Following a report by President Clark, the Executive Committee, by unanimous voice vote, approved the recommendations of the Legislative Representation Committee to 1) retain Rusty Sewell, Jim Collins, Meredith Weaver, and Roy Robinson as the Bar's legislative consultants, and Zach Johnson as the Bar's grassroots coordinator, with a small negotiated COLA increase, for the 2013-14 legislative session, 2) thank Charlie Tanksley for his past service to the State Bar, and 3) study for consideration, perhaps this fall, the hiring of a member of the State Bar of Georgia as the Bar's full-time governmental relations director. The purpose is long-term program continuity, institutional memory, advice for both Bar presidents and the outside lobbyists on Bar policies, and governmental affairs.

President's Report

President Clark reported that the Suicide Prevention video will be ready for presentation at the Annual Meeting.

YLD Report

YLD President Jon Pannell provided a report on the activities of the Young Lawyers Division. The Appellate Admissions Ceremony was held May 9, 2013, where over 180 people were sworn in. He announced that Tyronia Smith, who has been a YLD ABA delegate for several years, was selected as the 2013 ABA Rosner and Rosner Young Lawyers Professionalism Award, and Kimberlee Hillard was selected as the recipient of the 2013 Ethics and Professionalism Award. The Leadership Academy met in conjunction with the 11th Circuit Judicial Conference. He thanked everyone who participated in the Legal Food Frenzy, which had a 38% increase in food donations over last year, which was the inaugural year. He expressed his gratitude to the Executive Committee for its support to him as YLD President and to the Young Lawyers Division.

Office of General Counsel Report

Paula Frederick provided a report on the activities of the Office of General Counsel. She announced that Past President Bryan Cavan has been retained as the Coordinating Special Master.

The Executive Committee received copies of the Supreme Court Order regarding FAO 10-1 and Motion to Amend 2012-1, a Motion for Reconsideration or Clarification filed on behalf of the Georgia Public Defender Standards Council, the Response of the State Bar of Georgia to that motion, and the Reply Response of the Georgia Public Defender Standards Council.

The Executive Committee received a *Daily Report* article about two class action law suits regarding witness only closings.

2013 Law Day Final Report

Rita Sheffey provided a final report on the 2013 Atlanta Law Day program, *Realizing the Dream: Equality for All!* The program is being submitted in the name of the committee to the ABA Law Day Awards for consideration. The Executive Committee received an *Atlanta Journal Constitution* Op-Ed column about the program written by President Clark.

2013-2014 Executive Committee Elections

Cliff Brashier provided a report on the upcoming Executive Committee elections.

Fastcase/State Bar E-Filing Portal

Cliff Brashier reported that there is a proposal in the works to ask Fastcase to provide an e-filing portal. The State Bar would pay a fee to Fastcase to provide the portal. All lawyers who need to e-file in any Georgia court would log into Fastcase through the Bar's website, and then they would be moved to whatever proprietary system exists in the appropriate county and court. Rita Sheffey reported that the Supreme Court's E-filing Committee has not made much progress to date, but will be meeting next Friday.

2013-14 Preview

President Clark handed the meeting over to President-elect Ruffin, and thanked everyone for their support during her year as President. President-elect Ruffin thanked her for a wonderful job and stated that the State Bar was well-served under her leadership. Thereafter, he reported that a lot of what he would like to do this year is continuity and carry on initiatives of former Presidents Lester Tate, Ken Shigley, and outgoing President Robin Clark. Some of those initiatives include the President's Advisory Committee, the SOLACE program, the suicide prevention and awareness initiative, and the legislative affairs program and possible addition of a governmental relations director. He is appointing a committee to plan a 50th anniversary celebration of the State Bar of Georgia in conjunction with the Midyear Meeting. Governor Nathan Deal will be the keynote speaker of that event. Also, in celebration of the 225th anniversary of the

ratification of the U.S. Constitution, he is planning a Constitutional Law Symposium in March. He has a commitment from U.S. Associate Justice Antonin Scalia and a tentative commitment from U.S. Associate Justice Stephen G. Breyer, commitments from two prior U.S. Solicitors General, and he is endeavoring to get David McCullum and Judge Ellis. He hopes to be able to open up the symposium to non-lawyers.

Criminal Justice Reform (Governor Deal)

The Executive Committee received a *Marietta Daily Journal* article about Governor Deal's efforts to continue reforming Georgia's criminal justice system with a focus on helping inmates transition back into society.

Election Results

The Executive Committee received the 2013 Election results.

Juvenile Code Celebration – JustGeorgia

The Executive Committee received information on the reception honoring the stakeholders of the juvenile code rewrite.

Members Insurance Participation Report

The Executive Committee received a Member Benefit Insurance Summary Report from BPC through April 2013.

Chief Justice's Commission on Professionalism

The Executive Committee received the agenda for the May 17, 2013, meeting of the Chief Justice's Commission on Professionalism.

New Chief Justice Thompson Elected

The Executive Committee received a *Daily Report* article on the election of Justice Hugh Thompson as the new Chief Justice effective August 15.

Washington Supreme Court Authorizes Non-Lawyer Limited Law Practice

The Executive Committee received information on the Washington Supreme Court's adoption of a Limited License Legal Technician Tule. The rule authorizes non-attorneys who meet certain educational requirements to advise clients on specific areas of law, which have yet to be determined.

BASICS Graduation

The Executive Committee received information from the BASICS Program on the Metro Transitional Center's May 3, 2013, graduation ceremony.

Old Business

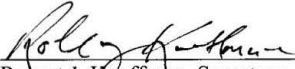
Following a report by Jon Pannell, a motion that Immediate Past Presidents, who have money left over in their expense allowance, may utilize those funds during their Past Past President year for Bar-related activities, was approved, with Immediate Past President Ken Shigley and YLD Immediate Past President Stephanie Kirijan recusing themselves, by unanimous voice vote.

New Business

There was no new business.

Adjournment

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



Robert J. Kauffman, Secretary

Approved:


Robin Frazer Clark, President

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
Wednesday, June 26, 2013
Conference Call**

Members Present:

Charles L. Ruffin, President; Patrise M. Perkins-Hooker, President-elect; Robert J. Kauffman, Treasurer; Robin Frazer Clark, Immediate Past President; Darrell L. Sutton, YLD President; V. Sharon Edenfield, YLD President-elect; Elizabeth Louise Fite; Kenneth B. Hodges, III; David S. Lipscomb; Patrick T. O'Connor; and Brian D. Rogers.

Members Absent:

Rita A. Sheffey, Secretary; Jonathan B. Pannell, YLD Immediate Past President; and Phyllis J. Holmen.

Staff Participating:

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

Executive Session

Upon a motion and second, the Executive Committee met in Executive Session to discuss a matter that might involve litigation.

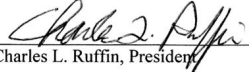
Adjournment

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



Rita A. Sheffey, Secretary

Approved:



Charles L. Ruffin, President

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
Tuesday, July 2, 2013
Electronic Meeting**

Members Present:

Charles L. Ruffin, President; Patrise M. Perkins-Hooker, President-elect; Robert J. Kauffman, Treasurer; Rita A. Sheffey, Secretary; Darrell L. Sutton, YLD President; V. Sharon Edenfield, YLD President-elect; Jonathan B. Pannell, YLD Immediate Past President; Elizabeth Louise Fite; Kenneth B. Hodges, III; Phyllis Holmen; David S. Lipscomb; Patrick T. O'Connor; and Brian D. Rogers.

Members Absent:

Robin Frazer Clark, Immediate Past President.

Staff Participating:

Cliff Brashier, Executive Director; Paula Frederick, General Counsel; and Bob McCormack, Deputy General Counsel.

Executive Session

The Executive Committee met in Executive Session, and by electronic vote, unanimously approved a settlement of the condemnation action by the Georgia Department of Transportation in its project to rebuild the Spring Street viaduct.


Adjournment

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



Rita A. Sheffey, Secretary

Approved:



Charles L. Ruffin, President

Future Meetings Schedule

(10/10/2013)



Executive Committee

November 15, 2013	Macon, GA
December 19, 2013	Atlanta
Feb. 21-23, 2014	Supreme Court Retreat, Lodge at Sea Island, St. Simons Island, GA
April 10, 2014	Thomasville, GA
May 15, 2014	Atlanta

Board of Governors

Fall 2013	Oct. 31-Nov. 3, 2013	Jekyll Island Club Hotel, Jekyll Island, GA
Midyear 2014	January 9-11, 2014	InterContinental Buckhead, Atlanta, GA
Spring 2014	March 20-23, 2014	Ritz Carlton, Reynolds Plantation, Greensboro, GA
Annual 2014	June 5-8, 2014	Omni Amelia Island, Amelia Island, FL

Young Lawyers Division

Midyear 2014	January 9-11, 2014	InterContinental Buckhead, Atlanta, GA
Spring 2014	May 15-18, 2014	Ballantyne Hotel & Lodge, Charlotte, NC
Annual 2014	June 5-8, 2014	Omni Amelia Island, Amelia Island, FL

American Bar Association Meetings

Midyear 2014	February 5-11, 2014	Chicago, IL
Annual 2014	August 7-12, 2014	Boston, MA
Midyear 2015	February 4-10, 2015	Houston, TX
Annual 2015	July 30 – Aug. 5, 2015	Chicago, IL
Midyear 2016	February 3-9, 2016	San Diego, CA
Annual 2016	August 4-9, 2016	San Francisco, CA

Southern Conference Meetings

2013	October 17-20, 2013	Oklahoma City, OK
2014		Virgin Islands
2015		Missouri
2016		Tennessee
2017		Georgia

ADVISORY COMMITTEE ON LEGISLATION

2013-2014

MINUTES OF MEETING NO. 1

September 27, 2013

State Bar Headquarters, Atlanta Georgia

The first meeting of the 2013-2014 State Bar of Georgia Advisory Committee on Legislation (“ACL”) was held on September 27, 2013, at the State Bar of Georgia Headquarters in Atlanta, Ga.

ATTENDANCE

The following members and liaisons were present: Dan Snipes (Chair), Dawn Jones (Vice Chair), Eric Ballinger, Diane Bessen, Thomas Burnside, Bill Clark, Steven Gottlieb, Adele Grubbs, Seth Harp, Lawton Heard, Donna Hix, Phyllis Holmen, Amy Howell, Curtis Jenkins, Jon Pannell, Buck Ruffin, Dennis Sanders, Stephen Schuster, Frank Strickland, John Taylor, and Nancy Whaley.

The following members participated via conference call: Louisa Abbot, Joe Dent, Render Heard, Pat O'Connor, Jason Shepherd, Lawton Stephens, Carl Varnedoe, and Wendell Willard.

Others present included: Patrise Perkins-Hooker, Michael Cuccaro, Marla Moore, Tracy Mason, Zach Johnson, Jim Collins, Anne Lewis, Brian Kammer, Meredith Weaver, Phyllis Holmen, Javoyné Hicks White, Perry McGuire, Jeremy Liebman, Bob Bray, Debra Nesbit, Paula Frederick, Bob McCormack, Wanda Segars, Rusty Sewell, and Roy Robinson.

CALL TO ORDER

Chair Dan Snipes called the meeting to order. Persons attending the meeting, including those participating by phone, introduced themselves.

APPROVAL OF MINUTES

The minutes of the winter 2012 meeting were approved.

E-DISCOVERY LEGISLATION

Rep. Wendell Willard, sponsor of HB 643, the e-discovery legislation, discussed the progress of the bill and said that a committee is working on it this fall and he hopes to have it back before the ACL at its December 5 meeting.

SALARY INCREASE FOR SUPERIOR COURT JUDGES

Judge Louisa Abbot, this year’s president of the Council of Superior Court Judges, and Rusty Sewell led the discussion on salary increases for the superior court judges. Rusty handed out a sheet of “talking points” that included a comparison of judicial and other legal salaries, cost of living adjustments, and information on the Judicial Operations Fund. It was mentioned that a better time, politically, for a major push on increasing salaries would be in 2015 when it was not an

election year. It also gives more time for the state's finances to improve and it is better to ask for an increase when the Governor isn't asking for departments to cut budgets. It was revealed that Governor Deal has indicated he may be more receptive than other recent administrations to support the increase. It was noted that now is a good time to start the ball rolling, and Bar President Buck Ruffin suggested that he could appoint a committee of Bar members and judges to work on making the case for increases in judicial salaries.

KELLER REVIEW

Paula Frederick, General Counsel for the State Bar, presented a review of Keller and the legislative process at the State Bar.

LEGISLATIVE MATTERS

The ACL reviewed the following proposals. All proposals approved by the ACL will be considered by the Board of Governors at its meeting on November 2.

- 1. Amendment to the Ga. Multi-Level Distribution Law.** Jeremy Liebman and Perry McGuire presented this proposal for the Franchise and Distribution Law Section. The legislation would allow franchisers that comply with the federal law regulating franchisers to be exempt from the state MLD law. There were several questions on the suggested changes to current law and how it related to federal law. The ACL voted to table this proposal and the Section will provide more information at the next ACL meeting which is scheduled for December 5.
- 2. Funding Request for Victims of Domestic Violence.** Javoyné Hicks White presented for the Committee to Promote Inclusion in the Profession. This funding is used to provide legal services for victims of domestic violence. Javoyné noted that the need has increased as funding has decreased, and their goal is to reach all areas of the state through Ga. Legal Services, Atlanta Legal Aid, and local shelters. They are requesting \$2.5M in the state's FY 2015 budget. This proposal passed on germaneness and the ACL recommended that the Bar support adequate funding as included in the judicial budget.
- 3. Funding Request for the Ga. Appellate Resource Center.** Brian Kammer presented for the Ga. Resource Center, which provides post-conviction legal services in death penalty cases. They are currently budgeted \$800,000 in the state's FY '14 budget, and they are asking for the Bar's support for this continuation appropriation. This proposal passed on germaneness and the ACL recommended that the Bar support the funding for the Resource Center as requested in the judicial budget.

ADMINISTRATIVE ITEMS

Rusty Sewell reported on carry-over bills from the 2013 session. He noted that HB 685, the Uniform Deployed Parents Custody and Visitation Act, had some technical issues that were being resolved and that there is no opposition to the bill. He informed the ACL that the Fiduciary and Family Law Sections were working out their differences on HB 654 re: testamentary guardians and that it should be ready to move next session. SB 159, which would change the uniform rule against perpetuities, is being reviewed by the Fiduciary Law Section and will not be pushed this year. He

noted that three bills the Bar's Executive Committee voted to oppose, SB 210 ("legal zoom"), SB 202 (mandated arbitration for nursing home residents), and SB 141 (patient injury act), were still in their initial assigned committees and he is hopeful they will remain in committee next session.

Rusty Sewell also reviewed the grassroots program. Zach Johnson noted that we had 17 local bar functions scheduled where we were inviting legislators to meet with local lawyers.

REVIEW OF JUDICIAL COUNCIL ISSUES

Marla Moore reviewed the legislative issues that have been supported by the Judicial Council and she referenced the handout that had been e-mailed to the ACL with their meeting materials. She also discussed some of the funding issues such as \$200,000 in the FY 2015 budget for a statewide e-filing project and two new judgeships.

CLOSING

With no further business before the committee, the meeting was adjourned.



September 2, 2013

Mr. Rusty Sewell
c/o State Bar of Georgia
Advisory Committee on Legislation
104 Marietta Street NE, Suite 100
Atlanta, GA 30303

Re: Legislative Proposal for Domestic Violence Funding for the 2015 Fiscal Year

Dear Mr. Sewell:

I write on behalf of The Committee to Promote Inclusion in the Profession (PIP) to request the State Bar of Georgia's endorsement of legislation that would provide an appropriation for civil legal services to low-income victims of domestic violence. Each year the PIP Committee seeks the endorsement of the State Bar of Georgia for this legislation, which provides for an appropriation to non-profit organizations that provide civil legal services to low-income Georgians. It is our Committee's understanding that for the State Bar of Georgia to endorse this legislation for the upcoming fiscal year, the proposal must be renewed before the Advisory Committee on Legislation. As a result, our Committee wishes to again propose an appropriation of \$2,500,000.00 for the 2015 fiscal year. In addition, it is our understanding that the Judicial Council is also making this specific dollar request in their budget and we ask that the State Bar Advisory Committee on Legislation support the same. Understanding the state's budget restraints is the only reason that we do not request more funding at this time, however, the need in this area dictates that we do not request less.

In 1998, the General Assembly appropriated \$2 million as part of the Georgia Supreme Court Chief Justice's budget. The funds were appropriated for use in providing civil legal services to low-income victims of domestic violence. That year, the General Assembly recognized the importance of providing legal services to victims of domestic violence, and has provided funding to do so every year since. However, over the years that support has been dwindling while the need has been increasing. Last year's appropriation was \$1,727,489 which is a 20% reduction from FY 2004. In 2007 the statistics showed that because of the domestic violence crisis in our state there are up to 90% of our most vulnerable citizens that are not able to hire lawyers to represent them according to a statement by Chief Justice Leah Ward Sears in a 2007 State of the Judiciary Address. This funding helps to provide that assistance that would otherwise go unmet. For the 2014 fiscal year, the General Assembly renewed its commitment to stopping domestic violence, but it is not enough. The Judicial Council is committing to this level and the Bar should stand with them.

HEADQUARTERS

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Letter to R. Sewell
Page 2

The Committee to Promote Inclusion in the Profession is aware of no opposition to this proposal for the appropriation of \$2,500,000.00 for the 2015 fiscal year. It is our Committee's understanding that we do not need to submit the specific language for the legislation at this time because this is a budget item. Furthermore, this proposal satisfies the *Keller* criteria because it is within the scope and purposes of the State Bar of Georgia to advance the administration of justice. It also is consistent with past actions by the Board of Governors in support of access to legal services by the poor. If you have any questions regarding this matter, please contact me at 404.562.8325.

Thank you for your consideration of our request.

Very truly yours,

R. Javoyne Hicks White

R. Javoyne Hicks White, Chair
Committee to Promote Inclusion in the Profession

RJHW/sb

cc: Mr. Daniel Brent Snipes, Chair, ACL
Ms. Cynthia Hinrichs Clanton
Ms. Wanda Segars
Ms. Michelle Arrington
Ms. Allegra Lawrence-Hardy

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LEGISLATIVE PROPOSAL
TO THE BOARD OF GOVERNORS
STATE BAR OF GEORGIA

September 2013

This Proposal is submitted by the Board of Directors (“Board”) of the Georgia Appellate Practice and Educational Resource Center, Inc. (“Resource Center”). The Proposal seeks continued State Bar support for adequate state funding for the Resource Center, specifically that continuation funding of eight hundred thousand dollars (\$800,000) be included in the budget of the Judicial Council for the next session of the General Assembly. Given the history of budget cuts sustained by the Resource Center and the overall budget challenges the General Assembly will face at the next session, State Bar support for the Resource Center is particularly critical at this time.

I. HISTORICAL BACKGROUND

In 1985, the State Bar of Georgia created the Special Committee to Review the Georgia Attorney Role in Post-Conviction Proceedings (“Special Committee”) to address the lack of competent counsel for indigent, death-sentenced inmates in post-conviction proceedings. The Special Committee documented the need for counsel in such proceedings and assessed the impact of this situation on the quality and administration of justice in state and federal courts. The Special Committee proposed a multi-faceted solution involving the State Bar, the state law schools, the federal courts, and the Supreme Court of Georgia and the creation of the Georgia Resource Center. The Special Committee’s report and recommendation were unanimously adopted by the State Bar Board of Governors in January 1986. The State Bar of Georgia was

one of the three recipients in the United States of the 1988 Harrison Tweed Award from the American Bar Association for the Special Committee's work on this project.

The Resource Center was established in 1988 as a 501(3)(c) non-profit corporation. It is governed by a Board of Directors of one (1) non-attorney and thirteen (13) attorneys from throughout Georgia who are appointed by the Supreme Court of Georgia and the State Bar of Georgia. The Resource Center staff is currently comprised of the Executive Director, one (1) Senior Litigator, four (4) full-time Staff Attorneys, two (2) full-time Investigators, two (2) part-time Investigators, and an Office Manager, who all earn salaries far below that which they could earn in the public and private sectors. The Resource Center's office space is spartan and its cases are litigated on a shoe-string budget.

Georgia is the only state which does not appoint or compensate counsel in state habeas corpus proceedings.¹ This poses an especially acute problem in capital cases where post-conviction review has been recognized to be a critical stage in the death penalty appellate process.² The Resource Center is mandated to oversee *all* capital post-conviction cases in Georgia, either through direct representation or through support of pro bono counsel.³ Its staff provides representation for Georgia's indigent death sentenced prisoners in habeas corpus

¹ See *Gibson v. Turpin*, 270 Ga. 855 (1999). By the slimmest of margins, the Supreme Court of Georgia held that death sentenced inmates had no constitutional right to counsel in state habeas corpus proceedings. The court did note however that a statute providing for state-funded counsel might be a good policy but that absent legislative enactment of such a provision, state-funded counsel was not constitutionally compelled

² See, e.g., *Murray v. Giarratano*, 492 U.S. 1, 24, 26 (1989).

³ This means the Resource Center is responsible for overseeing nearly 100 cases from over 40 different counties across the state.

proceedings either as sole counsel or co-counsel with volunteer law firms from across the country. Capital habeas corpus proceedings are among the most complex in the legal field and require intensive investigation and litigation by experienced attorneys and investigators.

The Resource Center is the most efficient and cost-effective means of moving capital cases to final adjudication⁴ and is a necessary safeguard against wrongful execution.⁵ By providing representation at this stage, moreover, the Resource Center allows Georgia's capital punishment system to function expeditiously (in particular by streamlining federal habeas review) in bringing these cases to final resolution.

The work of the Georgia Resource Center has not gone unnoticed. The Resource Center's efforts on behalf of its clients caused it to be awarded the 2012 Indigent Defense Award by the Georgia Association of Criminal Defense Lawyers. In addition, the Resource Center received the 2013 Legal Legends Award by the American Constitution Society in recognition of its integral role in protecting the rights of indigent death-sentenced prisoners and ensuring fairness in the administration of capital punishment in Georgia. Most recently, the Resource

⁴ A performance audit requested by the Georgia Senate Appropriations Committee and conducted by the Department of Audits in 2005 found that Resource Center attorneys handled more cases and expended less money per case than similar organizations providing post-conviction representation to death sentenced prisoners in other states.

⁵ Since 1996, 29 death penalty cases have resulted in affirmed post-conviction reversals: 17 prisoners have already had life sentences imposed, 2 died of natural causes, 2 have been resentenced to death and the others are still pending. During that same period, 33 death sentences have been carried out. The significance of this rate of error is obvious: proving that the system can be fundamentally fair only if there is a Resource Center to provide checks and balances to the system in state habeas review.

Center was honored with the Deirdre O'Brien Award for Outstanding Advocacy on Behalf of Persons with Intellectual Disabilities from the ARC of Georgia.

For the past twenty-five (25) years, the State Bar of Georgia has actively supported the Resource Center's legislative proposal. The formal and active support for this legislative proposal by the State Bar is crucial to obtain continued funding from the State, so that the important work of the Resource Center can continue.

II. SPECIFIC LEGISLATION

No specific legislation is pending, but the Resource Center funding request will be included in the appropriations bill of the Georgia General Assembly.

The Georgia Resource Center respectfully requests support for a continuation of baseline funding of \$800,000, which the General Assembly awarded the Resource Center in FY 2013 and FY 2014.

The history of state funding for the Resource Center is as follows: Beginning in FY 2002 through FY 2008, the Resource Center's baseline funding from the General Assembly was \$800,000. Because state funding was stagnant for those seven years, despite ever increasing costs, the Resource Center sought, and was awarded, grants from the Georgia Bar Foundation in FY 2006-2009. In response to the increased funding from the Georgia Bar Foundation, the General Assembly cut the Resource Center's grant to \$580,000 for FY 2009.

When the economic downturn devastated the Georgia Bar Foundation's revenues, its support of the Resource Center was drastically reduced in FY 2010 and FY 2011. Since FY 2012, the Foundation has not provided any financial support to the Resource Center due to

financial restraints.⁶ For FY 2012, despite the lack of any support from the Bar Foundation, the General Assembly reduced funding of the Resource Center to \$565,500. As noted above, in FY 2013 and FY 2014, the General Assembly returned funding to its FY 2002-2008 level of \$800,000.

As a founding partner of the Georgia Resource Center, the Georgia Bar has strongly supported the Resource Center's work since its inception in 1988, recently providing direct financial assistance. While the continuation of this financial support is uncertain, the FY 2015 budget cautiously projects continued support of \$109,000 from the State Bar of Georgia. The budget reflects revenue of \$325,000 in federal court compensation for work representing Georgia state prisoners in federal capital habeas cases in FY 2015.⁷ In addition, the budget projects charitable donations of \$20,000 for FY 2015. The Resource Center's total budget for FY 2015 is \$1,254,000.

Without continuation of baseline funding of \$800,000, the Resource Center will be forced to lay off legal staff. This core funding will allow the Resource Center to maintain the minimum staff necessary to fulfill its mandate to provide adequate legal services to Georgia's indigent death-sentenced clients and take on additional cases that will enter the system in FY 2014 and

⁶ Elimination of funding for the Resource Center from the Georgia Bar Foundation was due to a catastrophic reduction in IOLTA funds disbursed from the Foundation. As a result, funding was eliminated or drastically reduced for all programs formerly supported by the Foundation.

⁷ Federal court compensation is received in periodic amounts that vary substantially according to the number of federal habeas cases which are approaching resolution at any given time, and the time it takes the courts to fulfill payment vouchers. This budgeted figure is a revenue projection as federal billing is wholly dependent on the progression of cases through the federal courts.

FY 2015. The effectiveness, efficiency and credibility of Georgia's death penalty system depend on an adequately-staffed and sufficiently-funded Resource Center. Accordingly, the Georgia Resource Center urgently requests that the State Bar of Georgia support a continuation of baseline funding of \$800,000.

Endorsement of this proposal is consistent with the purposes of the State Bar of Georgia. Members of the bar are uniquely qualified to analyze the technical and public policy issues inherent in this proposal and can fulfill a duty of public service by examining these issues and making a statement to the General Assembly. Endorsement of these proposals will also improve the administration of justice in appellate and post-conviction capital proceedings in Georgia.

III. SUMMARY OF EXISTING LAW

We do not believe there is any existing law applicable to this proposal.

IV. PROPONENTS OR OPPONENTS

The State Bar of Georgia has supported full funding for the Resource Center since its inception in 1986. The Georgia Supreme Court has also supported funding for the Resource Center, as has the Board of Governors and the Judicial Council of Georgia.

There are no known opponents of this proposal.

V. OTHER COMMITTEES AND SECTIONS

A copy of this proposal will be sent to the following other committees or sections which may have an interest in the legislation: the Advisory Committee on Legislation; the Special Committee on Post-Conviction Capital Representation; the Criminal Law Section; and the

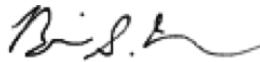
Individual Rights Section of the State Bar. These committees and sections have previously supported funding for the Resource Center.

VI. CONCLUSION

For the above-stated reasons, the Board of Directors of the Georgia Resource Center petitions the State Bar of Georgia for endorsement of continuation funding of \$800,000 for the Resource Center and that such funding be placed in the budget of the Judicial Council for the next session of the General Assembly.

Submitted: September 1, 2013.

Respectfully submitted,



Brian S. Kammer
Executive Director
Georgia Resource Center
303 Elizabeth Street NE
Atlanta, Georgia 30307
(404) 222-9202
brian.kammer@garesource.org

Robert B. Remar
Chair/President of the Board of Directors
Rogers & Hardin
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From the President: Nominations for the Citizens' Advisory Council

Dear Fellow Board Members,

You are invited and encouraged to submit nominations for the 2013-14 class of the Citizens' Advisory Council of the State Bar of Georgia. Thirty individuals from outside the legal profession will be inducted into the Council during the State Bar's Midyear Meeting in January.

The Citizens' Advisory Council is a volunteer coalition of non-lawyers who are business leaders and community leaders from around the state. Its members are nominated by the Board of Governors, and final selections are made by the Citizens' Advisory Council Committee, comprised of the eight most recent past State Bar presidents and myself. Lester Tate, the president under whose leadership the Council was founded in 2010-11, is serving as the committee chair.

The Council was established as a means of increasing statewide public awareness of issues in the judicial branch of government and soliciting feedback from a broad spectrum of community leaders and citizens from outside the legal profession. Our objective is to maintain an ongoing dialogue with our fellow Georgians in order to enhance the public's understanding of the work of our courts and to garner valuable insight from leaders in the business community and citizens from all walks of life.

Proposed activities for the 2013-14 inductees – along with 29 alumni members from the inaugural 2010-11 class – include:

- An orientation meeting and appreciation reception during the Bar's Midyear Meeting
- Tour of the Bar Center and general overview of the State Bar
- Government affairs overview and briefing
- Presentations on the Bar's Grassroots Legislative Program, Suicide Prevention Program, Military Legal Assistance Program, Law-Related Education and other programs
- Presentations by Supreme Court members, General Assembly members, Law School deans and Bar leaders
- Invitation to attend the March 2014 Constitution Symposium

To nominate potential Council members to represent your judicial circuit, simply send your nominee's information to Zach Johnson at zachj@gabar.org:

- Name
 - City
 - Employer
-

- Occupation
- E-mail

The deadline for nominations is the Fall Meeting of the Board of Governors, November 1-2, 2013, at Jekyll Island. Your participation in the nominating process is critical to the success of the Citizens' Advisory Council program in achieving its goals, which will strengthen the justice system in our state for years to come.

We look forward to your prompt response.

Sincerely,
Charles L. Ruffin
President, State Bar of Georgia
cruffin@bakerdonelson.com



State Bar of Georgia

104 Marietta St. NW, Suite 100, Atlanta, GA 30303-2743
Phone - 404-527-8700 Fax - 404-527-8717
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BAR ASSOC	DATE	TIME	LOCATION	SENATOR INVITED	REPRESENTATIVE INVITED
VALDOSTA BAR ASSOC	21-Nov	12:00PM	HOLIDAY INN, HWY 84 VALDOSTA GA	GOLDEN	BLACK, CARTER, SHARPER, SHAW
SAVANNAH/ CHATHAM BAR	7-Nov	12:00 PM	SAVANNAH COUNTY CLUB	B. CARTER, JACKSON	GORDON, HITCHENS, R. STEPHENS, M. STEPHENS, WATSON, BRYANT
BULLOCH CO BAR ASSOC	8-Nov	12:00 PM	HOLIDAY INN, STATEBORO GA	J. HILL	BURNS, TANKERSLY, PARRISH
AUGUSTA/ TOOMBS CO JOINT EVENT	12-Nov	12:00 PM	THE PINNACLE CLUB, AUGUSTA GA	JACKSON, DAVIS, STONE	CHANNEL, FRAZIER, HOWARD, SIMMS, E. SMITH
GLYNN CO/ BRUNSWICK BAR	13-Nov	12:00 PM	BRUNSWICK COUNTY CLUB	LIGON	CHAPMAN, ATWOOD
ENOTAH CIRCUIT BAR ASSOC	5-Nov	12:00 PM	SMITH HOUSE, DAHLONEGA GA	WILKINSON, GOOCH	ROGERS, HAWKINS, ALLISON, TANNER
MACON/BIBB BAR ASSOC	15-Nov	12:00 PM	ARMORY BALLROOM	STATON, JONES	PEAKE, RANDALL, EPPS, BEVERLY, HOLMES
OCONEE CIRCUIT BAR ASSOC	6-Dec	12:00 PM	EASTMAN, GA COURT HOUSE	WILLIAMS, CROSBY, TOLLESON	HARDIN, PRUETT, MORRIS, EPPS
ALPHA CIRCUIT BAR ASSOC	12-Dec	6:00 PM	LIFE OF THE SOUTH LODGE, NASHVILLE GA	HARPER, GOLDEN	BLACK, HOUSTON, SHAW
LOOKOUT MOUNTAIN BAR	DEC	TBD	TBD	HUFSTETLER, MULLIS	DEFFENBAUGH, NEAL, WELDON, LUMSDEN
HOUSTON CO BAR	3-Dec	12:00 PM	COURTYARD MARRIOTT, W. ROBINS GA	TOLLESON, STATON	TALTON, O'NEIL, HARDEN, DICKET, EPPS
JESUP BAR ASSOC	10-Dec	5:30 PM	CTBIL'S, JESUP GA	WILLIAMS	NIMMER, DUTTON
DUBLIN/ LAURENS CO BAR ASSOC	5-Dec	6:00 PM	CLUB 604, DUBLIN GA	TOLLESON	EPPS, PRUETT, HATCHETT
SW JUDICIAL CIRCUIT BAR ASSOC	1-Nov	12:00 PM	OLD CARNEGIE BUILDING, AMERICUS,GA	CROSBY, SIMMS, HARBINSON	BENTLEY, CHECKAKS, GREENE, RYNDERS

(SW: ALBANY, PATAUALA, MOULTRE)

ANNUAL REPORT ON THE LEGISLATIVE ACTIVITIES OF THE STATE BAR OF GEORGIA FOR 2013

INTRODUCTION

The 2013 Georgia General Assembly adjourned *sine die* on March 28. This was a productive session for the State Bar of Georgia that demonstrated the effectiveness of the Bar's new lobbying team approach. Most notable was the reform of the Georgia Juvenile Code which was initiated by the Bar's Young Lawyer Division several years ago. The YLD's efforts came to fruition with the passage of HB 242 which Governor Deal signed on May 2. This legislation will lock up fewer juvenile offenders because those committing minor offenses will be sent to community-based social services programs rather than going into the criminal justice system. These programs should reduce recidivism and save the state tens of millions of dollars in incarceration costs.

As always, the success of the State Bar's legislative agenda was dependent on the support and advocacy of numerous members of the General Assembly. In the House, legislators leading this effort were Speaker David Ralston (R-Blue Ridge), House Minority Leader Stacey Abrams (D-Atlanta), Majority Whip Ed Lindsey (R-Atlanta), Majority Leader Larry O'Neal, and the three Judiciary Chairs, Wendell Willard (R-Sandy Springs), Rich Golick (R-Smyrna) and Tom Weldon (R-Ringgold). Other Representatives who displayed notable understanding of and leadership in budget and policy issues include Chairman Mike Jacobs (R-Atlanta), Appropriations Chairman Terry England (R-Auburn), Appropriations Vice Chairman Jay Powell (R-Camilla), Rep. Alex Atwood (R-Brunswick), Rep. Mary Margaret Oliver (D-Decatur), and freshman Rep. Regina Quick (R-Athens).

The three Senate Judiciary Chairs played a vital role in promoting the State Bar agenda: Senators Josh McKoon (R-Columbus), Jesse Stone (R-Waynesboro) and Curt Thompson (D-Tucker). Senate leaders who worked closely with the State Bar on legislative and funding issues include Lt. Governor Casey Cagle (R), President Pro Tem David Shafer (R-Duluth), Majority Leader Ronnie Chance (R-Tyrone), Minority Leader Steve Henson (D-Tucker), Chairman Bill Cowser (R-Athens), Chairman John Crosby (R-Tifton), Appropriations Chairman Jack Hill (R-Reidsville), Chairman Ron Ramsey (D-Decatur), Sen. Jason Carter (D-Decatur) and Sen. William Ligon (R-Brunswick).

We are grateful to these members and the numerous others that supported the legal profession in the 2013 General Assembly.

2013 BOARD OF GOVERNORS AGENDA

The following State Bar agenda bills passed during the 2013 General Assembly:

HB 160 - This proposal by the Real Property Section, sponsored by Rep. Mike Jacobs and Sen. Jesse Stone, would prohibit most transfer fee covenants on property. The bill was reviewed and favorably reported by both the House and Senate Judiciary Committees; it passed the House on

Feb. 20 and the Senate on March 28. HB 160 was amended in the Senate to include language prohibiting the assignment of legal malpractice claims in response to the Georgia Supreme Court ruling in Villanueva v. First American Title that malpractice claims are assignable. The House agreed to the Senate amendment and the bill was signed by Governor Deal on May 6. (Rep. Chad Nimmer's HB 359, while not a Bar bill, was also amended in the Senate to include this language prohibiting legal malpractice assignment; it passed the Senate on March 22, was agreed to by the House on March 26, and signed by the Governor on May 6.)

HB 161 - This proposal was brought by the Bench and Bar Committee to update the language used in the Oath for Bailiffs. Sponsored by Rep. Alex Atwood in the House and Sen. William Ligon in the Senate, this bill passed the House on Feb. 22 and the Senate on March 25. It was signed by Governor Deal on May 6.

HB 242 and HB 349 - These two bills are the result of recommendations of Governor Deal's Special Council on Criminal Justice Reform. HB 242, sponsored by Rep. Wendell Willard and Sen. Charlie Bethel, completely rewrites the juvenile code. The juvenile code revision has been worked on and supported by the Bar's Young Lawyer Division for many years. HB 349, sponsored by Rep. Rich Golick and Sen. Charlie Bethel, deals with additional changes in the adult criminal justice system, which had originally been addressed in the 2012 legislature. The Governor signed HB 242 on May 2 and HB 349 on April 25.

SB 185 - This proposal by the Business Law Section updates Uniform Commerce Code (UCC) Article 9, which was last revised in 2001. SB 185 was sponsored by Sen. Jesse Stone and Rep. Mike Jacobs. It passed the Senate on March 5 and the House on March 22; it was signed by the Governor on May 6.

SB 193 - The Family Law Section proposed these changes in the Uniform Interstate Family Support Act (UIFSA) to bring the statute into conformance with the 2008 amendments to the uniform law. Sponsored by Sen. Bill Cowsert and Rep. Regina Quick, SB 193 passed the Senate on March 4 and the House on March 14. The bill received final passage when the Senate agreed to changes made in the House on March 28; the bill was signed by the Governor on May 6.

SB 204 - The Appellate Practice Section proposed this bill to adjust the appellate procedures regarding orders in child custody cases. SB 204 was sponsored by Sen. Bill Cowsert and Rep. Matt Ramsey. It passed the Senate on March 5 and passed the House on March 22; it was signed by the Governor on May 6.

Ga. Appellate Resource Center Funding Request: The Resource Center maintained its \$800,000 funding request in the final FY'14 budget that was passed by the House and Senate. The State Bar supports adequate funding for the Resource Center.

Victims of Domestic Violence Funding: While funding for legal services for victims of domestic violence was continued in the FY '14 budget, due to budget cuts the Judicial Council reduced the appropriation amount by about \$26,000 (1.5%) to about \$1.73M. The Bar supports adequate funding for these legal services.

The following State Bar agenda bills were introduced in the 2013 Session and will be worked on during the interim and considered in the 2014 Session:

HB 654 - This proposal requested by the Family Law Section relates to the ability to contest and remove a testamentary guardian of a minor which was designated in a will. This bill, sponsored by Rep. Mary Margaret Oliver, was introduced on March 22 and assigned to the House Judiciary Committee.

HB 685 - The Military and Veterans Law Section requested this bill that would update the Uniform Deployed Parents Custody and Visitation Act that was passed two years ago to make it consistent with the uniform law. The bill, sponsored by Rep. Edward Lindsey, was introduced and assigned to the House Judiciary Committee on March 28.

SB 159 - The Fiduciary Section proposed this bill dealing with the Uniform Statutory Rule against Perpetuities. This bill, sponsored by Sen. William Ligon, would modify the current rule to change the vesting period from 90 years to 360 years, making Georgia more consistent with surrounding states. It was introduced on Feb. 13 and assigned to the Senate Judiciary Committee.

ADDITIONAL LEGISLATION

Following is additional legislation on which the State Bar took a position during the 2013 session. None of these bills passed this session, however they will carry over to next year's session.

SB 141 - This bill by Sen. Brandon Beach, entitled the "Patient Injury Act," would create an alternative to medical malpractice litigation by creating a Patient Compensation System and a Patient Compensation Board. This bill had its first reading in the Senate and was assigned to the Health and Human Services Committee on Feb. 11. While the committee did have a hearing on SB 141, it did not vote on the bill. It remains in this committee and could be acted on during the 2014 session. The State Bar voted to oppose this bill.

SB 202 - This bill, sponsored by Sen. Renee Unterman, deals with settling disputes between nursing homes and residents (or their guardians) through binding arbitration rather than through the courts. On Feb. 25, the bill was read and assigned to the Senate Health and Human Services Committee. The H&HS Committee held a hearing on SB 202 but did not vote on the bill which could be acted on during the 2014 session. The State Bar voted to oppose this bill.

SB 209 - This bill by Sen. John Wilkinson deals with self-help documents, information, forms, etc. The Executive Committee voted to oppose the legislation on the basis that it could be construed to authorize the practice of law by companies publishing the forms. It is currently in the House Agriculture and Consumer Affairs Committee and can be acted on during the 2014 session.

INTERNAL/ADMINISTRATIVE ACTIVITIES

Pursuant to State Bar Standing Board Policy 100, the Advisory Committee on Legislation (ACL) continued its leadership of the State Bar's legislative program. I am grateful for the service of the

members of the ACL and Vice Chair Dan Snipes, and especially to State Bar President Robin Frazer Clark for her active leadership during the legislative session and her support of the ACL program. The ACL held two meetings to review and consider legislative proposals from State Bar sections and committees prior to the beginning of 2013 legislative session.

The ACL is grateful to our legislative representatives, Rusty Sewell, Meredith Weaver, Roy Robinson, and Jim Collins for their counsel and advocacy on behalf of the State Bar. Zach Johnson provided weekly legislative updates, arranged "lobby days" at the Capitol to enable Bar members to remain informed and involved in the legislative process, as well as speaking to many local Bar associations during the session. Charlie Tanksley and Wanda Segars read the legislation as it was introduced each day and forwarded many bills to Bar sections and committees for their review. The Bar hosted dinners for the judiciary committees in the House and Senate. These events were well attended by State Bar leadership, our lobbyists and members of the General Assembly, and are an important opportunity for Bar leadership to meet these individuals in an informal setting.

We are appreciative of Executive Director Cliff Brashier for his support and guidance, and Bar Communications Director Sarah Coole for her assistance in producing the weekly legislative videos and updated legislative postings on the Bar's web site.

On the financial side, the ACL is operating within its budget, having received contributions of \$685,183 through May 2013.

CONCLUSION

2013 was an important year for the State Bar's legislative program with the passage of juvenile justice reform as well as securing funding for several programs supported by the Bar. With the continued participation of our members, Section leaders, ACL members, and Board of Governors, I expect the State Bar to have continued legislative success.

This 10th day of June, 2013

Nick Moraitakis
Chair, Advisory Committee on Legislation

**LAW AND ECONOMICS SECTION
STATE BAR OF GEORGIA
Bylaws dated Sept. 4, 2013**

ARTICLE I

Section 1: The name of this Section shall be the "**Law and Economics Section.**"

Section 2: The purpose of this Section shall be to increase awareness of the economic impact of statutes, regulations, and case-law decisions by bringing together lawyers and scholars to discuss and study such issues.

ARTICLE II

Membership and Dues

Section 1: Each member of this Section shall be a member in good standing of the State Bar. Any member of the State Bar, upon request and payment of annual Section dues of \$25.00 for the current year, shall be enrolled as a member of this Section. Thereafter, such dues shall be paid in advance each year at the time of the payment of dues to the State Bar. Members so enrolled and whose dues are so paid shall constitute the membership of this Section. Any member whose annual dues shall be more than six (6) months past due thereupon shall cease to be a member and shall be dropped from the rolls of the Section, subject to reinstatement at any time upon the payment of dues on the current year.

ARTICLE III

Officers

Section 1: The Officers of the Section shall be a Chairperson, a Vice Chairperson, and a Secretary, all of whom shall be members in good standing of the Section.

Section 2: Each Officer shall hold office for a term beginning at the close of the annual meeting of the Section at which he or she is elected and ending at the close of the next succeeding annual meeting of the Section and until his successor shall have been elected and qualified. If a vacancy shall arise in the office of Chairperson, the Vice Chairperson shall become Chairperson for the unexpired term. If a vacancy shall arise in the office of the Chairperson and there then also shall exist a vacancy in the office of Vice Chairperson, the President of the State Bar of Georgia shall appoint a successor Chairperson for the unexpired term.

Section 3: The Chairperson shall preside at all meetings of the Section, appoint appropriate committees of the Section to serve during his or her term as Chairperson, plan and supervise the

program of the Section at its annual meeting, and perform all executive and administrative duties necessary or proper to the organization and functioning of the Section, including any duty as from time to time may be prescribed by the Section or by the State Bar

Section 4: The Vice Chairperson shall assist the Chairperson and in the absence or disability of the Chairperson shall perform the duties of the Chairperson.

Section 5: The Secretary shall keep minutes of all meetings of the Section, maintain the permanent records, give notices of meetings, and perform such other duties as may be prescribed by the Chairperson.

Section 6: Upon the organization of the Section, the President of the State Bar shall appoint a Chairperson, a Vice Chairperson, and a Secretary to serve until the close of the next annual meeting of the State Bar.

ARTICLE IV

Meetings of the Section

Section 1: An annual meeting of the Section shall be held each year at or about the time and place of the Annual Meeting of the State Bar; the date, time, and meeting room to be fixed by the Chairperson.

Section 2: A Special Meeting of the Section may be called by the Chairperson to be convened at such time and place and with such program and order of business as may be fixed by the Chairperson.

Section 3: Ten (10) members of the Section present at any meeting shall constitute a quorum for the transaction of business.

Section 4: All action of the Section shall be by a majority vote of the members of the Section present at any properly called meeting at which a quorum is present.

Section 5: At least ten (10) days written notice of the time and place of each meeting of the Section shall be given by mailing same to each member of the Section on the rolls of the Section in the Office of the State Bar at the member's address as the same appears in said office. However, it shall not be required that any such notice be by a specifically separate mailing; the same may be included in other written or printed material which is being distributed by mail to all members of the State Bar or to any part thereof which is inclusive of all of the members of the Section.

ARTICLE V

Executive Committee

Section 1: Between meetings of the Section the Executive Committee of the Section shall consist of the three Officers of the Section and two other members of the Section appointed by the Chairperson, whose term shall be co-existent with that of the Chairperson.

Section 2: The Executive Committee shall have full authority to act for the Section in any way in which the Section itself would be authorized to act and any such action taken by the Executive Committee pursuant to this provision shall be reported to the members of the Section at the next Annual Meeting of the Section.

ARTICLE VI

Elections

Section 1: Prior to each annual meeting of the Section, the Chairperson shall appoint not less than three (3) members of the Section to be a nominating committee which shall nominate one or more members of the Section as qualified to hold each of the offices of the Section for the ensuing terms of office. The report of the nominating committee shall be made to the annual meeting; thereafter, and prior to the election of Officers, any member of the Section present at the annual meeting may nominate any other member of the Section for election to any of the offices.

Section 2: The names of all members of the Section nominated for each office either by nominating committee or from the floor shall be submitted to the annual meeting and ballots shall be cast until there shall be a majority of the members of the Section present favoring the election of a designated member to an office. Voting shall be viva-voce and the nominee for an office with the lowest number of votes in any ballot shall be dropped from consideration on the next succeeding ballot, provided that any annual meeting, by majority vote of the members of the Section present, may require written secret ballots or otherwise modify the procedure governing any election.

ARTICLE VII

Finances

Section 1: Funds of the Section shall be deposited in the treasury of the State Bar of Georgia and shall be disbursed by the treasurer of the State Bar of Georgia to pay bills of the Section which have been approved for payment by any Officer of the Section.

Section 2: Funds of the Section shall be expended for such purposes related to the activities of the Section as from time to time shall be authorized by the Section's Executive Committee.

Section 3: Officers and members of the Section shall not be compensated for services thereto.

Section 4: A financial report of the funds of the Section shall be rendered at each annual meeting thereof. This Section shall have the same fiscal year as the State Bar.

ARTICLE VIII

Miscellaneous

Section 1: The Section shall from time to time conduct programs for the continuing education in the world and field of this Section, but shall coordinate its efforts in this regard with the other Sections of the State Bar of Georgia.

Section 2: The Section may from time to time, subject to the Rules, Bylaws, and Standing Board Policies of the State Bar, sponsor, promote, study, or review proposed legislation. The Section may from time to time report on its legislative activities to the State Bar.

Section 3: Prior to dissemination outside the membership of the Section, all reports, studies, recommendations, or other work product of the Section shall be submitted to the Executive Committee for review.

ARTICLE IX

Effective Date and Amendment

Section 1: These Bylaws shall become effective upon approval by the Board of Governors of the State Bar.

Section 2: These Bylaws may be amended by a majority vote of the members of the Section present at any properly called meeting at which a quorum is present and subsequent approval thereof by the Board of Governors of the State Bar.

Signed, sealed and subscribed before
the undersigned this the _____ day of
_____, 20_____.

Witness

CHAIRPERSON

Approved by the Board of Governors
the _____ day of _____,
2013.

PRESIDENT

SECRETARY

2013 – 2014
Civil Legal Services Task Force

In order to help achieve equal access to justice for all Georgians, this special task force will explore options and make recommendations to the Executive Committee and Board of Governors for securing reliable and adequate funding for civil legal services to the poor.

Chairperson

James Randolph Evans, Atlanta 2016

Vice Chairperson

Rita Arlene Sheffey, Atlanta 2016

Member

David J. Blevins, Dalton 2016

J. Antonio DelCampo, Atlanta 2016

James Cullen Evans, Atlanta 2016

Richard Michael Gailey Jr., Eatonton 2016

Stephen James Harper, Athens 2016

Judson H. Hill, Marietta 2016

Teri Plummer McClure, Atlanta 2016

Byung Jin Pak, Atlanta 2016

Frank B. Strickland, Atlanta 2016

Robert E. Turner, Warner Robins 2016

Julayaun Maria Waters, Pooler 2016

Wendell K. Willard, Sandy Springs 2016

D-R-A-F-T
Civil Legal Service Task Force Meeting
Thursday, October 10, 2013
State Bar Building/Atlanta, GA

Minutes

Members in Attendance:

President Buck Ruffin, James Randolph Evans (Chair), Secretary Rita A. Sheffey (Vice Chair), Judge David J. Blevins, J. Antonio DelCampo, James Cullen Evans, Judge Richard Michael Gailey, Jr., Stephen James Harper, Byung Jin Pak, Frank B. Strickland, Judge Robert E. Turner (by phone), Julayaun Maria Waters, and Representative Wendell K. Willard.

Members Absent:

Senator Judson H. Hill and Teri Plummer McClure.

Guests in Attendance:

Bucky H. Askew, Kitty Cohen, Past President A. James Elliott, C. Len Horton, Justice Carol Hunstein, Mike Nations, and Jill Pryor.

Staff in Attendance:

Cliff Brashier, Sharon Bryant, and Bob McCormack.

Overview

President Buck Ruffin recognized Justice Carol Hunstein. Thereafter, he provided a brief overview of the Civil Legal Services Task Force that is charged with helping garner more funds for civil legal services programs.

Chair Randy Evans reported that the Task Force, consisting of all very talented lawyers, judges and legislators, will be asked to explore options and possible solutions for securing reliable funding for civil legal services. He stated that the Task Force may also meet outside of Atlanta to allow others to share their thoughts on the problems and ideas for solutions.

Justice Hunstein reported that there are more poor in the state than ever before due in large part to Georgia's population growth and the downturn in the economy. This has generated a substantial increase in the number of people qualifying for legal services. She reported that even if one person doesn't have access to the courts then Georgia doesn't have equal justice. Unfortunately, there have not been sufficient resources in the last several years to adequately fund the Atlanta Legal Aid Society or the Georgia Legal Services Program, as well as other entities with legal services programs.

Georgia Bar Foundation (GBF) - IOLTA Rate Comparability

Len Horton reported that IOLTA funds are those funds held in trust by lawyers, and the interest on those trust accounts is given to the Georgia Bar Foundation for grants for legal services. Many financial institutions that house those accounts do not provide the same interest rate they do on other deposited accounts. The GBF wants the State Bar to pass a rule requiring lawyers to hold their IOLTA accounts only at eligible banks that have agreed to pay IOLTA accounts an interest rate or dividend that is no less than the highest interest rate or dividend generally available from that financial institution to its other non-IOLTA customers when the IOLTA account meets the same minimum balance or other account qualifications. The GBF undertook a rewrite of the existing rule governing IOLTA accounts and provided copies of proposed amendments to Bar Rules 1.15(I), 1.15(II) and 1.15 (III) and new Rule 1.15(IV). Later in the meeting, Len Horton reported that IOLTA rate comparability would generate a

relatively modest amount now (approximately \$240,000 annually) but in the long run it could generate as much as \$5-6 million.

Bob McCormack, who also provided proposed rules amendments drafted by the Office of General Counsel (OGC), identified the differences between the proposed rules provided by the GBF and those provided by the OGC.

Chair Randy Evans reported that he was inclined to ask for appropriate banking commissions to address rate comparability as a matter of public policy. He asked Representative Wendell Willard, BJ Pak, and Senator Judson Hill to work with him in reaching out to the Georgia Banking Commission on the issue.

Regarding any proposed rules changes, he asked that Secretary Rita Sheffey, Steve Harper and Bob McCormack work on the wording, along with a representative of the Georgia Bar Foundation. After the meeting, Mike Nations was asked to be part of the working group. Maria Waters and Tony DelCampo to think about the ethical pitfalls that need to be considered in any proposed changes.

Pro Hac Vice Fees

Justice Carol Hunstein reported that Georgia's current one-time Pro Hac Vice fee is \$200, and the Supreme Court would like to see those fees raised, as has been done in many other states, and provided to the GBF for civil indigent legal services. The OGC spends approximately \$60,000 annually to administer that program and would still have those administrative fees covered, with the net fees going to the GBF. Chair Randy Evans reported that some states require Pro Hac Vice fees be paid annually if a case is still pending. Other states have a sliding scale based on number of cases. He asked that Judge David Blevins, Bob McCormack and Judge Bob Turner determine the median dollar Pro Hac Vice fee of the southeastern states, and look at both an annual fee for pending cases and a sliding scale fee based on the number of cases the individual lawyer has.

Abandoned Client Funds

The Ohio Bar got legislation passed that allows lawyers to pay unclaimed funds from their trust accounts over to the Ohio Bar Foundation to help fund legal services programs. In Georgia, lawyers are advised to dispose of unclaimed escrow funds in accordance with the state's unclaimed property act. Since the dollar amount of unclaimed funds from trust accounts is not known, it may not be worthwhile pursuing without further information.

Victims of Domestic Violence Funding

Justice Carol Hunstein reported that the state-appropriated Victims of Domestic Violence Funding is housed in the budget of the Administrative Office of the Courts (AOC). The Georgia General Assembly appropriated \$2 million in FY99, and even though it has renewed it each year, many of the appropriations are later reduced during subsequent legislative sessions. The AOC is asking that these funds be increased to the amount requested (\$2.5 million), and the State Bar's Advisory Committee on Legislation will be asking the Board of Governors to support the request, which the Board has done each year.

Other Revenue Areas

Chair Randy Evans reported that in addition to exploring revenue sources, the expense side of offering legal services also needs to be part of the review. He asked Secretary Rita Sheffey, Teri McClure and Frank Strickland to undertake this task with regards to ALA and GLSP. He also asked that everyone on the committee be prepared to report on one idea to increase revenue for legal services.

Justice Carol Hunstein reported that the Supreme Court wants to move quickly on these issues, and may not wait on the Bar. She also reported that the Court wants a \$50 per member assessment that will be

Court-ordered unless the Bar can come up with a similar amount of money or do the assessment on its own volition.

President Ruffin took the Task Force's sense as to moving forward with IOLTA rate comparability and Pro Hac Vice fees as areas the State Bar can generate revenue for indigent civil legal services programs. He asked that the proposed rules amendments for IOLTA rate comparability be finalized next week.

Adjournment

After Chair Evans announced that the Task Force would probably meet in two weeks, the meeting was adjourned.



October 11, 2013

Ms. Kathleen B. Joyner
Daily Report
190 Pryor St. SW
Atlanta, GA 30303

Dear Kathleen,

The State Bar has always been committed to supporting justice for all including adequate funding for civil indigent legal services. To continue that support this year, I appointed a special task force solely to pursue this. I selected Randy Evans and Rita Sheffey as its chair and vice chair respectively because of their exceptional ability to accomplish important, and sometimes difficult, endeavors. A diverse and well qualified group of legislators, attorneys and judges were selected to serve on the task force.

Yesterday, the task force held its initial organizational meeting. Many ideas were discussed and each member was invited to offer at the next meeting any others that they think may have merit. We were glad to have Justice Hunstein attend. She did mention an assessment as well as several other ways to provide additional funding.

The task force is at the initial stage of its work. Its intent is to carefully consider all suggestions in a very timely manner. No votes on any ideas were taken yesterday. When the task force is in a position to make its recommendations, the State Bar will promptly make a decision on them in accordance with our normal governing procedures.

Thank you.

Yours truly,

A handwritten signature in cursive script that reads "Charles L. Ruffin".

Charles L. Ruffin

CLR/dw

STATE BAR OF GEORGIA

OFFICE OF THE GENERAL COUNSEL

PAULA J. FREDERICK
General Counsel

WILLIAM P. SMITH, III
Ethics Counsel

Bar Counsel
ROBERT E. McCORMACK
Deputy General Counsel
JOHN J. SHIPTENKO
Assistant General Counsel



Disciplinary Counsel
JENNY K. MITTELMAN
Deputy General Counsel

JONATHAN HEWETT
Sr. Assistant General Counsel

REBECCA A. HALL
A.M. CHRISTINA PETRIG
WILLIAM J. COBB
Assistant General Counsel

CARMEN ROJAS RAFTER
Grievance Counsel

Memorandum to: Members, Board of Governors
From: Paula Frederick
Date: October 30, 2013
Re: Proposed Amendments to Bar Rule 1.15 and New Part XV

Attached are proposed amendments to the Bar Rules that are on the agenda for your meeting Saturday, November 2.

As you may know, the Bar's Civil Legal Services Task Force is exploring options for securing reliable funding for civil legal services to the poor in Georgia. The Task Force is recommending "interest rate parity" for Georgia IOLTA accounts-- that Georgia lawyers be required to have their escrow accounts at banks that agree to pay interest rates as high as those offered on comparable accounts. Thirty-three states have a similar rule and all of them report a significant increase in the amount of money generated from IOLTA accounts.

Bar Rules 1.15 (I), (II) and (III) will need to be amended to accomplish interest rate parity. As you know, those rules currently require a lawyer to hold fiduciary funds in a separate bank account at an institution that has been "approved" by the Bar. The new proposal creates a second level of approved banks called "eligible institutions." An eligible institution is one that is approved, but that also agrees to interest rate parity for IOLTA accounts. The new rule will require that a lawyer's IOLTA account be in an "eligible" bank. Other trust accounts, such as those set up for a particular client with the interest paid to the client, could remain in banks that are "approved"—whether or not the bank meets the additional requirements for being designated "eligible."

The Georgia Bar Foundation has assured members of the Task Force that it expects all of the major national banks and most of Georgia's smaller banks to agree to the additional requirements for an "eligible institution"—that has been the experience in the 33 other states with this rule. The Georgia proposal includes a waiver provision at line 238*ii* for the rare situation where a Georgia lawyer is not able to comply with the new requirement.

Feel free to email me at paulaf@gabar.org if you have questions or concerns about this proposal.

RULE 1.15(I) SAFEKEEPING PROPERTY - GENERAL

a. A lawyer shall hold funds or other property of clients or third persons that ~~is~~ are in a lawyer's possession in connection with a representation separate from the lawyer's own funds or other property. Funds shall be kept in a one or more separate accounts maintained in either an approved or an eligible institution as defined by Rule 1.15(III)(c)(1) and (c)(2). Other property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of six years after termination of the representation.

b. For the purposes of this Rule, a lawyer may not disregard a third person's interest in funds or other property in the lawyer's possession if:

1. the interest is known to the lawyer, and

2. the interest is based upon one of the following:

i. A statutory lien;

ii. A final judgment addressing disposition of those funds or property; or

iii. A written agreement by the client or the lawyer on behalf of the client guaranteeing payment out of those funds or property.

The lawyer may disregard the third person's claimed interest if the lawyer reasonably concludes that there is a valid defense to such lien, judgment, or agreement.

c. Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in this Rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.

d. When in the course of representation a lawyer is in possession of funds or other property in which both the lawyer and a client or a third person claim interest, the property shall be kept separate by the lawyer until there is an accounting and severance of their interests. If a dispute arises concerning their respective interests, the portion in dispute shall be kept separate by the lawyer until the dispute is resolved. The lawyer shall promptly distribute all portions of the funds or property as to which the interests are not in dispute.

The maximum penalty for a violation of this Rule is disbarment.

Comment

[1] A lawyer should hold property of others with the care required of a professional fiduciary. Securities should be kept in a safe deposit box, except when some other form of safekeeping is

38 warranted by special circumstances. All property which is the property of clients or third persons
39 should be kept separate from the lawyer's business and personal property and, if monies, in one
40 or more trust accounts. Separate trust accounts may be warranted when administering estate
41 monies or acting in similar fiduciary capacities.

42 [2] Lawyers often receive funds from third parties from which the lawyer's fee will be paid. If
43 there is risk that the client may divert the funds without paying the fee, the lawyer is not required
44 to remit the portion from which the fee is to be paid. However, a lawyer may not hold funds to
45 coerce a client into accepting the lawyer's contention. The disputed portion of the funds should
46 be kept in trust and the lawyer should suggest means for prompt resolution of the dispute, such as
47 arbitration or interpleader. The undisputed portion of the funds shall be promptly distributed.

48 [3] Third parties, such as a client's creditors, may have just claims against funds or other property
49 in a lawyer's custody. A lawyer may have a duty under applicable law to protect such third-party
50 claims against wrongful interference by the client, and accordingly may refuse to surrender the
51 property to the client. However, a lawyer should not unilaterally assume to arbitrate a dispute
52 between the client and the third party. The obligations of a lawyer under this Rule are
53 independent of those arising from activity other than rendering legal services. For example, a
54 lawyer who serves as an escrow agent is governed by the applicable law relating to fiduciaries
55 even though the lawyer does not render legal services in the transaction.

56 [3A] In those cases where it is not possible to ascertain who is entitled to disputed funds or other
57 property held by the lawyer, the lawyer may hold such disputed funds for a reasonable period of
58 time while the interested parties attempt to resolve the dispute. If a resolution cannot be reached,
59 it would be appropriate for a lawyer to interplead such disputed funds or property.

60 [4] A "clients' security fund" provides a means through the collective efforts of the bar to
61 reimburse persons who have lost money or property as a result of dishonest conduct of a lawyer.
62 Where such a fund has been established, a lawyer should participate.

63

64 **RULE 1.15(II) SAFEKEEPING PROPERTY- TRUST ACCOUNT AND IOLTA**
65

- 66 a. Every lawyer who practices law in Georgia, whether said lawyer practices as a sole
67 practitioner, or as a member of a firm, association, or professional corporation, and who
68 receives money or property on behalf of a client or in any other fiduciary capacity, shall
69 maintain or have available a one or more trust accounts as required by these Rules. All
70 funds held by a lawyer for a client and all funds held by a lawyer in any other fiduciary
71 capacity shall be deposited in and administered from ~~such a trust~~ a trust account.
- 72 b. No personal funds shall ever be deposited in a lawyer's trust account, except that
73 unearned attorney's fees may be so held until the same are earned. Sufficient personal
74 funds of the lawyer may be kept in the trust account to cover maintenance fees such as
75 service charges on the account. Records on such trust accounts shall be so kept and
76 maintained as to reflect at all times the exact balance held for each client or third person.
77 No funds shall be withdrawn from such trust accounts for the personal use of the lawyer
78 maintaining the account except earned attorney's fees debited against the account of a
79 specific client and recorded as such.
- 80 c. All client's funds shall be placed in either an interest-bearing account at ~~an eligible or an~~
81 approved institution with the interest being paid to the client, or an interest-bearing
82 (IOLTA) account at an eligible institution with the interest being paid to the Georgia Bar
83 Foundation as hereinafter provided.
- 84 1. With respect to funds which are not nominal in amount, or are not to be held for a
85 short period of time, a lawyer shall, with notice to the clients, create and maintain
86 an interest-bearing trust account in an approved ~~or an eligible~~ institution as
87 defined in Rule 1.15(III)(c)(1) ~~and (c)(2)~~, with the interest to be paid to the client.
88 ~~No earnings from such an account shall be made available to a lawyer or law firm.~~
- 89 i. No earnings from such an IOLTA account shall be made available to a
90 lawyer or law firm.
- 91 ii. Funds in such an interest-bearing trust account shall be subject to
92 withdrawal upon request and without delay.
- 93
- 94 2. With respect to funds which are nominal in amount or are to be held for a short
95 period of time, such that there can be no reasonable expectation of a positive net
96 return to the client or third person, a lawyer shall, with or without notice to the
97 client, create and maintain an interest-bearing, government insured trust account
98 (IOLTA) at an eligible institution as defined in Rule 1.15(III)(c)(2) in compliance
99 with the following provisions:
- 100 i. No earnings from such an IOLTA account shall be made available to a
101 lawyer or law firm.

- 102 ii. ~~The account shall include all clients' funds which are nominal in amount~~
103 ~~or which are to be held for a short period of time.~~
- 104 iii. ~~An interest bearing trust account may be established with any approved~~
105 ~~eligible institution as defined in Rule 1.15(III)(e)(1) (2).~~ Funds in each
106 interest-bearing trust account shall be subject to withdrawal upon request
107 and without delay.
- 108 iv. The rate of interest payable on any interest-bearing trust account shall not
109 be less than the rate paid by the depositor institution to regular, non-
110 lawyer depositors. Higher rates offered by the institution to customers
111 whose deposits exceed certain time or quantity minimum, such as those
112 offered in the form of certificates of deposit, may be obtained by a lawyer
113 or law firm on some or all of the deposit funds so long as there is no
114 impairment of the right to withdraw or transfer principal immediately.
- 115 v. Lawyers or law firms shall direct the depository institution:
- 116 A. ~~to remit to the Georgia Bar Foundation interest or dividends, net of~~
117 ~~any charges or fees on that account, on the average monthly~~
118 ~~balance in that account, or as otherwise computed in accordance~~
119 ~~with a financial institution's standard accounting practice, at least~~
120 ~~quarterly. Any bank fees or charges in excess of the interest earned~~
121 ~~on that account for any month shall be paid by the lawyer or law~~
122 ~~firm in whose names such account appears, if required by the bank~~
123 ~~to remit to the Georgia Bar Foundation interest or dividends, net of~~
124 ~~any allowable reasonable fees on the IOLTA Account, on the~~
125 ~~average monthly balance in that account, at least quarterly.~~
126 ~~Nothing shall prohibit the eligible institution from charging the~~
127 ~~lawyer or law firm any fees other than allowable reasonable fees as~~
128 ~~defined in Rule 15-102(c). Any bank fees or charges in excess of~~
129 ~~the interest earned on that account for any month may shall be~~
130 ~~charged to the lawyer or law firm in whose names such account~~
131 ~~appears, if required by the eligible institution;~~
- 132 B. ~~to transmit with each remittance to the Foundation a statement~~
133 ~~showing the name of the lawyer or law firm for whom the~~
134 ~~remittance is sent, the rate of interest applied, the average monthly~~
135 ~~balance against which the interest rate is applied, the service~~
136 ~~charges or fees applied, and the net interest remittance to transmit~~
137 ~~with each remittance to the Foundation a statement showing the~~
138 ~~amount of net interest remittance, the name of the lawyer or law~~
139 ~~firm for whom the remittance is sent, the applicable IOLTA~~
140 ~~Account number, the rate of interest applied, the average monthly~~
141 ~~account balance against which the interest rate is applied, and the~~
142 ~~types and amounts of service charges or fees applied;~~

143 C. ~~to transmit to the depositing lawyer or law firm at the same time a~~
 144 ~~report showing the amount paid to the Foundation, the rate of~~
 145 ~~interest applied, the average account balance of the period for~~
 146 ~~which the report is made, and such other information provided to~~
 147 ~~non-lawyer customers with similar accounts~~ to transmit to the
 148 depositing lawyer or law firm periodic reports or statements in
 149 accordance with the eligible institution's normal procedures for
 150 reporting to depositors.

151 3. No charge of ethical impropriety or other breach of professional conduct shall
 152 attend the determination that such funds are nominal in amount or to be held for a
 153 short period of time, or to the decision to invest clients' funds in a pooled interest-
 154 bearing account.

155 4. Whether the funds are designated short-term or nominal or not, a lawyer or law
 156 firm may, at the direction of the client, deposit funds into a separate interest
 157 bearing account and elect to remit all interest earned, or interest earned net of
 158 charges, to the client or clients.

159 The maximum penalty for a violation of Rule 1.15(II)(a) and Rule 1.15(II)(b) is disbarment. The
 160 maximum penalty for a violation of Rule 1.15(II)(c) is a public reprimand.

161 Comment

162 [1] The personal money permitted to be kept in the lawyer's trust account by this Rule shall not
 163 be used for any purpose other than to cover the bank fees and if used for any other purpose the
 164 lawyer shall have violated this Rule. If the lawyer wishes to reduce the amount of personal
 165 money in the trust account, the change must be properly noted in the lawyer's financial records
 166 and the monies transferred to the lawyer's business account.

167 [2] Nothing in this Rule shall prohibit a lawyer from removing from the trust account fees which
 168 have been earned on a regular basis which coincides with the lawyer's billing cycles rather than
 169 removing the fees earned on an hour-by-hour basis.

170 [3] In determining whether funds of a client or other beneficiary can earn income in excess of
 171 costs, the lawyer may consider the following factors:

- 172 a.) the amount of funds to be deposited;
 173 b.) the expected duration of the deposit, including the likelihood of delay in the
 174 matter with respect to which the funds are held;
 175 c.) the rates of interest or yield at financial institutions where the funds are to be
 176 deposited;
 177 d.) the cost of establishing and administering a non-IOLTA trust account for the
 178 benefit of the client or other beneficiary, including service charges, the costs
 179 of the lawyer's services and the costs of preparing any tax reports that may be
 180 required;
 181 e.) the capability of financial institutions, lawyers, or law firms to calculate and
 182 pay earnings to individual clients; and

183 f.) any other circumstances that affect the ability of the funds to earn a net return
184 for the client or other beneficiary.

185
186 [4] The lawyer or law firm should review the IOLTA Account at reasonable intervals to
187 determine whether changed circumstances require further action with respect to the funds of any
188 client or third party.

189

190 **RULE 1.15(III) RECORD KEEPING; TRUST ACCOUNT OVERDRAFT NOTIFICATION;**
191 **EXAMINATION OF RECORDS**
192

193 a. Required Bank Accounts: Every lawyer who practices law in Georgia and who receives
194 money or other property on behalf of a client or in any other fiduciary capacity shall
195 maintain, in an approved or in an eligible financial institution as defined by this Rule, a
196 trust account or accounts, separate from any business and personal accounts. Funds
197 received by the lawyer on behalf of a client or in any other fiduciary capacity shall be
198 deposited into this account. The financial institution shall be in Georgia or in the state
199 where the lawyer's office is located, or elsewhere with the written consent and at the
200 written request of the client or ~~third person~~ fiduciary.

201 b. Description of Accounts:

202 1. A lawyer shall designate all trust accounts, whether general or specific, as well as
203 all deposit slips and checks drawn thereon, as an "Attorney Trust Account,"
204 "Attorney Escrow Account" "IOLTA Account" or "Attorney Fiduciary Account."
205 The name of the attorney or law firm responsible for the account shall also appear
206 on all deposit slips and checks drawn thereon.

207 2. A lawyer shall designate all business accounts, as well as all deposit slips and all
208 checks drawn thereon, as a "Business Account," a "Professional Account," an
209 "Office Account," a "General Account," a "Payroll Account," "Operating
210 Account" or a "Regular Account."

211 3. Nothing in this Rule shall prohibit a lawyer from using any additional description
212 or designation for a specific business or trust account including fiduciary accounts
213 maintained by the lawyer as executor, guardian, trustee, receiver, agent or in any
214 other fiduciary capacity.

215 c. Procedure:

216 1. Approved Institutions:

217 i. A lawyer shall maintain his or her trust account only in a financial
218 institution approved by the State Bar of Georgia, which shall annually
219 publish a list of approved institutions. Such institutions shall be located
220 within the State of Georgia, within the state where the lawyer's office is
221 located, or elsewhere with the written consent and at the written request of
222 the client or fiduciary. The institution shall be authorized by federal or
223 state law to do business in the jurisdiction where located and shall be
224 federally insured. A financial institution shall be approved as a depository
225 for lawyer trust accounts if it abides by an agreement to report to the ~~State~~
226 ~~Disciplinary Board~~ Office of the General Counsel whenever any properly
227 payable instrument is presented against a lawyer trust account containing
228 insufficient funds, and the instrument is not honored. The agreement shall
229 apply to all branches of the financial institution and shall not be canceled

- 230 except upon thirty days' notice in writing to the State Disciplinary Board.
231 The agreement shall be filed with the Office of General Counsel on a form
232 approved by the State Disciplinary Board. The agreement shall provide
233 that all reports made by the financial institution shall be in writing and
234 shall include the same information customarily forwarded to the depositor
235 when an instrument is presented against insufficient funds. If the financial
236 institution is located outside of the State of Georgia, it shall also agree in
237 writing to honor any properly issued State Bar of Georgia subpoena.
- 238 ii. The Investigative Panel of the State Disciplinary Board ~~shall establish~~
239 ~~procedures for a lawyer or law firm to be excused from~~ may waive the
240 requirements provisions of this Rule in whole or in part if ~~the~~ a lawyer or
241 law firm has its principal office in a county where no bank, credit union,
242 or savings and loan association ~~will agree~~ has agreed to comply with the
243 provisions of this Rule, or for other good cause shown.
- 244 2. Eligible Institutions: A lawyer shall maintain his or her IOLTA account or
245 accounts only in a financial institution designated as eligible by the State Bar of
246 Georgia from a list provided by the Georgia Bar Foundation. To be designated
247 eligible, a financial institution must be an approved institution under the
248 requirement of Rule 1.15(III)(c)(1) and must offer IOLTA accounts in compliance
249 with the additional requirements set out in the Part XV of the Rules of the State
250 Bar of Georgia.
- 251 3. Timing of Reports:
- 252 i. The financial institution shall file a report with the Office of General
253 Counsel of the State Bar of Georgia in every instance where a properly
254 payable instrument is presented against a lawyer trust account containing
255 insufficient funds and said instrument is not honored within three business
256 days of presentation.
- 257 ii. The report shall be filed with the Office of General Counsel within fifteen
258 days of the date of the presentation of the instrument, even if the
259 instrument is subsequently honored after the three business days provided
260 in the preceding paragraph.
- 261 4. Nothing shall preclude a financial institution from charging a particular lawyer or
262 law firm for the reasonable cost of producing the reports and records required by
263 this Rule.
- 264 5. Every lawyer and law firm maintaining a trust account as provided by these Rules
265 is hereby and shall be conclusively deemed to have consented to the reporting and
266 production requirements mandated by this Rule and shall indemnify and hold
267 harmless each financial institution for its compliance with the aforesaid reporting
268 and production requirements.

- 269 d. Effect on Financial Institution of Compliance: The agreement by a financial institution to
270 offer accounts pursuant to this Rule shall be a procedure to advise the State Disciplinary
271 Board of conduct by attorneys and shall not be deemed to create a duty to exercise a
272 standard of care or a contract with third parties that may sustain a loss as a result of
273 lawyers overdrawing attorney trust accounts.
- 274 e. Availability of Records: A lawyer shall not fail to produce any of the records required to
275 be maintained by these ~~Standards~~ Rules at the request of the Investigative Panel of the
276 State Disciplinary Board or the Supreme Court. This obligation shall be in addition to and
277 not in lieu of the procedures contained in Part IV of these Rules for the production of
278 documents and evidence.
- 279 f. Audit for Cause: A lawyer shall not fail to submit to an Audit for Cause conducted by the
280 State Disciplinary Board pursuant to Bar Rule 4-111.

281 The maximum penalty for a violation of this Rule is disbarment.

282

283 Comment

284

285 [1] Each financial institution wishing to be approved as a depository of client trust funds must
286 file an overdraft notification agreement with the State Disciplinary Board of the State Bar of
287 Georgia. The State Bar of Georgia will publish a list of approved institutions at least annually.

288

289 [2] The overdraft agreement requires that all overdrafts be reported to the Office of General
290 Counsel of the State Bar of Georgia whether or not the instrument is honored. It is improper for a
291 lawyer to accept "overdraft privileges" or any other arrangement for a personal loan on a client
292 trust account, particularly in exchange for the institution's promise to delay or not to report an
293 overdraft. The institution must notify the Office of General Counsel of all overdrafts even where
294 the institution is certain that its own error caused the overdraft or that the matter could have been
295 resolved between the institution and the lawyer within a reasonable period of time.

296

297 [3] The overdraft notification provision is not intended to result in the discipline of every lawyer
298 who overdraws a trust account. The lawyer or institution may explain occasional errors. The
299 provision merely intends that the Office of General Counsel receive an early warning of
300 improprieties so that corrective action, including audits for cause, may be taken.

301

302 Audits

303

304 [4] Every lawyer's financial records and trust account records are required records and therefore
305 are properly subject to audit for cause. The audit provisions are intended to uncover errors and
306 omissions before the public is harmed, to deter those lawyers who may be tempted to misuse
307 client's funds and to educate and instruct lawyers as to proper trust accounting methods.
308 Although the auditors will be employed by the Office of General Counsel of the State Bar of
309 Georgia, it is intended that disciplinary proceedings will be brought only when the auditors have
310 reasonable cause to believe discrepancies or irregularities exist. Otherwise, the auditors should
311 only educate the lawyer and the lawyer's staff as to proper trust accounting methods.

312

313 [5] An audit for cause may be conducted at any time and without advance notice if the Office of
314 General Counsel receives sufficient evidence that a lawyer poses a threat of harm to clients or the
315 public. The Office of General Counsel must have the written approval of the Chairman of the
316 Investigative Panel of the State Disciplinary Board and the President-elect of the State Bar of
317 Georgia to conduct an audit for cause.

318

319 PART XV

320 GEORGIA BAR FOUNDATION

321 **Preamble**

322 The Georgia Bar Foundation (“the Foundation”) is a 501(c)(3) organization named by the
323 Supreme Court of Georgia in 1983 to receive and distribute Interest On Lawyer Trust Account
324 (“IOLTA”) funds to support legal services for the poor, to improve the administration of justice,
325 to promote professionalism in law practice in order best to serve the public, to aid children
326 involved in the justice system, and to advance the legal system through historical study.

327 **Chapter 1**328 **IOLTA ACCOUNTS**329 **Rule 15-101. Bank Accounts.**

330 (a) Every lawyer who practices law in Georgia, whether as a sole practitioner or as a
331 member of a firm, association or professional corporation, who receives money or other property
332 on behalf of a client or in any other fiduciary capacity shall maintain or have available an
333 interest-bearing trust account or accounts.

334 (b) An “IOLTA Account” is a trust account benefiting the Foundation. The interest
335 generated by an IOLTA Account shall be paid to the Georgia Bar Foundation, Inc. as hereinafter
336 provided.

337 **Rule 15-102. Definitions.**

338 (a) An “IOLTA Account” means a trust account benefiting the Foundation, established in
339 an eligible institution for the deposit of pooled nominal or short-term funds of clients or third
340 persons, and meeting the requirements of the Foundation as further detailed below. The account
341 product may be an interest-bearing checking account; a money market account with, or tied to,
342 check writing; a sweep account, portions of which are regularly moved into a government money
343 market fund or daily overnight financial institution repurchase agreement invested solely in, or
344 fully collateralized by, United States government securities; or an open-end money market fund
345 solely invested in, or fully collateralized by, United States government securities.

346 (1) “Nominal or short-term” describes funds of a client or third person that the
347 lawyer has determined cannot provide a positive net return to the client or third
348 person.

349 (2) “Open-end money market fund” is a fund that identifies itself as a money
350 market fund as defined by applicable federal statutes and regulations under the

351 Investment Company Act of 1940 and, at the time of the investment, having total
352 assets of at least \$250,000,000.

353 (3) “United States government securities” are United States Treasury obligations
354 and obligations issued or guaranteed as to principal and interest by the United States
355 or any agency or instrumentality thereof.

356 (b) An “eligible institution” is a bank or savings and loan association which is an
357 approved institution as defined in Rule 1.15(III)(c)(1) and which voluntarily chooses to offer
358 IOLTA accounts consistent with the additional requirements of this rule, including:

359 (1) to remit to the Foundation interest or dividends, net of any allowable
360 reasonable fees on the IOLTA Account, on the average monthly balance in that
361 account, at least quarterly. ~~Nothing shall prohibit the eligible institution from~~
362 ~~charging the lawyer or law firm any fees other than allowable reasonable fees as~~
363 ~~defined below.~~ Any bank fees or charges in excess of the interest earned on that
364 account for any month, or any fees other than allowable reasonable fees as defined
365 below, may shall be charged to the lawyer or law firm in whose names such account
366 appears, if required by the eligible institution.

367 (2) to transmit with each remittance to the Foundation a statement showing the
368 amount of the net interest remittance, the name of the lawyer or law firm for whom
369 the remittance is sent, the applicable IOLTA Account number, the rate of interest
370 applied, the average monthly account balance against which the interest rate is
371 applied, and the types and amounts of service charges or fees applied.

372 (3) to transmit to the depositing lawyer or law firm periodic reports or statements
373 in accordance with the eligible institution’s normal procedures for reporting to
374 depositors.

375 (4) to pay comparable interest rates on IOLTA Accounts, as defined below at
376 Rule 15-103.

377 (c) “Allowable reasonable fees” for IOLTA accounts are per check charges, per deposit
378 charges, a fee in lieu of a minimum balance, Federal deposit insurance fees, and sweep fees.
379 (“Allowable reasonable fees” do not include check printing charges, NSF charges, overdraft
380 interest charges, account reconciliation charges, stop payment charges, wire transfer fees, and
381 courier fees. Such listing of excluded fees is not intended to be all inclusive.) All other fees are
382 the responsibility of, and may be charged to, the lawyer maintaining the IOLTA account. Fees
383 or charges in excess of the earnings accrued on the account for any month or quarter shall not be
384 taken from earnings accrued on other IOLTA accounts ~~or from the principal of the account.~~
385 Eligible financial institutions may elect to waive any or all fees on IOLTA accounts.

386

387 Rule 15-103. IOLTA Accounts; Interest Rates

388 On any IOLTA Account, the rate of interest payable shall be:

389 (a) not less than the highest interest rate or dividend generally available from the eligible
390 institution to its non-IOLTA customers for each IOLTA Account that meets the same minimum
391 balance or other eligibility qualifications, if any. In determining the highest interest rate or
392 dividend generally available from the institution to its non-IOLTA customers, the institution may
393 consider factors, in addition to the IOLTA Account balance, customarily considered by the
394 institution when setting interest rates or dividends for its customers if such factors do not
395 discriminate between IOLTA Accounts and accounts of non-IOLTA customers. The institution
396 also shall consider all product option types that it offers to its non-IOLTA customers, as noted at
397 Rule 15-102(a), for an IOLTA Account by either establishing the applicable product as an
398 IOLTA Account or paying the comparable interest rate or dividend on the IOLTA Account in
399 lieu of actually establishing the comparable highest interest rate or dividend product; or

400 (b) alternatively, if an eligible institution so chooses, a rate equal to the greater of
401 (A) 0.65% per annum or (B) a benchmark interest rate, net of allowable reasonable fees, set by
402 the Foundation, which shall be expressed as a percentage (an “index”) of the federal funds target
403 rate, as established from time to time by the Federal Reserve Board. In order to maintain an
404 overall comparable rate, the Foundation will periodically, but not less than annually, publish its
405 index. -The index shall initially be 65% of the federal funds target rate.

406 (c) Eligible institutions may choose to pay rates higher than comparable rates discussed
407 above.

408

Chapter 2

409

INTERNAL RULES**410 Rule 15-201. Management and Disbursement of IOLTA Funds; Internal Procedures of**
411 Foundation

412 (a) Mandatory Grants. The Georgia Bar Foundation, Inc. (the “Foundation”), which is
413 the charitable arm of the Supreme Court of Georgia, is the named recipient of IOLTA funds.
414 The Foundation shall pay to the Georgia Civil Justice Foundation (“GCJF”) a grant of ten
415 percent (10%) of all IOLTA revenues received, less administrative costs, during the immediately
416 preceding calendar quarter. GCJF must maintain its tax-exempt charitable/educational status
417 under Sections 115 and 170(C)(1) or under Section 501(c)(3) of the Internal Revenue Code, and
418 the purposes and activities of the organization must remain consistent with the exempt purposes

419 of the Foundation. If GCJF is determined either by the Internal Revenue Service or by the
420 Georgia Department of Revenue to be a taxable entity at any time, or its purposes and activities
421 become inconsistent with the exempt purposes of the Foundation, then the Foundation shall
422 retain all IOLTA funds which would have been granted to GCJF.

423

424 (b) Reporting by Organizations. As a condition to continued receipt of IOLTA funds,
425 the Foundation and GCJF shall each present a report of its activities including an audit of its
426 finances to the Supreme Court of Georgia annually. GCJF shall also send to the Foundation a
427 copy of its annual report and audit.

428

429 (c) Discretionary Grants. The Foundation shall develop procedures for regularly
430 soliciting, evaluating, and funding grant applications from worthy law-related organizations that
431 seek to provide civil legal assistance to needful Georgians, to improve the working and the
432 efficiency of the judicial system, to provide legal education to Georgia's children, to provide
433 assistance to children who are involved with the legal system, to provide educational programs
434 for adults intended to promote a better understanding of our democratic system of government,
435 or to foster professionalism in the practice of law.

436

437 (d) IOLTA Account Confidentiality. The Foundation will protect the confidentiality of
438 information regarding a lawyer's or law firm's trust account obtained in the course of managing
439 IOLTA operations.

440

441

442

443

444

445

2013 – 2014

State Bar 50th Anniversary Celebration

This special committee is responsible for planning the State Bar of Georgia's 50th Year Anniversary Celebration that will be held in conjunction with the 2014 Midyear Meeting.

Chairperson

Charles Lucius Ruffin, Macon 2014

Member

Robert Benham, Atlanta 2014
Robert M. Brinson, Rome 2014
Bryan M. Cavan, Atlanta 2014
Robin Frazer Clark, Atlanta 2014
Gerald M. Edenfield, Statesboro 2014
James Randolph Evans, Atlanta 2014
James B. Franklin, Statesboro 2014
David H. Gambrell, Atlanta 2014
Robert D. Ingram, Marietta 2014
Stephanie J. Kirijan, Atlanta 2014
Frank Love Jr., Atlanta 2014
Patrise M. Perkins-Hooker, Atlanta 2014
Thomas G. Sampson, Atlanta 2014
Frank W. Siler, Savannah 2014
Cubbedge Snow Jr., Macon 2014

National Constitutional Celebration Planned

For two full days beginning on Wednesday, March 12, 2014 at 1:00 p.m., Georgia's State Bar, led by its president, Charles "Buck" Ruffin, along with a number of partners and sponsors, will host a national celebration of the U.S. Constitution on the occasion of the 225th anniversary of the Constitution's ratification. The event will take place at Atlanta's Buckhead Westin Hotel.

The celebration will begin with Dean Erwin Chemerinsky of the University of California at Irvine School of Law debating Professor Richard Epstein of New York University School of Law about the nature of constitutional interpretation. They will defend and critique contrasting rationales for a range of interpretive approaches, from original meanings to pragmatic contemporary meanings, with plenty of other approaches pondered and debated as well in a lively setting.

At about 2:30 on Wednesday afternoon, nationally prominent legal historians will discuss the significance of the ratification process for the Constitution's meaning today for the nation, its states and its people. Participants will include Professor Akhil Amar of Yale, Dean Jack Pratt of South Carolina and Professor Melvin Urofsky of American.

At about 4:15 Wednesday afternoon, the celebrants will be joined by Georgia Attorney General Sam Olens, along with, perhaps, one or two other state attorneys general. Olens with other attorneys general from both parties are emerging as challengers of the constitutional boundaries of congressional and federal executive power that had long been treated as forgotten or irrelevant.

After dinner, Pulitzer Prize winner and Medal of Freedom recipient David McCullough will address the gathering about the significance of the Constitution's history for our nation today.

Thursday morning March 13, 2014 at 9:00, the gathering will witness a reenactment of the historic case of Furman v. Georgia, featuring arguments from Stephen Bright and Anne Lewis, an introduction by Anne Emmanuel, and a bench composed of leading jurists from the Georgia Supreme Court, the Eleventh Circuit Court of Appeals and the Georgia Court of Appeals. In Furman, the Court confronted constitutional questions about the death penalty that remain resonant today.

Later in the morning, the gathering will hear from two of the most distinguished, prolific and successful advocates of our age before the United States Supreme Court, former Solicitors General Paul Clement and Seth Waxman. They will share their insights about the most

important constitutional questions that have recently and may soon, confront the Court and our nation.

After lunch, the celebrants will hear from two panels who parse the meanings of the Court's decisions for the public's consideration. National public Radio's Nina Totenberg and the New York Times' Adam Liptak will, with Peter Canfield as moderator, discuss the nuances of presenting constitutional questions to and for the broader public. Later, prominent academic bloggers Jack Balkin, Michael Dorf and Eugene Volokh will discuss the role of net-based colloquy in providing forums for the broadening constitutional conversation so eagerly sought today by many citizens.

Later on Thursday afternoon, two panels of experts will be heard on issues of National Security and Liberty in an Insecure Age, and Gun Rights and Regulation. Emory's Charles Shanor will lead the panel on national security. Georgia State's Eric Segall will lead the panel on guns, a panel featuring George Washington's Bob Cottrol, Texas's Sandy Levinson, George Mason's Nelson Lund, and UCLA's Adam Winkler.

Friday morning's session will conclude the celebration with discussion by some of the nation's leading jurists on how constitutional meanings have bearing on their work in interpreting the law while deciding cases of significance to the people.

Judge Alex Kozinski of the Ninth Circuit Court of Appeals, Justice Dave Nahmias of the Georgia Supreme Court and Judge Richard Posner of the Seventh Circuit Court of Appeals will begin the morning at 9:00 by discussing constitutional interpretation from the vantage point of Courts that owe deference to prior decisions of the Supreme Court of the United States.

Later in the morning, the celebrants will hear from two justices of the Supreme Court on our Constitution's meanings, including Justice Antonin Scalia (confirmed) and, tentatively, either Justice Stephen Breyer or Justice Elena Kagan.

The celebration will end at noon on Friday, March 14, 2014.

For additional information, please feel free to contact Professor Dave Oedel of Mercer University Law School, (478)301-2629 or [oedel dg@law.mercer.edu](mailto:oedel_dg@law.mercer.edu).



**State Bar
of Georgia**

Lawyers Serving the Public and the Justice System



From the President: Secretary of State's Website

Dear Fellow Bar Member,

As you may know, while converting the Secretary of State's new website early this year, many problems were encountered. In following up with those problems, please consider your experience in the last six weeks compared to six months ago.

Do you continue to have issues with the Secretary of State's new website? If your answer is "no," there is no need to reply. If "yes," please specifically and succinctly describe the problems that continue to exist by reply to this email.

To ensure that all our issues concerning the website are addressed, I will be following up with Secretary of State Brian Kemp later this month. I will let you all know the results of our meeting as well.

Sincerely,
Charles L. Ruffin
President, State Bar of Georgia



State Bar of Georgia

104 Marietta St. NW, Suite 100, Atlanta, GA 30303-2743

Phone - 404-527-8700 Fax - 404-527-8717

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Updated issues list:

1. Incorrect Data Listed, Inconsistent Data from Old Site to New Site (34)
2. Response Time from the SOS Office (23)
3. General Complaints about Website Functions (22)
4. Search Function Errors (19)
5. Payment Issues (overcharged, payment didn't go through, etc.) (15)
6. Login Unnecessary (12)
7. Article Errors (10)
8. Name Reservation Issues (8)
9. Notification Process, Email Confirmations (9)
10. Hold Times When Contacting SOS Office (7)
11. Registered Agent Process (1)
12. Annual Corporate Renewal Errors (1)

10/7/2013

State Bar of Georgia Revenues and Expenditures as of August 31, 2013

Activity	2013-14 Net Dues		Actual 2012-13			Actual YTD 2013-14			Budget 2013-14		
			# Memb.	%	Amount	# Memb.	%	Amount	# Memb.	%	Amount
Active	\$242		35,805	81.0	\$8,537,648	34,871	80.9	\$8,485,962	36,375	80.8	\$8,875,500
Inactive	\$121		8,295	18.8	\$1,017,001	8,135	18.9	\$997,345	8,525	18.9	\$1,040,050
Change in Status \$	N/A		0	0.0	\$0	0	0.0	\$0	0	0.0	\$0
Associates	\$100		18	0.0	\$1,650	19	0.0	\$1,650	18	0.0	\$1,800
Foreign Legal Cnslt	\$242		6	0.0	\$1,440	6	0.0	\$1,452	4	0.0	\$976
Students	\$0		60	0.1	\$950	65	0.2	\$0	100	0.2	\$0
Emeritus	\$0		1,348		\$0	1,383		\$0	1,325	0.0	\$0
Late Fees					\$208,342			\$161,404			\$185,000
Prior Years Dues					\$5,208			\$2,061			\$5,000
Total License & Dues			44,184	100.0	\$9,772,239	43,096	100.0	\$9,649,874	45,022	100.0	\$10,108,326
Alloc. Section Fees					\$96,963			\$0			\$106,610
CSF Expense Reimb.					\$73,000			\$12,167			\$73,000
Advertising & Sales					\$130,842			\$20,674			\$126,200
Membership Income					\$252,275			\$34,176			\$228,000
Interest Income					\$52,005			\$8,617			\$70,000
Miscellaneous					\$3,139			\$75			\$4,000
Total Revenue					\$10,380,463			\$9,725,583			\$10,716,136
Total Expenses					\$10,824,527			\$2,110,017			\$12,116,862
Net Gain (Loss)					(\$444,064)			\$7,615,566			(\$1,400,726)

Board Designated Amounts (Excluding Sections, Conventions and Bar Center)

Board Designated Reserve	\$2,750,000
Board Designated Litigation Reserve	\$250,000
Total	\$3,000,000

Unrestricted Surplus 6/30/13 (cash)**

\$1,264,454

**Subject to final audit

State Bar of Georgia
Summary of Selected Payment Information
For the Periods through August 31, 2013, August 31, 2012 and August 31, 2011

Total Number of Members at Apr 30 of prev Bar year (active and inactive)	<u>44,044</u>	<u>42,858</u>	<u>42,271</u>
	Through August 31, 2013	Through August 31, 2012	Through August 31, 2011
Dues			
Active - Number Paid	34,877	34,113	33,303
Inactive - Number Paid	<u>8,135</u>	<u>8,064</u>	<u>7,895</u>
Total Number Paid (Estimated)	<u>43,012</u>	<u>42,177</u>	<u>41,198</u>
Percent Paid	<u>97.66%</u>	<u>98.41%</u>	<u>97.46%</u>
Total Amount Paid - Active and Inactive	<u>9,484,769</u>	<u>9,143,972</u>	<u>8,869,222</u>

Georgia Legal Services

Number Paid (Estimated)	<u>2,173</u>	<u>2,287</u>	<u>2,275</u>
Percent of Total Members Paid as of August 31	<u>5.05%</u>	<u>5.42%</u>	<u>5.52%</u>
Amount Paid	<u>236,393</u>	<u>240,432</u>	<u>237,163</u>
Average Amount Paid	<u>\$ 109</u>	<u>\$ 105</u>	<u>\$ 104</u>

Legislative

Number Paid (Estimated)	<u>6,998</u>	<u>6,875</u>	<u>6,699</u>
Percent of Total Members Paid as of August 31	<u>16.27%</u>	<u>16.30%</u>	<u>16.26%</u>
Amount Paid	<u>659,965</u>	<u>632,194</u>	<u>609,198</u>
Average Amount Paid	<u>\$ 94</u>	<u>\$ 92</u>	<u>\$ 91</u>

Projected 2013-14 Total Amounts Based Upon The Current Participation
Percentages (Note: Participation Usually Decreases For Members Who Pay Later):

Georgia Legal Services	<u>\$ 242,065</u>
Legislative	<u>\$ 675,800</u>

Other Historical Contribution Amounts: (Excludes expenses charged and Pro Bono)	GA Legal Serv	Legislative	
2012 - 2013	<u>\$ 244,707</u>	<u>\$ 685,283</u>	\$100 Contribution
2011 - 2012	<u>\$ 240,678</u>	<u>\$ 656,254</u>	\$100 Contribution
2010 - 2011	<u>\$ 241,772</u>	<u>\$ 657,526</u>	\$100 Contribution
2009 - 2010	<u>\$ 235,276</u>	<u>\$ 650,806</u>	\$100 Contribution
2008 - 2009	<u>\$ 249,480</u>	<u>\$ 660,570</u>	\$100 Contribution
2007 - 2008	<u>\$ 264,255</u>	<u>\$ 1,235,022</u>	\$100 Contribution
2006 - 2007	<u>\$ 295,646</u>	<u>\$ 802,482</u>	\$100 Contribution
2005 - 2006	<u>\$ 751,762</u>	<u>\$ 159,480</u>	\$25 Contribution
2004 - 2005	<u>\$ 170,210</u>	<u>\$ 273,613</u>	\$20 Contribution

October 7, 2013

**State Bar of Georgia
Income Statement YTD
For the Two Months Ending August 31, 2013**

	YTD Actual	Annual Budget	Ytd % of Bud
Revenues			
Dues - Active	\$ 8,487,414	\$ 8,875,500	95.63
Dues - Inactive	997,345	1,040,050	95.89
Dues - Misc. Types	1,650	2,776	59.44
Dues - Late Fees	163,465	190,000	86.03
	<hr/>	<hr/>	
Total Dues & Licenses	9,649,874	10,108,326	95.46
Section Expense Reimb.	0	106,610	0.00
CSF Expense Reimb.	12,167	73,000	16.67
Advertising and Sales	20,674	126,200	16.38
Membership Income	34,176	228,000	14.99
Savannah Misc Income	0	0	0.00
Interest Income	8,617	70,000	12.31
Miscellaneous Revenues	75	4,000	1.88
	<hr/>	<hr/>	
Total Revenues	9,725,583	10,716,136	90.76
Expenses			
Administration	350,755	1,993,411	17.60
Management Info Systems	77,303	409,781	18.86
General Counsel	576,597	3,426,666	16.83
Consumer Assistance Pgm.	88,995	530,832	16.77
Communications	126,973	1,295,853	9.80
Fee Arbitration	67,956	438,010	15.51
Law Related Education	39,321	238,288	16.50
Law Practice Management	68,354	410,219	16.66
Coastal Georgia Office	28,162	187,361	15.03
South Georgia Office	26,295	180,560	14.56
Younger Lawyers Division	91,557	440,400	20.79
Unauthorized Practice of Law	123,370	733,691	16.81
Standards of the Profession	31,868	187,774	16.97
High School Mock Trial	13,033	105,120	12.40
Sections	19,280	106,665	18.08
Lawyer's Assistance Pgm	9,167	55,000	16.67
Pro Bono	34,847	209,080	16.67
Fastcase	29,110	186,000	15.65
Officers' Expenses	51,417	183,271	28.06
Telephone System Project	0	0	0.00
BASICS Program Contribution	140,000	140,000	100.00
Resource Center Contribution	108,701	108,701	100.00
Military/Vets Pro Bono	16,774	100,500	16.69
Other Expenses	(9,818)	511,505	(1.92)
	<hr/>	<hr/>	
Total Expenses	2,110,017	12,178,688	17.33
	<hr/>	<hr/>	
Net Income	\$ 7,615,566	\$ (1,462,552)	(520.70)

ASSETS - Current Assets

Total Cash & Short-Term Investments	13,923,103
Investment - Merrill Lynch	7,921,723
Investment - Fidelity	4,591,440
Total Long-Term Investments	12,513,163
Accounts Receivable	58,882
Accrued Interest Receivable	10,961
Due from Related Orgs/Emp	(47,299)
Prepaid Expenses	386,442
Bar Center Prepaid Expenses	97,464
Total Other Assets	506,450
Total Current Assets	26,942,716
Fixed Assets	
Furniture & Equipment	4,944,353
Bar Center	26,517,197
Accum. Depreciation	(15,366,501)
Total Fixed Assets	16,095,049
Total Assets	\$ 43,037,765
LIABILITIES AND CAPITAL	
Accounts Payable	\$ 175,501
Other Current Liabilities	508,103
Vacation Accrual	450,954
Due to Client Security Fund	2,435,528
Deferred Income	141,917
C&W - Cushman Accounts Payable	96,372
BC-Accrued Expenses	39,154
C&W - Deferred Rent Income	27,520
Total Current Liabilities	3,875,049
Total Long Term Liabilities	0
Fund Balances - Beg. of Year	
Total Fund Balances - Beg. of Year	30,075,924

10/7/2013

State Bar of Georgia - Bar Center
Revenues and Expenditures - Executive Summary
For the Two Months Ended August 31, 2013

Activity	YTD 8/31/13		Budget FY 14
	Actual	% Budget	
Income and Cash Receipts			
CCLC Contribution	\$29,963	2.5%	\$1,200,000
Interest Income	\$0	0.0%	\$6,000
Member Assessment	\$207,172	71.4%	\$290,000
Room Rentals and Various Charges	\$3,289	13.2%	\$24,957
Parking Revenues	\$30,449	13.6%	\$223,157
Rental Income	\$195,081	16.8%	\$1,157,797
Operating Budget Transfer	\$94,697	16.7%	\$568,184
Unrealized Gain (Loss) on Interest Rate Swap	\$0	0.0%	\$0
Total Income and Operating Budget Transfers	\$560,651	16.2%	\$3,470,095
Total Income and Cash Receipts	\$560,651	16.2%	\$3,470,095
Expenses and Cash Disbursements			
Building Rehabilitation	\$31,843	0.0%	\$25,000
Conference Floor Renovations	\$0	0.0%	\$5,000
Tenant Improvements	\$668	13.4%	\$5,000
Sub-Basement Buildout	\$0	0.0%	\$0
Second Floor Attorney Buildout	\$0	0.0%	\$0
Furniture and Equipment	\$0	0.0%	\$0
Design Fees	\$0	0.0%	\$0
Lease Commissions	\$0	0.0%	\$0
Median and Landscaping	\$0	0.0%	\$5,000
Woodrow Wilson Exhibit and Law Museum	\$0	0.0%	\$5,000
President's Conference Room	\$0	0.0%	\$5,000
Law Related Education	\$8,750	16.5%	\$53,000
Conference Center Operating Expenses	\$75,321	16.6%	\$454,497
Third Floor Contingency	\$0	0.0%	\$25,000
Building Operating Expenses	\$284,074	16.6%	\$1,713,065
Parking Deck Operating Expenses	\$36,080	15.7%	\$230,172
Legal, Due Diligence and Closing Fees	\$0	0.0%	\$0
Total Expenses and Cash Disbursements	\$436,736	17.3%	\$2,525,734
Net Cash Flow	\$123,915		\$944,361
Board Designated Amounts (Excludes Sections and Restricted Funds)			
1. Board Designated Reserves			
Operating	\$2,750,000		
Bar Center	\$2,000,000		
Litigation	\$250,000		
Total	\$5,000,000		
2. Projected Undesignated Unrestricted Surplus 6/30/13 (Includes Operating and Bar Center)			
	\$6,793,271		

State Bar of Georgia 2014-2015 Budget Timetable

(Unless otherwise noted, all meetings are at the State Bar Building, 104 Marietta Street, Atlanta)

10/8/13

Week of Dec. 2, 2013	The Budget Timetable and the Budget Request Forms are sent to President-elect, YLD President-elect, Section Chairs, Committee Chairs, and Bar staff.
Fri. - Jan. 10, 2014	Deadline for submissions of all new budget requests to be submitted to Executive Director or Chief Financial Officer. Non-emergency requests received after this date will be held for consideration in the 2015-2016 budget cycle.
Thrs. - Jan. 16, 2014	Programs Committee reviews any new budget requests. Proponents are requested to appear to orally present and justify their requests.
Fri. - Jan. 17, 2014	Personnel Committee reviews any staffing and compensation change requests. Proponents will be notified of the meeting date so they can make oral presentations to justify their requests (meeting at the St. Regis Hotel in conj. with the Midyear Meeting).
Fri. - Feb. 7, 2014	Finance Committee reviews the Programs and Personnel Committee's recommendations (the review is limited to their financial impact on dues and budget) and recommends the 2014-2015 dues level to the Executive Committee. Proponents, having already been heard, do not attend.

(dates below are subject to Exec. Comm. meeting schedule & subject to change)

Thrs. - Feb. 21, 2014	Executive Committee receives recommendations of Programs and Personnel Committees, and Finance Committee's draft budget (including its report on the financial impact of those recommendations) and recommends the 2014-2015 dues level to the Board of Governors for the March 22 Board meeting. (Note: Board agenda deadline is March 3 – the Executive Comm. next meets on <i>April 10, 2014</i> , after the deadline).
Sat. - March 22, 2014	Board of Governors sets the 2014-2015 dues level at the Spring Board Meeting (Greensboro, GA).
Fri. - March 28, 2014	Finance Committee recommends the final draft budget to the Executive Committee.
Thrs. - April 10, 2014 or May 15, 2014	Executive Committee receives final draft budget for its review and recommendation to the Board of Governors. (Note: Board agenda deadline is May 19)
Sat. - June 7, 2014	Board of Governors receives 2014-2015 final draft budget for approval at the Annual Board Meeting (Amelia Island, FL).

Overview of the Budget Process:

1. Personnel Committee recommends staffing for **existing programs** to the Executive Committee.
2. Programs Committee recommends **substantial program changes** (additions, changes, or deletions) to the Executive Committee.
3. Finance Committee recommends a draft budget, including the financial impact of the recommendations of the Programs and Personnel Committees, to the Executive Committee. (It does not hear from proponents or repeat the work of the Programs and Personnel Committees, but it does advise 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 2014-2015 budget at its Annual Meeting after a hearing open to all members.

10/11/13



**YLD Report to the
Board of Governors
of the State Bar of Georgia**

**November 2, 2013
Jekyll Island, GA**

Throughout its 68 year history, the YLD has been known as the “Service Arm of the Bar,” dedicating its efforts to serve both the profession and the public. During the 2013-14 Bar year, our dedication to service will continue, this time, though, with a focus on “Helping Our Own: Serving Georgia’s Current and Future Young Lawyers.” This is being accomplished with the following five initiatives:

1. Law School Fellows Program

It is a little known fact that the YLD Bylaws allow a representative from each of Georgia’s five law schools a seat on the YLD Executive Council. Though the YLD has routinely attracted 3L’s from several of these schools to participate in YLD programming, we have been unable to create sustained involvement among the students at our law school affiliates from one year to the next.

In an effort to alter this trend, the 2013-14 Bar year will see the advent of the YLD Law School Fellows Program. With the cooperation of all five of Georgia’s law schools, the YLD has created a fellowship for a 2L and 3L at each of Georgia’s five law schools. Each 3L will serve as his or her school’s YLD Executive Council Representative, attending at least three out of our five business meetings as all other Executive Council members are required to do. Each 2L will also attend these meetings and will be his or her school’s Executive Council representative during the Bar year coinciding with his or her third year of law school. This way the YLD can create the elusive continuity among the law student representatives to the YLD Executive Council.

To enhance the Program, each fellowship features a stipend from the YLD and a matching stipend from the law schools to defray the cost associated with the fellows’ attendance at YLD meetings and events.

2. Local Affiliate Outreach

Acting under the premise that all Bar involvement is local, while at the same time understanding that an inability to consistently get the state’s young lawyers from the local YLD to the State YLD requires a bringing of State YLD to the local level, the 2013-14 Bar year will feature a renewed effort at outreach to Georgia’s 12 local YLD affiliates. Of course, outreach cannot be done well

unless you actually reach out, so once a month for the next 12 months all seven YLD officers will visit a local YLD affiliate. Each visit will coincide with the local YLD affiliate's regularly scheduled business meeting or social event and will feature an outreach program tailored to both the local affiliate and the meeting or event.

In addition, the annual YLD affiliates conference begun by past-president Michael Geoffroy will continue this year, but in a different form. With the cooperation of the Bar's Local and Voluntary Bars Committee, this year's affiliates conference will be held in conjunction with that committee's annual Bar Leadership Institute. This will give affiliate YLD leaders access not only to the leaders and programming of the State Bar YLD and other local YLDs, but also to the leaders and programming of the State Bar and other local and voluntary bar associations.

3. Leadership Academy Expansion

The 2013-14 Bar year will see the expansion of the YLD Leadership Academy, an award-winning premier program of the YLD that propels young lawyers into leadership roles in the YLD, State Bar and their communities, by increasing the number of scholarships available to young lawyers who qualify for participation in the Leadership Academy but otherwise cannot afford its tuition.

4. Permanent Funding for PIIP

The brain-child of YLD Past President Amy Howell, PIIP was founded during the 2009-10 Bar year to help alleviate a coinciding decrease in the number of legal employment opportunities for young lawyers and a decrease in staffing at Georgia's public interest legal organizations. PIIP does this by providing law students and new lawyers with funding to pursue internships at these organizations. Seeing that these decreases have only continued since PIIP's inception, YLD President Darrell Sutton has set out to see that this program is funded for the foreseeable future so that the service it provides to both Georgia's current and future young lawyers and their fellow Georgians will continue.

The value and worthiness of this program speaks for itself. Consider this: in only four Bar years since PIIP's inception, 274 Georgia young lawyers and law students (including a record 149 in 2013) have applied for PIIP internships. Of those 274 applicants, 24 have received PIIP internships and have provided legal services at GLSP, the Atlanta Legal Aid Society, the U.S. Department of Housing & Urban Development, the DeKalb County Public Defender's Office, the DeKalb County Child Advocacy Center, the Federal Defender Program, Gideon's Promise, and the Augusta District Attorney's Office. In addition, PIIP was awarded first place Service to the Bar project at the ABA's Annual Awards of Achievement.

As it currently stands, though, existing funding for PIIP will run-out after the 2014 class of PIIP interns is placed. It is therefore necessary for the long-term continuation of this award-winning and signature program of the YLD that permanent funding for it be secured this year.

5. Legislative Recruitment

In conjunction with the State Bar's legislative lobbying team, the YLD is ramping-up efforts to recruit more young lawyers to run for elected office, especially seats in the Georgia General Assembly. The YLD is also seeking to ramp-up the involvement, in general, of its members in the legislative process by partnering with the State Bar's grass-roots lobbying team.

In addition, we will continue our regular meetings and events, and we will continue to be distinguished by our committees and special projects.

Meetings

The YLD holds five business meetings per year. These meetings are where officers and directors report on YLD business and members of the Executive Council update the leadership on projects and events.

Summer Meeting: The YLD held its Summer Meeting in Chicago, IL, August 22-25. The meeting kicked-off with a welcome reception on the W Hotel terrace overlooking Lake Michigan and Navy Pier. On Friday, Mercer University Law Professor James Fleissner engaged attendees with a CLE titled, "Balancing National Security and the Free Flow of Information: The Legal Landscape for Leakers and Publishers of Classified Information." Professor Fleissner has remained Special Assistant United States Attorney and Deputy Special Counsel. As Deputy Special Counsel, Fleissner was lead counsel in litigation regarding motions filed by journalists to quash subpoenas and contempt proceedings in the CIA leak grand jury investigation. This interesting CLE garnered high attendance and participation of young lawyers.

Friday evening, attendees enjoyed a White Sox baseball game at U.S. Cellular Field. And if the game wasn't enough, it also happened to be Elvis night. Retired military personnel dressed as Elvis parachuted onto the field before and after the game and the crowd was treated to a fireworks display set to Elvis' greatest hits.

The YLD general session was held Saturday morning after breakfast and members gave reports on projects and events. Following the meeting, attendees were split up into four teams where they competed to make the most peanut butter and jelly sandwiches in five minutes. The sandwiches were then donated to Cornerstone Community Outreach, a local Chicago shelter. Saturday evening, attendees walked to Gino's East Pizzeria and sampled Chicago's finest deep dish pizza.

Fall Meeting: The YLD held its Fall Meeting in Chattanooga, TN, October 4-6. The meeting started with a well-attended CLE presented by State Bar Past President Lester Tate. The CLE was followed by a Law School Fellows meeting where six law students attended and were given an overview of the Young Lawyers Division. The YLD officers in attendance dropped by to welcome the law students. The General Session was held that afternoon and officers, directors, committee chairs and members gave reports on projects and events. During the meeting a service project for the Hamilton County Juvenile Court CASA Program was conducted and attendees brought books and overnight bags for the children. A representative from the court was present to give an overview of their program and collect the donations.

That evening, a reception was held at the hotel and members of the Chattanooga and Dalton YLDs attended as special guests. A group dinner was held after the reception offsite at The Boathouse where diners had a spectacular view of the Tennessee River while they mingled.

On Saturday, attendees were bused to Knoxville for a tailgate prior to the UGA vs. UT game. Thanks to a UGA victory in overtime, attendees held their heads high as they made their way through the Volunteer crowd and back to the hotel which concluded the meeting.

Special Projects

Wills Clinic: Young lawyers Brandon Elijah and Katie Willett are heading up an effort to organize and implement a Wills Clinic. The chairs are working with the Bar's Office of General Counsel to finalize their documents and have their first clinic scheduled for December 14 in Augusta.

Committees and Programs

The YLD is routinely referred to as the "service arm" of the Bar. The YLD's 28 committees offer a wide range of service opportunities—to the profession, the public and otherwise. Through the involvement and leadership of young lawyers, these committees have produced programming that has routinely garnered the YLD national recognition.

- **Advocates for Students with Disabilities**

- **Co-Chairs: Emma Hetherington & Laurice Rutledge**

- This committee provides technical support and networking opportunities to the growing community of attorneys whose practice or passion includes students with disabilities and their families. The committee works to ensure the number of attorneys involved with families continues to grow and these attorneys have excellent continuing education opportunities, as well as a network of colleagues. In addition to educational issues, the committee provides support on estate planning, civil rights, health care, power of attorneys, juvenile justice, guardianships and more.

- **Appellate Admissions**

- **Co-Chairs: Kristen Cawley & Bryan Schivera**

- This committee arranges the biannual ceremonies for admission of new Bar admittees to the Supreme Court of Georgia, the Court of Appeals of Georgia and the U.S. District Court for the Northern District of Georgia.

- **Aspiring Youth Program**

- **Co-Chairs: Lindy Kerr & Tamika Sykes**

- This committee works to teach conflict resolution skills through the "Art of Debate" to incarcerated youth in the DeKalb Regional Youth Detention Center. This committee assists at-risk youth by working to increase rehabilitation rates and their aspirations to graduate from high school and college by demonstrating the importance of education, hard work and commitment. Young lawyers serve as positive role models while developing mentoring relationships with these youth.

- **Business Law**

- **Co-Chairs: Steven Moulds, Emily Shoemaker & Sarah Statz**

- This committee addresses issues specific to young lawyers whose practice involves either commercial litigation or commercial transactions. The committee monitors and addresses legal developments in the areas of business, commerce and finance on both federal and state levels.

- **Community Service Projects**

- **Co-Chairs: Deepa Subramanian & Kristi Wilson**

- This committee provides opportunities for young lawyers to participate in local, state or national service projects focused on various social issues, such as working with organizations that address the needs of underprivileged children, hunger, domestic violence and the environment.

- **Criminal Law**
Co-Chairs: Amanda Clark Palmer & Rebekah Shelnett
 This committee strives for the improvement of the criminal justice system, and where appropriate, seeks to implement changes. The committee annually sponsors CLE seminars and the Commitment to Justice Award.
- **Disaster Legal Assistance**
Co-Chairs: Monica Kinene & Jessica Reece
 This committee coordinates emergency legal assistance for victims of disasters who are located in Georgia.
- **Ethics and Professionalism**
Co-Chairs: Kristy Offitt & Raj Shah
 This committee develops programs to assist lawyers in achieving the ethical and professional standards set forth for the legal profession and to make the public aware that lawyers are striving to meet and exceed these standards. This committee works directly with the Chief Justice's Commission on Professionalism to develop programs designed to promote these standards for lawyers who have recently entered the profession. Each year, the committee recognizes one exceptional young lawyer who has demonstrated outstanding professionalism with its Ethics & Professionalism Award.
- **Family Law**
Co-Chairs: Jamie Perez & Kelly Reese
 This committee provides educational and networking opportunities to young lawyers whose practice involves family law. The committee sponsors a networking reception as part of the annual Family Law Institute, as well as hosting The Supreme Cork, an annual fundraising event to raise money and awareness for causes involving family related issues in Georgia.
- **High School Mock Trial**
Chairs: Kevin Epps, Lee Ann Feeley & Righton Johnson
 This committee provides educational litigation experience to hundreds of high school students by sponsoring a statewide mock trial competition, sending a team to the national competition and holding an intensive weekend law academy. Young lawyers, judges and teachers throughout Georgia are involved in all levels of the competition as coaches, judges and committee members.
- **Intellectual Property**
Co-Chairs: Liz Wheeler & Clark Wilson
 This committee promotes communication among young lawyers practicing in the various areas of intellectual property law as well as networking with other practice groups to enhance the availability of business opportunities. The committee provides CLE programs as well as social activities that promote networking and Bar participation.
- **Intrastate Moot Court Competition**
Co-Chairs: Kathleen Sullivan Dod & Emelia Walker
 This committee sponsors the annual Intrastate Moot Court Competition among students from Georgia law schools. It organizes and conducts all aspects of the competition.

- **Judicial Law Clerk**

- **Co-Chairs: Margaret Head & Elise Myers**

- This committee serves the professional needs of, and addresses issues specific to, young lawyers serving as staff attorneys or judicial law clerks in either state or federal courts throughout the state. In this regard, the committee monitors and addresses legal developments and issues facing the courts. Moreover, the committee provides a forum for young, practicing lawyers to gain insight from other young lawyers serving in the courts. The committee also sponsors CLE programs, covering topics of interest to staff attorneys and judicial law clerks, and offers networking events throughout the year.

- **Juvenile Law**

- **Co-Chairs: Donald Lee & Stephanie Mason**

- This committee is responsible for studying and recommending changes in the areas of juvenile law, facilities and rehabilitation. The committee encourages and celebrates excellence in juvenile law practice across Georgia through sponsorship of an annual CLE event and child advocate awards. The committee organizes and co-sponsors the Celebration of Excellence, a graduation ceremony for youth in the state foster care system. In addition, the committee recently drafted comprehensive recommended revisions to Georgia's Juvenile Code and provided technical support to turn the recommendations into legislation.

- **Labor & Employment Law**

- **Co-Chairs: Allison Ballard, Stan Hill & Abby Larimer**

- This committee provides educational and networking opportunities by: (1) enhancing the role and skill of young lawyers engaged in the practice of labor and employment through the development and dissemination of materials and discussion on subjects of interest to young labor and employment law practitioners; (2) assisting in the formation, administration and implementation of programs, forums and other activities for the education of members in matters pertaining to labor and employment; and (3) recognizing and discussing means of improving the practice of law in the field of labor and employment through meetings and other social events.

- **Leadership Academy**

- **Co-Chairs: Ivy Cadle, Rachel Fields & Yari Lawson**

- Founded in 2006, the Young Lawyers Division Leadership Academy of the State Bar of Georgia is a program for young lawyers who are interested in developing their leadership skills as well as learning more about their profession, their communities and their state. The Leadership Academy counts more than 300 alumni. Those alumni members include solo practitioners, judicial law clerks, partners in large and small law firms, assistant district attorneys, public defenders, non-profit lawyers, ADR specialists and in-house counsel for Fortune 500 companies.

- **Legal Food Frenzy**

- **Chair: Jonathan Poole**

- The Legal Food Frenzy was started in 2012 when Georgia's Attorney General partnered with the Young Lawyers Division and the Georgia Food Bank Association to recreate a program born in Virginia. This is a friendly competition between law firms, corporate law offices and legal organizations to help families who need food assistance in our state. The winner receives the "Attorney General's Cup" from Georgia's Attorney General Sam Olens. Awards are also given in

sole proprietor, small firm, medium firm, large firm, legal organization and corporate law firm divisions. Any firm in the state can win since the awards are based on a per person average (pounds raised divided by the number of employees in the firm). For more information, please visit www.galegalfoodfrenzy.org.

- **Legislative Affairs**

Co-Chairs: Clint Bearden, Leslie Powell & David Werner

This committee serves as the clearinghouse for YLD-initiated legislation and aids legislators and other YLD committees in various matters. The committee also holds an annual legislative luncheon.

- **Litigation**

Co-Chairs: John Jett & Brandon Smith

This committee addresses the needs of younger litigators by sponsoring litigation themed Lunch and Learns, CLEs and socials. The committee also places an emphasis on social activities as well as service to the community, fostering networking among its members.

- **Minorities in the Profession**

Co-Chairs: Yennifer Delgado & Morgan Clemons

This committee encourages increased participation by minorities in the Bar and the YLD, examines the problems affecting the minority lawyer and expands the opportunities for minority lawyers within the profession.

- **National Moot Court Competition**

Co-Chairs: Cara Convery, April Holloway & Bert Hummel

This committee conducts the Region V competition of the National Moot Court Competition.

- **Non-Traditional Legal Careers Committee**

Chair: Taylor Sellers

Newly created, this committee will work to maintain professional identity and engagement of young lawyers who work in settings other than traditional law practice.

- **Public Interest Internship Program**

Co-Chairs: Jennifer Fleeman & Kerry Nicholson

This committee oversees the Public Interest Internship Program and acts as liaison to other public interest organizations.

- **Real Estate**

Co-Chairs: Sarah Madden & Matt Schectman

This committee promotes communication among young lawyers practicing in the various areas of real estate law as well as networking with other practice groups to enhance the availability of business opportunities. The committee provides CLE programs as well as social activities that promote networking and Bar participation.

- **Signature Fundraiser**
Co-Chairs: Jessica Sabbath & Meredith Sutton
 This committee organizes and orchestrates an annual fundraising event to raise money to support nonprofits.
- **Solo Practice/Small Firm**
Co-Chairs: Soo Hong, Dar'shun Kendrick & Tracy Rhodes
 This committee seeks to provide opportunities for and support to solo practitioners and young lawyers who work in small firms. Recognizing that the economy and many other factors contribute to young lawyers hanging their own shingles, this committee focuses on providing discounted CLEs, organizing networking events and creating projects aimed at sharpening the skills and increasing the success of its members.
- **William Daniel National Invitation Mock Trial**
Chair: Matt Jones
 This committee hosts an annual criminal mock jury trial competition among law students in November. The competitors are law students from schools across the country. Georgia law schools are also invited to participate. Every summer, the committee sends applications to ABA accredited law schools. Only 18 schools are invited to compete in this distinguished national mock trial competition.
- **Women in the Profession**
Co-Chairs: Nadia Deans & Jennifer Nichols
 This committee's mission is to ensure the success of women attorneys just beginning their legal careers by providing a forum for the exchange of dialogue and ideas on concerns of women, sponsoring programs directed to business and professional development of women attorneys, organizing networking activities, and supporting organizations and causes which advance the status and progress of women in society.

Real Estate Task Force

Patrise Perkins-Hooker, Chair

Deborah Bailey

Robert Brannen

Vanessa Goggans

Bob Kauffman

Pat O'Connor

William Phalen

Jeffrey Schneider

N. Harvey Weitz

AMERICAN BAR ASSOCIATION

ADOPTED BY THE HOUSE OF DELEGATES

AUGUST 12-13, 2013

RESOLUTION

RESOLVED, That the American Bar Association urges states' highest courts and lawyer regulatory authorities to coordinate with their foreign regulatory counterparts and to enter into voluntary arrangements to facilitate the exchange of relevant information, consistent with the jurisdictions' rules regarding the admission, licensure, disciplinary status and confidentiality of information regarding lawyers licensed in their respective jurisdictions.

FURTHER RESOLVED, That the American Bar Association adopts the Guidelines for an International Regulatory Information Exchange, dated August 2013.

**GUIDELINES FOR AN INTERNATIONAL REGULATORY
INFORMATION EXCHANGE
(August 2013)**

A. Information Exchange

1. **Status:** Given the global mobility of lawyers, Regulatory Authorities in one jurisdiction may need to determine whether a lawyer is authorized to practice or is licensed/admitted and in good standing in another jurisdiction, and that lawyer's disciplinary history. Regulatory Authorities should identify individuals responsible for sending, receiving and responding to requests for this type of information, and should provide each other with the relevant contact information.
2. **Imposition of Discipline:** Upon the imposition of discipline against a lawyer by any jurisdiction, the Regulatory Authority of the jurisdiction imposing the discipline should, consistent with its rules, provide the following information to its foreign regulatory counterpart(s) in any jurisdiction(s) in which it knows the disciplined lawyer is licensed/admitted or authorized to practice:
 - a. The lawyer's residence and business addresses, telephone number(s), and e-mail address(es);
 - b. Dates of licensure/admission, if applicable, in the sending jurisdiction, and a statement as to whether that lawyer is in good standing;
 - c. The details regarding the disciplinary proceedings leading to the imposition of discipline against the lawyer, such as the substance of the allegations of misconduct; the date the proceedings were initiated; the date upon which the proceedings were concluded; the caption of the proceedings; any findings made; and the discipline imposed or actions taken in connection with those proceedings; and
 - d. A description of the sending jurisdiction's disciplinary process or the location where such information can be found, as well as any further information that the sending jurisdiction deems appropriate.

As used in this paragraph, "discipline" refers to a sanction imposed by a jurisdiction's designated Regulatory Authority against a lawyer upon a finding that the lawyer has violated the applicable rules or standards of lawyer ethics or professional conduct. Discipline may include, but is not limited to, disbarment (revocation of license or ability to practice or striking from the roll), resignation with charges pending or in lieu of discipline, suspension (prohibition or restrictions of the right to practice for a period of time), censure, reprimand, admonition, probation, restitution, limitations on practice and assessment of costs.

3. **Other Notification:** Consistent with the jurisdiction's rules, after the receipt of sufficient information demonstrating that a lawyer has violated the applicable rules or standards of lawyer ethics or professional conduct or is physically or mentally disabled, and poses a

substantial threat of serious harm to the public or to the administration of justice, the Regulatory Authority in possession of such information may provide the following to its foreign counterpart(s) in any jurisdictions in which it knows the lawyer is licensed/admitted or authorized to practice:

- a. The lawyer's residence and business addresses, telephone number(s), and e-mail address(es);
- b. Dates of licensure/admission, if applicable, in the sending jurisdiction, and a statement as to whether that lawyer is in good standing; and
- c. Documentation of such information in the Regulatory Authority's possession, the details of any disciplinary proceedings pending against the lawyer, including, but not limited to, the substance of the allegations of misconduct; the date the proceedings were initiated and whether they are still pending; and, for those proceedings that are not still pending and are concluded without the imposition of discipline, the date upon which such proceedings were concluded and information explaining the basis of the decision to conclude the proceedings; and
- d. A description of the sending jurisdiction's disciplinary process or the location where such information can be found, as well as any further information that the sending jurisdiction deems appropriate.

B. Confidentiality

1. Information exchanged between lawyer Regulatory Authorities should be for the purpose of enhancing the protection of clients and the public.
2. Disclosure and use of such information is subject to applicable rules and other law.

C. Notice to Lawyer

The Regulatory Authority that sends information about a lawyer to another Regulatory Authority should, if it has the lawyer's contact information, notify the lawyer of its actions. The Receiving Regulatory Authority, if it has the lawyer's contact information, should notify the lawyer that it is in receipt of information described in Paragraphs A(2) or (3).

D. Subsequent Action by Receiving Regulatory Authority

1. The receiving Regulatory Authority should acknowledge to the sending Regulatory Authority its receipt of the information described in Paragraph A(2) or (3) above, and may provide any information it considers relevant.
2. The receiving Regulatory Authority should notify the sending Regulatory Authority of any responsive action that it takes.

REPORT

Introduction:

Globalization has had a significant impact on the legal profession. Today, more lawyers than ever are crossing national borders, virtually and physically, to serve client needs. As discussed in more detail below, the U.S. is the largest legal services exporter in the world and large numbers of U.S.-licensed lawyers are working in offices of U.S. and foreign law firms abroad. Likewise, albeit to a lesser extent, foreign lawyers also travel to the U.S. and increasingly have a physical and virtual presence in this country.

The ABA has adopted numerous Model Rules providing foreign lawyers¹ the ability to engage in limited and regulated legal practice in the U.S.², and also adopted a policy urging the U.S. government to ensure that our lawyers have similar opportunities to operate overseas.³ Whether one sees the presence of foreign lawyers as a positive or a negative, it is a reality, and wherever global commerce is most robust the number of visiting foreign lawyers will increase. As cross-border legal practice continues to grow, lawyer accountability and cooperation in lawyer discipline must be addressed.

A first step toward achieving accountability in a legal practice environment with global mobility is to encourage and facilitate better communication and cooperation among lawyer regulators. As a result, the ABA Standing Committee on Professional Discipline (“Discipline Committee”) and the ABA Task Force on International Trade in Legal Services (“ITILS”) request that the House of Delegates adopt this Resolution that provides a template for state supreme courts and lawyer regulatory authorities (e.g., bar admissions authorities and disciplinary authorities) to coordinate with their foreign regulatory counterparts and to enter into voluntary arrangements to facilitate the exchange of relevant information, consistent with the jurisdictions’ rules regarding the admission, licensure and disciplinary status of lawyers licensed in their respective jurisdictions. Further, the Discipline Committee and ITILS urge the House to adopt the proposed Guidelines for International Regulatory Information Exchange.

¹ A “foreign lawyer”, as long defined in ABA policy (infra note 2), is an individual who is “...a member in good standing of a recognized legal profession in a foreign jurisdiction, the members of which are admitted to practice as lawyers or counselors at law or the equivalent, and are subject to effective regulation and discipline by a duly constituted professional body or a public authority.”

² In August 2002, the ABA House of Delegates adopted amendments to Rules 5.5 (Unauthorized Practice of Law; Multijurisdictional Practice) and 8.5 (Choice of Law) of the ABA Model Rules of Professional Conduct. The House also reaffirmed the 1993 ABA Model Rule for the Licensing of Legal Consultants (in 2006 it was renamed the Model Rule for the Licensing and Practice of Foreign Legal Consultants) and adopted a new Model Rule for Temporary Practice by Foreign Lawyers. In February 2013, the ABA House of Delegates adopted three Resolutions relating to inbound foreign lawyers. Revised Resolutions 107A and 107B amended Rule 5.5 of the ABA Model Rules of Professional Conduct and the Model Rule for Registration of In-House Counsel to permit foreign lawyers to serve as in-house counsel in the U.S., with restrictions on their ability to provide advice on U.S. law. Resolution 107C amended the ABA Model Rule on Pro Hac Vice Admission to provide judges with guidance about granting such limited and temporary pro hac vice practice authority to foreign lawyers.

³ In August 2002, the ABA House of Delegates adopted a policy urging the United States Trade Representative to seek practice rights for outbound U.S. lawyers equivalent to the practice rights set forth for inbound foreign lawyers in the ABA Model Rule for the Licensing of Legal Consultants (now called the Model Rule for the Licensing and Practice by Foreign Legal Consultants).

There is precedent for the type of voluntary arrangements that the Discipline Committee and ITILS propose. In 2009, the Conference of Chief Justices (“CCJ”) adopted two Resolutions, each with an accompanying “Protocol” designed to promote communication and cooperation among United States Bar Admission and Lawyer Disciplinary Authorities and their counterparts in Australia and the European Union.⁴ Both Resolutions stated that, given increased international cross-border practice, “...a system of cooperation between the competent bar admission and lawyer disciplinary bodies of the home jurisdiction (the jurisdiction in which the lawyer has been admitted to the bar) and the host jurisdiction (the jurisdiction in which the lawyer renders cross-border legal services) will increase cross-border legal services and better protect the public; and... an essential part of regulating the practice of foreign lawyers is an ability to verify the qualifications, experience, and professional standing of that lawyer, including the status of any disciplinary proceedings involving that lawyer...”.

In addition, in September 2012 the U.K. Solicitors Regulation Authority (SRA) hosted an inaugural two-day [International Conference of Legal Regulators](#).⁵ More than 100 attendees, including “front line” regulators from Australia, Africa, Asia, Canada, the U.S., and the U.K., discussed regulatory developments and challenges in a globalized legal practice environment. U.S. attendees included representatives from the American Bar Association Standing Committee on Professional Discipline, National Conference of Bar Examiners, Conference of Chief Justices, National Organization of Bar Counsel, State Bar of California and the District of Columbia Bar. During the closing session, attendees indicated their interest in continuing their communication and collaboration. A second conference will be held just preceding the 2013 ABA Annual Meeting in San Francisco.⁶

The Discipline Committee and the ITILS understand that there exist larger and more complex issues relating to the ways in which the current U.S. state-based regulatory construct is being stretched by multijurisdictional legal practice developments, both domestic and foreign, as well as other issues relating to access to the U.S. legal services market by foreign lawyers and access to other countries’ legal services markets by U.S. licensed lawyers. The Association and the profession will and should continue to grapple with those issues and work to develop any necessary changes. While the ABA and the profession do so, however, efforts to encourage communication and collaboration among the global regulators of lawyers need not wait. This Resolution and the accompanying proposed Guidelines for an International Regulatory Information Exchange represent a practical and easily implemented first step toward helping U.S. and foreign Regulatory Authorities ensure accountability of lawyers engaged in global

⁴ These CCJ resolutions are available at the following links: Conference of Chief Justices, *Resolution 13: In Support of Cooperation Among United States and Australian Bar Admission and Lawyer Disciplinary Bodies* (Aug. 2009), <http://ccj.ncsc.dni.us/InternationalResolutions/resol13.html>; *Protocol for the Exchange of Information Between [State Admitting Authority] and the Law Council of Australia: Protocol for the Exchange of Information*, CONFERENCE OF CHIEF JUSTICES (Aug. 2009), <http://ccj.ncsc.dni.us/InternationalResolutions/ProtocolAustralia.pdf>; and Conference of Chief Justices, *Resolution 2: In Support of Cooperation Among United States and European Disciplinary Bodies* (Jan. 2009), <http://ccj.ncsc.dni.us/2-ProposedCCBEResolution1-6-09.pdf>.

⁵ See Laurel S. Terry, *Creating an International Network of Lawyer Regulators: The 2012 International Conference of Legal Regulators*, 82(2) *Bar Examiner* (forthcoming June 2013), available at <http://www.ncbex.org/publications/the-bar-examiner>.

⁶ INTERNATIONAL CONFERENCE OF LEGAL REGULATORS, <http://www.international-conference-of-legal-regulators.org> (last visited May 2, 2013).

practice, and enhance client and public protection. The Guidelines identify for regulators of the profession the primary issues and topics usefully addressed in a voluntary information exchange arrangement. By adopting the Discipline Committee's and the ITILS's proposal, the ABA would retain its leadership role in developing and implementing professional regulatory policy as domestic and foreign Regulatory Authorities are considering these and related issues.

The Global Legal Services Marketplace

As noted in a 2012 ITILS White Paper on International Trade in Legal Services, lawyers are enmeshed in the global economy; “[c]lients travel, lawyers follow those clients, and this has an impact on legal practice and legal regulation.”⁷ U.S. Census data as well as data relating to international trade in legal services and law firm demographics supports this statement.

For example, as of 2009, the total foreign-born population in the U.S. was 36,750,000, approximately 12% of the U.S. population.⁸ These foreign-born residents have domestic relations issues, property and estate planning matters, and business relationships in their countries of origin or the countries of origin of their spouses or business associates. Similarly, there are increasing numbers of foreign companies with substantial operations in the U.S. as well as U.S. companies with substantial operations abroad.⁹

In 2011, the U.S. exported \$7.479 billion in legal services and imported \$1.5 billion.¹⁰ The Am Law Global 100 reports that there are more than 40 U.S. firms listed with offices in 5 or more countries. Sixty-seven of the top 100 are American firms, many of them with a significant percentage of their attorneys working in foreign countries. For example, Baker & McKenzie has 4,004 lawyers with offices in 44 countries, and 84% of their lawyers work outside U.S.¹¹ DLA

⁷ ABA Task Force on International Trade in Legal Services, *International Trade in Legal Services and Professional Regulation: A Framework for State Bars Based on the Georgia Experience 2* (Feb. 4, 2012), available at <http://arbitrateatlanta.org/wp-content/uploads/2011/08/FINAL-ITILS-toolkit-2-4-12.pdf>. See also Laurel S. Terry et al., *Trends and Challenges in Lawyer Regulation: The Impact of Globalization and Technology*, 80 FORDHAM L. REV. 2661 (2012).

⁸ See U.S. Census Bureau, *Table 40, Native and Foreign-Born Populations by Selected Characteristics: 2009*, U.S. CENSUS BUREAU (2011), <http://www.census.gov/compendia/statab/2011/tables//11s0040.pdf>.

⁹ ABA Task Force on International Trade in Legal Services, *supra* note 7, (noting that “[o]ver 3600 foreign businesses from more than 60 countries have established operations in Georgia [alone]”). See also Texas Office of the Governor, *Foreign Investment in Texas: The Industries and Countries Leading Current Growth*, OFFICE OF THE GOVERNOR RICK PERRY (2013), www.governor.state.tx.us/files/ecodev/Foreign_Investment.pdf (last visited May 2, 2013) (finding that more than 2,000 foreign multinationals have established locations in Texas); Illinois Department of Commerce & Economic Opportunity, *Foreign Direct Investment in Illinois*, http://www.ildceo.net/dceo/Bureaus/Trade/Foreign_Direct_Investment (last visited May 3, 2013) (noting that foreign direct investment “is a major contributor to the economic vitality of the state... Illinois is home to nearly 1,600 foreign firms with 6,416 locations, employing 323,362 Illinois residents”).

¹⁰ See, e.g., U.S. Bureau of Economic Analysis, *U.S. International Services: Table 1: Trade in Services, 2001-2011* (Oct. 2012), http://www.bea.gov/scb/pdf/2012/10%20October/1012_international_services_tables.pdf. See also U.S. Int'l Trade Commission, *Recent Trends in U.S. Services Trade* (July 2011),

<http://www.usitc.gov/publications/332/pub4243.pdf> (discussing the countries comprising the most significant percentages of legal services imports into the U.S., including the U.K., Japan, Germany, and Israel).

¹¹ *The 2012 American Lawyer Global 100: Complete Report*, THE AMERICAN LAWYER (Sept. 28, 2012) (subscription only), <http://www.americanlawyer.com/PubArticleTAL.jsp?id=1202571230283>.

Piper employs 3,746 lawyers with offices in 32 countries; 66% of its lawyers work outside the U.S.¹²

Logic suggests that an increase in the U.S. of the number of practitioners from other countries and a larger number of U.S. licensed lawyers practicing abroad creates a greater need for the domestic and foreign Regulators of the legal profession to take steps to learn about each other and enhance communication and coordination of information. While experience to date suggests that incidents of misconduct by foreign lawyers in the U.S. and by U.S.-licensed lawyers elsewhere are infrequent, fair and effective regulation of lawyers engaged in the international multijurisdictional practice of law requires that there be ways to ensure accountability for misconduct committed in any jurisdiction where lawyers engage in practice, regardless of licensure. It is better to consider these issues before a regulatory crisis arises. This Resolution facilitates the accomplishment of that goal.

Explanation of Resolution

The “Resolved” clause of this Resolution seeks adoption by the House of Delegates of a general policy statement urging state supreme courts and lawyer regulatory authorities (e.g., bar admissions authorities and disciplinary authorities) to coordinate with their foreign regulatory counterparts and to enter into voluntary arrangements to facilitate the exchange of relevant information, consistent with the jurisdictions’ rules, regarding the admission, licensure and disciplinary status of lawyers licensed in their respective jurisdictions. Consistent with their existing regulatory authority, state supreme courts may delegate to their bar admissions or lawyer disciplinary authorities the responsibility to engage in dialogue and develop with their foreign counterparts, for court approval, the logistics of any voluntary information exchange arrangements. To facilitate implementation of this general policy statement, the “Further Resolved” clause seeks adoption of the accompanying proposed Guidelines for an International Regulatory Information Exchange.

Paragraph A(1) of the proposed Guidelines is intended to facilitate the exchange of contact information among the Regulatory Authorities, so that when they require information regarding the admission or licensure status of a foreign lawyer in their jurisdiction, they will know who to contact. In addition, the Discipline Committee is working to enhance its online Directory of Lawyer Disciplinary Agencies by adding the contact information for international disciplinary authorities.

Paragraph A(2) provides guidance regarding the type of information that, upon the imposition of discipline against a lawyer and consistent with its rules, the Regulatory Authority imposing the discipline should exchange with its international counterparts in jurisdictions in which it knows that the disciplined lawyer is licensed/admitted. The Guidelines define what is meant by discipline for purposes of this Paragraph.¹³ For example, the imposition of monetary sanctions

¹² *Id.*

¹³ *See, e.g.,* ABA MODEL RULES FOR LAWYER DISCIPLINARY ENFORCEMENT R. 10, *available at* http://www.americanbar.org/groups/professional_responsibility/resources/lawyer_ethics_regulation/model_rules_for_lawyer_disciplinary_enforcement/rule_10.html.

against a lawyer by a trial court for violation of discovery practices would not constitute the type of “discipline” contemplated by the Guidelines.

Upon receipt of information about the disciplining of a lawyer, the receiving Regulatory Authorities can determine what action, if any, is appropriate. Of note, Paragraph A(2), does not address, explicitly or implicitly, the related but far more complicated issue of international reciprocal disciplinary enforcement. It addresses only voluntary cooperation and the exchange of information between U.S. and foreign Regulatory Authorities. This is because unlike the U.S., where every jurisdiction has a reciprocal disciplinary enforcement rule (based in whole or in large part upon Rule 22 of the ABA Model Rules for Lawyer Disciplinary Enforcement¹⁴), most foreign jurisdictions do not have a reciprocal enforcement regime.

The Discipline Committee and the ITILS do not intend for Regulatory Authorities to have to engage in additional investigation to determine in what jurisdiction(s) the lawyer in question is licensed or admitted. “Knows” when used in Paragraphs A and B in reference to a Regulatory Authority providing information to its counterparts in jurisdictions “in which it knows the disciplined lawyer is licensed/admitted or authorized to practice” conveys no such obligation to investigate. Consistent with the use of the term in the ABA Model Rules of Professional Conduct and the Model Code of Judicial Conduct, “knows” means “actual knowledge of the fact in question.”

The Discipline Committee and the ITILS recognize that there exist state-by-state variations in disciplinary and admission procedures in the U.S. as well as in disciplinary and admission procedures abroad. This is particularly true with regard to rules of confidentiality. There also are jurisdictional differences in data privacy laws. As a result, the Guidelines are intended as a model to be used and adapted as needed; they include several references to a jurisdiction acting in a manner “consistent with its rules” and also include in Paragraph B a statement clarifying that disclosure and use of the information described therein is “subject to applicable rules and other law.”

With respect to Paragraph A(3), the Discipline Committee and the ITILS recognize that there may be rare or emergent situations in which a Regulatory Authority will be in possession of sufficient information demonstrating that a lawyer has violated the applicable rules or standards of lawyer ethics or professional conduct or is physically or mentally disabled, and poses a substantial threat of serious harm to the public or to the administration of justice. In such exceptional circumstances, the Regulatory Authority in receipt of such information *may* want to notify its foreign counterpart(s) prior to the imposition of any discipline against or completion of other proceedings involving that lawyer in order to protect clients and the public interest as well as the administration of justice. The circumstances may be extreme enough to warrant such notification when a Regulatory Authority is in possession of sufficient information to demonstrate that a lawyer is engaged in the continuing conversion of client funds or has left the jurisdiction and abandoned his clients. The point at which a Regulatory Authority determines

¹⁴ ABA MODEL RULES FOR LAWYER DISCIPLINARY ENFORCEMENT R. 22, *available at* http://www.americanbar.org/groups/professional_responsibility/resources/lawyer_ethics_regulation/model_rules_for_lawyer_disciplinary_enforcement/rule_22.html.

that it is “in receipt of sufficient information” is a judgment appropriately rendered by that Regulatory Authority consistent with its already existing rules and procedures. For example, almost all U.S. jurisdictions have rules to address the type of behavior contemplated by Paragraph A(3). The term “in receipt of sufficient information” is intended to make clear that any notification should not occur simply upon receipt of any complaint against the lawyer, but rather after the Regulatory Authority has evaluated that information and made some determination about its strength and validity. Again, the exchange of this information is to be consistent with the sending Regulatory Authority’s rules.

Paragraph C of the proposed Guidelines provides that, in the interest of due process, the lawyer whose conduct is the subject of notification pursuant to the Guidelines should be provided notice of its having been sent and received. Such notice is consistent with the standards set forth in the Model Rules for Lawyer Disciplinary Enforcement.

Conclusion

This Resolution recognizes and addresses professional regulatory needs in a global legal marketplace. The Discipline Committee and the ITILS respectfully request that the House of Delegates adopt the Resolution.

Respectfully submitted,

ABA Standing Committee on Professional Discipline
Myles V. Lynk, Chair

ABA Task Force on International Trade in Legal Services
Stephen P. Younger, Chair

August 2013

GENERAL INFORMATION FORM

Submitting Entity: ABA Standing Committee on Professional Discipline
ABA Task Force on International Trade in Legal Services

Submitted By: Myles V. Lynk, Chair
ABA Standing Committee on Professional Discipline

Stephen P. Younger, Chair
ABA Task Force on International Trade in Legal Services

1. Summary of Resolution(s).

In recognition of increasing global mobility of lawyers, this Resolution urges state supreme courts and lawyer regulatory authorities (e.g., bar admissions and disciplinary authorities) to coordinate with their foreign counterparts and to enter into voluntary arrangements to facilitate the exchange of relevant disciplinary and admissions information. To facilitate this collaboration, the Resolution also seeks House of Delegates' adoption of the attached "Guidelines for an International Regulatory Information Exchange." The proposed Guidelines identify for regulators the primary issues and topics usefully addressed in a voluntary information exchange arrangement.

2. Approval by Submitting Entity.

The Standing Committee on Professional Discipline approved the resolution by conference call on April 23, 2013.

The Task Force on International Trade in Legal Services approved the resolution by conference call on April 23, 2013.

3. Has this or a similar resolution been submitted to the House or Board previously?

No.

4. What existing Association policies are relevant to this Resolution and how would they be affected by its adoption?

The Resolution would supplement existing policies supporting, in the domestic context, the exchange of disciplinary information among lawyer regulatory authorities. See, e.g., Rule 17(A) of the ABA Model Rules for Lawyer Disciplinary Enforcement.

5. If this is a late report, what urgency exists which requires action at this meeting of the House?

N/A

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6. Status of Legislation. (If applicable)

N/A

7. Brief explanation regarding plans for implementation of the policy, if adopted by the House of Delegates.

The Resolution will be sent to the relevant regulatory authorities and bar associations in every U.S. jurisdiction. It will be shared with national representative groups such as the Conference of Chief Justices, National Conference of Bar Presidents, National Association of Bar Executives, National Conference of Bar Examiners, National Organization of Bar Counsel and Association of Professional Responsibility Lawyers. It will also be used as a basis for discussion with foreign bar associations and regulatory bodies.

8. Cost to the Association. (Both direct and indirect costs)

None.

9. Disclosure of Interest. (If applicable)

None known.

10. Referrals.

The Resolution has been circulated to the following entities:

- Section of Legal Education and Admissions to the Bar
- Section of International Law
- Section of Business Law
- Standing Committee on Ethics and Professional Responsibility
- Standing Committee on Professionalism
- Standing Committee on Client Protection
- Standing Committee on Specialization
- Conference of Chief Justices
- National Organization of Bar Counsel
- Association of Professional Responsibility Lawyers
- National Conference of Bar Examiners

11. Contact Name and Address Information. (Prior to the meeting. Please include name, address, telephone number and e-mail address)

Ellyn S. Rosen
Regulation Counsel
ABA Center for Professional Responsibility
321 North Clark Street, 17th floor
Chicago, IL 60654-7598
Phone: 312-988-5311
Ellyn.Rosen@americanbar.org

Kristi Gaines
Senior Legislative Counsel
ABA Governmental Affairs Office
740 15th Street, NW
Washington, DC 20005
Phone: 202-662-1763
Kristi.Gaines@americanbar.org

12. Contact Name and Address Information. (Who will present the report to the House? Please include name, address, telephone number, cell phone number and e-mail address.)

Myles Lynk
Arizona State University
P.O. Box 877906
Armstrong Hall
Tempe, AZ 85287-7906
Phone: 480-965-0433
Cell: 480-721-4062
myles.lynk@asu.edu

Stephen Younger
Patterson Belknap Webb & Tyler
1133 Avenue of the Americas
New York, NY 10036
Phone: 212-336-2000
Cell: 973-768-7874
spyounger@pbwt.com

EXECUTIVE SUMMARY1. Summary of the Resolution

In recognition of increasing global mobility of lawyers, this Resolution urges state supreme courts and lawyer regulatory authorities (e.g., bar admissions and disciplinary authorities) to coordinate with their foreign counterparts and to enter into voluntary arrangements to facilitate the exchange of relevant disciplinary and admissions information. To facilitate this collaboration, the Resolution also seeks House of Delegates' adoption of the attached "Guidelines for an International Regulatory Information Exchange." The proposed Guidelines identify for regulators the primary issues and topics usefully addressed in a voluntary information exchange arrangement.

2. Summary of the Issue that the Resolution Addresses

Globalization has had a significant impact on the legal profession. Today, more lawyers than ever are crossing national borders, virtually and physically, to serve client needs. The U.S. is the largest legal services exporter in the world and large numbers of U.S.-licensed lawyers are working in offices of U.S. and foreign law firms abroad. Likewise, albeit to a lesser extent, foreign lawyers also travel to the U.S. and increasingly have a physical and virtual presence in this country. The ABA has adopted numerous Model Rules providing foreign lawyers the ability to engage in limited and regulated legal practice in the U.S., and also adopted a policy urging the U.S. government to ensure that our lawyers have similar opportunities to operate overseas. Whether one sees the presence of foreign lawyers as a positive or a negative, it is a reality, and wherever global commerce is most robust, the number of visiting foreign lawyers will increase. As cross-border legal practice continues to grow, lawyer accountability and cooperation in lawyer discipline must be addressed.

3. Please Explain How the Proposed Policy Position will address the issue

A first step toward achieving accountability in a legal practice environment with global mobility is to encourage and facilitate better communication and cooperation among lawyer regulators. This Resolution provides a template for state supreme courts and lawyer regulatory authorities (e.g., bar admissions authorities as well as disciplinary authorities) to coordinate with their foreign regulatory counterparts and to enter into voluntary arrangements to facilitate the exchange of relevant information, consistent with the jurisdictions' rules regarding the admission, licensure and disciplinary status of lawyers licensed in their respective jurisdictions.

4. Summary of Minority Views

While a variety of views were expressed throughout the drafting process, there is no known formal opposition at this time.

2013 – 2014
Member Benefits

This standing committee focuses on the State Bar’s mission of lawyers serving the public and the justice system. It identifies opportunities for serving lawyers, implements legal support services, including but not limited to, lists of vendors who offer services and products of interest to lawyers, and communicates to members the existence and benefits of State Bar services that offer value to them and their law practice.

Chairperson

John Flanders Kennedy, Macon 2014

Vice Chairperson

Ronald Arthur Lowry, Marietta 2015

Member

Eric Alvin Ballinger, Canton 2014

Thomas Neal Brunt, Cartersville 2014

Thomas Reuben Burnside III, Augusta 2014

Edward J. Coleman III, Augusta 2015

Martin L. Cowen III, Jonesboro 2016

Douglass Kirk Farrar, Douglas 2014

Render Max Heard Jr., Tifton 2016

Donna Stanaland Hix, Columbus 2015

Catherine Koura, Atlanta 2014

John Walter Kraus, Atlanta 2014

Andrea Dionne McGee, Decatur 2016

Henry C. Tharpe, Jr., Dalton 2014

Gordon Robert Zeese, Albany 2014

Executive Committee Liaison

Rita A. Sheffey, Atlanta 2014

Staff Liaison

Natalie Kelly, Atlanta 2014

Private Health Insurance Exchange announced for State Bar members

Jan. 1, 2014, will mark the enactment date for the Patient Protection and Affordable Care Act. State and federally run public exchanges are scheduled to open around the country, establishing a new marketplace for individuals and small businesses to purchase coverage. The new law will also transform the health insurance market for individuals, requiring carriers to guarantee coverage without exclusions for pre-existing conditions.

Because Georgia opted out of building a state-run exchange, the federal government is operating the public exchange in Georgia. The website HealthCare.gov, managed by the U.S. Department of Health & Human Services, contains information on how the Affordable Care Act will affect you. One tool on this site, *Find Insurance Options*, will help you find health insurance options through a series of question-and-answer prompts. The other, *Timeline* tells what's changing and when. Since Oct. 1, the site has provided information about all the plans available in your area and offered a self-enrollment process, directly through the website, or by calling a toll-free phone hotline.

Through your membership in the State Bar of Georgia, you now have access to a private exchange offered by Member Benefits Inc. A private exchange is an online marketplace connecting insurance companies with individuals or employees to purchase insurance. There are different types of exchange configurations. The Member Benefits design uses a multi-carrier model under which health care insurers compete for business within the exchange, providing members with a choice of plans. Also included in the exchange are specially priced ancillary product options such as dental, vision, disability, life and more.

The exchange consists of two components:

The **Individual Marketplace** provides members and small firms (less than five employees) with the ability to create and manage their own individual benefits portfolio comparable to those currently offered by large employers. Decision support tools, recommendation algorithms, educational videos, and provider search tools guide participants through the process and assist in choosing a plan that meets their families' needs.

The **Small Employer Exchange**, available to groups with five to 49 employees, includes the features of the Individual Marketplace and allows employers to setup and manage a defined contribution plan. Employers participating in the exchange will no longer need to design and maintain a single carrier group health plan for their employees. The exchange facilitates a tax-advantaged fixed dollar contribution from the employer to each employee. Employees then use that money to purchase insurance through the exchange, making individual, cost-based decisions about the type of health, dental and other ancillary benefits that best meets their unique needs. This model allows employers to set their annual benefits budget, helping them cope with ever-increasing health care costs. Likewise, employees have more choices than before and the ability to secure the coverage they need. They can also contribute additional money, through payroll deduction, to cover remaining premium amounts as well as other eligible out-of-pocket expenses. Additional features such as benchmarking tools, mobile apps, payroll integration, online enrollment, reporting and administration tools, allow employers to fully manage their employee benefits online through one portal. The exchange also consolidates the transfer of monies between the employer, employee, and each insurance provider, significantly streamlining the administrative burden on small businesses. Employers with 50 or more employees may also have

options available. Since different guidelines apply under PPACA for these groups, custom arrangements may need to be considered for participation in the private exchange.

Member Benefits will be announcing a series of webinars about the exchange during the open enrollment period, which began Oct. 1. Members and small groups interested in participating can contact Member Benefits at 1-800-282-8626 or visit (www.memberbenefits.com/georgiabar)

Standing Executive Committee Policy 1000

State Bar of Georgia Elections

Active members of the State Bar of Georgia are encouraged to run for a number of important leadership positions, including officers (President-Elect, Secretary and Treasurer), Executive Committee at large members, Board of Governors members elected by judicial circuit and ABA delegates.

As a supplement to the applicable Rules, Bylaws and other provisions listed below in paragraph (j), this policy is designed to:

1. Assist members who wish to offer as candidates with information about the election process;
2. Assist voters by providing to them a reasonable amount of information furnished by candidates in contested races; and
3. Afford all candidates a fair and equal election process.

(a) Election Schedule For All Leadership Positions. Pursuant to Article VII, Section 14, of the State Bar Bylaws, the Elections Committee will prepare an Election Schedule with appropriate time lines and dates for review and approval by the Board of Governors.

(b) Campaigning For All Leadership Positions in Contested Races.

1. Professionalism. Candidates are encouraged to conduct positive campaigns and to refrain from sending negative, false or misleading information of any kind.
2. State Bar Trademarks. The State Bar and YLD logos are registered trademarks of the State Bar of Georgia. Any use of these trademarks without the prior written consent of the State Bar of Georgia is strictly prohibited. All candidates for office with the State Bar and the YLD must refrain from incorporating these logos or any similar likeness, Bar letterhead, Bar images or any language that might imply an endorsement, into campaign materials.
3. State Bar Website. Pursuant to the approved Election Schedule ((a) above), the State Bar will provide each candidate a page on the State Bar website. The candidate page will contain the candidate's biography, candidate message, and photo, as described below. No hyperlinks will be allowed on the State Bar created page for candidates except as provided in 3.b below. Each candidate's information will remain on the State Bar website throughout the election. Changes submitted after the deadline established for receipt of this information will not be accepted, and no date extensions for submitting the form will be granted for any reason.
 - a. Biography and Candidate Message Form. The Biography and Candidate Message Form affords an opportunity for candidates to further state qualifications and to better inform voters. Candidates wishing to submit a Biography and Candidate Message Form must provide it in the electronic

format supplied by the Bar. Only the Biography and Candidate Message Form submitted via this method will be accepted. Candidates will be advised how to obtain the electronic fillable form at the time they are notified of the contested race. The candidate also will be supplied with the deadline date for submission of the form at that time. Forms received after the designated deadline date will not be published on the State Bar website.

There will be no additions, deletions or changes done to the electronic form by the candidate once the form is received by the State Bar. The Elections Committee retains the right to decline to distribute any Biography or Candidate Message Form which is false, misleading, offensive or arguably illegal.

- b. Photo. Each candidate may provide a headshot that will be included on the candidate page on the State Bar's website.

4. State Bar E-mail.

- a. Board of Governors Elections. The State Bar will distribute one e-mail per race per circuit to the eligible voters in the candidates' circuit, which will contain the name of each candidate within that circuit with a link to his or her candidate page on the State Bar's website.
- b. Statewide Elections. The State Bar will distribute one e-mail per race to all eligible voters, which will contain the name of each candidate with a link to the candidate's page on the State Bar's website. In addition, each candidate in a contested statewide race may send 2 emails to all eligible voters. The emails can be a letter of any length and may include hyperlinks if desired. The letters will be included in the body of the email and will be sent through the State Bar e-mail system following the guidelines in Standing Executive Committee Policy 500.

Candidates are free to send additional e-mails on their own, but e-mail addresses of voting members will not be provided as a list in electronic form or any other form by the State Bar, in accordance with Standing Executive Committee Policy 500. Such campaign messages must state that the e-mail is coming directly from the candidate and not from the State Bar and that the recipient's e-mail address was not provided in electronic or any other form to the candidate by the State Bar. E-mail addresses for many State Bar members are publicly available through the printed and online directory at www.gabar.org.

All e-mails of this type must include the following language:

This e-mail is being sent directly by (Candidate) (or by _____ on behalf of and authorized by candidate) and not from the State Bar of Georgia. E-mail addresses

were not provided in electronic or any other form to the candidate by the State Bar of Georgia for this purpose. E-mail addresses for many State Bar members are publicly available through the printed and online directory at www.gabar.org.

5. Mailing. A candidate may, upon request, receive one free set of printed or electronic mailing labels for the eligible voters in that candidate's race for a single mailing in that year's election only. Additional sets may be purchased by contacting the State Bar's Membership Department. A nominal fee will be charged for additional sets. Candidates will be provided with the most current number of active members in their circuit to budget accordingly. A candidate may not copy the printed labels provided, or the information contained on them, and must delete the electronic file after the single use provided herein. None of the information contained on the labels or in the file may be used at any other time or for any other purpose except as provided in this section.

(c) Board of Governors Nominating Petitions. In accordance with the State Bar of Georgia Bylaws, Article VII, Sections 2 and 4, all candidates, including incumbents and non-incumbents, for circuit and out-of-state posts on the Board of Governors, are required to submit petitions of nomination. Each candidate's petition must be signed by a minimum number of active members of the State Bar from the circuit in which the candidate's address as registered with the State Bar of Georgia under Rule 1-205 is located. The minimum number of signatures varies by circuit size as follows:

1. three signatures from a circuit having less than twenty-five members;
2. seven signatures from a circuit having more than twenty-four but less than one hundred members;
3. twenty signatures from a circuit having more than ninety-nine members; or
4. five active non-resident signatures for candidates for out-of-state posts.

In no case will nominating petition forms or other election materials be sent to a candidate prior to the date designated for such distribution on the approved election schedule. The dated nominating petition form for a given election must be used. Undated forms or dated forms from prior years may not be used. Petitions on incorrect forms will be rejected and may be returned to the candidate.

Caution: *Candidates are strongly encouraged to submit more than the required minimum number of signatures to compensate for any signatories who either are not active members or whose official address with the State Bar is not in the circuit of the candidate running for the Board of Governors post. Early submission (approximately one week before deadline) is advised to allow the candidate time to obtain additional signatures, if necessary, before the deadline. Failure to timely submit a petition with the required number of eligible signatures will result in that candidate's exclusion from the ballot.*

Regardless of the method of submission, all nominating petitions must be received at the Atlanta headquarters of the State Bar of Georgia no later than 11:59 p.m. on the

appropriate deadline date, which is different for incumbent and non-incumbent candidates. Candidates may submit nominating petitions via U.S. Postal Service, private sector delivery service, hand delivery, facsimile or e-mail. Time receipt stamps on e-mails and facsimiles will determine if they were received prior to the deadline. Extensions of time may not be granted for any reason. If original petitions are not submitted, then it is the responsibility of the candidate to maintain the original petition for thirty days past the date when results for that election are certified and announced. Failure to provide the original petition at the request of the Elections Committee may result in the disqualification of the candidate, at the discretion of the Elections Committee.

The Election Schedule will establish the deadline date for nominating petitions to be submitted by incumbent candidates and a second deadline for petitions to be submitted by non-incumbent candidates. If an incumbent's valid petition is not received at the Atlanta headquarters of the State Bar of Georgia by 11:59 p.m. of the deadline date, that candidate will no longer be considered an incumbent. He or she may run as a non-incumbent and submit the nominating petition by the date established on the approved Election Schedule for non-incumbent candidates. In such a case, the incumbent will not be listed as an incumbent on the official election ballot.

If a non-incumbent's valid petition is not received at the Atlanta headquarters of the State Bar of Georgia by 11:59 p.m. of the deadline date, that candidate will not be listed on the ballot, but may run as a write-in candidate.

(d) Board of Governors Circuit/Post Vacancies. As soon as practicable after the deadline for receipt of incumbent nominating petitions has passed, a list of all expiring Board of Governors terms with the name of the incumbent if they have qualified will be e-mailed to all eligible voters in the Bar. All Circuit/Posts with no candidate will be shown as having a vacancy. In this email, there will also be detailed information instructing members on how to obtain a nominating petition, qualifications to become a candidate for a Board of Governors seat and appropriate election deadlines. The same information will be included on the State Bar website.

Candidates may seek election to only one post within their circuit in a given election cycle, but may withdraw and re-qualify for a different post prior to the qualification deadline by submitting a new petition. During the nomination period, the State Bar will disclose only the names of properly qualified candidates. Other information, including the number or identities of members who have requested or filed petitions, or the names of signatories on petitions, will not be disclosed.

(e) Ballots.

1. Board of Governors Candidates. Candidates will be listed on the ballot in alphabetical order by last name. Candidates' names will appear on the ballot as they appear in the Bar membership record. If candidates wish to add a nickname, it will be noted in quotations, along with their official name.

Candidates will indicate on their nominating petition forms if they wish to include a nickname on the ballot. Incumbent candidates who submit their nominating petitions prior to the deadline for incumbents will be designated on the ballot with either the word “(Incumbent)” or “(I).” See item (c) Board of Governors Nominating Petitions.

2. **Statewide Elections.** Candidates will be listed on the ballot in alphabetical order by last name under the heading of the office they are seeking. Candidates’ names will appear on the ballot as they appear in the Bar membership record. If candidates wish to add a nickname, it will be noted in quotations, along with their official name. Incumbent candidates will be designated on the ballot with either the word “(Incumbent)” or “(I).”

(f) **Voting.** Only those active members who were eligible to vote in a particular circuit at the time the ballot mailing file is transmitted to the printer will be eligible to vote in the election, even if their status changes during the period between the time the ballot mailing file is transmitted and the actual election begins. Members will receive a ballot for the circuit they were in according to their official address at the time the ballot mailing file was transmitted, or if so elected under rule 1-205, the circuit in which the member resides. Ballot changes will not be made due to the Bar having an incorrect address for the member (see Rule 1-207) once the mailing file is transmitted.

The Elections Committee or its designee will review write-in votes to reasonably assure that slight variations in the spelling of a write-in candidate’s name are identified with the same person.

(g) **Declaration of Results.** After the Elections Committee Chair approves the release of election results, the President and Executive Director will be notified of the results and all candidates in contested races will be notified of the results in their races via e-mail or telephone. Statewide candidates will be notified by the Chair of the Elections Committee or his/her designee. Staff liaison will contact all other candidates. Thereafter, the names of the winning candidates are public information and will be posted on the State Bar website no later than the date for election results release included in the election schedule. They may be made available to any interested person. Additional information including vote counts by circuit will be available to any member upon request. This includes any election for any year for which records are available. Out of respect for members who did not offer for election, but nevertheless did receive votes, write-in information is available only if deemed relevant by the Chair or Vice-Chair of the Elections Committee.

(h) **Questions and Appeals.**

1. **Election Procedure.** The Elections Committee, or its Chair, Co-Chair or Vice-Chair, is the final authority on all election matters except election result contests. Therefore, any decision by State Bar staff may be appealed in writing within three business days to the Executive Director. The Elections Committee or its designee

has the discretion to, but is not obligated to, grant a hearing with all interested parties invited in connection with any appeal.

2. Election Result Contests. The Executive Committee of the State Bar is the final authority on all election contests, but any contest should first be made to the Elections Committee, which will seek to resolve the matter or make a recommendation to the Executive Committee. Any person receiving one or more votes may file a written contest. All contests shall be received by the Executive Director within ten business days after the result was released and shall specify the re-count or other relief requested. The Executive Committee or its designee has the discretion, but is not obligated, to grant a hearing with all interested parties invited in connection with any appeal.

(i) Executive Committee Elected Positions

1. Notification Procedure. No later than 5 days after officer election results are posted and made available, an e-mail notice shall be provided to members of the Board of Governors of the Executive Committee positions to be elected pursuant to the Bylaws, Article IV, Section 1.
2. Campaigning. Members of the Board of Governors who are candidates for the Executive Committee of the State Bar are entitled to send 2 emails to all members of the Board of Governors. The emails can be a letter of any length and may include hyperlinks, if desired. The letters will be included in the body of the email and will be sent through the State Bar email system following the guidelines in Standing Executive Committee Policy 500. In addition, each candidate is entitled to receive one free set of printed or electronic mailing labels which are to be used to inform the Board of their candidacy. Additional sets may be purchased by contacting the State Bar's Membership Department. A nominal fee will be charged for additional sets. A candidate may not copy the printed labels provided, or the information contained on them, and must delete the electronic file after the single use provided herein. None of the information contained on the labels or in the file may be used at any other time or for any other purpose except as provided in this section.

(j) Related State Bar Rules and Bylaws.

Part I

Chapter 2

Rule 1-203 Bar of Judicial Circuit

Chapter 3

Rule 1-304 Election of Members of Board of Governors

Rule 1-306 Vacancies; Ties

Chapter 4

Rule 1-402 Election of Officers

Rule 1-403 Vacancies; Ties

Chapter 7

Rule 1-701 Executive Committee

Bylaws

Article VII

- Section 1. Nomination of Officers
- Section 2. Nomination of Members for the Board of Governors
- Section 3. Circuits Having More Than One Member of Board of Governors
- Section 4. Nominating Petitions
- Section 5. Accepting Nominations
- Section 6. Ballots
- Section 7. Voters Lists: Distribution of Ballots
- Section 8. Method of Voting
- Section 9. Elections Committee
- Section 10. Declaration of Results of Elections
- Section 11. Tie Vote
- Section 12. Run-Off

Article X

- Section 1. Delegates: Designation; Nomination and Election; Alternates
- Section 2. Terms of Office
- Section 3. Alternate Appointments

**2013 – 2014
SOLACE**

This standing committee focuses on the State Bar’s mission of lawyers serving the public and the justice system. It identifies opportunities for serving lawyers, implements legal support services, including but not limited to, lists of vendors who offer services and products of interest to lawyers, and communicates to members the existence and benefits of State Bar services that offer value to them and their law practice.

Chairperson		
	Kenneth L. Shigley, Atlanta	2014
Vice Chairperson		
	William C. Rumer, Columbus	2014
Lay Member		
	Darlene Daws, Atlanta	2014
Executive Committee Liaison		
	Phyllis J. Holmen, Atlanta	2014
Liaison		
	Henry Milton Quillian III, Atlanta	2014
Staff Liaison		
	Bonne Cella, Tifton	2014
District 1		
	Bonne Cella, Tifton	2014
District 2		
	Derek Jerome White, Pooler	2014
District 3		
	Render Max Heard Jr., Tifton	2014
District 4		
	Donna Stanaland Hix, Columbus	2014
District 5		
	Andrea Dionne McGee, Decatur	2014
District 6		
	Tina Shadix Roddenbery, Atlanta	2014
District 7		
	Sandra Nadeau Wisenbaker, Newnan	2014
District 8		
	David Clarence Smith, Rome	2014
District 9		
	Christopher Donald Huskins, Eatonton	2014
District 10		
	William James Keogh III, Augusta	2014
At Large		
	James Daniel Bliitch IV, Atlanta	2014
	Karlise Yvette Grier, Atlanta	2014
	Nicole Christine Leet, Atlanta	2014
	T. Shane Mayes, Savannah	2014



FROM THE PRESIDENT: SOLACE – Lawyers Helping Colleagues In Need

Dear Friends and Colleagues,

You are invited to participate in SOLACE, a program of the State Bar of Georgia designed to leverage our professional network to assist any member of the legal community (lawyers, judges, law office and court staff, law students and their families) who suffer serious loss due to a sudden catastrophic event, injury or illness.

SOLACE will send participants one to two emails per month. To opt out of future SOLACE emails, you may simply click the “unsubscribe” link in the bottom of this email. You may opt-out of receiving any further SOLACE requests at any time using the same link.

Needs addressed by the SOLACE Program may range from unique medical conditions requiring specialized referrals to a fire loss requiring help with clothing, food or housing. Some other examples of assistance include gift cards, food, meals, a rare blood type donation, assistance with transportation in a medical crisis or building a wheelchair ramp in a residence.

SOLACE originated with the Louisiana Bar and is an acronym for “Support of Lawyers, All Concern Encouraged.” The program is chaired by former State Bar President Ken Shigley. Requests for assistance should be sent by email to SOLACE@gabar.org. ([Click here](#) for more information.)

Sincerely,

Charles L. Ruffin
President, State Bar of Georgia
cruffin@bakerdonelson.com

Ken Shigley
Chair, State Bar of Georgia SOLACE Committee
ken@shigleylaw.com



State Bar of Georgia



There was a time when lawyers in a community would come together to help a colleague when disaster struck. As our numbers have grown, in many places relationships have grown less personal. Yet at heart we still want to be our brothers' and sisters' keepers and to provide the assistance we can when bad things happen to good people in our professional community. Now we have a way to leverage technology and a vast network of contacts to help others.

All members of the State Bar of Georgia are invited to participate in SOLACE, a program of the State Bar of Georgia designed to assist any member of the legal community (lawyers, judges, law office and court staff, law students and their families) in Georgia who suffer serious loss to a sudden catastrophic event, injury or illness.

SOLACE will send participants one to two emails per month. Anyone can opt out of emails at any time by following "unsubscribe" directions at the bottom of any email.

Needs addressed by the SOLACE program can range from unique medical conditions requiring specialized referrals to a fire loss requiring help with clothing, food or housing. Some other examples of assistance include gift cards, food, meals, a rare blood type donation, assistance with transportation in a medical crisis or building a wheelchair ramp in a residence.

SOLACE originated with the Louisiana Bar and is an acronym for "Support of Lawyers, All Concern Encouraged." The Georgia SOLACE program is chaired by former State Bar President Ken Shigley. Requests for assistance should be sent by email to SOLACE@gabar.org.

Upon receipt of a request for assistance, the program is implemented by an e-mail alert notification requesting assistance sent to all participating State Bar of Georgia members, and others who request to be on the distribution list, e.g., paralegals, office staff, court staff, etc.

SOLACE program volunteers will work with the person in need, families or close acquaintances to craft an appropriate e-mail requesting practical assistance, with sensitivity and confidentiality being paramount concerns. In the event the person in need is not capable, a close personal relation willing to help is identified to whom responses will be sent.

SOLACE will not seek cash contributions, offer the opportunity for public service announcements or generate a prayer chain or list, and it will not operate as an employment recruitment service, though it may convey information about participatory events sponsored by others to benefit members of the legal community and their family members in crisis.

Anyone desiring to make donations of any kind may, when appropriate, be given directions on how to donate to the person in need or their representative. Any unsolicited cash donations voluntarily made by donors shall be made payable and submitted directly to the person in need or to their representative. Unsolicited cash donations that are made payable to and received by the State Bar of Georgia but are intended to be provided to a particular person in need will be returned to the donor with directions as to where donations should be sent. Any other cash donations received by the State Bar of Georgia as a result of the SOLACE program shall be held in a separate SOLACE fund.

Frequently Asked SOLACE Questions

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FAQ/SOLACE Program

[\[+ Show All Answers\]](#)

1. How did SOLACE originate? [\[Hide Answer \]](#)

SOLACE started in Louisiana. It was conceived by United States District Court Judge Jay Zainey of New Orleans as a way for the bar to reach out in a meaningful way when a member of the legal community suffered a loss or developed a need as the result of a sudden catastrophic event.

2. Will I be asked for money? [\[Hide Answer \]](#)

SOLACE will not solicit cash contributions. The point of SOLACE is to tap into the legal community's network of contacts. Often what is needed is in-kind donations or non-monetary assistance such as transportation, housing, or a medical referral. Any monetary donations that SOLACE receives will be returned to the donor.

3. How do I opt out of SOLACE emails? [\[Hide Answer \]](#)

If you do not wish to receive SOLACE emails, reply to any SOLACE email you receive and request to be removed from the mailing or follow the "unsubscribe" link at the bottom of any SOLACE email.

4. How is SOLACE funded and administered? [\[Hide Answer \]](#)

SOLACE is a program of the State Bar of Georgia. Ken Shigley, past president of the State Bar of Georgia, is chair of the SOLACE Committee and coordinates requests and responses. Additional coordinators may be added in the future. Voluntary donations for operational expenses of SOLACE shall be held in a separate SOLACE fund by the State Bar of Georgia.

5. How many SOLACE emails will I receive? [\[Hide Answer \]](#)

Each SOLACE request generates only one email. You can expect to receive one or two emails per month. If you are able to assist, the email will contain information regarding how to contact the person in need or that person's representative. If you are not able to assist, there will be no further contacts regarding the request.

6. How may I submit a request for SOLACE assistance? [\[Hide Answer \]](#)

To submit a request for SOLACE assistance for yourself or another member of the legal community, start with an email to SOLACE@gabar.org, briefly identifying and describing the crisis and needs.

7. If I have a need and make a request through SOLACE, will my confidentiality be maintained? [\[Hide Answer \]](#)

Confidentiality is of paramount concern. If you have a need, a SOLACE coordinator will work with you to write an email that explains the need and maintains your confidentiality. You will need to provide contact information for potential donors, but you are encouraged to use an anonymous email address for this purpose if you are concerned about confidentiality. Depending on the nature of the request, you may also wish to designate a family member to receive the SOLACE responses.

8. What is SOLACE? [\[Hide Answer \]](#)

SOLACE is a network of individuals within the legal community who are willing to consider assisting others in need because of a sudden catastrophic event such as illness, injury, fire or natural disaster. It is administered through the State Bar of Georgia. Ken Shigley, a past president of the State Bar of Georgia and chair of the SOLACE Committee, coordinates requests and responses. Other coordinators may be designated in the future.

9. Who qualifies for assistance through SOLACE? [\[Hide Answer \]](#)

Any lawyer or judge and anyone who is employed by a law firm, a court, or the State Bar of Georgia, and their family members (wherever they may be located), are eligible for assistance through SOLACE. As we do not have the capacity to do all things for all people, the scope of the SOLACE program is limited to the categories listed.

10. Who receives SOLACE emails? [\[Hide Answer \]](#)

Initially, attorneys who are members of the State Bar of Georgia will receive SOLACE emails. Anyone within the legal community can be added at their request.

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SOLACE - Solo's Wife Quadriplegic From Stroke

Dear Friends and Colleagues,

Recently the State Bar of Georgia launched the SOLACE Program to assist any member of the legal community (lawyers, judges, law office and court staff, law students and their families) in Georgia who suffer serious loss due to a sudden catastrophic event, injury or illness.

This email is our first request for assistance through the network of State Bar members to help a colleague with a family medical crisis.

1. SOLO LAWYER'S QUADRIPLÉGIC WIFE – NEEDS REHAB HELP

Several months ago, the wife of Douglasville solo practitioner Mike Hubbard suffered a massive stroke. Karen spent 24 days in ICU before going to Shepherd Center, had an adverse reaction to a treatment and then spent an additional 6 weeks in ICU. As they came close to their insurer's limit for days in a rehab facility, she was discharged and sent home. Having been in ICU for medical issues most of the time, she did not get the benefit of rehab before discharge. When she went home, she could do little more than blink her eyes.

Her solo practice husband has cut back his work to 2 hours per day to care for her. He is in the caregiver role 22 hours per day, 7 days a week, while trying to keep a law practice afloat. After several months, she has improved to the point that she could again benefit from in-patient rehab.

Through SOLACE, we are looking for:

- Bar members who have close connections with Blue Cross Blue Shield of Georgia, and with Roosevelt Warm Springs Institute or Shepherd Center, in order to facilitate getting Karen back into inpatient rehab and to extend the number of available outpatient rehab visits through BCBS.
- SOLACE does not participate in fundraising. However, Bar members and friends who are motorcycle riders are invited to participate in a "Charity Ride for Karen Hubbard" organized by members of the community to support rehab expenses. This will be held on Sunday, Oct. 27, at Williamson Brother BBQ, 7040 Concourse Pkwy, Douglasville, GA 30134. Tickets are \$30 per driver, \$10 per passenger, and includes raffle and meal tickets. Registration starts at 10 a.m. and the ride begins at noon. [More information is available here.](#)

For all offers of help and questions, contact Jason Swindle, jason@swindlelaw.com.

2. CPAP MACHINE FOR LOUISIANA LAWYER

SOLACE started with the Louisiana Bar. A Louisiana lawyer has monumental medical issues and no health insurance. He now has a prescription for a CPAP machine for sleep apnea but no current means to obtain it. If anyone has CPAP machine not currently in use, contact Stephen Wiles, stephenmwiles@gmail.com.

Please send all responses to SOLACE@gabar.org. ([Read more](#) about the SOLACE Program.)

Sincerely,
Ken Shigley
Chair, State Bar of Georgia SOLACE Committee
ken@shigleylaw.com

To opt out of future SOLACE emails, you may simply click the “opt out of this type of message” link in the bottom of this email. You may opt-out of receiving any further SOLACE requests at any time using the same link.



State Bar of Georgia

104 Marietta St. NW, Suite 100, Atlanta, GA 30303-2743
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2013 – 2014
Long Range Planning & Bar Governance

This standing committee shall identify issues and trends affecting the practice of law and the operation of the State Bar of Georgia. It shall make recommendations to the Executive Committee and the Board of Governors to ensure the well-being and efficiency of the State Bar of Georgia.

Chairperson		
	Patrick T. O'Connor, Savannah	2014
Vice Chairperson		
	Allegra J. Lawrence, Atlanta	2015
Member		
	Harold T. Daniel, Jr., Atlanta	2014
	Michael G. Geoffroy, Covington	2015
	Stephen James Harper, Athens	2014
	Amy Viera Howell, Atlanta	2016
	Lawrence F. Jones, Athens	2014
	Elena Kaplan, Atlanta	2016
	Jeffrey R. Kuester, Atlanta	2014
	Rita Arlene Sheffey, Atlanta	2014
	Kenneth L. Shigley, Atlanta	2016
	Derek J. White, Pooler	2015
Advisor		
	Phyllis J. Holmen, Atlanta	2014
	C. Len Horton, Atlanta	2014
Staff Liaison		
	Sharon L. Bryant, Atlanta	2014

Long Range Planning Committee State Bar of Georgia
Report to the Board of Governors
November 2, 2013

During the last year the Long Range Planning Committee has focused on trends, challenges and issues affecting Lawyers in Georgia. In January, the Committee met with Past President of the State Bar of Georgia and Past Chair and Life Member of the ABA's House of Delegates Linda Klein, former Director of The Georgia Office of Bar Admissions and the Consultant on Legal Education to the American Bar Association Bucky Askew, and former Chair of the American Bar Association's Division of Public Education and Current Co-Chair of the ABA's Legal Access Job Corps Allan Tanenbaum to receive their input and assessment of the current State of the Profession. The following summarizes the discussion:

Linda Klein provided a comprehensive report on trends, challenges and issues facing the legal profession. She observed that the recession, law school loan debt, the glut of lawyers seeking employment in the market place, out-sourcing, and market analytics have changed the landscape of the practice of law. Marketing has evolved into a highly data-driven process with the use of analytics guiding decisions for consumer targeting. Today the U.S exports \$7B in legal services. Lawyers in foreign nations such as India are willing to work at very low wages, while at the same time India has closed its market to the U.S. legal profession. This is not a new phenomenon; Brazil and China have done the same. Legal services through non-lawyer services such as LegalZoom proliferate on the web. More and more companies are finding it cheaper to hire in-house counsel. Legal services of all types abound on the web, many through non-lawyer services. Software is performing document review. There is a paradigm shift to sell products instead of services. The changing landscape has created price sensitivity where cost savings are being captured by the client rather than the law firm. All of these factors are changing the delivery of legal services. Unfortunately, lawyers tend to be very slow to adapt to changes, but this new landscape requires fundamental changes in approaches to servicing client legal needs, and in how the legal profession deals with regulation of an increasing global environment.

Some law firm innovations in this changing landscape include:

- Captive subsidiaries
- Flat fees for unlimited phone calls
- Law firms selling training products
- Clients paying a value adjustment following a law suit

Clients in this changing landscape are:

- Sophisticated buyers selecting lawyers through the internet
- Looking for value
- Using technology
- Outsourcing their needs to non-law firms
- Using reversal auctions on the web (lawyers bidding against each other)

As an association, Linda suggests we need to address these issues and be proactive rather than reactive. She suggests we consider:

- Ethical rules to regulate many of the changes (out-sourcing, virtual law offices, technology)

- Ways to keep clients happy
- Unbundling legal services
- Alternative fees
- Legal practice management

Bucky Askew reported that law schools are facing increased pressure due to the drop in applications, the debt load of students, the cost of higher education, and the lack of jobs. The law school ranking system has driven changes in legal education, both positively and negatively. Many changes have been made in the last five years to law school curricula and there has been a move towards more practical experience so law students are better prepared for the practice of law. More schools are looking at ways to stop the rise of costs and to discontinue preparing law students for a type of practice that doesn't exist anymore. There is a growing movement toward the creation of incubators where law schools set up a law office for 10-12 recent law school graduates who provide legal services to paying clients at reduced fees and do pro bono work while being mentored and trained for one year.

Allan Tanenbaum posed the following questions in regard to access to justice:

- How do we in Georgia deal with the large influx of newly admitted lawyers over the last several years and foreseeable future that are and will be unemployed/underemployed, with little supervision and few mentors, who also have the added pressure of no health insurance and significant amounts of non-dischargeable student debt loan?
- How do we address our obligation as lawyers to deal with the unmet legal needs of Georgians who have no access, when legal aid providers will lose 15% of their personnel in the next year and even more in the years to come due to continued decreases in funding sources?

Allan senses a strong desire of the key stakeholders to collaborate to develop some initiatives in Georgia to address these questions. Those stakeholders would be the programmatic arm of the State Bar of Georgia, law schools, legal services providers, the Supreme Court of Georgia, general counsels, private law firms, and ICLE.

Former State Bar General Counsel Bill Smith commented that the legal profession has changed in large part due to the new market place, technology, and international treaties. Many of the problems Past President Klein raised are because State Bar rules do not take them into consideration. We don't recognize the world economy, we have barriers to out-outsourcing, and we don't consider the impact of technology. As lawyers increasingly rely on technology in their practices, and as both domestic and foreign lawyers serve clients on a global basis, their methods of doing business and approaches to regulating legal ethics are evolving. We need to find a way for attorneys to practice law in a favorable environment.

After discussion, the Long Range Planning Committee makes the following recommendation for consideration by the Executive Committee and Board of Governors (and appropriate Committees and Sections of the Bar):

1. Examine the State Bar rules to meet current challenges.



2. Assist lawyers to adapt to the reality of new practice, technology, and cost in the education arena.
3. Bring together the various constituencies to address issues.
4. Explore how to use unemployed attorneys in the legal services arena while still addressing their economic needs.
5. Explore ways to find sustainable funding for legal services.

This report is presented to the State Bar's Executive Committee and Board of Governors for information and further action, including further direction to the LRPC.

Respectfully Submitted,

Patrick T. O'Connor
Chairman, Long Range Planning Committee

1. Did you attend the annual meeting?

		Response Percent	Response Count
Yes		99.3%	146
No - I did not attend the Annual meeting		0.7%	1
answered question			147
skipped question			3

2. MEETING OBJECTIVE: To provide participants with an educational program and networking opportunity to increase their effectiveness in the legal industry.

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
To what extent do you feel the above objective was met?	42.5% (57)	44.8% (60)	12.7% (17)	0.0% (0)	134
answered question					134
skipped question					16


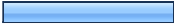
3. How would you rate the registration process?

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Pre-Registration	64.1% (84)	28.2% (37)	7.6% (10)	0.0% (0)	131
Web Registration	59.6% (65)	32.1% (35)	8.3% (9)	0.0% (0)	109
Meeting Confirmations	63.9% (76)	30.3% (36)	5.0% (6)	0.8% (1)	119
On-Site Registration	66.0% (64)	29.9% (29)	4.1% (4)	0.0% (0)	97
				Additional Comments	6
				answered question	139
				skipped question	11

4. How would you rate the Legal Exhibit Hall?

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Variety of Exhibits	17.6% (13)	56.8% (42)	24.3% (18)	1.4% (1)	74
Quality of Exhibits	23.3% (24)	52.4% (54)	21.4% (22)	2.9% (3)	103
				Additional Comments:	11
				answered question	135
				skipped question	15

5. Did you attend any of the above Alumni events?

		Response Percent	Response Count
Yes, I attended one or multiple events		60.0%	84
No, I did not attend		40.0%	56
answered question			140
skipped question			10

6. Atlanta's John Marshall Law School Alumni Reception

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	28.6% (4)	57.1% (8)	14.3% (2)	0.0% (0)	14
Facility	15.4% (2)	69.2% (9)	15.4% (2)	0.0% (0)	13
Service	21.4% (3)	64.3% (9)	14.3% (2)	0.0% (0)	14
Food & Beverage Selection	7.1% (1)	42.9% (6)	50.0% (7)	0.0% (0)	14
Food & Beverage Quality	14.3% (2)	50.0% (7)	35.7% (5)	0.0% (0)	14

If you have specific comments, please tell us

2

answered question	14
skipped question	136

7. Emory University School of Law Reception

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	29.2% (7)	54.2% (13)	16.7% (4)	0.0% (0)	24
Facility	30.4% (7)	47.8% (11)	17.4% (4)	4.3% (1)	23
Service	22.7% (5)	50.0% (11)	22.7% (5)	4.5% (1)	22
Food & Beverage Selection	13.0% (3)	52.2% (12)	30.4% (7)	4.3% (1)	23
Food & Beverage Quality	21.7% (5)	39.1% (9)	34.8% (8)	4.3% (1)	23
If you have specific comments, please tell us					2
answered question					24
skipped question					126

8. GABWA's Judicial & Public Office Academy Graduation

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	54.5% (6)	27.3% (3)	9.1% (1)	9.1% (1)	11
Facility	54.5% (6)	18.2% (2)	27.3% (3)	0.0% (0)	11
Service	40.0% (4)	30.0% (3)	30.0% (3)	0.0% (0)	10
Food & Beverage Selection	36.4% (4)	18.2% (2)	36.4% (4)	9.1% (1)	11
Food & Beverage Quality	40.0% (4)	10.0% (1)	50.0% (5)	0.0% (0)	10
If you have specific comments, please tell us					3
answered question					11
skipped question					139

9. Georgia State University Law School Alumni Reception

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	23.8% (5)	61.9% (13)	14.3% (3)	0.0% (0)	21
Facility	30.0% (6)	55.0% (11)	15.0% (3)	0.0% (0)	20
Service	25.0% (5)	60.0% (12)	15.0% (3)	0.0% (0)	20
Food & Beverage Selection	31.6% (6)	47.4% (9)	21.1% (4)	0.0% (0)	19
Food & Beverage Quality	38.9% (7)	38.9% (7)	22.2% (4)	0.0% (0)	18
If you have specific comments, please tell us					4
answered question					21
skipped question					129

10. Mercer University School of Law Alumni Reception

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	24.0% (6)	52.0% (13)	24.0% (6)	0.0% (0)	25
Facility	25.0% (6)	50.0% (12)	25.0% (6)	0.0% (0)	24
Service	37.5% (9)	41.7% (10)	16.7% (4)	4.2% (1)	24
Food & Beverage Selection	33.3% (8)	33.3% (8)	33.3% (8)	0.0% (0)	24
Food & Beverage Quality	30.4% (7)	34.8% (8)	34.8% (8)	0.0% (0)	23
If you have specific comments, please tell us					4
answered question					25
skipped question					125


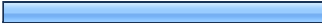
11. UGA Law School Alumni Breakfast & Awards

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	62.5% (10)	25.0% (4)	6.3% (1)	6.3% (1)	16
Facility	50.0% (8)	31.3% (5)	12.5% (2)	6.3% (1)	16
Service	56.3% (9)	25.0% (4)	12.5% (2)	6.3% (1)	16
Food & Beverage Selection	43.8% (7)	25.0% (4)	25.0% (4)	6.3% (1)	16
Food & Beverage Quality	37.5% (6)	31.3% (5)	25.0% (4)	6.3% (1)	16
If you have specific comments, please tell us					3
answered question					16
skipped question					134

12. UGA Law School Alumni Reception

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	28.9% (11)	52.6% (20)	5.3% (2)	13.2% (5)	38
Facility	24.3% (9)	45.9% (17)	13.5% (5)	16.2% (6)	37
Service	28.6% (10)	54.3% (19)	8.6% (3)	8.6% (3)	35
Food & Beverage Selection	34.2% (13)	47.4% (18)	15.8% (6)	2.6% (1)	38
Food & Beverage Quality	32.4% (12)	35.1% (13)	29.7% (11)	2.7% (1)	37
If you have specific comments, please tell us					8
answered question					39
skipped question					111

13. Did you attend any of the above Section events?

		Response Percent	Response Count
Yes, I attended one or multiple events		24.8%	34
No, I did not attend		75.2%	103
answered question			137
skipped question			13

14. Appellate Practice Lunch

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	50.0% (2)	50.0% (2)	0.0% (0)	0.0% (0)	4
Facility	50.0% (2)	50.0% (2)	0.0% (0)	0.0% (0)	4
Service	50.0% (2)	50.0% (2)	0.0% (0)	0.0% (0)	4
Food & Beverage Selection	50.0% (2)	50.0% (2)	0.0% (0)	0.0% (0)	4
Food & Beverage Quality	25.0% (1)	50.0% (2)	25.0% (1)	0.0% (0)	4

If you have specific comments, please tell us

1

answered question	4
skipped question	146

15. Criminal Law Lunch & Learn

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	25.0% (1)	75.0% (3)	0.0% (0)	0.0% (0)	4
Facility	25.0% (1)	75.0% (3)	0.0% (0)	0.0% (0)	4
Service	25.0% (1)	75.0% (3)	0.0% (0)	0.0% (0)	4
Food & Beverage Selection	25.0% (1)	75.0% (3)	0.0% (0)	0.0% (0)	4
Food & Beverage Quality	25.0% (1)	75.0% (3)	0.0% (0)	0.0% (0)	4
If you have specific comments, please tell us					0
answered question					4
skipped question					146

16. General Practice & Trial Breakfast, Tradition of Excellence

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	28.6% (4)	35.7% (5)	21.4% (3)	14.3% (2)	14
Facility	28.6% (4)	14.3% (2)	42.9% (6)	14.3% (2)	14
Service	28.6% (4)	35.7% (5)	28.6% (4)	7.1% (1)	14
Food & Beverage Selection	28.6% (4)	21.4% (3)	42.9% (6)	7.1% (1)	14
Food & Beverage Quality	23.1% (3)	15.4% (2)	53.8% (7)	7.7% (1)	13
If you have specific comments, please tell us					3
answered question					14
skipped question					136



17. General Practice & Trial Reception, Tradition of Excellence

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	31.3% (5)	31.3% (5)	37.5% (6)	0.0% (0)	16
Facility	33.3% (5)	20.0% (3)	40.0% (6)	6.7% (1)	15
Service	31.3% (5)	25.0% (4)	25.0% (4)	18.8% (3)	16
Food & Beverage Selection	25.0% (4)	31.3% (5)	31.3% (5)	12.5% (2)	16
Food & Beverage Quality	25.0% (4)	25.0% (4)	37.5% (6)	12.5% (2)	16
If you have specific comments, please tell us					2
answered question					16
skipped question					134

18. Judicial Lunch

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	11.1% (1)	55.6% (5)	33.3% (3)	0.0% (0)	9
Facility	22.2% (2)	44.4% (4)	33.3% (3)	0.0% (0)	9
Service	25.0% (2)	62.5% (5)	12.5% (1)	0.0% (0)	8
Food & Beverage Selection	25.0% (2)	62.5% (5)	12.5% (1)	0.0% (0)	8
Food & Beverage Quality	25.0% (2)	62.5% (5)	12.5% (1)	0.0% (0)	8
If you have specific comments, please tell us					0
answered question					9
skipped question					141

19. Did you attend any of the above receptions?

		Response Percent	Response Count
Yes, I attended one or multiple Receptions		72.7%	101
No, I did not attend		27.3%	38
answered question			139
skipped question			11

20. Opening Night Festival

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	58.1% (50)	31.4% (27)	8.1% (7)	2.3% (2)	86
Facility	45.3% (39)	34.9% (30)	15.1% (13)	4.7% (4)	86
Service	38.4% (33)	32.6% (28)	19.8% (17)	9.3% (8)	86
Food & Beverage Selection	27.9% (24)	39.5% (34)	22.1% (19)	10.5% (9)	86
Food & Beverage Quality	24.4% (21)	37.2% (32)	25.6% (22)	12.8% (11)	86
Additional Comments					14
answered question					86
skipped question					64

21. Bloody Mary Reception

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	38.5% (15)	41.0% (16)	17.9% (7)	2.6% (1)	39
Facility	41.0% (16)	33.3% (13)	20.5% (8)	5.1% (2)	39
Service	42.1% (16)	36.8% (14)	15.8% (6)	5.3% (2)	38
Beverage Selection	36.8% (14)	39.5% (15)	21.1% (8)	2.6% (1)	38
Beverage Quality	36.8% (14)	34.2% (13)	26.3% (10)	2.6% (1)	38
Additional Comments					7
answered question					39
skipped question					111

22. Supreme Court Reception/Presidential Gala

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Format	26.2% (16)	32.8% (20)	24.6% (15)	16.4% (10)	61
Location	32.8% (20)	27.9% (17)	24.6% (15)	14.8% (9)	61
Facility	27.9% (17)	31.1% (19)	24.6% (15)	16.4% (10)	61
Service	27.1% (16)	32.2% (19)	23.7% (14)	16.9% (10)	59
Food & Beverage Selection	16.7% (10)	25.0% (15)	30.0% (18)	28.3% (17)	60
Food & Beverage Quality	18.3% (11)	26.7% (16)	25.0% (15)	30.0% (18)	60
Additional Comments					19
answered question					61
skipped question					89



23. Commitment to Equality Awards Reception

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Format	53.3% (8)	33.3% (5)	13.3% (2)	0.0% (0)	15
Location	53.3% (8)	26.7% (4)	20.0% (3)	0.0% (0)	15
Facility	53.3% (8)	20.0% (3)	20.0% (3)	6.7% (1)	15
Service	50.0% (7)	21.4% (3)	21.4% (3)	7.1% (1)	14
Food & Beverage Selection	26.7% (4)	13.3% (2)	33.3% (5)	26.7% (4)	15
Food & Beverage Quality	33.3% (5)	20.0% (3)	20.0% (3)	26.7% (4)	15
Additional Comments					7
answered question					15
skipped question					135

24. Reception Honoring Incoming President Charles L. Ruffin

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Format	32.7% (16)	42.9% (21)	20.4% (10)	4.1% (2)	49
Location	30.6% (15)	42.9% (21)	24.5% (12)	2.0% (1)	49
Facility	28.6% (14)	42.9% (21)	24.5% (12)	4.1% (2)	49
Service	26.5% (13)	46.9% (23)	16.3% (8)	10.2% (5)	49
Food & Beverage Selection	20.8% (10)	39.6% (19)	33.3% (16)	6.3% (3)	48
Food & Beverage Quality	20.8% (10)	37.5% (18)	31.3% (15)	10.4% (5)	48
Additional Comments					8
answered question					49
skipped question					101

25. Did you attend any of the above YLD functions?

		Response Percent	Response Count
Yes, I attended one or multiple Receptions		36.0%	49
No, I did not attend		64.0%	87
answered question			136
skipped question			14

26. YLD Leadership Academy

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	60.0% (15)	24.0% (6)	16.0% (4)	0.0% (0)	25
Facility	56.0% (14)	32.0% (8)	8.0% (2)	4.0% (1)	25
Service	56.0% (14)	36.0% (9)	4.0% (1)	4.0% (1)	25
Food & Beverage Selection	32.0% (8)	8.0% (2)	28.0% (7)	32.0% (8)	25
Food & Beverage Quality	32.0% (8)	12.0% (3)	24.0% (6)	32.0% (8)	25
Additional Comments					5
answered question					25
skipped question					125

27. YLD Pool Party & Meet the Candidates Reception

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	59.4% (19)	34.4% (11)	6.3% (2)	0.0% (0)	32
Facility	53.1% (17)	37.5% (12)	9.4% (3)	0.0% (0)	32
Service	43.8% (14)	18.8% (6)	18.8% (6)	18.8% (6)	32
Beverage Selection	40.6% (13)	50.0% (16)	3.1% (1)	6.3% (2)	32
				Additional Comments	7
				answered question	32
				skipped question	118




28. YLD Past Presidents' Reception

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	33.3% (3)	44.4% (4)	22.2% (2)	0.0% (0)	9
Facility	44.4% (4)	33.3% (3)	22.2% (2)	0.0% (0)	9
Service	44.4% (4)	22.2% (2)	33.3% (3)	0.0% (0)	9
Food & Beverage Selection	33.3% (3)	33.3% (3)	22.2% (2)	11.1% (1)	9
Food & Beverage Quality	33.3% (3)	33.3% (3)	33.3% (3)	0.0% (0)	9
				Additional Comments	2
				answered question	9
				skipped question	141

29. YLD Dinner & Swearing-In Ceremony

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Location	36.4% (12)	45.5% (15)	12.1% (4)	6.1% (2)	33
Facility	36.4% (12)	45.5% (15)	12.1% (4)	6.1% (2)	33
Service	36.4% (12)	39.4% (13)	18.2% (6)	6.1% (2)	33
Food & Beverage Selection	30.3% (10)	48.5% (16)	18.2% (6)	3.0% (1)	33
Food & Beverage Quality	25.0% (8)	56.3% (18)	12.5% (4)	6.3% (2)	32
Additional Comments					4
answered question					33
skipped question					117

30. What was your choice of accomodations?

		Response Percent	Response Count
Hilton Head Marriott Resort & Spa		80.6%	100
Sonesta Resort, Hilton Head Island		5.6%	7
N/A		13.7%	17
Other (please specify)			18
answered question			124
skipped question			26



31. Hilton Head Marriott Resort & Spa

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Guest Room Amenities	25.7% (26)	34.7% (35)	24.8% (25)	14.9% (15)	101
Housekeeping Services	30.7% (31)	28.7% (29)	27.7% (28)	12.9% (13)	101
Overall Guest Service	34.3% (35)	27.5% (28)	26.5% (27)	11.8% (12)	102
Hotel Restaurants	14.8% (13)	39.8% (35)	34.1% (30)	11.4% (10)	88
Parking	23.5% (23)	33.7% (33)	35.7% (35)	7.1% (7)	98
Shuttle Service	27.8% (10)	25.0% (9)	36.1% (13)	11.1% (4)	36
				Additional Comments	17
				answered question	102
				skipped question	48

32. Sonesta Resort, Hilton Head Island

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Guest Room Amenities	62.5% (5)	37.5% (3)	0.0% (0)	0.0% (0)	8
Housekeeping Services	62.5% (5)	37.5% (3)	0.0% (0)	0.0% (0)	8
Overall Guest Service	62.5% (5)	37.5% (3)	0.0% (0)	0.0% (0)	8
Hotel Restaurants	57.1% (4)	28.6% (2)	14.3% (1)	0.0% (0)	7
Parking	50.0% (4)	37.5% (3)	12.5% (1)	0.0% (0)	8
Shuttle Service	40.0% (2)	0.0% (0)	40.0% (2)	20.0% (1)	5
				Additional Comments	3
				answered question	8
				skipped question	142

33. Did you attend any of the above functions?

		Response Percent	Response Count
Yes, I attended one or multiple Events		8.1%	11
No, I did not attend		91.9%	124
answered question			135
skipped question			15





34. Kids' Programs

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Turtle Thursday	0.0% (0)	0.0% (0)	100.0% (1)	0.0% (0)	1
Under the Sea	0.0% (0)	100.0% (2)	0.0% (0)	0.0% (0)	2
Heritage Game Day	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (1)	1
Harbour Town Under the Stars	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0
Comments:					2
answered question					4
skipped question					146

35. Other Programs: Golf, Tennis, Fun-Run, etc.

	Excellent	Good	Satisfactory	Unsatisfactory	Rating Count
Golf	71.4% (5)	28.6% (2)	0.0% (0)	0.0% (0)	7
Tennis	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0
5K Fun Run	33.3% (1)	66.7% (2)	0.0% (0)	0.0% (0)	3
Comments:					0
answered question					8
skipped question					142

36. In thinking about your entire event experience, please rate the overall conference below.

		Response Percent	Response Count
Excellent		25.9%	35
Good		45.2%	61
Satisfactory		23.0%	31
Unsatisfactory		5.9%	8
answered question			135
skipped question			15

37. What did you like the best?

	Response Count
	66
answered question	66
skipped question	84

38. What did you like the least?

Response
Count

74

answered question 74

skipped question 76

39. Future program or topic ideas?

Response
Count

20

answered question 20

skipped question 130

40. Other comments or suggestions?

Response
Count

30

answered question 30

skipped question 120

Page 2, Q3. How would you rate the registration process?

1	Everything went very smoothly!	Jul 20, 2013 8:39 AM
2	the web registration definitely had some kinks	Jul 15, 2013 12:24 PM
3	painless	Jul 13, 2013 11:17 AM
4	could you please offer a lower registration price for those persons not drinking alcohol - such as myself. I understand open bar's cost money, but having to pay a significant amount in registration fees and I do not drink alcohol is seemingly unfair	Jul 12, 2013 9:43 AM
5	By the time the meeting brochure was actually mailed, the hotel was booked. There should be some notice as to when the hotel is available for booking	Jul 11, 2013 1:31 PM
6	The web system should be updated to automatically provide a receipt and confirmation.	Jul 11, 2013 12:12 PM

Page 2, Q4. How would you rate the Legal Exhibit Hall?

1	The silent auction was awesome! I tried to click excellent for quality and variety, but for some reason the survey is not letting me do so.	Jul 16, 2013 12:16 PM
2	would have liked even more	Jul 13, 2013 11:17 AM
3	I wanted to check "excellent" for both but the survey would not let me do so.	Jul 12, 2013 10:47 AM
4	I'm pleased to see we are putting the Legal Exhibit Hall in a prominent position.	Jul 11, 2013 1:21 PM
5	Much better than last year.	Jul 11, 2013 1:01 PM
6	Not all the exhibitors were present during the day. The "goodies" did not seem as extensive as in years past.	Jul 11, 2013 12:55 PM
7	I missed not having a jewelry vendor this year.	Jul 11, 2013 12:49 PM
8	the survey will not allow me to click good for both of these items. it will only accept good and sat. i would mark both as good.	Jul 11, 2013 12:26 PM
9	I enjoyed the previous greater variety of exhibits. For instance the jewelry was absent again and I heard several people complain about that	Jul 11, 2013 12:17 PM
10	Tried to click Good for both of the above, but it would not let me!	Jul 11, 2013 12:12 PM
11	The monkey won't let me mark good for both variety and quality, so I marked variety as satisfactory to make an end run around this glitch.	Jul 11, 2013 12:10 PM

Page 4, Q6. Atlanta's John Marshall Law School Alumni Reception

1	did not attend	Jul 19, 2013 8:53 AM
2	At least not all of the receptions had identical food and it was better than last year but still mediocre	Jul 11, 2013 12:22 PM

Page 4, Q7. Emory University School of Law Reception

1	wonder why so few attended	Jul 13, 2013 11:18 AM
2	So glad that Emory reception is back! Thank you, Emory!	Jul 11, 2013 12:56 PM

Page 4, Q8. GABWA's Judicial & Public Office Academy Graduation

1	Did not attend	Jul 19, 2013 8:53 AM
2	Great event all around!	Jul 16, 2013 12:17 PM
3	did not attend	Jul 11, 2013 12:27 PM

Page 4, Q9. Georgia State University Law School Alumni Reception

1	Did not attend	Jul 19, 2013 8:53 AM
2	Excellent, as usual, thanks to Vickie Dye!	Jul 11, 2013 12:56 PM
3	no olives on any bar for a drink	Jul 11, 2013 12:27 PM
4	Vicki always does an excellent job setting these events up for GSU.	Jul 11, 2013 12:11 PM

Page 4, Q10. Mercer University School of Law Alumni Reception

1	Best Alumni Reception.	Jul 19, 2013 9:30 AM
2	did not attend	Jul 19, 2013 8:53 AM
3	did not attend	Jul 11, 2013 12:27 PM
4	The bartenders at this hotel were universally poor. The room was also placed in a out-of-the way spot that made it hard to find. None of these issues were the fault of the staff of the State Bar who worked hard to make these events the best they could be. It would be better to have all the school receptions in similar locations along the same corridor rather than in separate corridors that made some harder to find than others.	Jul 11, 2013 12:11 PM

Page 4, Q11. UGA Law School Alumni Breakfast & Awards

1	did not attend	Jul 19, 2013 8:53 AM
2	The meeting rooms were unsatisfactory. The quality of the food was unacceptable. The Hotel went out of its way to be rude to the guests. The Hotel was unacceptable.	Jul 13, 2013 10:31 AM
3	did not attend	Jul 11, 2013 12:27 PM

Page 4, Q12. UGA Law School Alumni Reception

1	the meeting room was too small. The food was second rate. THE Hotel was third rate	Jul 13, 2013 10:31 AM
2	Room was too small.	Jul 11, 2013 1:37 PM
3	Very crowded.	Jul 11, 2013 1:02 PM
4	Way too small	Jul 11, 2013 12:57 PM
5	A bit crowded - could have used a bigger space.	Jul 11, 2013 12:56 PM
6	Too crowded	Jul 11, 2013 12:22 PM
7	The room was entirely too small! It was very hard to walk around and mingle to determine who was present.	Jul 11, 2013 12:19 PM
8	The room was woefully small.	Jul 11, 2013 12:18 PM

Page 6, Q14. Appellate Practice Lunch

1	The sections need to consider combining events like this -- like the Judicial Section and the Appellate Law Section, to get sufficient mass.	Jul 12, 2013 1:27 PM
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Page 6, Q16. General Practice & Trial Breakfast, Tradition of Excellence

1	The best!!	Jul 13, 2013 11:20 AM
2	the room was hard to find. THE breakfast was unacceptable . THE service was second rate	Jul 13, 2013 10:32 AM
3	This event is to HONOR people who have contributed to the bar over a lifetime of legal service. It CANNOT remain a breakfast where no one attends. I was absolutely embarrassed for the recipients due to the low turnout.	Jul 11, 2013 2:57 PM

Page 6, Q17. General Practice & Trial Reception, Tradition of Excellence

1	Too expensive.	Jul 25, 2013 11:47 AM
2	Much better quality and selections than other events..great job!!	Jul 13, 2013 11:20 AM

Page 8, Q20. Opening Night Festival

1	Would have liked more beer choices, but otherwise OK.	Jul 19, 2013 6:41 PM
2	It was great to be able to play and dance with my child during this festival. We had a wonderful time!	Jul 16, 2013 12:19 PM
3	Did not attend	Jul 14, 2013 6:19 PM
4	Lot of fun....something for everyone... great choice..outdoors was really a nice first night	Jul 13, 2013 11:25 AM
5	The food at the opening night Festival was unacceptable. THE price was excessive. THE Hotel service was poor .	Jul 13, 2013 10:39 AM
6	The facility ran out of silverware and the selection of food was not great. Expected more seafood.	Jul 12, 2013 5:09 PM
7	AWESOME Opening Night Festival.	Jul 11, 2013 10:40 PM
8	Entirely too expensive.	Jul 11, 2013 3:47 PM
9	Everything was adequate. Nothing special. Boring same old thing.	Jul 11, 2013 2:57 PM
10	Terrible location with limited space for our group.Food was awful, service awful, can't we do something different. Been using the same program for years!	Jul 11, 2013 12:47 PM
11	Need to do something different next year. Opening Night Festival is tired, boring and expensive.	Jul 11, 2013 12:26 PM
12	food mediocre at best	Jul 11, 2013 12:23 PM
13	I did not attend this because it was too expensive.	Jul 11, 2013 12:14 PM
14	The bartenders were horrible. If you did not want a simple drink that had the ingredients in the name of the drink, they couldn't make the drink without significant instruction. The first night festival food was good and the area was nice.	Jul 11, 2013 12:14 PM

Page 8, Q21. Bloody Mary Reception

1	did not attend	Jul 19, 2013 8:55 AM
2	I personally would have preferred if the reception was not held in the hallway, but that's just a personal preference. It was totally fine.	Jul 16, 2013 12:19 PM
3	drinks only???? not good.. need to remember non-alcoholic beer for non-drinkers or for those wanting less...	Jul 13, 2013 11:25 AM
4	I am not a big drinker so I could pass on this.	Jul 12, 2013 7:45 PM
5	Did not attend	Jul 11, 2013 2:05 PM
6	No announcement, didn't know it had started, drinks watery,	Jul 11, 2013 12:47 PM
7	This is something I always thought I had to pay for, but the bartenders were just handing out free drinks. That was great!	Jul 11, 2013 12:14 PM

Page 8, Q22. Supreme Court Reception/Presidential Gala

1	Better than excellent. A great opportunity to see old friends and make new friends.	Jul 25, 2013 11:48 AM
2	This was a fabulous evening. I can't think of anything which could have made it any better.	Jul 20, 2013 8:42 AM
3	food lines were long	Jul 19, 2013 6:41 PM
4	President spoke too long, keep it short as the food got cold	Jul 15, 2013 5:22 PM
5	The food selection and quality were a disappointment (e.g., frozen crab legs that had barely been thawed, no real salad selection, and overall a small and low-quality set of options). The selection and quality have been significantly better in past years, at other venues. Moreover, the layout was confusing: it was unclear what the various stations were, especially once the lines began forming around each one; the corridor was very crowded; and it was not clear where the bars were located. Please do not replicate this layout or food and beverage quality/selection. Attendees of this event simply expect better.	Jul 14, 2013 9:29 PM
6	I felt that placing a crab leg on a dessert or appetizer plate was ridiculous. I would rather have more food and a cash bar for the drinkers. The decorations were outstanding as well as the entertainment.	Jul 12, 2013 7:45 PM
7	Reception area was too crowded, food selections were limited; buffets are not the best, expected sit-down dinner. by the time food was served, folks were starving and the plates were small. Had to go from room to room to mingle.	Jul 12, 2013 5:09 PM
8	food not that good in quality or options that i saw	Jul 12, 2013 12:18 PM
9	Crowded, too few bars, no real food during reception, too few stations and many out of food after program, seating in flourescentlit stark ballroom. Yuk.	Jul 11, 2013 4:03 PM
10	Food quality was poor, and they kept running out of it.	Jul 11, 2013 2:19 PM
11	Did not attend	Jul 11, 2013 2:05 PM
12	The food was okay, but the plates were two small. They served crab legs and gave you a plate the size of a cup saucer to put it on. That bordered on ridiculous	Jul 11, 2013 1:34 PM
13	Very disappointing menu. Taco and macaroni and cheese bars are not up to standards for such an elegant affair. Seafood seemed recently thawed. Food definitely not up to Marriott standards.	Jul 11, 2013 12:59 PM
14	Need to have set down dinner and eat while we listen to speeches.	Jul 11, 2013 12:50 PM
15	Tired of same old format ,gala very boring, been using the same program for years, let's use some imagination, the location was terrible (really, out in the hall), the facility dirty, falling apart, service- there was none, food-kept running out, was cold or uneatable, beverages-very poor selection had to scramble for ice - a really horrible experience, especially for the price	Jul 11, 2013 12:47 PM
16	That's a whole lot of money to eat macaroni and cheese.	Jul 11, 2013 12:25 PM

Page 8, Q22. Supreme Court Reception/Presidential Gala

17	There didn't seem to be a coherent meal, just a variety of food choices that were not part of one meal. But maybe that is the new way....	Jul 11, 2013 12:15 PM
18	Was this Saturday night? I left right after the BOG meeting.	Jul 11, 2013 12:14 PM
19	It was impossible to get crab legs without standing in a very long line. The food quality was mediocre overall and I think the sit-down dinner results in a better dining and social experience	Jul 11, 2013 12:14 PM

Page 8, Q23. Commitment to Equality Awards Reception

1	I did not attend	Jul 19, 2013 10:43 AM
2	Did not attend	Jul 14, 2013 6:19 PM
3	for such a special event, definitely done on a shoe string	Jul 13, 2013 11:25 AM
4	The food was not good.	Jul 12, 2013 7:45 PM
5	Did not attend	Jul 11, 2013 2:05 PM
6	did not attend	Jul 11, 2013 12:28 PM
7	Did not attend.	Jul 11, 2013 12:14 PM

Page 8, Q24. Reception Honoring Incoming President Charles L. Ruffin

1	did not attend	Jul 19, 2013 6:41 PM
2	I did not attend	Jul 19, 2013 10:43 AM
3	Did not attend	Jul 14, 2013 6:19 PM
4	compared to trial section, too big a room and this created a sense of emptiness...selection of food limited	Jul 13, 2013 11:25 AM
5	late starting	Jul 12, 2013 6:18 PM
6	Did not attend	Jul 11, 2013 2:05 PM
7	did not attend	Jul 11, 2013 12:28 PM
8	Was this at the same time as the alumni events? I don't think I made it because of those.	Jul 11, 2013 12:14 PM

Page 10, Q26. YLD Leadership Academy

1	Did not attend	Jul 14, 2013 6:20 PM
2	pork is not an acceptable group meat choice	Jul 12, 2013 1:51 PM
3	I was a graduate and do not eat pork and it was the only option. I had to wait 20 minutes for chicken and it was cold by the time i got it :(Jul 11, 2013 12:46 PM
4	Not sure pork was the best choice.	Jul 11, 2013 12:27 PM
5	We had to go through the board of governor's breakfast, which was still set out, to get to the Leadership Academy lunch. Service was slow and the food was not very good.	Jul 11, 2013 12:18 PM

Page 10, Q27. YLD Pool Party & Meet the Candidates Reception

1	The line to get a drink was about 20 minutes. Obviously the YLD ("Young Lushes Division") needs an extra bar next year.	Jul 19, 2013 11:03 AM
2	registration cost very high for those not drinking alcohol such as myself	Jul 12, 2013 9:45 AM
3	Would have been nice to have one more bar to handle the crowd.	Jul 11, 2013 1:24 PM
4	The Sav meeting set up was best last year, but I know every hotel doesn't have the same facility. However, having two bars are a must with such great turn-out - and perhaps having a way to curtail all bar members from showing up if they haven't registered would also be recommended.	Jul 11, 2013 12:24 PM
5	Long lines never was served anything	Jul 11, 2013 12:24 PM
6	It is better when we have a separate pool for the pool party. Also the bartenders were ABSOLUTELY HORRIBLE. One would hold the cup while the other poured the drink. I've never seen anything like it. Also, an attendee asked for something fruity and the bartender responded with "What would you like in that?". I eventually went and paid for a drink at the pool bar rather than deal with the clowns at the pool party bar.	Jul 11, 2013 12:18 PM
7	Having only one bar made getting a drink (non-alcoholic or alcoholic) a ten minute endeavor.	Jul 11, 2013 12:17 PM

Page 10, Q28. YLD Past Presidents' Reception

1	Did not attend	Jul 11, 2013 2:07 PM
2	Need food, but also not heavily attended, so perhaps a different approach or time is in order.	Jul 11, 2013 12:16 PM

Page 10, Q29. YLD Dinner & Swearing-In Ceremony

1	I was really disappointed in the YLD dinner this year because there was no band. Last year there was a stellar band, Yacht Rock, and we had a great time dancing the night away. For the cost of attendance, I think a band is warranted and expected. Please bring Yacht Rock back next year!	Jul 19, 2013 11:03 AM
2	Great program.	Jul 14, 2013 2:51 PM
3	The bartenders seemed as if this is the last place they wanted to be. They were not prepared and did not know how to make the most basic drinks. I asked for a vodka tonic and the bartender asked me what she needed to make it. However, I found the food to be delicious for a catered event and the servers were fantastic!	Jul 11, 2013 12:24 PM
4	Again, the food at this hotel was really mediocre.	Jul 11, 2013 12:18 PM

Page 11, Q30. What was your choice of accommodations?

1	Holiday Inn Resort by default	Jul 25, 2013 11:49 AM
2	home	Jul 23, 2013 11:08 PM
3	Condo	Jul 19, 2013 11:53 AM
4	Red Roof Inn	Jul 19, 2013 11:09 AM
5	Condo at Sea Pines	Jul 19, 2013 9:33 AM
6	Personally owned condo	Jul 19, 2013 9:00 AM
7	Days Inn	Jul 19, 2013 8:55 AM
8	rental house off-site	Jul 19, 2013 8:23 AM
9	Hilton Garden Inn, Hilton Head Island	Jul 16, 2013 12:20 PM
10	Palmetto Dunes	Jul 15, 2013 12:24 PM
11	Park Lane (condo)	Jul 13, 2013 11:25 AM
12	Park Lane Hotel and Suites	Jul 12, 2013 5:12 PM
13	Red Roof Inn	Jul 12, 2013 1:27 PM
14	Port Royal Condo	Jul 11, 2013 8:05 PM
15	Marriott Barony Beach Club, Hilton Head Island	Jul 11, 2013 4:04 PM
16	Private condo	Jul 11, 2013 2:41 PM
17	SeaPines Resort	Jul 11, 2013 2:04 PM
18	I stayed at the Red Roof Inn, which was very nice and affordable. Marriott and Sonesta were just too expensive.	Jul 11, 2013 12:15 PM

Page 12, Q31. Hilton Head Marriott Resort & Spa

1	Hotel was excellent. Spacious rooms, but it's time to refurbish them, at least those in south tower.	Jul 19, 2013 2:43 PM
2	Too expensive.	Jul 19, 2013 11:10 AM
3	Free parking good. No elevator access - bad. Bellhops forgot to provide baggage service to room. Manager helped after keys failed and compensated me adequately.	Jul 15, 2013 12:23 PM
4	The housekeeping often did not come until quite late in the day, and the parking setup could have been made clearer to us when we checked in. We were not told that there was an underground covered area of parking.	Jul 14, 2013 9:30 PM
5	sleeping room was run down - needed refurbishing	Jul 14, 2013 4:20 PM
6	The Hotel was dated and in desperate need of renovation. Wifi service was terrible. The staff were ok but facility needs update.	Jul 14, 2013 2:56 PM
7	DO NOT GO BACK THERE. Problems with cleanliness, amenities not working, terrible pillows. Entire hotel needs to be refurbished.	Jul 11, 2013 2:59 PM
8	Worst valet and bellman service I have ever experienced. It was almost like no one was in charge. When we checked in, we didn't know whether someone was going to take our luggage, park our car or what!	Jul 11, 2013 1:36 PM
9	very dated hotel. Should have had the event at the Sonesta.	Jul 11, 2013 1:33 PM
10	I will never go back to that hotel.	Jul 11, 2013 1:16 PM
11	Restaurants very expensive. Needed a lower price alternative.	Jul 11, 2013 1:00 PM
12	Rooms dated and not particularly clean	Jul 11, 2013 12:59 PM
13	check in was awful and my lunch at the local restaurant was not good -- cold and poor service.	Jul 11, 2013 12:52 PM
14	Dirty, moldy, unsanitary hotel. Can't believe we used this facility. Not one redeeming factor for this hotel. Even the water smelled. Hope nobody tripped over the torn carpet.	Jul 11, 2013 12:50 PM
15	good hotel bad food	Jul 11, 2013 12:25 PM
16	I read about the hotel on trip advisor (which has rather negative reviews) but we really tried to give the hotel the benefit of the doubt. In the end, I left feeling dirty and ready to get home for a shower. I think this hotel really needs new carpet and paint to be up to par for the nightly rate. I am looking forward to a new facility next year at Amelia.	Jul 11, 2013 12:19 PM
17	Lounge/Bar area should offer snack food (nuts or pretzels or the like) to patrons	Jul 11, 2013 12:18 PM

Page 12, Q32. Sonesta Resort, Hilton Head Island

1	This is a beautiful hotel. The property is very upscale and the food was fabulous.	Jul 20, 2013 8:44 AM
2	Did not stay here.	Jul 12, 2013 10:48 AM
3	Thank you so much for the shuttle service. It made the trip so much better and I loved being able to chat with the drivers. The Sonesta was absolutely lovely and if I go back to HHI, I will try very hard to stay there.	Jul 11, 2013 12:25 PM

Page 14, Q34. Kids' Programs

1	My child had fun and was safe.	Jul 16, 2013 12:21 PM
2	We had 4 year old signed up for the "camps." The woman there was very nice however we expected more activities for the children. It was more like babysitting but it was fine.	Jul 12, 2013 12:21 PM

Page 15, Q37. What did you like the best?

1	CLE classes	Jul 25, 2013 11:50 AM
2	cle	Jul 23, 2013 11:09 PM
3	Party Nation Band was great	Jul 21, 2013 12:23 PM
4	Supreme Court Reception and Inaugural Gala	Jul 20, 2013 8:44 AM
5	The beach was nice, liked that I could rent chairs with an umbrella on the beach, I liked the variety of the Gala with the dance band, cigars, etc.	Jul 19, 2013 6:44 PM
6	Being in Hilton Head	Jul 19, 2013 12:46 PM
7	Meetings.	Jul 19, 2013 11:11 AM
8	The Opening Night	Jul 19, 2013 10:45 AM
9	Online access to program documents. It is great to be able to download them to follow along and save them for later. Additionally, the networking and receptions are always great.	Jul 19, 2013 10:24 AM
10	location	Jul 19, 2013 10:16 AM
11	CLE and how you could choose one day at a time	Jul 19, 2013 9:57 AM
12	Interaction with friends and colleagues	Jul 19, 2013 9:43 AM
13	Networking	Jul 19, 2013 8:36 AM
14	Annual meeting	Jul 19, 2013 8:20 AM
15	location	Jul 17, 2013 4:18 PM
16	Opening Night Festival	Jul 16, 2013 12:22 PM
17	Networking, exhibition hall and schedule/pace of events.	Jul 15, 2013 5:42 PM
18	Good location. Great beach	Jul 15, 2013 5:23 PM
19	Saturday night soiree. Opportunities to learn and network with colleagues from around the state.	Jul 15, 2013 12:25 PM
20	The opportunity and variety of CLE courses.	Jul 15, 2013 8:19 AM
21	The chance to gather with colleagues, and the opening night festival.	Jul 14, 2013 9:36 PM
22	Presidential Inaugural reception. Good band, good food, and good decor and setup. Michelle Garner did a great job with a dated facility. The format gave good opportunity to fellowship and network by not being a sit down dinner which traps you with those at your table and limits your ability to visit with others.	Jul 14, 2013 3:04 PM
23	facility	Jul 13, 2013 11:32 AM
24	NOthing	Jul 13, 2013 10:40 AM

Page 15, Q37. What did you like the best?

25	The relaxed environment and networking.	Jul 12, 2013 7:48 PM
26	Juvenile CLE and Voting Rights CLE's offered, HHI was decent venue	Jul 12, 2013 5:18 PM
27	location of the marriott right on the beach	Jul 12, 2013 1:53 PM
28	well organized	Jul 12, 2013 12:22 PM
29	Convenience of sessions to hotel rooms.	Jul 12, 2013 8:30 AM
30	Opening Night Ceremony and networking. I met some really nice people!	Jul 11, 2013 10:47 PM
31	Location	Jul 11, 2013 7:21 PM
32	CLE and opportunity to network.	Jul 11, 2013 4:05 PM
33	Beach and pool areas	Jul 11, 2013 4:04 PM
34	Leaving.	Jul 11, 2013 4:02 PM
35	Opening Reception and buffet.	Jul 11, 2013 3:49 PM
36	The hotel was well run	Jul 11, 2013 3:39 PM
37	Opening night reception; networking	Jul 11, 2013 3:01 PM
38	Beach, pool, sun but I would give it all up for a more central location.	Jul 11, 2013 2:54 PM
39	I went primarily as a social and networking opportunity and was very pleased overall with all social events.	Jul 11, 2013 2:09 PM
40	Location	Jul 11, 2013 1:49 PM
41	cigars	Jul 11, 2013 1:30 PM
42	The receptions were well planned and there was optimal time to meet and network with new people.	Jul 11, 2013 1:28 PM
43	Fellowship with fellow lawyers.	Jul 11, 2013 1:18 PM
44	CLEs were informative and dealt with current issues. Speakers were well-prepared and presented their topics clearly and effectively. Accommodations were great.	Jul 11, 2013 1:15 PM
45	5k and Silent Auction/Bloody Mary Reception	Jul 11, 2013 1:06 PM
46	The Opening Festival and receptions, for the camaraderie.	Jul 11, 2013 1:04 PM
47	Meetings	Jul 11, 2013 12:59 PM
48	leaving	Jul 11, 2013 12:58 PM
49	I thought the opening night food was well-prepared.	Jul 11, 2013 12:53 PM

Page 15, Q37. What did you like the best?

50	Opening night reception	Jul 11, 2013 12:52 PM
51	This was my first conference and I really enjoyed being there and meeting so many attorneys and judges in a relaxed environment.	Jul 11, 2013 12:47 PM
52	Beverage selection was good. Food was okay. All things were close, which was convenient.	Jul 11, 2013 12:37 PM
53	The variety of choices for the last night. The Martini Bar with the Piano Guy was great.	Jul 11, 2013 12:35 PM
54	General Prac and Trial Breakfast	Jul 11, 2013 12:35 PM
55	good meeting	Jul 11, 2013 12:33 PM
56	Alumni receptions	Jul 11, 2013 12:31 PM
57	Meetings and networking were good. Hotel and tired format were not.	Jul 11, 2013 12:28 PM
58	YLD dinner.	Jul 11, 2013 12:28 PM
59	YLD Dinner; Networking	Jul 11, 2013 12:26 PM
60	Meeting at the beach.	Jul 11, 2013 12:25 PM
61	Pool, breakfast	Jul 11, 2013 12:23 PM
62	Event was at the beach so my family could enjoy a vacation while I "worked".	Jul 11, 2013 12:22 PM
63	I liked seeing all my friend and the lawyers who attend these events. I enjoyed the pool and the beach. The fun run t-shirts were the best I've seen in 5 years of these events.	Jul 11, 2013 12:21 PM
64	Courtesy of State Bar staff	Jul 11, 2013 12:18 PM
65	beachfront location	Jul 11, 2013 12:18 PM
66	The beach.	Jul 11, 2013 12:17 PM

Page 15, Q38. What did you like the least?

1	Nothing	Jul 25, 2013 11:50 AM
2	crowds	Jul 23, 2013 11:09 PM
3	hotel	Jul 21, 2013 12:23 PM
4	Surprised that the Gala was not a sit down dinner like last year.	Jul 19, 2013 6:44 PM
5	GABWA CLE program was too political and obviously slanted.	Jul 19, 2013 2:45 PM
6	Hotel -Marriott	Jul 19, 2013 2:08 PM
7	Hotel (service, food, quality of accommodations) was not up to our usual standards	Jul 19, 2013 12:46 PM
8	The ICLE Board meeting was at 4:00 in the afternoon. The hotel staff had not cleared dirty dishes from an earlier meeting.	Jul 19, 2013 12:03 PM
9	Cost.	Jul 19, 2013 11:11 AM
10	Too expensive- could we consider a YLD rate for some of these events? Also, we need a band at the YLD dinner- bring back Yacht Rock!	Jul 19, 2013 11:05 AM
11	Location	Jul 19, 2013 10:45 AM
12	Internet access was unreliable.	Jul 19, 2013 10:24 AM
13	the hotel	Jul 19, 2013 10:16 AM
14	It was not in GA.	Jul 19, 2013 9:58 AM
15	Not enough CLE choices and more space for meetings	Jul 19, 2013 9:57 AM
16	Unless one is actively involved in State Bar committee activities, Board of Governors, or YLD, there is not much to inspire members of the Bar to attend the Annual Meeting.	Jul 19, 2013 9:43 AM
17	Almost getting arrested	Jul 19, 2013 9:34 AM
18	Marriott. The location.	Jul 19, 2013 8:36 AM
19	food at YLD dinner	Jul 17, 2013 4:18 PM
20	The cost.	Jul 16, 2013 12:22 PM
21	There were not a lot of CLE offerings. I would add a few more panels and opportunities for CLE credits.	Jul 15, 2013 5:42 PM
22	Food for saturday night was terrible.	Jul 15, 2013 5:23 PM
23	The juvenile code update ended up being dominated by family court topics and concerns and, in the end, was practically useless for a defense attorney	Jul 15, 2013 12:25 PM
24	Length of president's program on Saturday night.	Jul 15, 2013 12:25 PM

Page 15, Q38. What did you like the least?

25	The presidential gala. A real disappointment this year. In addition to the issues with layout and food and beverage selection/quality mentioned above, another significant problem was the length of the swearing-in ceremony/program this year. It was simply selfish for incoming president Ruffin to take so long, first presenting an award to his wife (who is not a lawyer!) and then going on SO long introducing all his sisters, cousins, and aunts! The long program meant that attendees could not get to the dinner portion of the evening until after 8:15 pm. This was a source of great frustration for MANY of us.	Jul 14, 2013 9:36 PM
26	The dated facility. I'd suggest we try more events on the Gulf Coast where the beaches are gorgeous and the drive is comparable from Atlanta. I'd suggest Sandestin.	Jul 14, 2013 3:04 PM
27	last night's dinner as a roving experience....some food was gone (seafood) or had to wait too long...	Jul 13, 2013 11:32 AM
28	the Hotel the food & the service	Jul 13, 2013 10:40 AM
29	The food.	Jul 12, 2013 7:48 PM
30	Food choices, venue did not seem as though it was equipped to accommodate number of attendees	Jul 12, 2013 5:18 PM
31	every event was too expensive to buy a ticket too, particularly for a young lawyer in this economy	Jul 12, 2013 1:53 PM
32	The big ceremonies are too expensive for those of us who have to pay for them out of pocket. It ends up being only judges and lawyers in big firms, not a cross-section of the bar. Seriously, \$175 for an evening? I don't know the answer to the problem, b/c I know the facilities charge a lot of money.	Jul 12, 2013 1:29 PM
33	distance from GA	Jul 12, 2013 12:22 PM
34	registration fees for events that provided an open bar and I am not a drinker, so preferred not to pay that amount	Jul 12, 2013 9:47 AM
35	Reception in that long hall too congested and crowded. Hotel was not the greatest.	Jul 12, 2013 8:30 AM
36	Supreme Court Reception/Inaugural format	Jul 12, 2013 6:53 AM
37	Reception for the Incoming President. I did not like waiting in line. There was a shortage of food at some of the food stations.	Jul 11, 2013 10:47 PM
38	SAT night "Gala" was truly disappointing. Only some buffet stations and a "dining room" that would not even do justice to a 5-year high school reunion.	Jul 11, 2013 8:07 PM
39	In coming President's reception and dinner. The hotel ran out of food in several areas. Not good!	Jul 11, 2013 7:21 PM
40	The final gala	Jul 11, 2013 4:04 PM
41	Arriving.	Jul 11, 2013 4:02 PM

Page 15, Q38. What did you like the least?

42	The lack of opportunity to socialize and exchange ideas often and the fact that it did not take place in Georgia	Jul 11, 2013 3:39 PM
43	Hotel; displays seemed to be deficient compared to last year.	Jul 11, 2013 3:01 PM
44	Distance and being out of state	Jul 11, 2013 2:54 PM
45	Food choice and quality	Jul 11, 2013 2:45 PM
46	Hotel was horrible and dirty. "Bartenders" had never mixed a drink. Food was bad. Worst venue ever.	Jul 11, 2013 2:44 PM
47	FOOD	Jul 11, 2013 2:20 PM
48	The food at Marriott was not par with what I would expect for the costs paid for the event. The YLD Leadership Academy food was awful and the Opening Reception buffet had room for improvement. Additionally, there should be another bar the next pool party.	Jul 11, 2013 2:09 PM
49	Format of Gala dinner	Jul 11, 2013 1:49 PM
50	the hotel accomodations and facilities	Jul 11, 2013 1:44 PM
51	Hilton Head Resort. Very overpriced. Dated rooms and musty. Prefer that we meet in Georgia. Not a good idea, in current economic climate, to take our travel dollars to SC.	Jul 11, 2013 1:35 PM
52	Issues surrounding room availability	Jul 11, 2013 1:30 PM
53	I was not fond of Hilton Head Island for 2 reasons: extremely inconvenient to navigate, park, etc. and I feel that our money should be spent improving our local economy by holding the event in Georgia	Jul 11, 2013 1:28 PM
54	The Marriott was a bit dated.	Jul 11, 2013 1:25 PM
55	The Marriott - it was unacceptable. Pool was not clean. Drinks at pool were terrible.	Jul 11, 2013 1:18 PM
56	Rent A Cop belligerent attitude at hospitality suite	Jul 11, 2013 1:06 PM
57	The Saturday night dinner. Not up to standards in the past.	Jul 11, 2013 1:04 PM
58	Hotel	Jul 11, 2013 12:59 PM
59	hotel, same "fun" programs we have had for years	Jul 11, 2013 12:58 PM
60	The room for the Board of Governors meetings was way too small.	Jul 11, 2013 12:53 PM
61	President's Gala	Jul 11, 2013 12:52 PM
62	Service was horrible, worst at any of the 10 or more annual bar meetings I've been to. Most servers were simply incompetent. While nice, most clearly had little to no training.	Jul 11, 2013 12:37 PM

Page 15, Q38. What did you like the least?

63	Hotel needs a renovation in meeting areas and in rooms.	Jul 11, 2013 12:35 PM
64	terrible wifi all over	Jul 11, 2013 12:35 PM
65	supreme court dinner--food was terrible, drinks in a plastic glass and the program was way toooooo long.	Jul 11, 2013 12:33 PM
66	Hotel staff and check-in were rough.	Jul 11, 2013 12:28 PM
67	The CLE rooms were FREEZING.	Jul 11, 2013 12:26 PM
68	Food was terrible. Rooms were OK but not great.	Jul 11, 2013 12:25 PM
69	Event was in Hilton Head, SC instead of spending our money in GA. It makes the Bar look elitist and uncaring to the public concerning our contributions to the economy when we spend that much money out of State.	Jul 11, 2013 12:22 PM
70	The facility and the food.	Jul 11, 2013 12:21 PM
71	The Marriott is old and tired.	Jul 11, 2013 12:18 PM
72	Mariott Hotel, especially food quality	Jul 11, 2013 12:18 PM
73	The food in both breakfast meetings I attended was inedible. The biscuits/breads/pastries were hard and dry, the lunch was not tasty.	Jul 11, 2013 12:18 PM
74	Hilton Head. This is the third time I've been. The first time gave me no desire to come back. The second time have been for conferences.	Jul 11, 2013 12:17 PM

Page 15, Q39. Future program or topic ideas?

1	More CLE	Jul 25, 2013 11:50 AM
2	probate, estate planning	Jul 23, 2013 11:09 PM
3	Programs on (1) judicial elections and campaign funding; and (2) reputation of the profession and how we can do better to earn the public's trust	Jul 19, 2013 12:46 PM
4	The Voting Rights seminar and Legal update. Both were very timely and well-done.	Jul 19, 2013 10:24 AM
5	Mo	Jul 19, 2013 9:57 AM
6	Add panelists from City of Atlanta Law Department (as there were many in attendance who work there) to discuss Film Office/film production, Aviation, Zoning Law or Finance & Infrastructure.	Jul 15, 2013 5:42 PM
7	Did not know the Board of Governors meeting was open to all Bar Members..perhaps that could be mentionned in the literature to educate even those of us not newbies... Need more technology training...I PAD, I phone more hands on stuff.. courtroom technology etc.....need professionalism/ethics but need the other equally as much esp again for the more vintage attorneys ..notice how many are NOT retiring	Jul 13, 2013 11:32 AM
8	N/A	Jul 12, 2013 7:48 PM
9	Continue to offer Juvenile CLE, new code goes into effect next year	Jul 12, 2013 5:18 PM
10	Galas are worthless without sit-down dinners in a decent dining room or banquet hall.	Jul 11, 2013 8:07 PM
11	Workers Comp both claimant & employer.	Jul 11, 2013 4:05 PM
12	N/A	Jul 11, 2013 4:02 PM
13	Jekyl Island would be a great venue	Jul 11, 2013 3:39 PM
14	More CPE options	Jul 11, 2013 2:45 PM
15	Streamline the Inauguration ceremony by putting time limits on the speeches and introductions.	Jul 11, 2013 1:04 PM
16	Theme parties, an interesting speaker	Jul 11, 2013 12:58 PM
17	More on Evidence	Jul 11, 2013 12:52 PM
18	Go back to Amelia Plantation!!	Jul 11, 2013 12:35 PM
19	Better speakers and higher end programing.	Jul 11, 2013 12:28 PM
20	More section specific CLEs.	Jul 11, 2013 12:22 PM

Page 15, Q40. Other comments or suggestions?

1	Consider reduced registration fees for: 1. Academics, to increase attendance from that group; 2. Spouses/Partners. The ABA often charges only \$25 to add a spouse; 3. Guests for the opening gala. We usually bring adult children and grandchildren. It is very expensive to include them, even though the grandchildren really enjoy it.	Jul 19, 2013 12:03 PM
2	Too expensive- could we consider a YLD rate for some of these events? Also, we need a band at the YLD dinner- bring back Yacht Rock!	Jul 19, 2013 11:05 AM
3	Board of Governor meetings, as well as many other meetings during the Annual Meeting, can be videocast to attorneys around the State -- not unlike a State Bar C-Span of sorts. This would encourage more understanding and participation.	Jul 19, 2013 9:43 AM
4	More CLE opportunities! Other than that, great conference.	Jul 15, 2013 5:42 PM
5	Keep up the good work planning a cost-effective productive annual meeting program in a nice location.	Jul 15, 2013 12:25 PM
6	Please have the outgoing president or Bar staff give instructions to the incoming president about expectations for the swearing-in ceremony. Incoming president Ruffin abused his position, and that kind of behavior at the swearing-in ceremony should simply not continue in the future.	Jul 14, 2013 9:36 PM
7	Possible CLE offerings on Saturday	Jul 14, 2013 6:21 PM
8	I think the event was well-planned and organized and overall a wide variety of experiences...nice selection of auction items and very well organized...	Jul 13, 2013 11:32 AM
9	N/A	Jul 12, 2013 7:48 PM
10	No. Excellent meeting, as usual.	Jul 12, 2013 10:49 AM
11	cash bar or non alcohol registration option	Jul 12, 2013 9:47 AM
12	I think it would be better to have a sit down dinner/banquet for the incoming president.	Jul 11, 2013 10:47 PM
13	Great event, great venue.	Jul 11, 2013 4:05 PM
14	Why can't we have these things in Georgia?	Jul 11, 2013 4:02 PM
15	I called to make a reservation at Marriott the day I received the annual meeting flyer, and there were already no rooms available. In the past, I have called prior to the deadline and there have been no rooms and no backup hotel. I was glad there was an alternate, but it seems to be a problem that there are not enough rooms to accommodate everyone.	Jul 11, 2013 3:15 PM
16	Need to keep this in Georgia or move back to Amelia Island. Attendance was so poor at all of the meetings, it was disappointing.	Jul 11, 2013 3:01 PM
17	Hotel wifi was poor	Jul 11, 2013 2:45 PM
18	Maybe another resort but the Marriott?	Jul 11, 2013 2:09 PM

Page 15, Q40. Other comments or suggestions?

19	Have professional A.V. assist in presentations.	Jul 11, 2013 1:30 PM
20	Don't go back to that hotel.	Jul 11, 2013 1:18 PM
21	Maybe a more organized 5K race with bibs/race numbers, timing, and better T-shirts	Jul 11, 2013 1:15 PM
22	We expect a bountiful dinner on Saturday evening. We look forward to an improved Annual Meeting at Amelia Island!	Jul 11, 2013 1:04 PM
23	On site visits, make sure you see all of the hotel, not just what they want you to see. This was not a pleasant experience	Jul 11, 2013 12:58 PM
24	I am normally a Marriott fan, but I was not impressed with this hotel and hope we don't go back. However, it was still better than Myrtle Beach!	Jul 11, 2013 12:53 PM
25	Don't go back.	Jul 11, 2013 12:37 PM
26	I will not return to this venue	Jul 11, 2013 12:35 PM
27	Don't go back to this Hilton facility.	Jul 11, 2013 12:25 PM
28	Stay in State! I understand that some may gripe about using the same locations every year, but GA offers a wide variety of locations capable of hosting our meetings.	Jul 11, 2013 12:22 PM
29	As always, the staff of our State Bar worked tirelessly and did a great job pulling off another successful meeting. While I expressed dissatisfaction with the facility, I was very impressed with the hustle shown all weekend by the staff of the State Bar to keep everything running as smoothly as possible.	Jul 11, 2013 12:21 PM
30	I'm glad we're going back to Amelia Island next year. If we have to go out of state, that's a much better location.	Jul 11, 2013 12:17 PM



SUICIDE AWARENESS CAMPAIGN
How To Save A Life



State Bar
of Georgia

Quick Facts

TITLE

How To Save A Life

LENGTH

Long version: 24 minutes

Medium version: 11 minutes

Short version: 6 minutes

Lawyer Assistance Program PSA (Courtroom): 30 seconds

Lawyer Assistance Program PSA (Faces): 30 seconds

INTERVIEWEES

- ✦ Robin Frazer Clark
2012-13 President, State Bar of Georgia
- ✦ Charles B. Pekor Jr.
Chairperson, Lawyer Assistance Program Committee
- ✦ Javoyne Hicks White
Member, Suicide Prevention and Awareness Committee
- ✦ George W. Martin Jr.
President, CorpCare Associates

*Visit www.gabar.org or call the State Bar of Georgia
at 404-527-8700 or 800-334-6865 for more information.*

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Summary

By Robin Frazer Clark

2012-13 State Bar of Georgia President

“In this video, you will meet two Georgia lawyers, both of whom have been personally touched by suicide. One is Javoyne Hicks White, whose husband, also a member of the State Bar of Georgia, committed suicide. Another is Chuck Pekor, who is the chair of the Bar’s Lawyer Assistance Program, whose son committed suicide. You will hear their moving personal stories. You will learn the warning signs of depression that might lead to suicide. You will learn what steps you should take when you think one of your friends or colleagues may be contemplating suicide. You will learn about the Bar’s Lawyer Assistance Program, which offers totally confidential help and treatment.

What is the State Bar’s obligation to try to prevent a member of the Bar from taking his or her own life? I believe that the State Bar has an obligation to use its resources to try to save a member’s life. And I believe we as members of this honorable profession have an obligation to help a friend, partner, colleague or office mate get the help they need if we suspect they may be considering taking their own life.

If the State Bar, with all of its resources can save a life, then that is what we have to do. And we will fight the good fight and keep the faith to do so. While watching, keep this in mind. My challenge to you: What are you prepared to do to save a life?”

Excerpted From the Video

CHARLES B. PEKOR JR.

Chairperson, Lawyer Assistance Program Committee

“All the statistics show that lawyers are six times more likely to commit suicide than members of the general population, which is just astounding. Suicide is literally the third leading cause of death in lawyers. That includes old age. Stop and think about that. That’s scary. For that reason, all lawyers need be a lot more aware of what’s going on with themselves emotionally and with their associates and friends.”

GEORGE W. MARTIN JR.

President, CorpCare Associates

“Depression is an emotional response to the burdens in their life. And it is a very natural response in all of our lives. All of us have been depressed at one time or another. With that in mind, the mistake is not to take some action. And not to take a step in seeking care that can help relieve that misery, that anger within, that state of depression within one’s life.

Things are not hopeless. People can find and regain the sense of hope in their life. To us, when we are successful in helping someone regain that hope in life, then we have saved a life. And that’s our purpose. And that’s our mission.”

JAVOYNE HICKS WHITE

Member, Suicide Prevention and Awareness Committee

“Suicide is a permanent answer to a temporary condition. We need to do all we can to make people who are feeling

that depression to recognize that it is not a period; it is a comma, and there's more to the sentence.

We have not had the conversation. We have not told other lawyers that it is OK to feel depressed. Not just feel bad, to be in a state of depression. It is OK. There is nothing wrong with you. I think the lawyers at the State Bar being on the front end of having that conversation makes others go ahead and say, 'Let me get that help.' And if it can keep one person from walking down that road to suicide, it's worth what we're doing."

12 Warning Signs

The Dave Nee Foundation, based in New York and created in the wake of the 2005 suicide of Fordham University law student Dave Nee, lists these 12 signs you might notice in yourself or a friend that may give cause for concern and at least point to a need to talk with someone:

- 1.** Feelings of hopelessness or worthlessness, depressed mood, poor self-esteem or guilt
- 2.** Withdrawal from friends, family and activities that used to be fun
- 3.** Changes in eating or sleeping patterns
 - ❖ Are you sleeping all the time? Or having trouble falling asleep?
 - ❖ Are you gaining weight or never hungry?
- 4.** Anger, rage or craving for revenge
 - ❖ Sometimes people notice they are overreacting to criticism

5. Feeling tired or exhausted all of the time
6. Trouble concentrating, thinking, remembering or making decisions
 - ❖ Are you suddenly struggling in school or at work?
 - ❖ Sometimes academic or professional performance suffers and grades drop or work product worsens
7. Restless, irritable, agitated or anxious movements or behaviors
8. Regular crying
9. Neglect of personal care
 - ❖ Have you stopped caring about your appearance or stopped keeping up with your personal hygiene?
10. Reckless or impulsive behaviors
 - ❖ Are you drinking or using drugs excessively?
 - ❖ Are you behaving unsafely in other ways?
11. Persistent physical symptoms such as headaches, digestive problems or chronic pain that do not respond to routine treatment
12. Thoughts about death or suicide

Dealing With Issues?

If you are dealing with one or more of these issues or know someone who is, please take advantage of the State Bar's confidential Lawyer Assistance Program hotline at 800-327-9631. Staffed by trained counselors 24 hours a day, seven days a week, the hotline is for anyone associated with

the legal profession—whether a lawyer, law student, support staff or family member—who has a personal problem that is causing you significant concern. LAP also offers up to six prepaid in-person counseling sessions with a licensed counselor per year. To help meet the needs of its members and ensure confidentiality, the Bar contracts the services of CorpCare Associates Inc. Employee Assistance Program, a Georgia-headquartered national counseling agency.

The State Bar of Georgia appreciates your support of this suicide prevention campaign. If you have any questions, please contact the State Bar of Georgia, 104 Marietta St. NW, Suite 100, Atlanta, GA 30303-2743; 404-527-8700 or 800-334-6865; www.gabar.org.

NEED HELP?

Call the State Bar's *confidential*
Lawyer Assistance Program Hotline at

800-327-9631



STATE BAR OF GEORGIA

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Assistant General Counsel

CARMEN ROJAS RAFTER
Grievance Counsel

Memorandum to: Members, Board of Governors
From: Paula Frederick, General Counsel
Date: October 9, 2013
Re: Report of the Office of the General Counsel

The OGC reports the following activity since the 2013 Annual Meeting:

Discipline: During August and September 2013 the OGC sent 530 Grievance forms to members of the public and received 315 filed Grievances. There were 403 grievances pending in the screening office for informal investigation at the end of August, with an additional 103 under investigation by the Investigative Panel. The Court entered orders in 13 disciplinary cases. The Year-to-Date Report on Lawyer Regulation appears at page 4 of this memorandum.

Rules Changes:

- By Order of June 12, 2013 the Supreme Court approved amendments to the following Bar Rules:
 - Rule 1-202, to revise the process by which a member seeks disabled status;
 - Rule 6.5, a new rule that relaxes the conflicts rules for lawyers volunteering for nonprofit or court-annexed legal services programs;
 - Rule 7.5, Comment 1, to make it consistent with Formal Advisory Opinion 97-2 (allowing a lawyer to practice with more than one firm).
- By Order of July 11, 2013 the Supreme Court issued a substitute opinion on Formal Advisory Opinion 10-1. The Court added two footnotes to clarify the limited scope of the opinion. It does not address whether screening is a permissible method for preventing imputation of former client conflicts.
- On August 13, 2013 the OGC filed a Motion to Amend Rule 1-208, the procedures by which a member may resign from the Bar.
- Several proposals are still pending at the Supreme Court:
 - Proposed additions to Rule 7.2(c)1-5 would require additional disclosures in certain advertisements.
 - Proposed revisions to Rule 7.3(a)(5) would prohibit a lawyer from sending a letter soliciting representation before confirming that the recipient has been served with process in the matter.

- New comments 8 and 9 to Rule 7.3 would prohibit a lawyer from bidding for case referrals from a lawyer referral service.
- Proposed revisions to Rule 4-219 create a process for volunteer lawyers who agree to serve as receiver to close the practice of a dead, disabled or disbarred attorney; the rule also provides for reimbursement of expenses for receivers in some circumstances.
- Proposed revisions to Rule 9.4(b) would require the OGC to file a reciprocal discipline case only when the Georgia lawyer's suspension in another jurisdiction is for a period of over six months.

Formal Advisory Opinion Board: The Board met September 11, 2013. The following opinions are pending:

- FAO 10-R2; propriety of participating in a piecemeal element of a Georgia residential real estate transaction where no Georgia lawyer will supervise the other aspects of the closing process. The Board has considered the comments it received and is further revising the draft opinion.
- FAO 11-R1 was published in the August 2013 issue of the *Georgia Bar Journal*. The opinion deals with the propriety of a lawyer, as a condition of settlement, agreeing to indemnify the opposing party from claims by third persons to the settlement funds.
- The board is in the process of reviewing all existing opinions to determine whether they should be withdrawn or amended in light of recent revisions to the Rules of Professional Conduct.

Clients' Security Fund: The fund administrators met at the Annual Meeting. The Fund currently pays up to \$25,000 to a claimant who suffers a reimbursable loss as a result of dishonest conduct by a lawyer who is disbarred or indefinitely suspended. In any given year the Fund may not pay more than \$350,000 in total claims, and it does not pay more than 10% of the Fund to claims related to any one lawyer. Currently the Fund balance averages \$2.5 million. I have asked staff to research several issues related to the Fund, including how the reimbursement rate compares to other states and the likely impact of a recent disbarment case involving 20+ clients and significant financial losses.

Lawsuits: The Bar has prevailed in all of the litigation pending against it in the trial courts. One plaintiff has appealed the dismissal of her case; that appeal is pending. We also reached a settlement in the condemnation matter involving DOT's planned replacement of the Spring Street viaduct at the northwest corner of the Bar building. Counsel can provide more information about any of these matters upon request.

Continuing Legal Education: Staff from the OGC have presented the following CLE programs since my last report:

- *Ethics for Family Lawyers*, Gwinnett County Bar Association;
- *Building Your Own Practice*; Solo/Small Firm Seminar (Law Practice Management Program);

- *Avoiding Ethical Pitfalls*; Solo/Small Firm Seminar (LPMP);
- *Social Media & Ethics*; Solo/Small Firm Practice Summer Seminar;
- *Lawyer Advertising*; John Marshall Law School Professional Responsibility Class;
- *Pitfalls for New Lawyers*; GSU School of Law Professional Responsibility Class;
- *Lawyer Professionalism*; GSU CLEO program (Council on Legal Education Opportunity);
- *Leyes Cotidianas*; Georgia Public Broadcasting Program on Client Rights;
- *Closing a Practice*; National Conference of Bar Presidents;
- *Avoiding the Most Common Ethics Mistakes*; John Marshall Law School;
- *Social Media for Judges*; Federal Administrative Law Judges Conference;
- *CCBE (European Union) ITILS Roundtable*; San Francisco ABA meeting;

OGC staff also participated in the following meetings and training programs:

- 2nd International Legal Regulators Conference
- National Organization of Bar Counsel Annual Meeting
- Trans-Pacific Bar Leader's Summit
- National Association of Bar Executives
- Federal Law Enforcement Training (for investigators)
- American Bar Association Annual Meeting
- ABA Standing Committee on Ethics & Professional Responsibility
- Atlanta Bar Reputation & Public Trust Committee

Committees and Other Projects:

- The Continuity of Practice Committee is working on a Handbook for Receivers and plans to conduct training to educate lawyers about the receivership rules once they are approved.
- The International Transactions in Legal Services (ITILS) Committee successfully cosponsored a resolution at the American Bar Association annual meeting in August. The resolution creates a protocol for U.S. and foreign jurisdictions to share information about lawyers licensed in the U.S. but practicing abroad, or vice versa. The committee will ask the Executive Committee to approve the protocol for use by the OGC.
- The Special Master Coordinator has begun work recruiting and supervising special masters. We are in the process of creating a database that allows the Coordinator direct access to certain portions of the disciplinary and membership databases.
- The Fair Market Practices Committee continues to explore possible coordination with solicitors' offices and law enforcement to investigate lawyers' use of runners.
- The Disciplinary Rules & Procedures Committee is researching possible revisions to the rules on lawyer referral services.
- Bar Counsel has recently finalized revisions to the Employee Handbook to create a policy on reporting child abuse and updating other provisions.

**Year-to-Date Report on Lawyer Regulation
 May 1, 2013 through September 30, 2013**

Grievance forms requested and sent to public	1,341
Grievance forms sent back to Office of General Counsel for screening.....	835
Grievances pending as of 4/30/2013	<u>397</u>
TOTAL	1,232
Grievances referred to State Disciplinary Board members	86
Grievances being screened by Grievance Counsel (GC)	417
Grievances closed by Grievance Counsel	723
Grievances moved to moot status by GC after attorney was disbarred	<u>6</u>
TOTAL	1,232

Regulatory Action May 1, 2013 through September 30, 2013

	<u>Attorneys</u>	<u>Cases</u>
Letters of Admonition Accepted	5	5
Investigative Panel Reprimands Administered	5	7
Review Panel Reprimands	2	2
Public Reprimand	2	2
Suspensions	8	9
Disbarments/Voluntary Surrenders	<u>11</u>	<u>20</u>
	33	45
Reinstatements Granted	3	
Reinstatements Denied	0	

MEMORANDUM FOR: Board of Governors of the State Bar of Georgia

**FROM: Norman E. Zoller, Coordinating Attorney
Military Legal Assistance Program**

DATE: October 7, 2013

SUBJECT Status of the Military Legal Assistance Program

Background and Overview of Work: The Military Legal Assistance Program (MLAP) of the State Bar of Georgia began formal operations in 2009, first under the aegis of Georgia Legal Services and then as its own separate entity. Since then, a **total of 1,074** requests for legal assistance have been processed from military service members and veterans throughout the State and from other places throughout the world, provided that jurisdiction lies in a state or a federal court in Georgia, as summarized by category below. The Program continues to make an average of slightly more than one affirmative connection *each day* between lawyer and service member or veteran.

In addition to processing requests for legal assistance, the program, through oversight of the Military Legal Assistance Program Committee, also initiated or served as facilitator for other legal assistance-related activities to include the following:

- 1) Established an award, known as the Marshall-Tuttle Award, now being given annually to an attorney who is deemed to be the outstanding lawyer providing *pro bono* or reduced-fee services to service members and veterans. The inaugural award was presented to Drew N. Early in 2011, the second award in 2012 to attorney H. Lane Dennard, Jr., and the third award to Cary S. King during the Board of Governors' Mid-Year meeting in January 2013. It is envisioned that nominations for the fourth award will be solicited this Fall and that the award for 2013 would be presented in January 2014.

- 2) CLE Programs and Conferences. In collaboration with the Military and Veterans Law Section, a 6.5-hour Continuing Legal Education Program concerned with military family law is scheduled for presentation October 16, 2013 (**Exhibit A**). This CLE program leads to the accreditation or re-accreditation (required biennially) of lawyers to practice before the United States Department of Veterans Affairs. Chief Judge Bruce E. Kasold of the United States Court of Appeals for Veterans Claims has agreed to take part in this year's program along with Patricia Hooks, Regional General Counsel of the VA in Atlanta.

- 3) **Stand Down Fairs.** On Friday, September 6, 2013, a special Veterans' Stand Down Resource Fair was conducted in Macon, Georgia, designed, in

part and among other services, to provide housing and insurance information, medical screenings, clothing, resume assistance, and legal assistance. John Camp, a member of the Military and Veterans Law Section and former Law Section chair, helped plan and carry out this event. Further, an additional Stand Down Fair was conducted on Saturday, October 5, 2013, at the VA Medical Center in Decatur, Georgia. Cary King, Land Dennard, Drew Early, and I took part in this event. We met and counseled with about 50 veterans, many of whom are homeless. These Fairs are an example of how Georgia lawyers reach out to service members and veterans in our mutual mission to provide legal counsel and direct help to those in need.

- 4) **Lawyers Trip to Normandy, France.** At the suggestion of Buck Ruffin, plans are being developed to sponsor a trip to Normandy, France, in the Spring of 2014. Together with GA ICLE, the Military and Veterans Law Section, and the MLAP Committee circulated a flyer to 32,000 lawyers on GA ICLE ListServe, which resulted in tentative interest from 79 lawyers (**Exhibit B**). Thereafter, a Request for Proposal (RFP) was distributed to twelve tour (destination management) companies. Once responses are received, they will be analyzed and additional information will be distributed to Georgia lawyers.

- 5) **Possible Legislative Matters.** Working in conjunction with the Military and Veterans Law Section, the MLAP Committee has been considering the recommendation of two possible legislative proposals: one concerns the Uniform Deployed Parents Custody and Visitation Act (UDPCVA) and one concerns the creation of enabling authority for veterans courts. As and when appropriate, the Law Section and the MLAP Committee may make recommendations to the Executive Committee of the BOG and to the Advisory Committee on Legislation in accordance with standing policies prescribed in the State Bar of Georgia's Bylaws.

- 6) **Cases Processed.** Below is a summary of the number and types of legal assistance cases thus far received and referred to lawyers under the State Bar's Military Legal Assistance Program. Under the program, including the cases processed prior to its formal inception in 2009, **a total of 1,074 cases have been processed.** Further, a total of 21 additional cases are in process (i.e., in the pipeline), awaiting agreement authorizations from potential clients (14) or agreements from attorneys (7) to accept a case. Further, although the program does not handle criminal cases, about 120 inquiries have been received from veterans or service members seeking help on a criminal law matter (which are typically referred to the applicable county public defender or to a local bar association).

Family Law	528
Contested Divorce	188

Uncontested Divorce	17
Divorce Enforcement	9
Child Support	71
Guardianship/Adoption	50
Visitation	24
Child Custody	110
Consumer Law	81
Housing/Property	63
Foreclosure	17
Veterans Benefits/Disability	135
Wills/Estates/Probate	49
Employment/USERRA/SCRA	33
Bankruptcy	15
Insurance	16
Personal Injury	31
Property Damage	3
Worker's Compensation	2
Contract	4
Medical Malpractice	5
Toxic Substances	5
Other	<u>87</u>
	1,074

Exhibits:

- A) Georgia ICLE Flyer – “GA Military Law and VA Accreditation”, October 16, 2013.
- B) Flyer from MLAP Committee and Military and Veterans Law Section on Possible Travel to Normandy, France in Spring 2014.

VA ACCREDITATION

6.5 CLE Hours including • 1.5 Trial Practice Hours

DISTINGUISHED GUEST SPEAKERS



Chief Judge Bruce E. Kasold was appointed as a Judge of the United States Court of Appeals for Veterans Claims by the President of the United States on December 13, 2003. Judge Kasold took the oath of office on December 31, 2003. He became Chief Judge on August 7, 2010.

Before his appointment to the bench, Judge Kasold served as Chief Counsel for the Secretary of the Senate and Senate Sergeant at Arms. In that non-partisan position, he advised Senate leaders on general legal matters and issues at the forefront of the nation's political landscape, including the electoral college, impeachment of the President, and historical management of an evenly divided Senate.

Prior to working in the Senate, Judge Kasold was a commercial and government contracts litigation attorney with the law firm Holland & Knight. Judge Kasold is also a retired United States Army Lieutenant Colonel, with service in the Air Defense Artillery and Judge Advocate General's Corps.



Patricia A. Hooks, JD serves as Regional Counsel for Region 5, which is comprised of Georgia and South Carolina. She provides leadership and direction for a team of 17 attorneys and support staff. Ms. Hooks leads her team providing quality legal advice, representation and training for five Veterans Health Administration medical centers, two Veterans Benefits Association Regional Offices and other VA facilities and operations within Region 5.

From 2004 through 2007, Ms. Hooks served as Regional Director of the Southeast Region, U.S. Department of the Interior, NPS. In that role, she provided leadership, direction and supervision for legal, policy and management issues for approximately 3,000 employees and managed a budget of over \$300 million. Ms. Hooks collaborated closely and spoke publicly on programs with Federal, state and local elected officials for nine southeastern states, the U.S. Virgin Islands and Puerto Rico.

Co-sponsored by:



Military Legal Assistance Program, State Bar of Georgia

Military/Veterans Law Section, State Bar of Georgia

PREREQUISITE FORM

If you have not already done so, attendees must complete and submit a **VA Form 21a** to the Department of Veterans Affairs as a prerequisite of the accreditation process. Simply go online and print a copy of the form for your use at:

<http://www.va.gov/vaforms/va/pdf/VA21a.pdf>



CANCELLATION POLICY

Cancellations reaching ICLÉ by 5:00 p.m. the day before the seminar date will receive a registration fee refund less a \$15.00 administrative fee. Otherwise, the registrant will be considered a "no show" and will not receive a registration fee refund. Program materials will be shipped after the program to every "no show." Designated substitutes may take the place of registrants unable to attend.

SEMINAR REGISTRATION POLICY

Early registrations must be received 48 hours before the seminar. ICLÉ will accept on-site registrations as space allows. However, potential attendees should call ICLÉ the day before the seminar to verify that space is available. All attendees must check in upon arrival and are requested to wear name tags at all times during the seminar. ICLÉ makes every effort to have enough program materials at the seminar for all attendees. When demand is high, program materials must be shipped to some attendees.

Seminar will be held at these locations:

IN PERSON:

STATE BAR OF GEORGIA HEADQUARTERS

104 Marietta Street NW
Atlanta, Georgia 30303

FOR DIRECTIONS PLEASE VISIT

[HTTP://WWW.GABAR.ORG](http://WWW.GABAR.ORG)

VIA VIDEO CONFERENCE:

COASTAL GEORGIA State Bar of Georgia

18 E. Bay Street
Savannah, Georgia 31401

SPACE LIMITED TO 30 ATTENDEES

VIA VIDEO CONFERENCE:

SOUTH GEORGIA State Bar Of Georgia

244 E. Second Street
Tifton, Georgia 31794

SPACE LIMITED TO 15 ATTENDEES

Exhibit A

AGENDA

The registration fee for all seminars held at the State Bar of Georgia has been reduced by ICLE in recognition of the Bar's service to Georgia attorneys.

Presiding: **Drew N. Early**, Program Co-Chair; Chair Military/Veterans Law Section, State Bar of Georgia; Shewmaker & Shewmaker LLC, Atlanta
Patricia D. Shewmaker; Program Co-Chair; Shewmaker & Shewmaker, LLC, Atlanta
Norman E. Zoller, Program Co-Chair, Coordinating Attorney, Military Legal Assistance Program, State Bar of Georgia, Atlanta

7:15 **REGISTRATION AND CONTINENTAL BREAKFAST**
 (All attendees must check in upon arrival. A jacket or sweater is recommended.)

8:00 **WELCOME AND PROGRAM OVERVIEW**
Drew N. Early
Patricia D. Shewmaker
Norman E. Zoller

8:30 **REPRESENTATION BEFORE THE VETERANS ADMINISTRATION**
George E. Bradford, Jr., Office of Regional Counsel, U.S. Department of Veterans Affairs, Decatur

9:00 **BASIC ELIGIBILITY FOR VA BENEFITS**
George E. Bradford, Jr.

9:30 **VA CLAIMS PROCEDURES, APPEALS, AND VA ATTORNEYS FEES**
Douglas Sullivan, McElreath & Stevens, LLC, Atlanta

10:30 **BREAK**

10:45 **DEPENDENCY AND INDEMNITY COMPENSATION**
Victoria L. Collier, The Elder & Disability Law Firm of Victoria L. Collier, P.C., Decatur

11:15 **UPDATE FROM THE COURT OF APPEALS FOR VETERANS CLAIMS**
Hon. Bruce E. Kasold, Chief Judge, U.S. Court of Appeals for Veterans Claims, Washington, DC

12:00 **LUNCH** (Included in registration fee)

12:30 **LEGAL CLINIC OVERVIEW AND UPDATE**
Cary S. King, Jacobs & King, LLC, Atlanta

12:45 **STATUS OF GENERAL COUNSEL OPERATIONS AT VA**

Patricia A. Hooks, Regional Counsel, Georgia and South Carolina, U.S. Department of Veterans Affairs, Office of Regional Counsel, Decatur

1:00 **OVERVIEW OF GEORGIA DEPARTMENT OF VETERANS SERVICES**
GA DVS Representative

1:20 **MLAP OVERVIEW AND UPDATE**
Norman Zoller

1:35 **CASE LAW AND STATUTE UPDATE**
Drew N. Early

2:05 **BREAK**

2:15 **BREAKOUT SESSION I**

Disability Compensation and VA Rating Tables
Drew N. Early

Structuring a VA Practice
Douglas Sullivan

2:50 **BREAKOUT SESSION II**

VA Pension
Patty Elrod Hill, The Elrod-Hill Law Firm, LLC, Peachtree Corners

Other VA Benefits
Victoria H. Watkins, Attorney at Law, Marietta

3:20 **QUESTION AND ANSWER SESSION**

3:30 **ADJOURN**

THREE WAYS TO REGISTER: check the ICLE schedule on the web at www.iclega.org
Mail: ICLE • P.O. Box 1885 • Athens, GA 30603-1885 (make check payable to ICLE)
Fax: 706-354-4190 (credit card payment must accompany fax to be processed)
Online: iclega.org (credit card payment only)

Duplicate registrations may result in multiple charges to your account. A \$15 administrative fee will apply to refunds required because of duplicate registrations.

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Questions? Call ICLE Atlanta Area: 770-466-0886 • Athens Area: 706-369-5664 • Toll Free: 1-800-422-0893

VA ACCREDITATION • October 16, 2013 • 8312

EARLY REGISTRATION: \$145
ON-SITE REGISTRATION: \$165

I WILL ATTEND:

- ATLANTA (IN PERSON)
- SAVANNAH (VIDEO CONFERENCE)
- TIFTON (VIDEO CONFERENCE)

I am unable to attend. Please send ICLE program materials and bill me for the cost of materials only.

Early registrations must be received 48 hours before the seminar.

NAME _____ GEORGIA BAR # _____

FIRM/COMPANY _____ OFFICE PHONE _____

EMAIL _____

(for registration confirmation and email notification of seminars, no postcard or brochures will be sent)

MAILING ADDRESS _____ ZIP + 4 _____

STREET ADDRESS _____ ZIP + 4 _____

CITY _____ STATE _____

- I am sight impaired under the ADA and I will contact ICLE immediately to make arrangements.
- I have enclosed a check in the amount of \$ _____ (See fees at left)
- I authorize ICLE to charge the amount of \$ _____ (See fees at left) to my MASTERCARD VISA AMERICAN EXPRESS*

Credit Card Verification Number: A three-digit number usually located on the back of your credit card; *AmEx is four-digits on the front of the card.

Account #:

Expiration Date:

Signature:

TO: MEMBERS, MILITARY LEGAL ASSISTANCE PROGRAM COMMITTEE
MEMBERS, MILITARY AND VETERANS LAW SECTION

FROM: Eric Ballinger, Chair, Military Legal Assistance Program, State Bar of Georgia
Drew Early, Chair, Military and Veterans Law Section, State Bar of Georgia

DATE: August 5, 2013

State Bar Plans Trip to Historic Normandy, France: Spring 2014

Operation Overlord Pointe du Hoc....LSTs....Utah, Omaha, Juno, Gold and Sword Beaches... the 8th Air Force, First Army, 1st Infantry Division, 6th, 82nd, and 101st Airborne Divisions," these words will live in the memories of The Greatest Generation and those who cherish the freedom and liberty they fought for and for which 291,557 American heroes died.

In this spirit and on the occasion of the 70th Anniversary of D-Day, the State Bar of Georgia and ICLE in Georgia are planning a trip to Normandy. The trip likely will be for 4-5 days and include a CLE event. We plan to visit and learn about the historic sites where the invasion of Northwest Europe began. We will walk the beaches, the cemeteries and the villages, and we will visit with the people.

Are you tentatively interested? If so, and in order that we may make plans that would help hold down the cost of such a trip for our members, please report your **possible interest by August 16, 2013**, to Derrick Stanley at derrick@gabar.org, or to Steve Harper at sharper@iclega.org. Because the State Bar's Annual Meeting will be June 5-8, 2014, this one-week trip to Normandy is likely to occur sometime from April 15 to May 31, 2014. More information will follow once we have an idea about how many of you are interested. And, of course, spouses will be welcome.

Now nearly (70) years after D-Day, the Normandy coast is peaceful with seaside towns and picturesque beaches. Behind the coast is farming landscape of grain fields, cattle and pastures, hedges and farmhouses. But the memories of war and D-Day are engrained in the landscape. Along the 50 mile D-Day invasion coast there are the remains of German gun emplacements and bunkers, while war memorials and monuments mark where the allied forces landed on the beaches. Inland, there are monuments in almost every village and at every bend in the road, for there is barely a square yard that wasn't fought over. Cemeteries overlook the sea and countryside and are essential steps along the way to reflect on the human cost of war. Along the coast and inland there are numerous D-Day related museums.

When you visit, "Take time to stroll on the beaches and through the villages and to drive country lanes that are once again regulated by rural rhythms, just as if they'd never been devastated at all. It's pretty and poignant, and here's a strange thing: it brings out the best in people. There's respect in the air and a common bond between visitors. Folk behave well, smile and chat more easily than usual." Anthony Peregrine, *The Sunday Times*.

Exhibit B

**CONSUMER ASSISTANCE PROGRAM
STATE BAR OF GEORGIA**

September 30, 2013

The Consumer Assistance Program (CAP) continues to serve both the public and members of the Bar, as it has since 1995. So far during this fiscal year (2012-2013) CAP has handled around 12,720 new or “unique” contacts (calls, letters, emails, faxes, and rare walk-ins). This does not include repeat calls, letters, emails, or follow-up contacts. CAP itself has handled 76.58% of these contacts. The remaining 23.42% have been referred to the Office of General Counsel (OGC) for investigation by way of grievances sent to persons with such complaints. It is beyond the scope of CAP’s responsibility to investigate or handle allegations of serious violations of the Georgia Rules of Professional Conduct and ethical misconduct.

CAP’s staff consists of three administrative assistants and two attorneys. CAP directly answers “live” about 97% of the calls received. The CAP Helpline is used when no one is available to answer calls live or for calls that come in after business hours. Calls that are not answered live are returned within the same or the next working day. CAP’s response to the voluminous mail, emails, and faxes, is usually within one day.

CAP’s two attorneys often contact members of the Bar by telephone, fax, or letter, at the request of clients. It is often helpful for attorneys to receive a confidential, non-disciplinary courtesy call, letting the attorneys know that their clients have contacted the Bar with various concerns or complaints. In order to facilitate communication between clients and attorneys, CAP notifies attorneys that their clients wish to hear from them, do not understand what is happening on their cases, need updates on case status, or, in the case of former clients, need their files. Realizing that CAP has heard only one side of the situation, CAP does not presume to advise attorneys on how to practice law or assert the client’s position is true and correct. Each CAP call is just a “heads-up” or courtesy call to

the attorney. None of CAP's actions in this regard reach attorneys' permanent records, and all are confidential.

CAP is the contact point of the Bar for persons complaining about attorneys who are delinquent in paying their court ordered child support. Under OCGA 19-6-28.1 an attorney obligated to pay child support can be administratively suspended from the practice of law, if the custodial parent submits a certified copy of an order verifying the arrearage. The suspension is lifted once certain requirements are met in accordance with the Code and Bar rules. There has been one such case during this fiscal year.

CAP is also a contact point for the Judicial District Professionalism Program (JDPP). This involves inquiries from lawyers or judges concerning unprofessional conduct and incivility among peers. This program is private, confidential, voluntary, and non-disciplinary in nature. Its purpose is to open channels of communication by the informal use of local peer influence. During this fiscal year there have been two JDPP cases.

CAP remains within its annual budget of \$530,832, and it is anticipated that it will continue to do so.

Law Practice Management Program

(Abbreviated report for the 2012-2013 Bar Year)

This is a summary of program events scheduled and completed during the period July 1 – October 4, 2013.

Consultations

Atlanta — 6
Conyers — 1
Decatur — 1

Types of Consultations:

General = 3
Technical = 5

Sizes of Firms:

1 attorney (solo): 2
2-4 attorneys: 4
5-8 attorneys: 2
9-15 attorneys: 0
16+ attorneys: 0
Total Consultations = 8

Resource Library:

Our lending library has a grand total of 1,241 books, CDs, and DVDs for checkout to members and their staff with an option to pick up materials at the Bar headquarters or to be mailed. During this period, there were a total of 386 checkouts by 66 patrons.

Software Library:

The Program has a Software Library that consists of complete, working copies of software applications. Many of these products are legal specific, and require more guidance when being demonstrated than general applications. During this period, 2 visits were made to look at software programs in the Software Library.

Office Visits:

LPM distributed 157 booklets (*Starting Your Georgia Law Practice*) as requested by attorneys. There were 25 startup discussions conducted by the Program via office visits.

Speaking Engagements:

There are a total of 13 completed and scheduled programs during this period. The Program's staff has given 3 continuing legal education and special presentations to Georgia lawyers and other related groups. These presentations have been held in various local and national venues. 10 programs are scheduled for future dates.

American Bar Association (ABA) Teleseminar CLE: *Bad Check Fraud: How You Can Avoid Being Duped* (Co-Presenters: Natalie Kelly and Dan Pinnington), July 1, 2013.

Solo and Small Firm Summer CLE Seminar (sponsored by LPM), *Advanced Fastcase Tips and Tricks* (Sheila Baldwin), *Solo and Small Firm Financial Management* (Natalie Kelly), *Selecting Software for the Solo and Small Firm* (Natalie Kelly), August 15, 2012, State Bar of Georgia Headquarters, Atlanta, Georgia, 34 attendees.

Cobb County Women of the Bar Section Luncheon CLE, *Law Office Technology* (Natalie Kelly), September 20, 2013, Shillings on the Square Restaurant, Marietta, Georgia, 17 attendees.

Upcoming

Blue Ridge Bar Association, *Fastcase* (Sheila Baldwin), Cherokee County Conference Center, Canton, Georgia, October 9, 2013.

Basic Fiduciary Practice CLE, *Law Practice Management* (Sheila Baldwin), October 18, 2013, Mercer University Law School.

National Association of Legal Secretaries (NALS) 62nd Annual Education Conference and National Forum, *Solo and Small Firm Finances* (Natalie Kelly), October 18, Atlanta Marriott Perimeter Center, Atlanta, Georgia.

Cobb County Bar Solo and Small Firm Section Luncheon CLE, October 29, 2013, *Law Office Technology and Marketing* (Natalie Kelly),

GABWA Professional Development Academy, *Law Practice Management* (Natalie Kelly), October 26, 2013.

Solo and Small Firm Fall CLE Seminar (sponsored by LPM), *iPad and Other Gizmos and Useful Apps for the Lawyer* (Co-Presenters: Sheila Baldwin and Eric Ballinger), October 31, 2013, State Bar of Georgia Headquarters, Atlanta, Georgia.

ABA 7th Annual Labor & Employment Law Conference, *Apps for Lawyers* (Co-Presenters: Natalie Kelly, Jeff Richardson, and Jeff Taylor), November 7, 2013, Hilton New Orleans, New Orleans, Louisiana.

Corporate Counsel Institute CLE, *Paperless Productivity and 40 Tech Tips in 40 Minutes* (Co-Presenters: Natalie Kelly and Steve Best), December 13, 2013, Grand Hyatt Buckhead, Atlanta, Georgia.

State Bar of Georgia Midyear Meeting CLE: iPad for Lawyers (sponsored by LPM), *iPad and Other Gizmos and Useful Apps for the Lawyer* (Co-Presenters: Sheila Baldwin), January 9, 2014, Intercontinental Buckhead, Atlanta, Georgia.

ABA 2014 TECHSHOW (*Planning Board Chair, Natalie Kelly*), March 27-29, 2014, Hilton Chicago, Chicago, Illinois.

Fastcase Report

During this period, a grand total of 66 members have attended Fastcase CLE seminars.

Since the decision was made to transition to Fastcase, 1022 attorneys and 58 staff members have attended Fastcase live training. Others have taken advantage of webinar training.

Fastcase Usage Report

Partner Usage Report For State Bar of Georgia From 12/1/2010 to 10/31/2013

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	
First Time Logins	2010	0	0	0	0	0	0	0	0	0	0	6	6	
	2011	5,594	1,607	1,274	1,414	556	593	425	485	349	359	356	355	13,367
	2012	411	455	502	275	225	269	250	213	181	191	202	217	3,391
	2013	300	279	254	228	144	202	180	190	150	32	0	0	1,959
Total Logins	2010	0	0	0	0	0	0	0	0	0	0	11	11	
	2011	22,559	20,630	22,257	18,197	17,523	18,294	17,199	20,056	17,758	18,566	16,890	15,899	225,828
	2012	18,804	19,965	19,992	17,911	17,923	17,679	16,869	19,140	16,072	18,143	15,426	13,298	211,222
	2013	18,584	17,776	18,736	18,558	17,870	16,527	17,720	19,016	17,748	4,205	0	0	166,740
Total Users Who Logged In	2010	0	0	0	0	0	0	0	0	0	0	6	6	
	2011	5,598	4,487	4,863	5,159	4,046	4,241	3,984	4,317	3,996	4,097	4,043	3,897	52,728
	2012	4,309	4,417	4,583	4,153	4,019	4,065	3,918	4,075	3,711	3,977	3,732	3,503	48,462
	2013	4,120	4,122	4,295	4,167	3,938	3,860	3,912	4,048	3,954	1,840	0	0	38,256
New Premium Subscriptions	2010	0	0	0	0	0	0	0	0	0	0	0	0	
	2011	0	0	0	0	0	0	0	0	0	0	0	0	
	2012	0	0	0	0	0	0	0	0	0	0	0	0	
	2013	0	0	0	0	0	0	0	0	0	0	0	0	
Searches Conducted	2010	0	0	0	0	0	0	0	0	0	0	9	9	
	2011	62,837	58,021	70,424	57,017	56,689	61,542	60,391	61,987	56,444	61,009	54,726	50,293	711,380
	2012	59,411	62,588	61,323	54,780	54,417	53,292	51,196	57,415	50,585	56,245	47,017	39,735	648,004
	2013	55,731	53,488	54,381	53,275	51,382	47,166	94,310	100,091	99,340	22,783	0	0	631,947
Documents Viewed	2010	0	0	0	0	0	0	0	0	0	0	17	17	
	2011	225,094	138,848	168,464	140,187	138,639	138,753	137,845	155,018	146,913	145,395	128,508	120,850	1,784,514
	2012	147,806	160,548	156,593	137,240	137,603	148,466	144,033	174,781	142,462	160,610	140,763	112,806	1,763,711
	2013	164,989	157,620	163,334	161,149	156,073	138,337	154,034	160,488	153,820	35,650	0	0	1,445,494
Documents Printed	2010	0	0	0	0	0	0	0	0	0	0	0	0	
	2011	13,718	13,941	17,297	14,390	14,524	15,050	13,368	15,959	15,054	16,514	14,772	12,978	177,565
	2012	15,318	16,338	16,098	13,572	13,722	14,002	13,673	15,500	13,353	14,867	12,651	10,622	169,716
	2013	16,146	15,170	16,812	16,180	16,917	14,361	14,640	16,295	15,232	3,654	0	0	145,407
Total Transactions	2010	0	0	0	0	0	0	0	0	0	0	26	26	
	2011	301,649	210,810	256,185	211,594	209,852	215,345	211,604	232,964	218,411	222,918	198,006	184,121	2,673,459
	2012	222,535	239,474	234,014	205,592	205,742	215,760	208,902	247,696	206,400	231,722	200,431	163,163	2,581,431
	2013	236,866	226,278	234,527	230,604	224,372	199,864	262,984	276,874	268,392	62,087	0	0	2,222,848

Fastcase Reported Problems	
Issue	Resolution
09/20/13 Member Reported: GA. Code 16-13-30 and it is listed twice.	09/23/13 FC Response: Editorial mistake, appreciated our member letting them know, it was fixed immediately.
10/4/13 Member Reported: Couldn't get into Fastcase, no access.	10/4/13 FC Response: Problem was our website was down; Fastcase offered an alternate way to access the site.



CHIEF JUSTICE'S COMMISSION ON PROFESSIONALISM

The Honorable Hugh P. Thompson (Chair)
Chief Justice, Supreme Court of Georgia
Atlanta, Georgia

Professor Frank S. Alexander
Emory University School of Law
Atlanta, Georgia

Professor Clark D. Cunningham
Georgia State University College of Law
Atlanta, Georgia

The Honorable David P. Darden
State Court of Cobb County
Marietta, Georgia

Jennifer M. Davis
Georgia Defense Lawyers Association
Atlanta, Georgia

J. Antonio DelCampo
DeChamps Weber & Grayson, LLC
Atlanta, Georgia

Associate Dean A. James Elliott
Emory University School of Law
Atlanta, Georgia

C. Joy Lamplsey Fortson
U. S. Department of Homeland Security
Atlanta, Georgia

Joseph H. Fowler
Hardley Rowe & Fowler
Douglasville, Georgia

Professor Matthew I. Hall
University of Georgia School of Law
Athens, Georgia

Catherine M. Hilton
UPS Capital Corporation
Atlanta, Georgia

Dawn M. Jones
King & Spalding
Atlanta, Georgia

The Honorable Steve C. Jones
Northern District of Georgia
Atlanta, Georgia

Professor Patrick E. Longan
Mercer University School of Law
Macon, Georgia

Dean Richardson R. Lynn
Atlanta's John Marshall Law School
Atlanta, Georgia

The Honorable M. Yvette Miller
Court of Appeals of Georgia
Atlanta, Georgia

The Honorable Kathy S. Palmer
Middle Judicial District Superior Court
Swainsboro, Georgia

Daniel J. Porter
District Attorney's Office, Gwinnett Circuit
Lawrenceville, Georgia

Charles L. Ruffin
Baker Donelson Bearman Caldwell & Berkowitz, PC
Macon, Georgia

Claudia S. Saari
DeKalb County Public Defender's Office
Decatur, Georgia

Lynae E. Scroggins
Atlanta, Georgia

Darrell L. Sutton
Sutton Law Group, LLC
Marietta, Georgia

Avarita L. Hanson
Executive Director

Terie Latela
Assistant Director

Neska Harris-Daniel
Administrative Assistant

MEMORANDUM

TO: Members of the Board of Governors of the State Bar of Georgia

FROM: Avarita L. Hanson, Executive Director

RE: Report on the Chief Justice's Commission on Professionalism

DATE: Prepared October 7, 2013 for the Fall 2013 BOG Meeting

It is my pleasure to update you on the activities of the Chief Justice's Commission on Professionalism now under the leadership of Chief Justice Hugh Thompson in his first year at the helm. I have asked Commission and Board of Governors member, Dawn Jones, to personally present highlights of this report to you at your November 2 meeting and thank her for her service.

This year marks the 25th Anniversary of the Chief Justice's Commission on Professionalism. In 1989, the Supreme Court of Georgia was the first court in the world to create a commission on professionalism and to charge that commission with promoting professionalism among Georgia's bench and bar. Now, with a rich twenty-five year history, under the leadership of Chief Justice Hugh Thompson, the Commission will continue to advance the highest ideals of our profession through professionalism CLEs, programs and activities. The Georgia Supreme Court's lead started an international professionalism movement among the judiciary, organized bar and law schools to support and encourage conduct that strengthens the dignity, honor and integrity of the legal profession. With your guidance, leadership and participation we will not merely stand on our laurels; we will continue to be the leader in legal professionalism.

Below is a summary of the Commission's current operations and upcoming activities.

1. **MEETINGS.** The Commission holds three (3) meetings each year. It met on September 20, 2013, and will again meet on January 31, 2014 and May 2, 2014.
2. **MEMBERS.** The Commission consists of twenty-two (22) members and this year welcomed seven (7) new members including its Chair, Chief Justice Thompson.

At the September meeting, the Commission welcomed the following **six (6) new members** who took their oath of office: The Hon. David P. Darden, State Court of Cobb County, Marietta (representing the Council of State Court Judges); The Hon. J. Antonio DelCampo (Ret.), DelCampo Weber & Grayson, LLC, Atlanta; The Hon. Steve C. Jones, U.S. Judge, Northern District of Georgia, Atlanta; Charles "Buck" L. Ruffin, President, State Bar of Georgia, Macon; Lynne E. Scroggins, Public Member, Tenet Health System, Atlanta; and Darrell L. Sutton, President, Young Lawyers Division, Marietta.

Returning members include: Professor Frank Alexander, Emory; Professor Clark D. Cunningham, Georgia State; Jennifer M. Davis, Georgia Defense Lawyers Association, Public Member, Atlanta; Associate Dean A. James Elliott, Emory; C. Joy Lampley Fortson, U.S. Department of Homeland Security, Atlanta; Joseph F. Fowler, Hartley Rowe & Fowler, Douglasville; Professor Matthew Hall, University of Georgia; Catherine Hilton, UPS Capital Corporation; Dawn M. Jones, King & Spalding, Atlanta; Professor Patrick Longan, Mercer; Dean Richardson Lynn, Atlanta's John Marshall; The Hon. M. Yvette Miller, Georgia Court of Appeals; The Hon. Kathy S. Palmer, Middle Judicial District Superior Court, Swainsboro (Council of Superior Court Judges); The Hon. Daniel Porter, District Attorney, Gwinnett Circuit; and Claudia Saari, DeKalb County Public Defender.

3. **CLEs.** The Commission approves more than 800 Professionalism CLE programs each year. Professionalism CLE programs continue to be creatively designed to address practice-specific professionalism issues, as well as recent trends in the legal profession and legal education, such as generational connecting, professional use of technology and social media, and changes to the ABA Standards for law school accreditation.

Executive Director Avarita Hanson presented two CLEs in August of 2013. On Tuesday, August 20, 2013 at the Transition Into Law Practice Program's Group Mentoring Program, Ms. Hanson addressed the topic, "Working for Your Client and Negotiating for Your Client: Communicating Professionally with the Bench and Your Colleagues." At the State Board of Workers' Compensation's 2013 Annual Educational Conference on Wednesday, August 28, 2013, Ms. Hanson, along with Judge Johnny Mason, presented a seminar on "Professionalism and Generational Connecting in the Workers' Compensation Arena." An updated history of the Chief Justice's Commission on Professionalism is included in materials for all CLEs we present this year. (See attached.)

4. **LAW SCHOOL ORIENTATIONS ON PROFESSIONALISM**
In partnership with the State Bar's Committee on Professionalism and all six (6) Georgia law schools, for the twenty-first year the Commission conducted law school orientations on Professionalism in August of 2013 at all Georgia law schools. More than 200 judges, attorneys and legal educators served as group leaders in discussions with groups of incoming, transfer and visiting students to address professionalism and ethical challenges affecting law students and legal professionals. Students heard keynote addresses from prominent professionals that this year

included: U.S. District Court Judge William S. Duffey, Jr. (UGA), Georgia Court of Appeals Chief Judge Herbert E. Phipps (Emory), Fulton Superior Court Judge Shawn E. LaGrúa (Georgia State), Darrell Sutton, President of the Young Lawyers Division of the State Bar (Mercer), Judge Tammy M. Stokes, Chief Judge of the Recorders Court of Chatham County (Savannah), and Judge Robert D. Leonard II, Superior Court of Cobb County (Atlanta's John Marshall). The updated history of the Chief Justice's Commission on Professionalism was included in the materials distributed to law students and group leaders (volunteer judges, attorneys, law school administrators and faculty).

4. **25th Anniversary Program: A Historical and Practical Perspective of Diversity in the State Bar of Georgia.** Moderated by Chief Justice Leah Ward Sears (Ret.) and featuring A. James Elliott, Thomas G. Sampson and Rita A. Sheffey, this special Professionalism CLE Program was presented in partnership with the Georgia Bar Diversity Program at its Welcome Reception on October 02, 2013 from 5:30 to 7:30 p.m., held at Nelson Mullins Riley & Scarborough LLP in Atlanta, Georgia.
5. **25th Anniversary Program: 15th Annual Justice Benham Community Service Awards Program – Call for Nominations.** Nominations are now being accepted for the 15th Annual Justice Benham Awards for Community Service. The deadline is **Friday, November 22, 2013**. Awards will be presented at 6:00 p.m. on **Tuesday, February 25, 2014** at the Georgia Bar Center with a reception following. This event is free and open to the public. (See attached.)
6. **25th Anniversary Program: 25th Anniversary Celebration and Benefit for Georgia Legal Services Program, Inc., Honoring Commission Co-Founder A. James Elliott.** Plan now to join us on **Tuesday, March 25, 2014** from 6:00 to 9:00 p.m. at the Commerce Club in Atlanta. **Sponsorships are available.** Please contact us at professionalism@cjepga.org or (404) 225-5040 for more information.
7. **Other Programs and Activities:** The Commission continues to work closely with the State Bar's Transition Into Law Practice Program (Mentoring Program and other entities on professionalism programs. Laminated cards with the **Lawyer's Creed** imprinted on them have been produced in mass and are being distributed to concerned parties – law students, group leaders, seminar participants, etc. The cards are sized for office display, handy reference, bookmarks, etc. We will continue to present information, as relevant, about the Commission's 25th Anniversary in the *Georgia Bar Journal*, on the State Bar's webpage and e-news to Bar members, on the Commission's Facebook and YouTube pages, with the Commission on Continuing Lawyer Competency through reports at its Fall and Spring meetings, through ICLE's CLE notices and other publications. We will share the historical information in upcoming CLEs with the Board of Governors and other bar groups with which we have contact. Information will be spread nationally and internationally through our leadership of the ABA Consortium on Professionalism Initiatives, particularly at the November meeting of the ABA Center for Professionalism Coordinating Council and at the ABA Midyear Meeting in February.

State Bar of Georgia Board of Governors
October 7, 2013
Page Four

We do not plan to miss an opportunity to spread the good news!

As the Chief Justice's Commission on Professionalism celebrates its historic twenty-fifth year, as its executive director I must express thanks for the tremendous support the Commission receives from the Board of Governors, CCLC, ICLE and the State Bar of Georgia members and staff. This support enables the Commission to fulfill its mission to support and encourage lawyers to exercise the highest levels of professional integrity in their relationships with their clients, other lawyers, the courts, and the public, to fulfill their obligations to improve the law and the legal system, and to ensure access to that system.

Please know that I, and the other members of the Commission staff (Ms. Terie Latala, Assistant Director; Ms. Nneka Harris-Daniel, Administrative Assistants), stand ready to carry out our duties in fostering legal professionalism education and activities in Georgia.

ALH/tl

Attachments

- Updated Commission History
- Benham Community Service Awards Nominations



The Chief Justice's Commission on Professionalism
(Founded 1989)

25 Years of Institutionalized Lawyer Professionalism in Georgia:
A Brief History of the Chief Justice's Commission on Professionalism

Avarita L. Hanson, Executive Director

This year the Georgia legal community commemorates and celebrates the 25th anniversary of the Chief Justice's Commission on Professionalism (Commission). The mission of the Commission is to support and encourage lawyers to exercise the highest levels of professional integrity in their relationships with their clients, other lawyers, the courts and the public, and to fulfill their obligations to improve the law and legal system and to ensure access to that system. The Commission's twenty-fifth anniversary is significant in that it provides an opportunity to both reflect on its development, operations, and successes and to envision its future challenges and opportunities to fulfill its mission.

After a series of meetings of key figures in Georgia's legal community in 1988, in February of 1989, the Supreme Court of Georgia created the Chief Justice's Commission on Professionalism, the first entity of this kind in the world created by a high court to address legal professionalism. In March of 1989, the Rules of the State Bar of Georgia were amended to lay out the purpose, members, powers and rules of the Commission. The brainchild of Justice Thomas Marshall and past Emory University President James Laney, they were joined by Justices Charles Weltner and Harold Clarke and then State Bar President A. James Elliot in forming the Commission. The impetus for this entity then and now is to address uncivil approaches to the practice of law, as many believe legal practice is departing from its traditional stance as a high calling – like medicine and the clergy – to a business.

The Commission carefully crafted a statement of professionalism, *A Lawyers Creed and Aspirational Statement on Professionalism*, rules and standards addressing attorneys' relationships with colleagues, clients, judges, law schools and the public and retained its first executive director, Hulett "Bucky" Askew. Professionalism continuing legal education was mandated and programming requirements were developed by then assistant and second executive director Sally Evans Lockwood.

In the 1990s, after a series of convocations with the bench and bar to discern professionalism issues from practitioners' views, the State Bar instituted new initiatives, such as the Committee on Inclusion in the Profession (fka Women and Minorities in the Profession Committee). Then the Commission sought the concerns of the public in a series of town hall meetings held around Georgia. Two concerns were raised in these meetings: lack of civility and the economic pressures of law practice. As a result, the State Bar of Georgia established the Law Practice Management Program.

Over the years, the Commission has worked with the State Bar to establish other programs that support professionalism ideals, including the Consumer Assistance Program and the Diversity

Program. In 1993, under President Paul Kilpatrick, the State Bar's Committee on Professionalism partnered with the Commission in establishing the first Law School Orientation on Professionalism Program for incoming law students held at every Georgia law school. This program is now replicated at more than forty U.S. law schools. It engages volunteer practicing attorneys, judges and law professors with law students in small group discussions of hypothetical contemporary professionalism and ethics situations.

Fifteen years ago, the Justice Robert Benham Community Service Awards Program was initiated to recognize members of the bench and bar who have combined a professional career with outstanding service to their communities around Georgia.

The honorees are cited for voluntary participation in community organizations, government-sponsored activities, youth programs, religious activities or humanitarian work outside of their professional practice or judicial duties. This program is now held annually at the State Bar Headquarters in Atlanta, is co-sponsored by the Commission and the State Bar, and attracts several hundred attendees who celebrate the community and public servants.

Today, the Commission is under the direction and management of its third executive director, veteran attorney and former law professor, Avarita L. Hanson. It continues to support and advise persons locally, nationally and globally who are interested in professionalism programming and maintains a resource library to support its mission. The Chief Justice of the Supreme Court of Georgia serves as its chair, and in this historic year both Chief Justice Carol Hunstein and Chief Justice Hugh Thompson serve in that capacity. The Commission has twenty-two members representing practicing lawyers, the state appellate and trial courts, the federal district court, all Georgia law schools and the public. It meets three times a year and in addition to its executive director, staff includes Terie Latala (Assistant Director) and Nneka Harris Daniel (Administrative Assistant). With its chair, members and staff, the Commission is well equipped to inspire and develop programs to address today's needs of the legal profession and those concerns on the horizon.

The Commission works through committees (Access to Justice, Finance and Personnel, Educational Video Projects, Professionalism Curriculum, Benham Awards Selection) in carrying out some of its duties. It also works with other state and national entities, such as the American Bar Association's Center for Professional Responsibility and its other groups. The Executive Director currently serves as the Chair of the ABA Consortium on Professionalism Initiatives, a group that informs and vets ideas of persons interested in development of professionalism programs. She has authored an article on "Reputation," for the recently released ABA publication, *Essential Qualities of the Professional Lawyer*. To keep Georgia Bar members abreast of professionalism activities and issues, there is a regular column on the Professionalism Page of every issue of the *Georgia Bar Journal*. Current Commission projects include: addressing issues of lawyers aging in the practice of law, intergenerational communications, innovations in professionalism law school curriculum and supporting access to justice initiatives.

After 25 years, the measure of effectiveness of the Chief Justice's Commission on Professionalism may ultimately rest in the actions, character and demeanor of every Georgia lawyer. There remains work to do. The Commission's leadership and dedication to this cause, along with Georgia's capable, committed and innovative bench and bar, will continue to lead the charge, movement and dialogue on legal professionalism.

Chief Justice's Commission on Professionalism
104 Marietta Street, N.W.
Suite 104
Atlanta, Georgia 30303
(404) 225-5040
professionalism@cjcpga.org



The State Bar of Georgia and The Chief Justice's Commission on Professionalism



is seeking nominations for the
**15th Annual Justice Robert Benham Award; for
Community Service**

The State Bar of Georgia and the Chief Justice's Commission on Professionalism invite nominations for the 15th Annual Justice Robert Benham Awards for Community Service. Awards will be presented at a special ceremony on **Tuesday, February 25, 2014** at the Georgia Bar Center.

Judges and lawyers meet the criteria for these awards if they have combined a professional career with outstanding service and dedication to their communities through voluntary participation in community organizations, government-sponsored activities, or humanitarian work outside of their professional practice. Contributions may be made in any field, including but not limited to: social service, education, faith-based efforts, sports, youth and mentoring, recreation, the arts, or politics.

Eligibility: Nominees must: **1)** be a member in good standing of the State Bar of Georgia; **2)** have a record of outstanding community service and continuous service over a period of time to one or more cause, organization or activity; **3)** not be a member of the Selection Committee, staff of the State Bar of Georgia or Chief Justice's Commission on Professionalism; and **4)** not be in a judicial or political race for 2013 and 2014.

15th Annual Justice Robert Benham Award; for Community Service Nomination Form
(You may submit more than one nomination)

Nominee:

Name: _____
Address:* _____

(* Please use either the nominee's work or home address that corresponds with the location of their most significant community service.)

Phone: _____ Email: _____

Nominator:

Name:** _____
Address: _____

(** For organizations, identify a contact person in addition to the name of the organization.)

Phone: _____ Email: _____

In addition to this form, nomination must also be accompanied by:

- A Nomination Narrative:** Explain how the nominee meets the award criteria described above. Specify the nature of the contributions and identify those who have benefited from the nominee's involvement. Specify when and how long the nominee participated in each identified activity.
- Biographical Information:** Attach a copy of the nominee's resume or curriculum vitae.
- Letters of Support:** Include 2 letters of support from individuals and/or organizations in the community that describe the nominee's work and the contributions made.

Submission of Materials: Send nominations to Nneka Harris-Daniel, Chief Justice's Commission on Professionalism, Suite 620, 104 Marietta Street, N.W., Atlanta, GA 30303 • Phone: (404) 225-5040 • Fax: (404) 225-5041 • Email: Nneka@cjcpga.org. **All Nominations must be postmarked by November 22, 2013**

**JUSTICE ROBERT BENHAM AWARDS FOR
COMMUNITY SERVICE**

Past Recipients

Lifetime Achievement Award Recipients

Henry Troutman, *Atlanta*
James C. Brim, Jr., *Camilla*
Hon. Arthur M. Kaplan, *Dumwoody*
Hon. Robert Benham, *Atlanta*
John B. Miller, *Savannah*
Upshaw C. Bentley, Jr., *Athens*
Miles J. Alexander, *Atlanta*
Willis A. DuVall, *Edison*
C. Thompson Harley, *Augusta*
Frank B. Strickland, *Atlanta*
Hon. Griffin B. Bell, *Atlanta*
George T. Brown, *Jonesboro*
John F. Sweet, *Atlanta*
David H. Gambrell, *Atlanta*

District 1 Award Recipients

Frederick D. Lee, *Ellabell*
Albert Mazo, *Savannah*
Lisa L. White, *Savannah*
Elsie R. Chisholm, *Savannah*
Hon. Louisa Abbot, *Savannah*
Carlton A. DeVooght, *Brunswick*
Michael L. Edwards, *Savannah*
Hon. James F. Bass, Jr., *Savannah*
Rebecca Crowley, *Waycross*
Howard E. Spiva, *Savannah*
Wanda Andrews, *Savannah*

District 2 Award Recipients

Robert M. Clyatt, *Valdosta*
Cheryle Thompson Bryan, *Ashburn*
Suzanne P. Mathis, *Labeland*
Kenneth B. Hodges, II, *Albany*
Roy W. Copeland, *Valdosta*
Michael S. Bennett, Sr., *Valdosta*
Joseph K. Mulholland, *Bainbridge*
Laverne L. Gasbins, *Valdosta*
Hon. James E. Hardy, *Thomasville*
Charles W. Lamb, Jr., *Albany*
D. Bradley Folsom, *Valdosta*
Michael S. Meyer von Bremen, *Albany*
Hon. Joe C. Bishop, *Albany*

District 3 Award Recipients

George M. Peagler, Jr., *Americus*
William C. Rumer, *Columbus*
Ira L. Foster, *Macon*
Rebecca C. Moody, *Warner Robins*
Hon. William P. Adams, *Macon*
Hon. Maureen C. Gottfried, *Columbus*
Charles P. Taylor, *Warner Robins*
William Lee Robinson, *Macon*
Michael L. Chidester, *Byron*
Tomieka R. Daniel, *Byron*
Jonathan A. Alderman, *Macon*
Sarah L. Gerwig-Moore, *Macon*

Clarence Williams, III, *Warner Robins*
Ruth A. Knox, *Macon*
J. Michael Cranford, *Macon*

District 4 Award Recipients

Hon. Alvin T. Wong, *Decatur*
Gloria L. Johnson, *Decatur*
Gwendolyn R. Keyes, *Decatur*
Hon. Robin S. Nash, *Decatur*
Hon. Gregory A. Adams, *Decatur*
Nisha K. Karnani, *Dumwoody*
Hon. Mark A. Scott, *Decatur*
Hon. Johnny N. Panos, *Decatur*
Hon. Nancy Nash Bills, *Conyers*
Vivica M. Brown, *Stone Mountain*
Hon. Asha F. Jackson, *Decatur*

District 5 Award Recipients

Hon. Marvin S. Arrington, Sr., *Atlanta*
W. Terence Walsh, *Atlanta*
Peter K. Daniel, *Atlanta*
Don C. Keenan, *Atlanta*
Donald P. Edwards, *Atlanta*
Jesus A. Neria, *Atlanta*
Jeff D. Woodard, *Atlanta*
Gregory N. Studdard, *Atlanta*
Hon. T. Jackson Bedford, *Atlanta*
Hon. Thelma Wyatt Cummings Moore, *Atlanta*
Albert J. Bolet, III, *Atlanta*
John A. Pickens, *Atlanta*
F. Sheffield Hale, *Atlanta*
Cynthia Hinrichs Clanton, *Atlanta*
Jacquelyn H. Saylor, *Atlanta*
David M. Zacks, *Atlanta*
Christian F. Torggrimson, *Atlanta*
Antavius M. Weems, *Atlanta*
Hon. Herbert E. Phipps, *Atlanta*
Luis A. Aguilar, *Atlanta*
Douglas M. Towns, *Atlanta*
Linda T. Muir, *Atlanta*
Christopher Glenn Sawyer, *Atlanta*
Julie M. T. Walker, *Atlanta*
Denise Cleveland-Leggett, *Atlanta*
Judith A. O'Brien, *Atlanta*
William Barwick, *Atlanta*
Michael Hobbs, Jr., *Atlanta*
Amy J. Kolczak, *Atlanta*
Anne W. Lewis, *Atlanta*
William B. Hill, Jr., *Atlanta*
Noni Southall Ellis, *Atlanta*
Michael W. Tyler, *Atlanta*
Hon. Kimberly Esmond Adams, *Atlanta*
Peter J. Anderson, *Atlanta*
Audra A. Dial, *Atlanta*

District 6 Award Recipients

Denise F. Hemmann, *Jackson*
Hon. Eugene E. Lawson, *Jonesboro*

Hon. William H. Ison, *Jonesboro*
J. Byrd Garland, *Jackson*
Hon. Stephen E. Boswell, *Jonesboro*
James J. Dalton, II, *Jonesboro*
Avery T. Salter, *Jonesboro*
Hon. William Hal Craig, *McDonough*
Hon. Christopher C. Edwards, *Fayetteville*
Rudjard M. Hayes, *Tyrone*
Angela M. Hinton, *Fayetteville*
Hon. Robert M. Crawford, *Thomaston*

District 7 Award Recipients

J. Anderson Davis, *Rome*
Richard J. Lundy, *Cedartown*
Constance McManus, *Marietta*
Hon. Adele L. Grubbs, *Marietta*
W. Allen Separk, *Marietta*
Robert A. Cowan, *Dalton*
Cindi L. Yeager, *Marietta*
Nathan J. Wade, *Marietta*
J. Kevin Moore, *Marietta*
Justin B. O'Dell, *Marietta*
William L. Lundy, Sr., *Cedartown*
Maziar Mazloom, *Marietta*

District 8 Award Recipients

E. Roy Lambert, *Madison*
Samantha F. Jacobs, *Metter*
Jehan V. El-Jourbagy, *Monticello*
Dexter M. Wimbish, *Madison*

District 9 Award Recipients

Leon Boling, *Cumming*
Hon. Frank C. Mills, *Canton*
Wendy J. Glasbrenner, *Gainesville*
Hon. James E. Drane, *Canton*
Hon. Kathlene F. Cosselin, *Gainesville*
Hon. Cliff L. Joliff, *Gainesville*
Therese G. Franzén, *Norcross*
John AchRin Gram, *Gainesville*
David L. Cannon, Jr., *Canton*
Mark O. Shriver, IV, *Woodstock*
Hon. M. Anthony Baker, *Canton*
Eric A. Ballinger, *Canton*
Hon. Chung Hun Lee, *Duluth*
Peter A. Gleichman, *Woodstock*

District 10 Award Recipients

Hon. Steve C. Jones, *Athens*
John M. Clark, *Elberton*
Edward D. Tolley, *Athens*
Dennis C. Sanders, *Thomson*
Hon. Duncan D. Wheale, *Augusta*
David B. Bell, *Augusta*
Walter James Gordon, Sr., *Hartwell*
David E. Hudson, *Augusta*
Hon. Samuel D. Ozburn, *Covington*
Victor Y. Johnson, *Danielsville*
Laura C. Nehf, *Athens*

BASICS

3687 Dover Boulevard, Southwest, Atlanta, Georgia 30331
Phone: 404-691-9993 Fax: 404-691-4133

August 5, 2013

Mr. Cliff Brashier, Executive Director
State Bar of Georgia
104 Marietta Street, NW
Suite 100
Atlanta, Georgia 30303
(404) 527-8700

Dear Mr. Brashier:

BASICS would like to thank you again for believing in the program and acknowledging how great of an asset it is to have this program as part of The State Bar of Georgia's offerings. The State Bar of Georgia has made it possible for BASICS to continue to teach participants about the World of Work, and offer them hope, motivation, and skills which will allow them to establish themselves in the community upon their release. We have completed seventeen (17) classes, all of which were funded by the State Bar This fiscal year, the BASICS Program had three-hundred, thirty-seven (337) participants to graduate.

In the second half of this fiscal year, for which the contract dates were January 1, 2013 through June 30, 2013, we had 173 participants to graduate. For funds expended from July 1, 2012 through June 30, 2013, it is my pleasure to report the following uses of funds granted to BASICS from the State Bar of Georgia:

Line Item	Amount Used	Grant Amount	Balance
Administration	\$34,000.00	\$34,000.00	\$0.00
Contract Services (17 classes)	\$100,500.00	\$97,700.00	(\$2,800.00)
Instructors Trained	\$0.00	\$1,300.00	\$1,300.00
Supplies	\$1,300	\$2,000.00	\$700.00
Telephones	\$1,000.00	\$1,000.00	\$0.00
Training Fee	\$0.00	\$2,000.00	\$2,000.00
Travel	\$3,200.00	\$2,000.00	(\$1,200.00)
TOTALS	\$140,000.00	\$140,000.00	\$0.00

Leaders and supporters of the BASICS Program, which prevents crime and improves our society, are truly grateful for the opportunity the State Bar of Georgia funds provide to give hands-on "World of Work" training and counseling to incarcerated men and women of Georgia's penal system. We are committed to program success for many years to come.

Respectfully Submitted,

Eduard Manifee

Cc: Seth Kirschenbaum, Sharon Bryant

State Bar of Georgia
Bar Association Support to Improve Correctional Services

2012-2013

CHAIR

Hon. Edwin L. Felter, Jr.
Senior Administrative Law Judge
Office of Administrative Courts
633 17th Street, Suite 1300
Denver, CO 80202-3613
(303) 866-5576
ed.felter@state.co.us

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YOUNG LAWYERS DIVISION LIAISON

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May 6, 2013

Steven Gottlieb, Executive Director
Atlanta Legal Aid Society, Inc.
151 Spring Street, NW
Atlanta, Georgia 30303-2007

Dear Mr. Gottlieb:

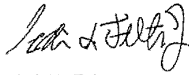
I am very pleased to inform you that you were chosen to receive the 2013 Dorsey Award. The Awards Committee reviewed many worthy nominations this year and your nomination stood out as exceptional. I'm sure that Charles Dorsey would have agreed that you are a most deserving recipient of an award recognizing the highest ideals of the legal profession. Your work ethic and dedication to serving those in need is truly an inspiration. Thank you for providing an outstanding example of public service.

The award will be presented at the American Bar Association's Annual Meeting in San Francisco at the Government and Public Sector Lawyers Division's Award Reception on Friday, August 9, 2013 at 4:30 p.m. The reception will be held at the Westin St. Francis Hotel, Elizabethan Room B, 2nd floor.

Division Director Susan Kidd will contact you soon to provide more details about the award presentation and to answer any questions you may have. Her number is (202) 662-1022 and her email address is: susan.kidd@americanbar.org.

Congratulations!

Sincerely,



Edwin L. Felter, Jr.
Chair

cc: Linda A. Klein, Esq

Homes of the State Bar of Georgia

Macon	1963 - 1973	<p>Persons Building a/k/a American Federal Building Suite 813 Macon, GA 31201</p>
Atlanta	1973 - 1978	<p>Fulton National Bank Building Marietta Street (2 blocks East of 104 Marietta St & other side of street) 15th Floor Atlanta, GA 30303</p>
	1978-1987	<p>Flatiron Building 84 Peachtree Street Floors 11, 10, 2 Atlanta, GA 30303</p> <p><i>Note: A search committee was looking to purchase a building when a similar effort by the State Bar of Texas became controversial and influenced the Committee to lease the top two floors of the Flatiron Building as an alternative to purchasing a home.</i></p>
	1987-2001	<p>Hurt Building 50 Hurt Plaza, 8th Floor Atlanta, GA 30303</p>
	2001-Present	<p>State Bar of Georgia Building (entire building) 2nd Home of the Federal Reserve Bank (1918-2001) 104 Marietta Street Atlanta, GA 30303</p> <p><i>Note: The building was purchased in 1996, but leased back to the Federal Reserve for 4 years while it built its new building at Peachtree and 10th Street.</i></p>
	1994-Present	<p>South Georgia Office 244 E. 2nd Street Tifton, GA 31794</p>
	2009-Present	<p>Coastal Georgia Office 18 E. Bay Street Savannah, GA 13401</p>