

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
October 24, 2014
State Bar Building/Atlanta, GA**

Members Present:

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

Members Absent:

Phyllis Holmen and Nicki Vaughan.

Staff Present:

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

Approval of the Meeting Agenda

Following a report by President Patrise M. Perkins-Hooker, and a motion to move the Law School Incubator Program topic on the agenda from 6(a) to 3(c), the Executive Committee, by unanimous voice vote, adopted the revised meeting agenda.

Future Meetings Schedule

The Executive Committee received a copy of the Future Meetings Schedule.

Consent Agenda

President Patrise Perkins-Hooker presented the Consent Agenda. Following a request to remove Members' Requests by John B. Iwu, Dock H. Davis, and Richard Maxwell, and there being no request for removal of any other items, a motion was made and seconded to approve the remaining items on the Consent Agenda:

- a) Minutes of the September 6, 2014 Executive Committee Meeting
- b) Members Requesting Resignation (approve): Valerie Caproni-108937, James A. Gilbert-294150, Robert L. Hessman-349628, David H. McDonald-488752, Robert G. Nardone-534800, Tyson Smith-663830, Janna A. Andrews-019225, George R. Schenck-629093, Joy Anne Mullane-203718, Erin Camille Coleman-178017, Elise Gray-555151, Deborah R. Noe-233871, John Mark Crawford-194130, Brandy Anne Bayer-043398, Inga Causey-832494, Janice Tanner-697575, Gustav F. Bahn-070217, Robert Jackson Martin-170576, Gregory W. Dye-236780, Michael D. Ginsberg-295800, Joseph M. Oliver Jr.-552300, Borden Martin Ray Jr.-596098, Sara Mallory Harned-467768, Kelly Gordon-595739, Morris S. Robertson-609775, Gary R. Brenner-079900, Emily Washburn-506576, Robin Schmahl-629440
- c) Members Requesting Disability (approve): Jeffrey F. Fenster-258575, Thomas W. Nilson-006187

- d) Approval of Members' Requests (staff recommendations in parenthesis):
- 1) Kelly Woolfolk (deny waiver of dues and late fee)
 - 2) John Benneth Iwu (deny waiver of Fitness requirement)
 - 3) J. Richard Young (approve waiver of Fitness requirement)
 - 4) Dock H. Davis (deny waiver of Fitness requirement)
 - 5) Regina Stamps (approve waiver of late fee)
 - 6) Tamar Stern (approve waiver of late fee)
 - 7) Chad Talbott (deny waiver of late fee)
 - 8) Asaf Sarno (deny waiver of late fee)
 - 9) Sampson Oliver (deny waiver of late fee)
 - 10) Benjamin Wachstein (approve waiver of late fee)
 - 11) William Murray (approve waiver of late fee)
 - 12) Crystal Parker (approve waiver of late fee)
 - 13) Richard Maxwell (deny waiver of Fitness requirement and Bar exam)

The Executive Committee, by unanimous voice vote, approved the remaining items on the Consent Agenda.

Members' Requests

The Executive Committee took the following action on Members' Requests that were removed from the Consent Agenda:

- 1) John Bannett Iwu – by unanimous voice vote, approved the waiver of Fitness requirement
- 2) Dock H. Davis – by majority voice vote, affirmed denying the waiver of the Fitness requirement
- 3) Richard Maxwell – by majority voice vote, approved the waiver of Fitness and Bar exam requirement

Sponsorship Requests

Following a report by President Patrise Perkins-Hooker, the Executive Committee, by unanimous voice vote, ratified the actions of the President in providing sponsorships from the Conference Sponsorship Account to the following organizations: 1) \$2500 - GLSP Champions of Justice, 2) \$2500 – Gate City Bar Hall of Fame Gala, and 3) \$2500 - Atlanta Area Council Boy Scouts Whitney M. Young Jr. Service Award Banquet.

Commission on Continuing Lawyer Competency (CCLC)

The Executive Committee, by unanimous voice vote, approved the appointment of President Patrise Perkins-Hooker to the CCLC for a one-year term commencing January 1, 2015.

Law School Incubator Program

President Patrise Perkins-Hooker reported that at the request of the Executive Committee, the Bar Center Committee met and made a recommendation that the Bar provide office space for the incubator program on the 5th floor and that the restrooms on that floor be made ADA compliant, but it reserved judgment on the amount of rent to be charged for the space to its January meeting. Based on the Bar Center Committee's recommendation, President Patrise Perkins-Hooker asked for approval of the incubator program to the extent of providing it office space, but reserving the amount of rent to be paid or abated still subject to a recommendation by the Bar Center Committee. She clarified that the approval does not authorize any further expenditure of funds for the incubator program until further action is taken by the

Executive Committee. Bucky Askew was present to provide more details about the program and answer any questions. Thereafter, the Executive Committee took the following action:

- 1) A motion that the State Bar will work with the five law schools in Georgia to develop a law school incubator program, which could include a provision of office space at the Bar subject to approval by the State Bar of a final budget and operational procedures for the proposed incubator program, was moved and seconded;
- 2) A friendly amendment to make the motion contingent upon a written financial commitment from all of the five law schools was withdrawn;
- 3) A motion asking for a Keller vote on germaneness was moved and seconded,
- 4) A motion to table the Keller vote as unnecessary died for lack of a second;
- 5) The Keller vote on germaneness passed by a hand vote of 8 in favor to 1 opposed, with David Lipscomb abstaining, and
- 6) The Keller vote on the merits of the law school incubator program was approved by a hand vote of 8 in favor to 1 opposed, with David Lipscomb abstaining.

Thereafter, the Executive Committee asked Bucky Askew to keep it informed as a budget and operational procedures are developed. President Patrise Perkins-Hooker offered to allow any Executive Committee members to work with Bucky Askew and the stakeholders as the program is further developed.

President's Report

President Patrise Perkins-Hooker announced that she will make a full report on her activities at next week's Board of Governors meeting. Her continued work on the iCivics program and the rural lawyers' initiative was ratified by the Executive Committee by unanimous voice vote.

Treasurer's Report

Treasurer Rita Sheffey provided a report on the Bar's finances and investments. The Executive Committee received copies of the Operations and Bar Center Consolidated Revenue and Expenditures Report for the twelve months ended June 30, 2014, the Balance Sheet as of June 30, 2014, and the Summary of Selected Payment Information for September 30, 2012-2014.

YLD Report

YLD President Sharri Edenfield reported on the activities of the Young Lawyers Division. She announced that there will be a meeting of the Glynn County YLD Affiliates on Thursday afternoon, October 30, at St. Simons Island in conjunction with the Fall Board of Governors/YLD Fall meeting. At that meeting, she will be discussing her military initiatives and the iCivics program. The Family Law Committee's Supreme Cork fundraiser for AVLf was held October 16. There is a First Responders Wills Clinic tomorrow in Macon and the clinics are being expanded to reach out to military veterans. She recently attended the ABA/YLD Fall Meeting in Portland, which had a full slate of Georgia ABA/YLD Delegates. She announced that three Georgia young lawyers were selected for the ABA/YLD Emerging Leaders Program and two were selected for the ABA/YLD Scholars Program.

Executive Director's Report

Jeff Davis reported that the Prosecuting Attorneys' Council of Georgia (PAC) will be vacating the office space it leases in the State Bar Building sometime in late December or early January. The Criminal

Justice Coordinating Council, which leases office space on the same floor, needs additional space and is looking at moving into the PAC space. Replacement of the building's roof is underway and the replacement of the chillers will begin in February. He reported that he has been working with President-elect Bob Kauffman on a Request for Proposal for a long-range strategic study. When finalized, it will be published on the Bar's web site and an outside consultant will be sought to assist with the process.

Legislative Report

Thomas Worthy reported on the legislative proposals approved by the Advisory Committee on Legislation at its September 16 meeting. The proposals will be presented to and voted on by the Board of Governors at the November 1 Board meeting. He also reported on a proposed bill that may be introduced this year that would require the Georgia Bar to make its dues voluntary.

The Executive Committee received copies of the Advisory Committee on Legislation Minutes of September 16, 2014, and the following legislative proposals: 1) Attestation of Execution of Antenuptial Agreements, 2) Funding Request for Legal Representation for Victims of Domestic Violence, 3) Funding Request for the Georgia Resource Center, 4) Water Lien Legislation, and 5) Unauthorized Practice of Law Legislation.

Communication's Report of Published Articles

The Executive Committee received a copy of published articles to date generated by the State Bar for the 2014-15 Bar year.

Georgia Bar Association – Association or Union

The Executive Committee received a copy of an email about lawmakers crafting legislation that would require the State Bar to make its dues voluntary.

ABA Article on Rural America

The Executive Committee received an *ABA Journal* article on *Too Many Lawyers? Not Here. In rural America, lawyers are few and far between.*

Health Law Section Article on Lawyers Mental & Substance Abuse Issues

The Executive Committee received a copy of the *Fall 2014 Georgia Health Law Developments Newsletter* article on *It's Time to Talk About It* that discusses lawyers with mental health and substance abuse issues.

Old Business

There was no old business.

New Business

Ken Hodges, on behalf of the Business Court Committee, reported on a proposed Business Case Division rule change from the Atlanta International Arbitration Society (ATLAS) to allow cases subject to the Georgia International Arbitration Code to be transferred to the Business Case Division. ATLAS's efforts to establish a specialized court to hear disputes subject to international arbitration is consistent with similar efforts in New York and Miami. Time permitting, the Business Court Committee will give an information report on this matter at the November Board meeting.

President Patrise Perkins-Hooker briefly reviewed the November Board of Governors agenda.

Executive Session

Following a motion and second, the Executive Committee met in Executive Session to discuss real estate

and litigation matters. Thereafter, by unanimous voice vote, the Executive Committee moved out of Executive Session.

Adjournment

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



Patrick T. O'Connor, Secretary

Approved:



Patrise M. Perkins-Hooker, President