

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
November 15, 2013
Law Office of Baker Donelson/Macon, GA**

Members Present:

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

Members Absent:

Elizabeth Louise Fite.

Staff Participating:

Sharon L. Bryant, Chief Operating Officer; Paula Frederick, General Counsel (by phone); and Bob McCormack, Deputy General Counsel.

Consent Agenda

President Buck Ruffin 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:

- a) Previous Executive Committee Minutes of October 21, 2013 (Current Version)
- b) Future Meetings Schedule (Current Version)
- c) Members Requesting Resignation (approve): Wendy M. Warren 319442, Melissa Maran White 558202, Stacy Silverston 153041, Nancy L. Gettinger 292377, Martha L. Coulter 190175, Douglas B. Wolk 564789, Margaret F. McCoy 486225, Danielle Haas-Laursen 316086, Dock Heard Davis, 207900
- d) Approval of Members' Requests:
 - 1) Corey Smith (waive and refund late fee)

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

Civil Legal Services Task Force

Secretary Rita Sheffey and Paula Frederick presented a slightly revised draft of Bar Rule 1.15 (I), (II), and (III) which had been discussed at the Fall Board of Governors. A motion and second to recommend, as revised (Exhibit A), proposed Bar Rule 1.15 to the Board of Governors was approved by unanimous voice vote. The new version, along with an executive summary and FAQ's, will be sent out to the Board members in advance of the mailing of the Board agenda to allow time for review and comment. Before the vote was taken, President Ruffin asked Phyllis Holmen if she wanted to abstain from voting. She declined to abstain.

New Members Dues Proration

Following a report by YLD Immediate Past President Jon Pannell, YLD President Darrell Sutton, and Bob McCormack on prorating State Bar dues, the Executive Committee, by unanimous voice vote, approved the following Bylaw amendment:

Section 1. Registration of Members

Persons admitted by the courts to the practice of law shall, within sixty days after admission to the bar of the Superior Court, register with the State Bar and pay the pro-rated dues for the remainder of the State Bar's year of the date of admission. If the date of admission is on or after May 15, the member shall not be required to pay any dues for that fiscal year.

The Executive Committee received a copy of an email from the President and YLD President to the new State Bar members congratulating them on passing the Georgia Bar Exam and reminding them that their first year of dues depends on their swearing-in date.

Fitness Waiver Policy/Rule

Bob McCormack reported on a proposed Standing Executive Committee Policy regarding Waiver of Fitness Requirement. The Executive Committee, by unanimous voice vote, approved as revised the following policy:

Standing Executive Committee Policy - Waiver of Fitness Requirement

A resigned or suspended member of the Bar under either Rule 1-208 (Resignation from Membership) or Rule 1-501 (License Fees), or an applicant who failed to register under Article I, Section 4, of the Bylaws (Failure to Register) may petition the Executive Committee for a waiver of the fitness certification requirement for revoking the resignation, or lifting the suspension, or permitting the late registration.

The Executive Committee, at its sole discretion, may waive the fitness requirement upon good cause shown, including but not limited to (a) undue financial hardship beyond the control of the applicant; (b) the applicant remaining in good standing with another State Bar or State disciplinary authority; or (c) the applicant having undergone fitness certification within two years of the petition. In addition, a petitioner suspended under Rule 1-501 for failure to pay dues, or a petitioner who failed to register under Article I, Section 4, of the Bylaws, shall show good cause to the Executive Committee concerning the failure to pay dues or the failure to register.

Military Active Duty Policy/Rule

Bob McCormack reported on proposed revisions to Bylaw Article 1, Section 8, Active Traditional Guardsmen or Reservists, regarding waiver of dues for members called up to active duty and whose activation or deployment is causing a financial hardship. The Executive Committee did not take any action on the proposal

Sponsorship Request

Following a report by Treasurer Bob Kauffman and Paula Frederick, the Executive Committee, by unanimous voice vote, approved an amended motion authorizing a \$10,000 sponsorship for the Conference of Chief Justices that will take place at Sea Island, Georgia, on January 23-30, 2014.

CCLC – Age 70 Opt-in

Immediate Past President Robin Clark reported on a Bar member's request that the rule exempting 70-year-old Bar members from CLE should be changed so that every active member of the Bar, regardless of

age, should be required to engage in CLE. The Executive Committee, by unanimous voice vote, denied the request.

President's Report

President Ruffin reported that he has been meeting with local bar associations around the state in connection with the Bar's legislative grassroots efforts, similar to the luncheon program today with the Executive Committee and the Macon Bar Association. The programs have been very well received by the Bar members and the legislative representatives.

He reported that Former Governor Carl Sanders will attend and accept a Founders Award at the Midyear Meeting's 50th Anniversary Celebration dinner on Friday evening, January 10, 2014. That morning, there will be a CLE program on the unification of the State Bar featuring a replay of the video created in 1996 titled A Walk Down Memory Lane. The program will be moderated by Justice Robert Benham.

YLD Report

YLD President Darrell Sutton provided a report on the numerous activities of the Young Lawyers Division. He reported that there were 140 applicants for the Leadership Academy. A class of 50 will be selected soon, and Session 1 (Becoming a Leader in the Bar and YLD) will take place on January 10-11, 2014. The YLD Officers recently visited the Augusta YLD affiliate as part of the Local Affiliate Outreach Program. He thanked those Executive Committee members who have signed up as sponsors for the Annual Signature Fundraiser benefiting the Public Interest Internship Program (PIIP). He announced that Bert Reeves, a young lawyer in Marietta, is running for a seat in the House of Representatives. He referred the Executive Committee to a letter from the Atlanta Volunteer Lawyers Foundation thanking the YLD for allowing AVLF to receive the benefits of the YLD Supreme Cork fundraiser. Lastly, he reported that a Wills Clinic is being planned in Augusta and will serve as a pilot program to take to other locations.

The Executive Committee received a written YLD report outlining the activities mentioned above as well as other upcoming events and activities of other YLD committees.

Legislative Program

President Buck Ruffin reported that Zach Johnson is doing a great job with the State Bar's grassroots efforts. He also reported that he has talked with a candidate for an in-house Director of Governmental Affairs position, but nothing has been finalized yet.

Treasurer's Report

Treasurer Kauffman provided a report on the Bar's finances. He reported that he and Steve Laine will be meeting with Merrill Lynch to review the State Bar's investment portfolio strategy. He also reported that Steve Laine is going to review and update the 10-year projections to help the Finance Committee determine an appropriate dues increase this year. 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 three months ending September 30, 2013.

Office of General Counsel

Paula Frederick reported that she will submit a written report for the Midyear Meeting.

Bar Admissions

Bob McCormack reported on a request from Judge Peters for the State Bar to posthumously admit Police Officer James Neal Bowers, who passed the Georgia Bar exam in 1979, but who was killed in the line of

duty before learning of those results. The Executive Committee, by unanimous voice vote, approved presenting a resolution to his family recognizing and honoring Officer Bowers for his service.

Bob McCormack reported he had talked to Sally Lockwood with the Office of Bar Admissions about its policy with respect to why attorneys coming to Georgia from adjacent states, specifically South Carolina and Florida, which require Georgia attorneys to take the multi-state bar exam, are not required to take the multi-state bar exam in Georgia. She reported that Bar Admissions is aware of the situation, but since they do not receive any funds from applicants taking the multi-state exam, the Supreme Court does not have much interest in requiring applicants to retake the multi-state exam and do not view it as a fairness issue. President Ruffin agreed to contact the presidents of the South Carolina and Florida Bars to discuss the issue further and will report back the results.

Member Benefits Private Insurance Exchange

Treasurer Bob Kauffman reported that Member Benefits Inc.'s private insurance exchange for State Bar members will soon be ready for testing before going live on the Bar's web site. Sheila Baldwin has contacted both the Florida and Texas Bars regarding their members' experiences, which have been positive. The Executive Committee received copies of a Texas Bar Journal article announcing the exchange to its members and the information posted on Texas Bar's web site.

Secretary of State's Web Site

President Ruffin provided an update regarding ongoing problems with the Secretary of State's web site.

Proposed Legislation - Georgia Anti-Barratry Act

Following a report by Buck Rogers on proposed legislation enacting the Georgia Anti-Barratry Act, the Executive Committee took the following action:

1. By unanimous voice vote, found the subject matter to be within the legitimate purposes of the Bar; and
2. By unanimous voice vote, approved recommending the proposed legislation, as revised (Exhibit B), to the Advisory Committee on Legislation and forwarding it to the State Bar Sections for review and comment.

Board of Governors Minutes

The Executive Committee received a copy of the minutes of the November 2, 2013, Board of Governors meeting.

Atlanta Bar's 2013 Celebrating Service Pro Bono Fair and Awards Luncheon

The Executive Committee received a copy of the 2013 Celebrating Services Luncheon & Pro Bono Fair program.

July 2013 Georgia Bar Exam Results

The Executive Committee received the July 2013 Georgia Bar Examination General Statistics Summary.

Forsyth County Superior Court Judges' Supplement

The Executive Committee received an article about the Superior Court Judges in Forsyth County asking the county commission to consider doubling their local supplement to their state-paid salary since the state has not granted a pay raise in 15 years.

Civil Legal Services

The Executive Committee received information on grants and contracts the Legal Services Corporation intends to award to states to help deliver civil legal services to low-income individuals in designated service areas. The Georgia Legal Service Program and the Atlanta Legal Aid Society will be recipients of those grants.

The Executive Committee received an article about the Texas Legislature appropriating \$17.6 million for the state's civil legal aid system.

Missouri Plan/Judicial Elections Poll

The Executive Committee received an article on two polls, one in Missouri and the other a national view, challenging voters' support for judicial elections.

Old Business

There was no old business.

New Business

David Lipscomb reported that the Fee Arbitration Program is in need of volunteer attorneys to handle uncollected awards on behalf of clients, which are now averaging three a month. Sutherland has been voluntarily handling the majority of these cases for many years, but cannot continue to take on anymore. The program is looking into the need to hire an in-house or contract lawyer to handle the cases.

YLD Immediate Past President Pannell reported that the Georgia Chamber of Commerce is holding a Civil Justice Forum at the Marriott Marquis on December 12, 2013.

Executive Session

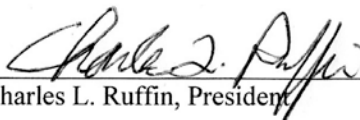
Upon a motion and second, the Executive Committee, met in Executive Session. Thereafter, the Executive Committee, by unanimous voice vote, moved out of Executive Session.

Adjournment

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


Rita A. Sheffey, Secretary

Approved:


Charles L. Ruffin, President