

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
December 17, 2015
State Bar Building/Atlanta, GA**

Members Participating:

Robert J. Kauffman, President; Patrick T. O'Connor, President-elect and Treasurer; Brian D. (Buck) Rogers, Secretary; Patrise M. Perkins-Hooker, Immediate Past President; John R.B. Long, YLD President; Jennifer Campbell Mock, YLD President-elect; V. Sharon Edenfield, YLD Immediate Past President; Thomas R. Burnside, III; Elizabeth Louise Fite (by phone); Kenneth B. Hodges, III; Phyllis Holmen; David S. Lipscomb; and Nicki Vaughn.

Staff Participating:

Sharon Bryant, Chief Operating Officer; Jeff Davis, Executive Director; Steve Laine, Chief Financial Officer; Bill NeSmith, Bar Counsel; and Thomas Worthy, Director of Governmental Affairs.

Future Meetings Schedule

President Bob Kauffman and President-elect and Treasurer Pat O'Connor reviewed the Future Meetings Schedule for the remainder of this Bar year and the next.

Executive Committee Minutes

The minutes of the November 13, 2015 Executive Committee meeting were approved, as submitted, by unanimous voice vote.

Rules Changes: Rule 8-106 Hours and Accreditation

Following a report by Bill NeSmith, the Executive Committee, by unanimous voice vote, approved proposed rules changes (Exhibit A) to Rule 8-106 Hours and Accreditation.

Resolution of Appreciation to Mike Cranford from the Indigent Defense Committee and Criminal Law Section

Following a request by Nicki Vaughan on behalf of the Indigent Defense Committee and the Criminal Law Section, the Executive Committee, by unanimous voice vote, approved presenting the following State Bar resolution to J. Michael Cranford at the Midyear Meeting:

Resolution

For a lifetime career devoted to public service and the practice of criminal law as reflected in his service to the State Bar through serving for years as a member and Chair of the Indigent Defense Committee, as well as a long-time member and Chair of the Criminal Law Section; for earning the Hugh Q. Wallace Award in recognition of distinguished service to indigent criminal defendants; for receiving the Rees Smith Lifetime Achievement Award from the Georgia Association of Criminal Defense Lawyers, where he is a life-member and former President; for being named 2012 Lawyer of the Year by the Macon Bar Association, which association he also served as Chair; for serving his community through service and support of innumerable community organizations, commissions, and boards, as recognized by his receipt of the 2013 Justice Robert Benham Award for Community Service from the State Bar of Georgia's Chief Justice's Commission on Professionalism, the award for which he is most proud.

Attorney Wellness Website

President Bob Kauffman presented a proposal that Sarah Coole obtained from Fig Leaf to build a "micro-site" on the State Bar's current web platform and design a logo for the Attorney Wellness Program at a cost of \$15,705. The Executive Committee, by unanimous voice vote, authorized up to the amount of the current bid from Fig Leaf, but asked Sarah Coole to also obtain a bid from Full Media, a company recommended by Ken Hodges, and allow her to select the best candidate subject to the approval of the Executive Director.

Request from the Law School Outreach Committee for an Education Event at Mercer Law School

President Bob Kauffman presented a \$500 request from the Law School Outreach Committee to cover the cost of an educational event for law students at Mercer Law School in March of next year. A motion to support the request, subject to the Law School Outreach Committee working on the event jointly with the YLD Law School Outreach Committee, was approved by unanimous voice vote.

Waiver of Fees for Letters of Good Standing

Following a report by YLD President Jack Long, the Executive Committee took no action on this item.

Military Spouse Law Practice

President Bob Kauffman presented an Interim Report of the Subcommittee on Military Spouse Law Practice that recommends that the State Bar support a rule change which would allow the spouse of an active duty member to provisionally practice law in Georgia while the service member is stationed in Georgia under certain conditions. Jeff Davis reminded the Executive Committee that only the Office of Bar Admissions has the authority to make changes to the rules regarding special admission, but the purpose of this subcommittee is to make recommendations. He reported that Sally Lockwood, Director of Bar Admissions, expressed that her Board may have some concerns about the proposed rule change. The Executive Committee, by unanimous voice vote, tabled the issue to allow Bar Admissions and the Subcommittee on Military Spouse Law Practice to meet and work out their differences.

Real Property Law Section Legislative Proposal - Georgia Code 44-14-13 Definitions; limitations

Following a report by President Bob Kauffman on the Real Property Law Section's proposed changes to Georgia Code 44-14-13 Definitions; limitations, designed to protect Georgia's consumers in real estate transactions, the Executive Committee took the following action:

1. By unanimous voice vote, approved amending the meeting agenda to include the legislative proposal as an action item; and
2. By unanimous voice vote, approved the *Keller* vote finding that the legislative proposal is germane to the scope and purpose of the State Bar of Georgia; and
3. By unanimous voice vote, agreed to send the proposed revisions to Georgia Code 44-14-13 Definitions; limitations (Exhibit B) to the Board of Governors for approval at the Midyear Meeting.

Strategic Plan

President Bob Kauffman presented the Strategic Plan 2016-2018 rev. 12/2/15 for approval. Phyllis Holmen expressed her concern about the elimination of the effort to establish an Access to Justice Commission in collaboration with the Supreme Court of Georgia that was reflected in an earlier plan. She stated that Georgia is the only state bar association in the southeast that does not have such a commission and she would like to add back language in the plan underscoring the desirability of working with the Supreme Court on developing one. It was the consensus of the Executive Committee that the current priority strategy language in B5. (promote and develop additional access to justice initiatives in addition to the recommendations of the Civil Legal Services Task Force) allows for that opportunity. Phyllis Holmen stated that so long as its intent was not to eliminate the opportunity to create a commission, she supports the Plan. Following that, the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors the Strategic Plan 2016-018 rev. 12/2/15 (Exhibit C).

President's Report

President Bob Kauffman reported that Disciplinary Rules and Procedures Committee is working hard on its review of the disciplinary process. Paula Frederick reported that her staff has been working on the broad picture

of how they would like the process to work and will begin drafting rules in the next couple of months.

Ken Hodges provided an update on the activities of the Attorney Wellness Task Force. Wellness initiatives at the Midyear Meeting feature a walk-run, Zumba and yoga classes, and a CLE. Bob Kauffman reported that the Task Force has been discussing the issue of aging lawyers and whether or not it should be a function of the Lawyer Assistance Program (LAP). He briefly described the North Carolina Bar Association's Transitioning Lawyers Commission that assists its members in transitioning out of the active practice of law and into retirement. The Task Force's Mental Health Subcommittee is going to meet with the LAP to see if it wants to handle that function, and if not, will determine how best to set it up.

President Bob Kauffman reported that he received a request from a Cobb County board member on improving/facilitating communication among BOG members. He responded that he would mention it at today's Executive Committee meeting to get their thoughts.

President Bob Kauffman reported that the Advisory Committee on Legislation supported the revisions to the Civil Practice Act for rules relating to electronic discovery. Both the Georgia Chamber of Commerce and the Defense Bar have expressed concerns about the revisions and requested the inclusion of a letter in the Midyear Board agenda book. President Kauffman, with the consent of the Executive Committee, is going to allow for the inclusion of their letters as well as the inclusion of letters in support of the revisions. It was the consensus of the Executive Committee that discussions on the proposed revisions need to come from members of the Board of Governors so that anyone not on the Board that wants a voice needs to ask their Board of Governors representative to speak on their behalf.

Treasurer's Report

Treasurer Patrick T. O'Connor reported on the Bar's finances and investments. The Executive Committee received copies of the Operations and Bar Center Consolidated Revenues and Expenditures Report as of October 31, 2015; Income Statement YTD for the Three Months Ended October 31, 2015; Bar Center Revenues and Expenditures Summary for the Three Months Ended October 31, 2015; State Bar Balance Sheet for October 31, 2015; and the Summary of Dues and Voluntary Contributions at October 1, 2015.

The Executive Committee received a copy of the 2016-2017 Budget Timetable (as of 10/11/15).

YLD Report

YLD President Jack Long reported on the activities of the Young Lawyers Division. He stated that the YLD participated in a Military Support Committee and Community Service Committee's Stand Down project, and more information on that project will be featured in the next YLD newsletter. He reported that the Wills Clinic program has tentatively scheduled clinics in Douglasville, Columbus and Valdosta. He reported that the YLD and the Texas Young Lawyers Association are working together to create a consumer pamphlet for divorcing military spouses. He announced that the YLD is co-hosting a regional summit next year with the South Carolina, Florida, Alabama, North Carolina and Tennessee young lawyers to share ideas, which will be held at the State Bar Building. He reminded the Executive Committee members to support the Annual Signature Fundraiser that will be held in January. Proceeds from that event will benefit Camp Lakeside.

Executive Director's Report

Jeff Davis reported on the improvements for the parking deck that are underway. They include curb widening and new equipment to help traffic flow more quickly in and out of the deck.

Communications Committee PSA Campaign

Jeff Davis reported on the Communications/Cornerstones of Freedom Committee's proposal for the creation and dissemination of public service announcement (PSA's) raising public awareness of the utility, value and good works of the Bar and its lawyers. The proposal was presented to the Executive Committee earlier in the Bar year,

but tabled until the completion of the Strategic Plan, and Big Table, the company selected for the campaign, revised its work plan based on Plan. The Executive Committee, by unanimous voice vote, approved moving forward with Phase 1 of the PSA campaign at a cost of \$14,000, subject to approval of the Strategic Plan by the Board of Governors. The cost will be paid from the Cornerstones of Freedom budget.

Executive Session

Upon a motion and second, the Executive Committee met in Executive Session for a report from the Office of General Counsel. Thereafter, by unanimous voice vote, the Executive Committee moved out of Executive Session.

ABA Journal Article - Board members quit, blast Washington State bar in fight over UPL, legal technicians

The Executive Committee received a copy of an *ABA Journal* article about Washington State Bar's Practice of Law Board being hit with mass resignations and departures as a result of a long-running feud with the bar association's leaders over UPL and legal technicians.

ABA Journal Article – Wal-Mart-based law firm is in an expansion mode

The Executive Committee received a copy of an *ABA Journal* article about Canadian law firm Axes Law, which offers flat-fee legal services in ten Wal-Mart's in the Toronto area, and its plan to expand to Ottawa early next year.

ABA Journal Article - LegalZoom is acquiring a UK law firm

The Executive Committee received a copy of an *ABA Journal* article about Legal Zoom's plans to acquire a U.K. law firm, Beaumont Legal. The plan is to build a "unique, next generation law firm that is a blend of technology, lawyers and other expertise."

Using Technology to Bring Court Services to Remote Areas

The Executive Committee received a copy of an *ABA Journal* article about the Mohave County Superior Court setting up remote kiosks with video chat access to bring court services to remote areas in Arizona.

Old Business

There was no old business.

New Business

Following a report by President-elect and Treasurer Pat O'Connor, the Executive Committee, by majority voice vote, approved cosponsoring in name only an upcoming ABA Tort Trial and Insurance Practice Section (TIPS) Conference that will take place in Atlanta next year.

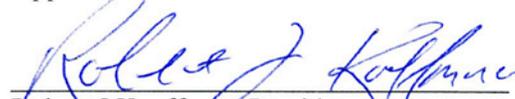
Adjournment

There being no further business the meeting was adjourned.



Brian D. (Buck) Rogers, Secretary

Approved:



Robert J. Kauffman, President