

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES
April 15-16, 2016
Mansion on Forsyth Park/Savannah, GA**

Members Participating:

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

Members Absent:

Patrise M. Perkins-Hooker, Immediate Past President; and V. Sharon Edenfield, YLD Immediate Past President.

Staff Participating:

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

Future Meetings Schedule

President Bob Kauffman reviewed the Future Meetings Schedule.

Executive Committee Minutes

The minutes of the February 10 and March 4, 2016 meetings of the Executive Committee were approved by unanimous voice vote.

Members Requesting Resignation

Pursuant to State Bar Rule 1-208, the Executive Committee, by unanimous voice vote, approved the following resignation requests: Peter R. Roberts-608825; Charles David Lee-325191; John T. Sanders IV-625705; John B. Brewer III-080305; Bryan C. Ng-765201; Karl G. Blume-064513; Philip Dailey Morgan-522879.

Members Requesting Disabled Status

Pursuant to State Bar Rule 1-202, the Executive Committee, by unanimous voice vote, approved the following requests for disabled status: John William Rhyne Jr.-602460; Rachel Duggan-Caputo-108944; Lisa Dionne Wright-268781; Jerry Boykin-073250; Charles Walker Ingraham-383125.

Member Request: Appeal to Waive Exam/Failure to Register (David Wagner Jones, Jr.)

The Executive Committee, by unanimous voice vote, granted a request by David Wagner Jones, Jr., to waive the retaking of the bar exam, but required him to submit to Fitness, pay active dues from 2012 forward, including assessments and late fees, complete the Transition into Law Practice Program in lieu of completing any other CLE requirements, and that Membership reflect his effective enrollment date-as the date he registers with the Membership Department.

Approval of the 2016-2017 State Bar Budget (and Dues Recommendation)

Following a report by President-elect and Treasurer Patrick T. O'Connor, the Executive Committee, by unanimous voice vote, approved and recommended to the Board of Governors the 2016-2017 Proposed (2nd Draft) State Bar and Bar Center Budgets (Exhibit A). The budgets reflect:

1. Dues maintained at \$248 for active members and \$124 for inactive members, which reflects no dues increase; and
2. Section dues to be reflected on the dues statement ranging from \$10-\$35; and
3. Continuation of assessments required by Bar Rules regarding the Clients' Security Fund (\$100 @ \$25/year) and Bar Center Facility (\$200 @ \$50/year); and
4. Continuation of a \$100 opt-out contribution for the Legislative and Public Education Fund; and
5. A suggested \$300 opt-in provision for individual contributions and a \$100 opt-in provision for young lawyers' contributions, for the Georgia Legal Services Program.

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 February 29, 2016; Income Statement YTD for the Eight Months Ended February 29, 2016; Bar Center Revenues and Expenditures Summary for the Eight Months Ended February 29, 2016; State Bar Balance Sheet for February 29, 2016; Summary of Dues and Voluntary Contributions at February 29, 2016; Investment Performance Comparison 2006-2016, and Legislative Fund and Cornerstones of Freedom Fund Activity Reports through February 29, 2016.

President-elect and Treasurer O'Connor referred the Executive Committee members to the minutes of the February 12, 2016 meeting of the Audit Committee wherein the Committee recommended that the State Bar conduct background checks (credit report and criminal history report) on all current Bar employees serving in a fiduciary capacity, and that the State Bar conduct background checks on all new Bar employees who will serve in a fiduciary capacity as part of the hiring process.

The Executive Committee received a copy of the minutes of the 1) March 23, 2016 Investment Committee meeting, 2) February 25 and March 25, 2016 Finance Committee meetings, and 3) February 12, 2016 Audit Committee meeting.

Approval of Mauldin & Jenkins Audit Report

Following a report by President-elect and Treasurer Patrick T. O'Connor, the Executive Committee, by unanimous voice vote, approved and recommended to the Board of Governors the State Bar's audited financial statements from Mauldin & Jenkins for the year ended June 30, 2015.

Committee to Promote Inclusion in the Profession

Derrick Pope, Co-chair of the Committee to Promote Inclusion in the Profession, reported on the Committee's Legacy Initiative that involves the establishment of a permanent exhibit at the National Center for Civil and Human Rights (NCCHR) devoted to the role of the legal profession in the civil rights movement. The Committee will announce this initiative at its 2016 Commitment to Equality Awards Program on May 12. This is a multi-year project that will involve 1) creating a Content Council that will identify appropriate leaders and a timeline, 2) developing the content and nature of the exhibit, working with a NCCHR curator, and 3) raising funds for and marketing the exhibit. He also reported that The Atlanta Hawks Foundation has expressed the possibility of a partnership in this endeavor.

Other Funding Requests

The Executive Committee received special event funding requests from the following organizations: Southern Center for Human Rights (\$2,500); Georgia Appleseed (\$2,500); GABWA 2016 Glitter Gala (\$3,000); Georgia Asian Pacific American Bar Association (\$3,000); and Urban League (\$2,000). The

Executive Committee also received a copy of the General Ledger of the Conference Sponsorship Account for the period of July 1-March 31, 2016 reflecting a balance of \$1,700. In order to stay within the budgeted line item, the Executive Committee, by majority voice vote, approved funding the Southern Center for Human Rights request at \$1,000 and the Georgia Appleseed request at \$700. The Executive Committee directed Jeff Davis to draft a policy on the proper use of members' dues for sponsorship requests.

Proposed New Section: Security and Privacy Section

President Bob Kauffman and Jeff Davis reported on a request for the creation of a new Security and Privacy Section. When a copy of the bylaws was sent to all sections for comment, the Technology Law Section's (TLS) Executive Committee commented that the new section would be a direct overlap of the TLS's focus and proposed to make concerted efforts to develop more privacy and data security topics and events in its offerings. These efforts would include changing the Section's bylaws to wrap privacy and security into the Section, changing the name of the Section to be inclusive of privacy, security and technology, restructuring the TLS's Executive Committee to have a permanent member who has a primary focus on privacy and security, and developing more CLE programming on security and privacy issues. The Executive Committee took no action on the request so as to allow time, for at least one year, for the TLS to address the privacy and security issues and to see how the measures work under a new mediated settlement.

Business Court Expansion

Following a report by Bill NeSmith, the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors proposed Atlanta Judicial Circuit Rule 1004 (Exhibit B), Metro Atlanta Business Case Division, which gives other counties the ability to join the expanded multi-county Metro Atlanta Business Court upon approval of the joining court and the Business Case Division. Gwinnett County seeks to be the first Adopting Metro Court to join the Business Court Program.

Bar Staff Credit Card Request

Following a report by Jeff Davis, the Executive Committee, by unanimous voice vote, approved providing the Section Liaison access to a State Bar corporate credit card with a \$10,000 limit.

Judicial Qualifications Commission (JQC) Appointment

President Bob Kauffman opened up the floor for a discussion on the legislative bill and constitutional amendment reconstituting the JQC and what specific measures, if any, the State Bar may want to take moving forward. Options could include a hard or soft media campaign in opposition of the constitutional amendment to a more measured approach. In the meantime, he plans to explore various options and costs, and to meet with key legislators before the issue is discussed at the May Board of Governors meeting. He reported that this issue will be a topic of discussion at tomorrow's Executive Committee/Supreme Court joint meeting.

President Kauffman discussed the names of lawyers who have been suggested for an appointment to the JQC to replace the position formerly held by Lester Tate.

Executive Committee Session

Following a motion and second, the Executive Committee went into Executive Session to discuss the Distinguished Service and the Employee of the Year Awards. Thereafter, the Executive Committee moved out of Executive Session by unanimous voice vote.

Strategic Plan

President Bob Kauffman reviewed the priority strategies of the Strategic Plan. The review of the disciplinary system is underway and Paula Frederick will be reviewing some of the proposed revisions at

the Executive Committee/Supreme Court joint meeting. Thomas Burnside is going to discuss with the UPL Standing Committee how better to inform the public about the successful outcomes of UPL cases. President Kauffman reported that the Georgia Legislature restored grants to civil legal services providers for victims of domestic violence to pre-recession level of \$2.5 million and that President-elect and Treasurer Pat O'Connor and Thomas Worthy will be attending the annual ABA Day in Washington to support LSC funding and access to justice in general. Nicki Vaughan reported that the State Bar's Access to Justice Committee is looking at developing short videos to be shown before CLE programs on the positive impact of pro bono services that will inspire volunteers to engage in advocacy programs. It already has one video proposal, but is seeking a second. Paula Frederick reported that innovation in the delivery of legal services is a topic of the upcoming Convocation on Professionalism. President Kauffman reported that the Attorney Wellness Task Force is focusing on members' better enhanced personal and professional lives. Improving communications with the public about the disciplinary system and its outcomes is still a work in progress as the disciplinary system is under review. Derrick Stanley, Section Liaison, is working with the Sections to make sure they continue to provide CLE's and other services that benefit their members.

YLD Report

YLD President Jack Long reported on the activities of the Young Lawyers Division. He announced that the YLD raised \$135,000 for Camp Lakeside through its annual Signature Fundraiser. The Legal Food Frenzy kicks off on April 18 with a goal of 1.3 million pounds of food, hoping to make a cumulative total of 5 million pounds of food in the first five years of the program. He is in the process of planning a 2-day regional summit that will take place in June in Atlanta. It will be attended by YLD leaders from the bordering states to share ideas and programs. The YLD received a \$3,000 grant from the ABA to help defray the costs.

Executive Director's Report

Jeff Davis reported on a recent security scare at the State Bar when a suspicious letter was sent to the Consumer Assistance Program. Having already received a recommendation from the Insurance Committee that the State Bar look at enhancing its security, and with Executive Committee approval, the State Bar has received two proposals in response to an RFP. He reported that the Bar's tenants will be consulted before the Bar moves forward with any security enhancements.

Office of General Counsel Report

Paula Frederick reported on the activities of the Office of General Counsel. She announced that Bill Smith will be retiring on December 31.

Executive Session

Following a motion, second, and unanimous voice vote, the Executive Committee went into Executive Session to discuss pending litigation. Thereafter, the Executive Committee moved out of Executive Session by unanimous voice vote.

Legislative Report

Thomas Worthy provided a recap of the 2016 Legislative Session.

Lawyers for Equal Justice

The Executive Committee received a copy of a letter from Lawyers for Equal Justice acknowledging the State Bar's \$85,000 donation towards the incubator program, and a *Daily Report* article titled *Bar's Incubator for New lawyers Launches, Gets Pro Bono Director*.

2017 Election Schedule

The Executive Committee received a copy of the State Bar of Georgia 2017 Election Schedule.

ABA Resolution 105 – Model Regulatory Objectives for the Provision of Legal Services

The Executive Committee received a copy of an ABA resolution on Model Regulatory Objectives for the Provision of Legal Services.

ABA Resolution 109 – Uniform Bar Examination

The Executive Committee received a copy of an ABA Resolution urging the bar admission authorities in each state and territory to adopt expeditiously the Uniform Bar Examination.

ABA Journal Articles

The Executive Committee received a copy of an *ABA Journal* article titled *This law school will accept the GRE from applicants; will other follow?*

Daily Report Articles

The Executive Committee received copies of article from the 1) *Daily Report* titled *Study: Drinking Is a Problem for 1 in 3 Lawyers*, 2) *The New York Times* titled *High Rate of Problem Drinking Reported Among Lawyers*, and 3) *American Society of Addiction Medicine* titled *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*.

Old Business

There was no old business.

New Business


There was no new business.

Adjournment

There being no further business the meeting was adjourned.

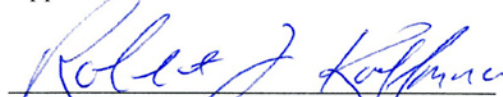
Executive Committee/Supreme Court Retreat

The Executive Committee and Justices of the Supreme Court of Georgia conducted a joint meeting on April 16, 2016 to discuss pending issues and developments affecting the administration of justice and the regulation of the legal profession. Those present for the meeting from the Supreme Court of Georgia were Chief Justice Hugh P. Thompson, Justice Carol W. Hunstein, Justice Harold D. Melton, Justice David E. Nahmias, Justice Keith R. Blackwell, and Therese “Tee” Barnes, Clerk of Court. All members of the Executive Committee were present except for Immediate Past President Patrise Perkins-Hooker and YLD Immediate Past President Sharri Edenfield. Bar staff in attendance included Sharon Bryant, Jeff Davis, Paula Frederick, Steve Laine, Bill NeSmith, and Thomas Worthy.



Brian D. (Buck) Rogers, Secretary

Approved:



Robert J. Kauffman, President