

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE MEETING
MINUTES
Friday, September 11, 2020 at 1:00 p.m.
Via Zoom Meeting**

Members Participating:

Dawn M. Jones, President; Elizabeth Louise Fite, President-elect; Sally B. Akins, Treasurer; Tony DelCampo, Secretary; Darrell L. Sutton, Immediate Past President; Bert D. Hummel, IV, YLD President; Elissa B. Haynes, YLD President-elect; William T. Davis, YLD Immediate Past President; Ivy N. Cadle; R. Javoyne Hicks; Amy V. Howell, David S. Lipscomb; Martin Valbuena, and Nicki Vaughan.

Staff Participating:

Sharon Bryant, Chief Operating Officer; Sarah Coole, Director of Communications; Jeff Davis, Executive Director; Paula Frederick, General Counsel; Michelle Garner, Director of Meetings; Cassie Hallstrom, Executive Administrator; Christine Butcher Hayes, Director of Governmental Affairs; Bill NeSmith, Deputy General Counsel; and Ron Turner, Chief Financial Officer.

Call to Order

President Dawn M. Jones called the meeting to order at 1:05 p.m. Members of the Executive Committee in attendance are indicated above.

Future Meetings

Dawn reported that discussions continue regarding the status of the Midyear and Spring Board of Governors Meetings. Negotiations with meeting locations are being held to ensure social distancing guidelines can be met and safe dining options provided.

Dawn also reported that a Special Called Meeting of the Board or Governors will occur on Friday, September 18, 2020 for an election on the chosen candidate to fill the open Executive Director position. In addition, board members and any guests present will complete a survey regarding future meetings and what specific concerns they have in regards to the COVID-19 pandemic.

Dawn reminded the Executive Committee that decisions on meeting in person will be made based on the current COVID-19 status in whatever location a meeting is planned.

Executive Committee Minutes

Secretary Tony DelCampo presented the minutes of the Executive Committee meeting held August 14-15, 2020. The Executive Committee approved the minutes by unanimous vote.

Members Requesting Resignation

Pursuant to State Bar Rule 1-208, the Executive Committee approved the following resignation requests by unanimous voice vote: Cynthia Calhoun-102876, Susan McKay-478270, Kathleen Willis-766744, Allison Pierre-993728, Haley Boyette-073222, Robert Berntsson-054960, Therese Smythe-216170

Members Requesting Disabled Status

Pursuant to State Bar Rule 1-202, the Executive Committee approved one request for disabled status by unanimous vote.

Nomination of Executive Director to Board of Governors

Dawn reported that Immediate Past-President Darrell Sutton put together a Senior Staff Search Committee six months ago. The committee is a diverse group of 20 individuals consisting of Past-Presidents, Executive

Committee members, State Bar staff members, other past Executive Committee members and Board of Governors members. The Search Committee voted to hire the firm of Young Mayden, LLC in June as a search consultant for the open Executive Director position. Approximately fifty-one applications were received for the position. A smaller group was then formed consisting of Dawn M. Jones, Darrell Sutton, Elizabeth Fite and Paula Frederick to narrow down the applicants, with the assistance of the search firm. Twenty applications were then presented to the Search Committee and seven were chosen for interviews. A candidate was selected as the recommended candidate for the Executive Director position by majority vote of the search committee with the assistance of Barbara Mayden, Search Consultant. Salary negotiations with the candidate will be complete before the Board of Governors meets on September 18, 2020 to formally elect the candidate.

Dawn reiterated the need for confidentiality regarding the chosen Executive Director candidate as well as other applicants for the position.

Following a motion, second, and unanimous voice vote, the Executive Committee met in Executive Session to discuss the nomination. Thereafter, by unanimous voice vote, the Executive Committee emerged from Executive Session.

By majority vote, the Executive Committee approved recommending the candidate presented by the Search Committee to the Board of Governors for approval.

Amendments to Rules

Following a report by Deputy General Counsel Bill NeSmith, the Executive Committee took the following action on proposed Rules amendments (Exhibit A):

- 1) Rule 1-303. Meetings: Recommended to the Board of Governors by unanimous vote.
- 2) Rule 1-601 (Bylaws): Recommended to the Board of Governors by unanimous vote.
- 3) Rule 1-801. Annual Meeting: Recommended to the Board of Governors by unanimous vote.
- 4) Rule 1-801.1. Midyear Meeting: Recommended to the Board of Governors by unanimous vote.
- 5) Rule 1-802. Special Meetings: Recommended to the Board of Governors by unanimous vote.
- 6) Rule 1-803. Notice: Recommended to the Board of Governors, as revised, by unanimous vote.
- 7) Article II. Section 1. Annual Meeting: Recommended to the Board of Governors by unanimous vote.
- 8) Article III. Board of Governors. Section II. Meetings: Recommended to the Board of Governors by unanimous vote.
- 9) Article IX. Sections. Section 3. Other Sections - Purposes: Recommended to the Board of Governors by unanimous vote.
- 10) Article IX. Sections. Section 4. Establishment of Sections: Recommended to the Board of Governors by unanimous vote.
- 11) Article IX. Sections. Section 5. Abolition of Sections: Recommended to the Board of Governors by unanimous vote.

Amendments to Section Bylaws

Following a report by Bill NeSmith, the Executive Committee took the following action on proposed Section Bylaws amendments:

- 1) Animal Law Section: Approved the proposed amendments, as revised, by unanimous vote. The revised Bylaws will go back to the Section for review and comment.
- 2) Entertainment and Sports Law Section: Approved the proposed amendments, as revised, by unanimous vote. The revised Bylaws will go back to the Section for review and comment.

Request for New Religious Liberty Law Section

General Counsel Paula Frederick reported that she suggested some minor changes to the bylaws for the proposed new Section, and the proponents have agreed to those changes. The proposed bylaws, as revised, are consistent with the Rules and Bylaws of the State Bar.

Following a motion, second, and unanimous voice vote, the Executive Committee met in Executive Session for further discussion. Thereafter, by unanimous voice vote, the Executive Committee emerged from Executive Session.

By unanimous vote, the Executive Committee took no action on the request, but approved including the request for the new Religious Liberty Law Section on the agenda for the Fall Board of Governors Meeting.

Presidents Report

Dawn reported on the newly formed Virtual Meetings Committee consisting of Shiriki Jones (chair), Meetings Director Michelle Garner, AV Coordinator Kyle Gause, Communications Director Sarah Coole, Administrative Assistant Gakii Kassamba, Mark Effron, Wesley Ross and Eric Ballinger. The committee's purpose is to assist with virtual event planning for all bar related events or meetings. Dawn wants to have as many fully functioning virtual events as possible and include social aspects at the meetings.

Dawn gave an update on weekly administrative meetings that occur every Tuesday with Paula, Jeff, Sharon, Michelle and herself. Recent discussions have included planning towards reopening the State Bar of Georgia to the public in phases as the courts begin opening for juries in October.

Executive Director's Report

Executive Director Jeff Davis reported that the State Bar remains closed to the public. Last week ICLE had a very successful live stream event of CLEs, one of which Paula spoke on ethics and professionalism. He said that all of the policies and protocols were followed during the limited use of the conference center.

Jeff reported there is an extensive plan in place to reopen the bar. He suspects there will be pressure from the courts for the bar to reopen when the courts open for jury trials in October so the situation will continue to be monitored.

Jeff reported that the Georgia Public Defender's Council has extended their lease through March 1, 2021 with the possibility of an additional 3-month extension, which is good for the bar financially.

Jeff reported that he spoke to John Bell, Chair of the Georgia Legal History Foundation, and the Woodrow Wilson exhibit will be relocated to one of Wilson's childhood homes in Augusta, Georgia.

Jeff reported that the Bar Center Committee met and they have reached out to the Atlanta Bar Association regarding their possible tenancy at the State Bar. The Bar Center Committee also discussed other possible leads for new tenants as well.

Treasurer's Report

Treasurer Sally Akins reported the finance department is busy getting the end of the year fiscal numbers together and those should be ready in the next couple of weeks. She said she will be able to report on that further at the next meeting of the Executive Committee.

Office of General Counsel Report

Paula reported that the grievance process is behind due to the building closure and judicial stays. Staff has made progress on catching up. Recently Zoom depositions and hearings have been taking place. The Office of General Counsel's annual report will be ready in the next month.

YLD Report

YLD President Bert Hummel reported that the YLD Committee Chair Orientation occurred the Friday before Labor Day. Ideas were discussed for projects and community service initiatives for the year that can still be accomplished with the new, but familiar Zoom culture.

Bert reported that CCLC has approved up to 6 hour CLE credit for the new poll worker training program. Bert encourages anyone who is interested to get the word out to their local bars or organizations.

Bert reported the YLD Newsletter is going to go to print and is expanding its content to include a more well-rounded submission of articles.

The YLD Disaster Relief Program is rolling out this month as it is Disaster Awareness Month. Donovan Eason from Savannah has teamed up with GEMA and will coordinate with regional coordinators for marketing purposes.

A community service clinic in coordination with Georgia Legal Services Program will be held September 28, 2020 in the Chattahoochee court circuit, offering a records restriction program to the public. Women in the Profession Committee is working with Georgia Legal Aid to put on a clinic. Will Davis is working on a clinic for teachers, nurses and first responders. Ashley Akins is setting up a reading to school children program for virtual learning students. Also, the Communications Department is working to move forward with podcasting for the YLD.

Bert reported that during the Committee & Section Chair Orientation, feedback was being received from members who want to get back to in person meetings. Dawn responded that the Bar's website will be updated monthly to provide relevant information to our members about the Bar. She stated that the Bar will continue to follow CDC guidelines and only move forward with in person meetings when the situation allows for that.

Advisory Committee on Legislation/Legislative Report

Governmental Affairs Director Christine Butcher Hayes reported that the first ACL meeting is on Tuesday, September 15, 2020. Javoyne Hicks is the current ACL chair. The Uniform Mediation Act, which did not pass last session, will be re-submitted due to the new biennium and will have to pass through the entire process again. Two informative proposals will be presented by the Judicial Council, one on court reporting and the other is the Superior and State Court Appellate Practice Act. In addition, the two annual funding proposals for victims of domestic violence and Kinship Care will be included. A line item will also be included to open up discussion on legislation for the upcoming session about anything that has affected the practice of law during the COVID-19 pandemic. One of those issues will be online notaries but that proposal won't come through until December.

Whistleblower Policy

Paula reported on Standing Board Policy 900. The policy covers Board members, officers, directors and staff and serves to protect those who "whistleblow" from retaliation. Amy Howell asked if the policy is part of the

normal training process. Jeff advised the policy is provided in the new Board Members Handbook. Paula stated that the policy was not previously a part of the employee handbook, but has now been included. Amy asked when or how often that handbook is provided to staff. Paula and Jeff responded the handbook is provided and an acknowledgement form is signed upon hiring and when any amendments to the handbook are made.

Professional Liability Insurance Committee

David Lipscomb reported that the committee met last month and they decided to conduct another survey with restructured options and voted to make a recommendation to the Board of Governors, but wants to do so at an in-person meeting,

Paula reported that Judge Ken Hodges wants to define what disclosure means in the rule. The discussions over the past two years have involved a disclosure requirement for lawyers who do not have malpractice insurance noted on the Bar's website. The new option being discussed by the committee is disclosing to the bar, but not having it reported anywhere. Chris Twyman will give a report at the Fall Board of Governors meeting.

David reported there is major discussion to be had as far as disclosing in advance to clients or prior to the client filing a lawsuit and if it is the latter how much information should be disclosed. Mandatory disclosure but keeping the information confidential may not be a viable option. David said the update by Chris at the Fall Board of Governors meeting will give the Board advance notice that the issue will be presented in the future as an action item.

Judicial COVID Taskforce

President-Elect Elizabeth Fite reported that the most recent Judicial Emergency Order allows for grand juries in circuits where judges are comfortable with doing so, and local committees are being formed to make recommendations on the way things should operate under the current circumstances taking into consideration the limitations of that specific area. The taskforce has compiled a list of resources which are located on the AOC's website/COVID Taskforce page. It includes information on sanitizing, remote jury selection, in-person jury selection, and a technology page with demonstrations. The resources were designed with judges in mind but they are for everyone and can be shared. Elizabeth is working with Michelle Barclay at the AOC to compile a list of free or low cost resources. The next round of information to come out will be the jury guidelines such as virtual jury selections and jury selections at alternate sites. Dawn requested that a link to the AOC/COVID Taskforce information be posted on the Bar's website.

Seeking Equal Justice and Addressing Racism & Racial Bias Committee

Paula reported on the initial meeting of the committee. Sarah has agreed to help with the committee's events and presence on the Bar's website. The committee will be doing a series of "Courageous Conversations" with the first being on September 30, 2020 with C.K. Hoffler, National Bar Association President, and Jonathan Ringel of the Daily Report. The focus will be the Daily Report's coverage of the funeral service for U.S. Representative John Lewis, which featured a headline that black lawyers found to be biased. The paper's editorial board met with a number of lawyers and took steps to address their concerns.

The next meeting will be held in conjunction with the Fall Meeting of the Board of Governors.

Access to Justice and Indigent Defense Committee

Nicki Vaughn reported the Access to Justice Committee has met and members are in the process of signing up to work on sub-committees. Also, the Indigent Defense Committee does not meet during the summer and was supposed to meet next week but has been postponed a week as to not conflict with the Special Called Board of Governors Meeting.

Committee Updates

Dawn is requesting that all Executive Committee liaisons reach out to their respective committees and check on them if they have not been met by the Fall Board of Governors meeting. She stressed the importance of helping committees get active despite current COVID circumstances. Executive Committee liaisons should be prepared to give an update on their committee's at the next meeting following the Fall Board of Governors meeting.

Amy Howell asked for a reminder of the staff liaisons. Sarah responded all committees are listed on the bar's website which includes the name of the staff liaison, and Dawn requested the information be sent out again as a reminder.

Announcements

David commended Christine for the work she does for the Bar and said it demonstrates the wisdom in hiring her and bringing some of the lobbying in-house.

Bert reported he and his wife should have a new baby by Tuesday and they are very excited. The gender will be a surprise.

Christine shared that she has eight weeks left of pregnancy and that the committee will be the first to know when the baby arrives

Old Business

There was no old business.

New Business

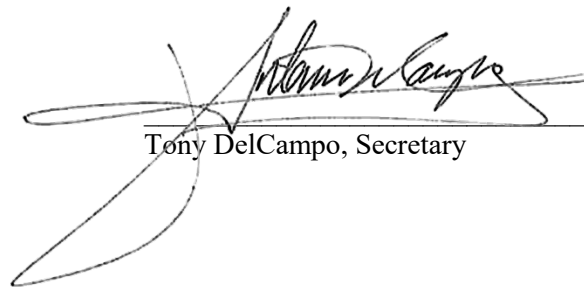
There was no new business.

Adjournment

There being no further business, the meeting was adjourned at 5:06 p.m.

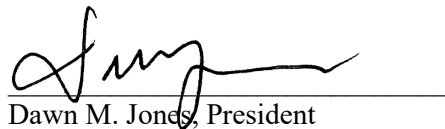
Re-Adjournment of the Executive Committee Meeting

Dawn re-adjourned the Executive Committee meeting at 5:15 p.m. so that members could schedule the next EC meeting for October 8, 2020 at 10:00 a.m. that will be cancelled if it is not needed. Said meeting was set by motion, a second, and a unanimous vote after discussion comparing everyone's schedule was held. Thereafter, the meeting was adjourned at 5:16 p.m.



Tony DelCampo, Secretary

Approved:



Dawn M. Jones, President