

**STATE BAR OF GEORGIA  
EXECUTIVE COMMITTEE MEETING  
MINUTES  
Thursday, February 27-28, 2020/1:00 p.m.  
Barnsley Resort/Adairsville, Georgia**

Members Participating:

Darrell L. Sutton, President; Dawn M. Jones, President-elect; Elizabeth Louise Fite, Treasurer; Sally B. Akins, Secretary; Kenneth B. Hodges, III, Immediate Past President (by phone); William T. Davis, YLD President; Bert D. Hummel, IV, YLD President-elect; Rizza O'Connor, YLD Immediate Past President; Ivy N. Cadle; Tony DelCampo; R. Javoyne Hicks; David S. Lipscomb; and Nicki Vaughan.

Members Absent

Amy V. Howell.

Staff Participating:

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

Call to Order

President Darrell Sutton called the meeting to order at 1:00 p.m. Members of the Executive Committee in attendance are indicated above.

Announcements

Executive Director Jeff Davis announced that he is resigning, effective June 30, to step back into the private practice of law. Davis also announced that Chief Operating Officer Sharon Bryant would be retiring, also effective June 30. Sutton distributed a draft roster of a Senior Staff Search Committee that will identify and recommend to the Board of Governors candidates to fill both positions and briefly discussed the search process that will be undertaken.

Future Meetings

Sutton reviewed the Future Meetings Schedule. Michelle Garner identified changes taking place in the hotel industry that will result in higher costs for future meetings. She also identified lodging peculiarities related to the Annual Meeting.

Executive Committee Minutes

Secretary Sally Akins presented the minutes of the Executive Committee meetings held November 21, 2019, and January 31, 2020. The Executive Committee approved the minutes by unanimous voice vote.

Members Requesting Resignation

Pursuant to State Bar Rule 1-208, the Executive Committee approved the following resignation requests by unanimous voice vote: Gretchen Kelley Brantley-185107, Nancy Kablach Condron-405710, Daniel M. Mitchell Jr.-512450, Kent B. Thomas-704599, Keith Stuart Blair-061250, Katherine Palmer Andrews-141699, Dennis Lester Collins III-178370, Mitchell Rodriguez-611460, Edward Lee Rouse-003850, Rachel Ellen Welch-416658, Robert Kerr Michael-413456, Vicky Lynn Norrid-545818, Joel Murray Cohen-174385, Julie Ann Lemmer-798999, Randall Thomas Skaar-649619

### Members Requesting Disabled Status

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

### Member Status Appeals

The Executive Committee took the following action on member status appeals:

- 1) By unanimous voice vote denied a request by Jennifer Coleman to waive the \$75 late fee; and
- 2) By unanimous voice vote, with President-elect Dawn Jones abstaining, approved a request by Jim Morgenstern to waive sitting for the Bar exam.

### Proposed Rules Amendments

Following a report by Sutton, the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors proposed amendments to Rule 1-202, Rule 4-202, Rule 4-204, Rule 4-221.1, Rule 4-222, Rule 4-228(h), Rule 228(k), (Exhibit A), as well as a motion amending Rule 1.2 and Comment [9] (Exhibit B).

### Child Protection & Advocacy Section Proposed Bylaws Amendments

Following a report by Sutton, the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors proposed changes to the Child Protection & Advocacy Section Bylaws.

### 2020-2021 License Fees Recommendation to the Board of Governors and Other Dues Items

Sutton reported that the Finance Committee recommended a \$6 license fee increase. He stated that with the programs assessment and other cost savings in departmental budgets during this fiscal year, the Bar can avoid the projected \$22 license fee increase in order to ensure a balanced budget. In order to ensure that balanced budget and otherwise remain on a more fiscally responsible track, however, he proposed a \$12 per active member license fee increase. Following that, a motion to raise license fees by \$10 per active member was withdrawn by unanimous voice vote.

Upon further discussion by the Executive Committee about factors to be considered when setting the license fee, a motion recommending to the Board of Governors that the license fee be raised by \$12 per active member from the previous Bar year, or to \$266 per active member and \$133 per inactive member, was approved by unanimous voice vote.

The Executive Committee, by unanimous voice vote, also approved submitting the following other dues recommendations to the Board of Governors for approval:

- 1) Section dues to be reflected on the dues statement ranging from \$10-\$40;
- 2) A suggested \$350 opt-in provision for individual contributions (\$100 for young lawyers) for the Georgia Legal Services Program; and
- 3) Continuation of assessments required by Bar Rules regarding the Clients' Security Fund (\$100 @ \$25/year). Such assessment begins with the second full fiscal year following a member's year of admission.

[see page 4 for additional dues items]

Amendments to State Bar Policies

Following a report by Sutton, the Executive Committee, by unanimous voice vote, approved the Board proposed revisions to Standing Executive Committee Policy 1000 (State Bar of Georgia Elections) (Exhibit C).

Sutton reported the suggestion that the procedure for nominating officers include time for each officer candidate to give a brief speech. The Executive Committee asked General Counsel Paula Frederick and Deputy General Counsel Bill NeSmith to draft a Standing Board policy providing that change.

Treasurer's Report

Treasurer Elizabeth Fite reported on the Bar's finances.

The Executive Committee received the Consolidated (Operational and Bar Center) Revenues and Expenditures Report as of November 30, 2019; Bar Center Revenues and Expenditures Report as of November 30, 2019; Income Statement YTD-Operations as of Ended November 30, 2019; Status and Use of Cash and Investment as of November 30, 2019; Board-Designated and Donor Temporarily Restricted Net Assets as of November 30, 2019; Summary of Members and Voluntary Legislative Contributions Paid Through November 30, 2019; Summary of Members and Voluntary Contributions to GLSP Paid through November 30, 2019; Summary of Members and Voluntary Legislative Contribution Paid through November 30, 2019; Legislative Activity Report from July 1, 2019-November 30, 2019; and Clients' Security Fund Activity Report as of November 30, 2019.

YLD Report

YLD President Will Davis reported that the 14<sup>th</sup> Annual Signature Fundraiser - Green Gala for GLSP - will take place March 21<sup>st</sup> at 433 Bishop. More details about the fundraiser are available via the GLSP website.

Davis also announced that the YLD Spring Meeting will be held in Athens, April 24-26. Prior to that, the Leadership Academy is meeting in Macon, March 14.

Davis further announced that the annual Georgia Legal Food Frenzy is gearing up and will run from April 20-May 1.

The week following conclusion of the Legal Food Frenzy, Davis announced, there will be a Young Lawyers Roundtable with the Judiciary at the 2020 Eleventh Circuit Judicial Conference on May 9, as well as a U.S. Supreme Court swearing-in ceremony.

Lastly, Davis announced that there are two candidates for YLD Secretary.

Executive Director's Report

Davis made no additional report beyond his comments at the beginning of the meeting.

Advisory Committee on Legislation/Legislative Report

Governmental Affairs Director Christine Butcher Hayes reported an update about changes to the online notary legislation, HB 865 relating to wills, trusts, and administration of estates, as well as the uniform mediation act, which Board Member Senator John Kennedy has sponsored.

She also reported that HB 715 significantly changed Georgia's municipal occupational licensing tax structure and was sent back to committee this week.

She is also watching for recommendations from the Senate's Cost of Doing Business Study Committee.

Other bills of note: SB 390, which is an omnibus bill with changes to tort liability and extensive reform to the civil practice act, and SB 415, which removes most of the civil practice act changes in SB 390 but amends the

code provisions about premises liability, asbestos trusts, and others. If any new tort reform bills are filed or any old ones begin to move, she will notify the Executive Committee and cover them in the weekly legislative update.

Finally, she is watching recommendations dealing with caps on contingency fees, but to date no legislation has been filed.

#### Office of General Counsel Report

General Counsel Paula Frederick reserved her report.

#### Non-Lawyer Judge Benefits

In an effort to provide support to non-lawyer magistrate and probate judges, Sutton reported the Councils of Magistrate and Probate Court Judges will provide their mailing lists to ICLE each year so that their members can receive all CLE notices. He further reported that as we renegotiate the contract for the Lawyer Assistance Program (LAP) with CorpCare, we will add an addendum to the contract to allow those non-lawyers to receive LAP services. Both of the Councils have agreed to annually pay CorpCare \$2,500 each for these services, and CorpCare approves of this arrangement.

#### Attorney's Oath Language Amendments

This item was for information only.

#### Comparison of Dues Amounts

The Executive Committee received the 2017 State and Local Bar Benchmark Survey indicating the total costs to practice in each state with unified bars.

#### Distinguished Service Award

Sutton announced that he will present this year's Distinguished Service Award to Supreme Court Justice Benham.

#### Employee of the Year Award

Sutton reported that the Employee of the Year Award will be presented to CCLC Assistant Director Amy Smith.

#### Board of Governors Minutes

The Executive Committee received the draft minutes of the Board of Governors meeting held January 11, 2020.

#### Chris Townley

The Executive Committee received an article about Chris Townley receiving the Thomas O. Marshall Professionalism Award.

#### Executive Session

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

#### Old Business

There was no old business.

#### New Business

President-elect Dawn Jones reported that attending meetings of the National Conference of Bar Presidents is not only helpful, but a very valuable resource. She asked the Executive Committee to consider covering ABA

membership dues for Bar Officers. Jones indicated this could actually save the Bar money because Officers could reap the savings associated with registering for meetings as an ABA member. This item will be included for consideration as part of the next Executive Committee meeting.

Adjournment

There being no further business, the meeting was adjourned at 5:40 p.m. The Executive Committee will reconvene Friday, February 28, at 9:00 a.m. for a joint meeting with the Supreme Court of Georgia and to finish the remaining agenda items.

**Continuation of the Executive Committee Meeting  
Friday, February 28, 2020 – 9:00 a.m.**

Executive Committee/Supreme Court Joint Meeting

The Executive Committee and Justices of the Supreme Court of Georgia conducted a joint meeting 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 Harold Melton, Presiding Justice David Nahmias, Justice Keith Blackwell, Justice Nels Peterson, Justice Sarah Hawkins Warren, Justice Charles J. Bethel, and Justice John Ellington.

Continuation of the 2020-2021 License Fees Recommendation to the Board of Governors and Other Dues Items

After a discussion by the Executive Committee about alternative means for funding the Clients' Security Fund (CSF), a motion to recommend to the Board of Governors that a \$15 per member CSF assessment for any dues paying member (active and inactive) who is not otherwise within the waiting period or not covered by the current assessment for new members, was approved by unanimous voice vote.

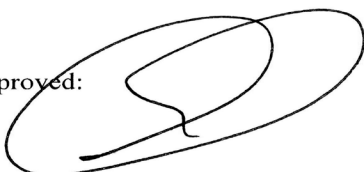
The Executive Committee also took the following action on the remaining dues items:

- 1) By unanimous voice vote approved recommending to the Board of Governors an \$11 Professionalism Fee, as mandated by the Supreme Court (lowered from \$15 by the Chief Justice's Commission on Professionalism); and
- 2) By majority voice vote approved recommending to the Board of Governors a \$100 opt-out contribution to the Legislative and Public Education Fund with a clear indication on the license fee statement that the amount can be deducted. Javoyne Hicks and YLD President Will Davis asked the minutes reflect that they voted no on the motion.

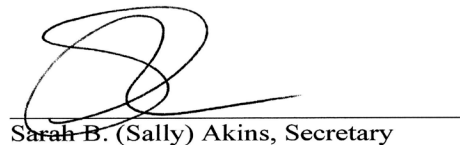
Adjournment

There being no further business, the meeting was adjourned at 11:45 a.m.

Approved:



Darrell L. Sutton, President



Sarah B. (Sally) Akins, Secretary