

**STATE BAR OF GEORGIA  
EXECUTIVE COMMITTEE  
MINUTES  
Thursday, January 26, 2017  
State Bar Building/Atlanta, GA**

Members Participating:

Patrick T. O'Connor, President; Brian D. (Buck) Rogers, President-elect; Kenneth B. Hodges, III, Treasurer; Darrell L. Sutton, Secretary; Robert J. Kauffman, Immediate Past President; Jennifer Campbell Mock, YLD President; Nicole C. Leet, YLD President-elect; John R.B. Long, YLD Immediate Past President (by phone); Thomas R. Burnside, III; Elizabeth Louise Fite (by phone); Dawn Jones; David S. Lipscomb; and Nicki Vaughn.

Members Absent

Phyllis Holmen.

Staff Participating:

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

Call to Order

President Pat O'Connor called the meeting to order. Members of the Executive Committee in attendance are indicated above.

Future Meetings Schedule

President Pat O'Connor referred the Executive Committee to the Future Meetings Schedule.

Executive Committee Minutes

The minutes of the Executive Committee meetings held on December 15 and 22, 2016, were approved 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: James Linsey-453275; Kelly Weston-750225; Edward Mandel-138466; Carol DiBattiste-076187; Suzanne Laird-431098; Kristi Mason-743881; Kaprice Thomas-088189.

Members Requesting Disabled Status

Pursuant to State Bar Rule 1-202, the Executive Committee approved the following requests for disabled status by unanimous voice vote: Patrina Mitchell-457774; Gary E. McClanahan-482875.

Response to Letter About Executive Committee Member Representing Disciplinary Proceeding Respondents

Paula Frederick reported that she received a letter from a lawyer representing a grievant in a disciplinary proceeding who expressed a concern about Executive Committee members representing respondents in those proceedings. The Executive Committee asked Paula Frederick to formulate a policy governing this issue and to bring it back to the Executive Committee for consideration at its next meeting.

Sponsorship Request

The Executive Committee, by unanimous voice vote, approved a \$2,500 sponsorship request from the BASICS Committee for the BASICS 40<sup>th</sup> Anniversary Gala on March 4, 2017.

### President's Report

President Pat O'Connor reported that Jeff Davis and he recently met with Speaker David Ralston and Supreme Court Justice David Nahmias about the JQC legislation. That meeting took place before the JQC legislative bill was filed by House Judiciary Chairman Wendell Willard. Senator John Flanders Kennedy is prepared to help the Bar with the bill, and we will continue to work with House leaders and with Senator Kennedy and the Senate to seek changes to the bill to increase Bar involvement in the appointment of members to the 7-person investigative panel and 3-person hearing panel proposed by the bill (HB 126). In the meantime, the JQC Task Force is working on a second list of nominees for appointment to the current JQC to be approved by the Board of Governors for submission to the Speaker.

### Executive Session

Following a motion and second, the Executive Committee went into Executive Session to discuss legislative matters and pending litigation. Thereafter, by unanimous voice vote, the Executive Committee emerged from Executive Session.

### Strategic Plan

Jeff Davis provided an update on the Strategic Plan, including the identification of various objective criteria to measure the Bar's success in fulfilling that plan.

### Treasurer's Report

Treasurer Ken Hodges and Steve Laine provided an update on the Bar's finances. The Executive Committee received copies of the Consolidated (Operational and Bar Center) Revenues and Expenditures Report as of November 30, 2016; Income Statement YTD for the Three Months Ended November 30, 2016; Bar Center Revenues and Expenditures for the Five Months Ended November 30, 2016; State Bar Balance Sheet as of November 30, 2016; Summary of Dues and Voluntary Contributions at December 1, 2016; Legislative Fund and Cornerstones of Freedom Fund Activity Reports through November 30, 2016; and Summary of Investment Portfolio as of November 30, 2016. The Executive Committee also received a report on Recent Non-Assessed Programs.

### YLD Report

YLD President Jennifer Campbell Mock reported on the activities of the YLD. She stated that the Leadership Academy will be attending the YLD's 29<sup>th</sup> Annual Capitol Leadership Luncheon on February 9, 2017. She reminded the Executive Committee about the Annual Signature Fundraiser on February 25, 2017, and encouraged them to purchase tickets or a sponsorship. This year's beneficiary is Georgia Casa, Inc.

### Executive Director's Report

Jeff Davis reported that the Bar has been busy dealing with the ICLE transition. It has been going well and will be a great benefit to the Bar, its members, and ICLE.

### Office of General Counsel Report

Paula Frederick reported on two changes made to the proposed new disciplinary rules (restoring the Review Panel and increasing the size of the pool of Special Masters) following a recent Q&A session with the Disciplinary Rules Committee. Following that, the Executive Committee, by unanimous voice vote, approved the two proposed changes. The proposed rules will now be posted on the Bar's website. She announced that Bill Smith's retirement dinner will take place at the Spring Board of Governors meeting.

### JQC Update

This information was presented during the President's Report.

### Legislative Update

Christine Butcher provided a legislative update.

### ICLE Board Appointments

President Pat O'Connor reported on the ICLE Board appointments he will have under the new ICLE rules once they are approved by the Supreme Court. The ICLE Board will be composed of 13 members: the Immediate Past President of the State Bar, seven members appointed by the President with the approval of the Board of Governors, and one member from each of the ABA accredited law schools in Georgia appointed by the dean of the respective law school. President O'Connor's appointments are Carol V. Clark; Past President Harold (Hal) T. Daniel, Jr.; Laverne Lewis Gaskins; Allegra Lawrence-Hardy; James C. McCallar; YLD President Jennifer Campbell Mock; and Past President Kenneth L. Shigley. President O'Connor has asked Immediate Past President Bob Kauffman to chair the Board through the end of this Bar year on June 30.

### ZeekBeek

President Pat O'Connor reported that he and the Member Benefits Committee are still in the process of gathering more information about ZeekBeek to see how it can benefit State Bar members.

### Aging Lawyers Task Force Recommendations

Secretary Darrell Sutton, co-chair of the Task Force, reported that following feedback from the Programs Committee and other stakeholders, the Task Force recommends the formation of a standing committee on aging lawyers, in lieu of the Senior Lawyers Division that was originally proposed. The purpose of the committee is three-fold: 1) assistance to lawyers who are cognitively impaired but still practicing, 2) aid to lawyers in preparing their practices for succession upon death, impairment or otherwise, including aid to Bar entities such as the Office of General Counsel in the disposition of practices of lawyers who leave their practice without a succession plan; and 3) production of comprehensive educational programs about cognitive impairment, financial planning, and practice succession. President O'Connor reported that he plans to work with Darrell Sutton about expanding the Task Force's membership, reconstituting it as a Special Committee, and changing the name. The Task Force's recommendation that the Bar hire a full-time staff person who can work in conjunction with the committee's membership was discussed in the Personnel Committee but has not yet been resolved. President-elect Buck Rogers asked to serve as the Staff Liaison on the reconstituted committee.

### Posting Officer Nominating Speeches on Website

The Executive Committee discussed whether or not to place the speeches nominating the slate of Bar officers on the Bar's website, and by consensus, agreed to not post the speeches at this time.

### New Articles

The Executive Committee received copies of the following articles:

- 1) *Daily Report: Cagle Names First Appointee to New Judicial Watchdog Agency*
- 2) *Law Sites: MN Bar Returns to Fastcase, Six Months After Switching to Casemaker*

### Redesigned 2017-18 Dues Notice

The Executive Committee received a copy of the redesigned 2017-18 Dues Notice. The Executive Committee asked that a section be added to it for Bar members to voluntarily check off or state that they have designated a lawyer to take over their files in the case of their death or impairment.

Old Business

There was no old business.

New Business

Bill NeSmith reported that the Judicial Procedure and Administration Committee is reviewing proposed amendments to Uniform Superior Court Rule 22. The rule will be distributed to the Executive Committee members for review and comments should be directed back to Bill NeSmith. He will distribute all of the comments to the Executive Committee, which will decide if any additional response is needed.

Recess

By unanimous voice vote, the Executive Committee recessed for the purpose of taking up business of the State Bar of Georgia Foundation. After completing the business of the Foundation, the meeting of the Executive Committee was reconvened by unanimous voice vote.

Executive Session

Following a motion and second, the Executive Committee went into Executive Session to discuss personnel items. Thereafter, by unanimous voice vote, the Executive Committee emerged from Executive Session.

Adjournment

There being no further business the meeting was adjourned.



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Darrell L. Sutton, Secretary

Approved:



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Patrick T. O'Connor, President