

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE MEETING
MINUTES
February 9, 2024, 1 p.m.
Bar Center/Hybrid
Atlanta, GA**

Members Participating

J. Antonio “Tony” DelCampo, President; Ivy N. Cadle, President-Elect; William C. “Bill” Gentry, Secretary; Sally B. Akins, Immediate Past President; Brittanie D. Browning, YLD President; Kenneth Mitchell Jr., YLD President-Elect; Ronald E. Daniels, YLD Immediate Past President; R. Javoyne Hicks; Shiriki Jones; David S. Lipscomb; Jonathan B. Pannell; R. Gary Spencer; and Martin Valbuena.

Members Absent

Christopher P. Twyman.

Staff Participating

Sarah Coole, Chief Operating Officer; Damon Elmore, Executive Director; Paula Frederick, General Counsel; Bill NeSmith, Deputy General Counsel; and Ron Turner, Chief Financial Officer.

Call to Order

President Tony DelCampo called the meeting to order at 1 p.m. Members of the Executive Committee in attendance are indicated above.

Future Meetings Schedule

President Tony DelCampo reviewed the Future Meetings Schedule. He pointed out that the Spring BOG Meeting will be held in Young Harris at Brasstown Valley Resort and Spa, April 19-21, and then the following week, the Executive Committee Meeting will be held in Dalton at Hilton Garden Inn, April 26.

Executive Committee Minutes

Secretary Bill Gentry presented for approval the minutes of the December 15, 2023, Executive Committee meeting. The minutes were passed as presented by unanimous vote.

Members Requesting Resignation

Pursuant to State Bar Rule 1-208, the Executive Committee approved the following resignation requests by unanimous vote: Christopher Bennett-050590; Harry Dewey-142125; Diane Flannery-589634; Robert Foster, Jr.-271065; Robert Hebble-324333; Charles Hollis-362792; Shelley Kreimer-887475; Leslie Pfrang-575193; Amy Savela-428423; Albert Thom, II-100148; Timothy Trankina-715420.

Members Requesting Disability

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

Request for Military Dues Waiver

Pursuant to State Bar of Georgia Bylaws, Article 1, Section 8, the Executive Committee approved one military dues waiver by unanimous vote.

Proposed Changes to the Georgia Rules of Professional Conduct

Deputy General Counsel Bill NeSmith presented the following proposed changes to the Georgia Rules of Professional Conduct:

1. Rule 4-102. Disciplinary Action; Levels of Discipline; Georgia Rules of Professional Conduct

Beginning at line 75, the title under Contents will be changed to “Preamble and Scope.” The word “terminology” is being removed because Terminology and Definitions are contained in Rule 1.0. This is a housekeeping change with no substantive changes.

By unanimous vote, the Executive Committee approved the proposed change as presented.

2. Rule 9.4 Jurisdiction and Reciprocal Discipline

Beginning at line 1, the colon is removed after “Rule 9.4” to make this rule consistent with the other Rules of Professional Conduct.

At lines 45-51, this proposed change requires the State Disciplinary Review Board to file its recommendations for imposing substantially similar discipline with the Clerk of the State Disciplinary Board instead of the Supreme Court of Georgia. The State Disciplinary Board Clerk is required to serve the respondent and file the record in the disciplinary matter with the Supreme Court of Georgia within ten days.

Likewise, in lines 92-98, the proposed change has the State Disciplinary Review Board filing its report and recommendations within 60 days with the State Disciplinary Board Clerk after receiving and considering exceptions from the respondent or the Office of the General Counsel. The State Disciplinary Board Clerk will serve the respondent and file the record in the disciplinary matter with the Supreme Court of Georgia within ten days. These changes create better continuity and organization of the filings in a reciprocal discipline matter.

By unanimous vote, the Executive Committee approved the proposed change as presented.

2024-2025 License Fee Recommendation to the Board of Governors and Other License Fee Items

President Tony DelCampo presented the 2024-2025 license fee recommendation and other license fee items. The motion to submit the following recommendation to the Board of Governors for approval passed by unanimous vote:

1. Dues at \$264 for active members and \$132 for inactive and provisional members, an increase of \$4 for active members and \$2 for inactive members.
2. Section dues to be reflected on the dues statement ranging from \$10-\$50; and
3. In accordance with Bar Rule 1-506 regarding the Clients’ Security Fund, each member is assessed a fee of \$15. This assessment shall be used only to fund the Clients’ Security Fund; and
4. Professionalism Fee (\$11) mandated by the Supreme Court; and
5. Continuation of a \$100 opt-out contribution for the Legislative and Public Education Fund; and
6. A suggested \$400 opt-in provision for individual contributions (\$100 for younger lawyers) for the Georgia Legal Services Program.

President’s Report

President Tony DelCampo reported that he continues to work with Bar staff on the infrastructure and building upgrades. Painting and flooring for the 6th floor will be moved up a bit so it will be 4 months faster than expected but will not cost additional funds. CASA has signed a 10-year, 6-month lease and there will

be initial tenant improvements. By year five, the Bar will start recouping those costs. He said he continues to work very closely with the Supreme Court on the General Counsel search and the interviews will begin in the coming weeks.

Executive Director's Report

Executive Director Damon Elmore provided an update on ICLE programming, including a new, innovative and interactive program that was a reenactment of a trial. He said that the vacant UPL committee appointments are being made and approved by the Supreme Court. He has also requested that the UPL department help research members who have been suspended to ensure they are not practicing law.. He also brought to the attention of the Executive Committee several members of Bar staff and the hard work that they put in.

Employee of the Year Recipient

Executive Director Damon Elmore said the Employee of the Year recipient will be revealed at the Annual Meeting.

Distinguished Service Award Recipient

President Tony DelCampo said the Distinguished Service Award recipient will be revealed at the Annual Meeting.

Treasurer's Report

Chief Financial Officer Ron Turner reported on the finances of the Bar. The Executive Committee received a copy of the November 2024 financials. At this point in time, finances are tracking on schedule and there are no known issues. He reported parking revenue is doing better than expected due to increased use during special functions in the area. Chief Financial Officer Turner said that the auditors will begin the 2023-2024 audit in June, should they be reappointed at the June meeting. He said that an updated schedule on the use of the unallocated cash will be presented at the next Executive Committee meeting.

Office of the General Counsel Report

General Counsel Paula Frederick reported that Andreea Morrison has been hired as the new Deputy General Counsel and Lori Anderson has been hired as the new Assistant General Counsel. Both will begin their new positions the first week of March. General Counsel Frederick asked for recommendations for lay members for the Disciplinary Board. She asked that Executive Committee members send her suggestions from people in their communities. Lay members are reimbursed for their expenses.

Committee Updates

The following committee updates were provided:

- Executive Committee Member Gary Spencer reported the Formal Advisory Opinion Board met last week.
- YLD Immediate Past President Ron Daniels said the SOLACE Committee met and expressed concerns about the committee continuing, the need, and what that looks like. He said one idea was to perhaps have the YLD take on SOLACE. Those are future conversations, but it's difficult to get new members involved in the committee.
- Executive Committee Member Javoyne Hicks said that Chair Lynn Garson is stepping down on the Lawyer Assistance Program Committee. Lynn will continue until a replacement is found. She said people have expressed an interest in leading the committee, but finding someone to commit to it has been difficult.
- Executive Committee Member Javoyne Hicks said that the Wellness Committee is still waiting on a few things before they get started on forming the Well-Being Center.

- Executive Committee Member David Lipscomb reported that the Fee Arbitration Committee met two weeks ago. He said the committee is revising the brochures to make sure they are accurate and match the current rules.
- Executive Committee Member David Lipscomb reported on the Disciplinary Rules and Procedures Committee.
- Executive Committee Member Shiriki Jones reported that the Georgia Bar Journal Editorial Board meeting was canceled in February because there were no legal articles to review. The Board is currently reviewing the legal fiction contest entries. She said the Journal will be publishing four issues a year instead of six.
- Executive Committee Member Shiriki Jones reported that the Georgia Diversity Program Committee recently met and discussed the upcoming business development symposium.
- Executive Committee Member Shiriki Jones said the Law Practice Management Program Committee had their meeting in January. They recently had a highly informative virtual CLE about practical tips on how to elevate your practice and practical marketing tips.
- Executive Committee Member Shiriki Jones reported that the Seeking Equal Justice and Addressing Racism & Racial Bias Committee met in January. They are reviewing their mission to ensure it is aligned with the work of the committee. They are also working on a new topic for their Courageous Conversation series that is slated to take place in March.

Legislative Report

Legislative Consultant Rusty Sewell reported on the State Bar's legislative activities and other bills of interest to the Bar. He said the Fiduciary Section's bill (HB1218) was filed yesterday, which relates to general provisions relative to probate and requires that notice be provided to beneficiaries of a testate estate. HB 947 is a judicial compensation reform proposal to increase compensation received by superior court judges and create the Judicial System Compensation Commission; it has not been taken up yet. HB 1240 seeks to update and modernize various statutes in the commercial code relating to commercial transactions in order to maintain uniformity in this state's statutes governing commercial transactions. It also establishes commercial law for transactions involving digital assets. It is currently in the House hopper. All of the Bar's legislative funding support requests passed out of the house. Not on the Bar's legislative agenda, but of interest to lawyers are: decreasing age of eligibility for retirement benefits for appellate court judges, lawyer advertising, tort reform, and online notary bills.

YLD Report

YLD President Brittanie Browning reported on the recent activities of the Young Lawyers Division. The BOG/YLD Spring Meeting will include many wellness activities, including a kickball tournament that will be held at the Young Harris College campus. As always, the YLD helps assist in finding judges for High School Mock Trial and Moot Court. She encouraged those in attendance to volunteer and spread the word. In honor of International Women's Day, the YLD Women in the Profession Committee and YLD Judicial Law Clerk Committee present "Power Hour Lunch with Women in the Judiciary." The YLD is also hosting a CLE and a Hawks game as a social, and those tickets are sold out.

CLE Rewrite and Rules Changes

Executive Director Damon Elmore reported on the proposed changes to the CLE Rules. Based on the Lawyer Competency Task Force Report, Justice Peterson asked that the Bar look into a longer compliance period and a reduction of required hours. Bar staff have worked on a draft incorporating those items, as well as taking the opportunity to make minimal housekeeping changes.

Summary of the Proposed Changes:

- Moved from an annual CLE requirement to a biennial CLE requirement (every two years).
- First Compliance Period – April 1, 2025, to March 31, 2027. All lawyers will have the same CLE

- deadline every odd year (except new lawyers in TILPP).
- Eliminated reference to a grace period. The deadline is the end of the compliance period. Eliminating the grace period does not mean that the lawyers will be suspended immediately at the end of the compliance period. The CLE Department must notify lawyers of their noncompliance, and give time for the lawyer to make corrections, add courses not on their transcript and pay the CLE late fee for missing the deadline if that is the case. A limited amount of time after the deadline (not advertised) will be given for lawyers to complete their requirement and pay late fees before suspension.
 - CLE Requirement:
 - 18 hours every two years (maximum of 6 CLE hours can be carried from one compliance period to the next).
 - 3 hours of ethics every two years (no ethics carry-over from one compliance period to the next).
 - 2 hours of professionalism every two years (no professionalism carry-over from one compliance period to the next).
 - 3 trial hours every two years (for trial lawyers) (no trial carry-over from one compliance period to the next).
 - Moved all of the exemptions to be in one place under Rule 8-104(d). Previously the exemptions were spread out in three places: Rule 8-102, Rule 8-104(c), and under Regulations to Rule-104(c).
 - Age 70 CLE Exemption:
 - Grandfathered exemption for attorneys who reached age 70 before the effective date of the new CLE rules.
 - Attorneys who reach age 70 after the effective date of the new CLE rules will have to get 9 CLE hours (including 3 ethics hours, 2 professionalism hours and 3 trial hours for trial attorneys).
 - Eliminated trial observation as an activity approved for CLE hours.
 - Removed the portion of the rules that says, “expenses of Commission members shall not be reimbursed.”
 - Moved most of the definitions to the top (Rule 8-102).
 - Changed the CLE late fee to \$200 after the compliance deadline (currently it is \$100) but eliminated the additional CLE late fee of \$150 that is currently in the regulation.
 - TILPP Rules and Regulations were all moved to be under one rule (new Rule 8-105).
 - Changed “sponsor” to “provider” and changed “attorney” to “lawyer” throughout.

Executive Committee Member David Lipscomb did not agree with removing the age 70 exemption. After further discussion of the proposed changes, they will now be added to the Board of Governors Spring Meeting agenda as information.

New Process for Budget Approval

Chief Financial Officer Ron Turner presented a proposed new process for budget approval. The purpose of the proposed bylaw change is to change the timing of the approval of the annual budget from the Annual Meeting to the Spring Meeting. The advantages of changing the timing for approval would be as follows: (1) the approval of the license fees and the budget in the same meeting, (2) a reduction in committee meetings, (3) cohesion with the timing related to the new evaluation process, and (4) creation of more efficiencies within the Accounting Department. This will now be presented as information at the Board of Governors Spring Meeting.

Discussion of Senior Lawyers Division

Secretary Bill Gentry presented a discussion on the possibility of a Senior Lawyers Division and said there's a strong need for it. They discussed a minimum age requirement of 55. Secretary Gentry said that Past President Pat O'Connor appointed him to the Aging Lawyers Task Force that then morphed into a Senior Lawyers Committee. Through those two committees, work was done to focus on succession planning and naming a designated attorney on the dues notice. They created content for the Bar's website to help provide guidance on what steps to take when faced with a sudden health crisis. They worked with the Membership Department and Office of the General Counsel to create a "retired" member status for attorneys who may have a minor Bar complaint against them but would require them to no longer practice law going forward, allowing them to retire with dignity. Secretary Gentry said that he has talked with past and current YLD leaders, and they agree this would provide a great opportunity for mentoring. He said he will report this as an informational item at the upcoming Spring BOG Meeting.

Executive Session

Following a motion, second, and unanimous voice vote, the Executive Committee met in Executive Session to discuss future tenants for the Bar Center. Thereafter, the Executive Committee emerged from Executive Session by unanimous voice vote.

Old Business

There was no old business.

New Business

There was no new business.

Announcements

There were no announcements.

Adjournment

There being no further business, the meeting was adjourned at 4:30 p.m.



William C. Gentry, Secretary

Approved:

