



State Bar
of Georgia

STATE
BAR OF
GEORGIA

STATE BAR OF GEORGIA 2022-23 ANNUAL REPORT



ATLANTA



SAVANNAH



TIFTON



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PRESIDENT'S REPORT



SARAH B. "SALLY" AKINS
2022-23 PRESIDENT

Sarah B. "Sally" Akins served as the 60th president of the State Bar of Georgia for the 2022-23 Bar Year. At the beginning of her presidency, she outlined her goals: foster and promote a renewed commitment to professionalism among Bar members; increase attention to the vast array of member benefits the State Bar provides; redouble efforts to ensure the public is well served by lawyers throughout the state; and enhance continuing legal education programming.

In February, the State Bar of Georgia Professionalism Committee and the Chief Justice's Commission on Professionalism co-sponsored a Signature Professionalism CLE program at the Bar Center. The purpose of the CLE was to examine the history of the professionalism movement in Georgia, explore how Georgia's concepts of professionalism evolved and consider how professionalism impacts Georgia lawyers in today's legal environment.

The professionalism initiative received an unprecedented boost when Gov. Brian Kemp signed a proclamation designating April 2023 as Legal Professionalism Month in Georgia. The purpose of the governor's proclamation was to promote collegiality and professionalism among members of the State Bar of Georgia. The proclamation was the result of exemplary teamwork among the Professionalism Committee, the Chief Justice's Commission on Professionalism and Bar staff, and served as a timely reminder to reinforce our commitment to conducting ourselves in a professional manner. Akins had the honor of attending the governor's signing of the proclamation at the Capitol, along with the Bar leaders and staff who helped make it happen.

One of Akins' top priorities was to enhance the already outstanding continuing legal education program so that it stays up to date and responsive to the needs of all Bar members. Under the direction of Julia Neighbors and with support from the Commission on Continuing Lawyer Competency, the State Bar of Georgia Institute for Continuing Legal Education produces and promotes high-quality, comprehensive and innovative CLEs relevant to Georgia lawyers at affordable costs. ●



Gov. Brian Kemp signed a proclamation designating April 2023 as Legal Professionalism Month in Georgia. (Left to right) Christine Butcher Hayes, former Director of Governmental Affairs, State Bar of Georgia; Carlos Vilela, member, Professionalism Committee, State Bar of Georgia; Damon E. Elmore, Executive Director, State Bar of Georgia; Joshua I. Bosin, member, Professionalism Committee, State Bar of Georgia; Gov. Brian P. Kemp; First Lady Marty Kemp; Sarah B. "Sally" Akins, 2022-23 President, State Bar of Georgia; Karlise Y. Grier, Executive Director, Chief Justice's Commission on Professionalism; and John Lange, member, Professionalism Committee, State Bar of Georgia.

EXECUTIVE DIRECTOR'S MESSAGE



DAMON E. ELMORE
EXECUTIVE DIRECTOR

Dear Members,

We are thrilled to present our second annual, comprehensive report on the complete operations of the State Bar of Georgia. It is with great pride that we offer a broad snapshot of our hard work, showcasing the immense value to you as members. Our mission is to provide you with insights into the benefits and options available, along with addressing the common questions we frequently hear from lawyers across the state.

We made the commitment to build on this report each year, ensuring it is filled with clear, easy-to-read, transparent, relevant and robust data and statistics. We are grateful to our managers and to our Communications Department for gathering the tracked data and presenting it in this format.

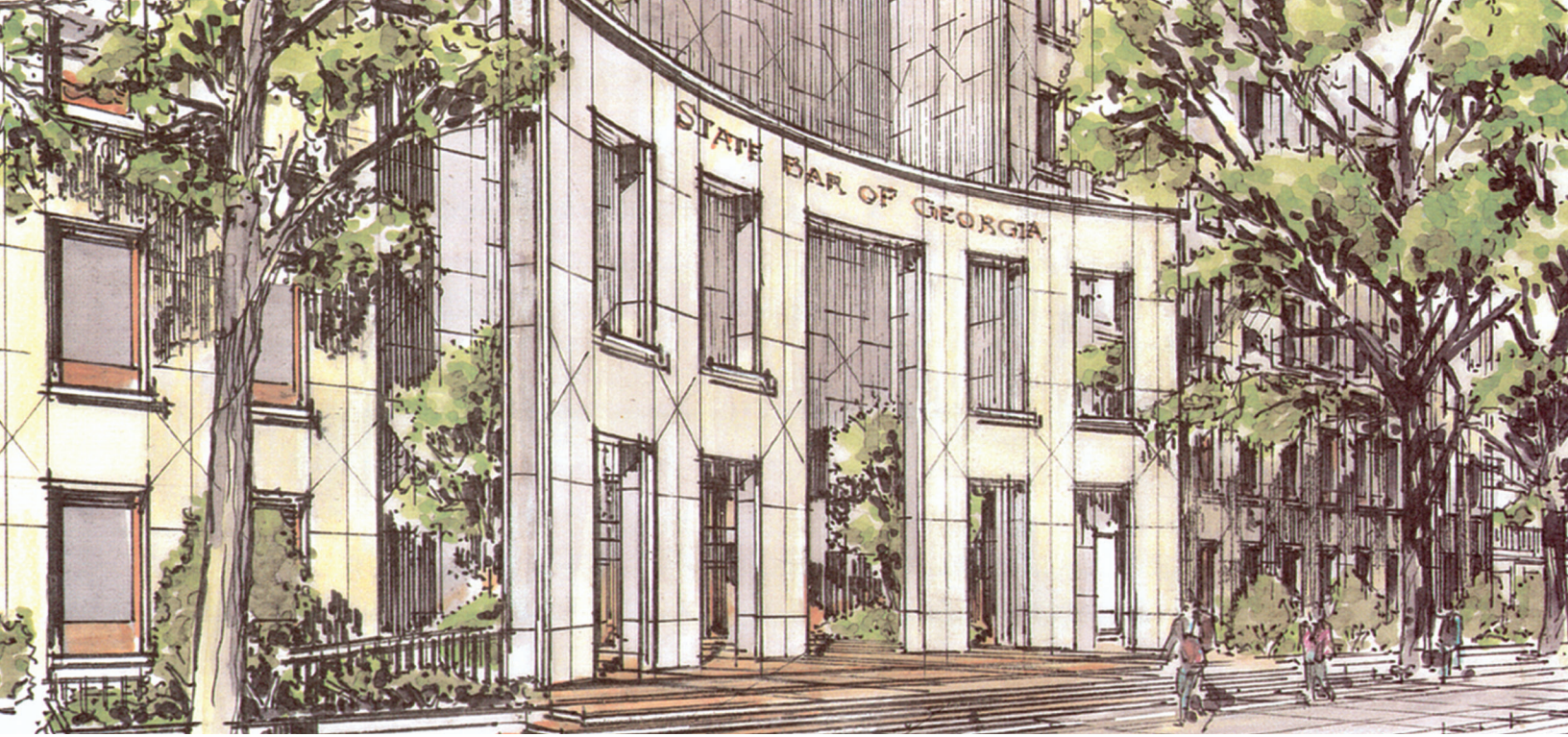
Your feedback is invaluable to us. If there is something significant that we may have overlooked, let us know. We are dedicated to continuous improvement, and your insights will help us further refine our efforts.

We are grateful for the leadership, influence and support of our 2022-23 President Sarah B. "Sally" Akins, the Board of Governors and our volunteer leaders in accomplishing our goals. The results on the next several pages and our momentum going forward, reflect the underlying strength, commitment and unwavering dedication of our staff and volunteers. We remain laser focused on protecting the public, advancing the science of law, and improving the administration of justice and quality of legal services.

We will take this momentum into the new Bar year to support President Hon. J. Antonio "Tony" DeCampo and his attention to ensuring our facilities and systems are in good order and that Bar resources are appropriately allocated for this year and beyond.

We are equally grateful to all of our other volunteer leaders, as well as our liaisons with the Supreme Court of Georgia—Justice Sarah Warren and Justice Charlie Bethel—for their influence and guidance, too. We embrace the challenges that may lie ahead and remain resolute in our pursuit of becoming better with each passing day. DEE ●

Sincerely,



WHAT WE DO

The State Bar of Georgia exists to foster among the members of the Bar of this state the principles of duty and service to the public; to improve the administration of justice; and to advance the science of law. All persons authorized to practice law in this state are required to be members.

The Bar has strict codes of ethics and discipline that are enforced by the Supreme Court of Georgia through the State Bar’s Office of the General Counsel. Membership license fees and other contributions help the Bar provide programs that are mutually beneficial to its members and the general public. ●

TOTAL # OF STAFF

105 FULL TIME EMPLOYEES **8** PART TIME EMPLOYEES

MEMBER BENEFITS

FASTCASE LEGAL RESEARCH

Fastcase is provided free to all members and includes a comprehensive, national law library on your computer/tablet/smartphone, with online access to cases, statutes, regulations, court rules and bar publications.

STATE BAR PARKING DECK

Free parking is available to all Bar members and is open Monday–Friday from 6:30 a.m. to 7 p.m. Free parking is also available on night and weekends with a Bar card.

LICENSE FEE — **\$260**
FOR ACTIVE MEMBERS

TOTAL # OF BAR MEMBERS

54,268

Georgia’s license and other mandatory fees rank **7th** lowest among 33 mandatory bar associations.

AVERAGE # OF FASTCASE USERS PER MONTH

2,500

GEORGIA IS THE MOST ACTIVE OF 47 STATE BARS OFFERING FASTCASE AS A MEMBER BENEFIT. **MORE THAN HALF OF OUR MEMBERS HAVE USED FASTCASE**



MEMBER BENEFITS (CONTINUED)

MEMBER BENEFITS, INC.
gabar.memberbenefits.com



Member Benefits, Inc., is the recommended broker of the State Bar of Georgia, Health, Dental & Vision Plans, plus Long-Term Disability & Long-Term Care. From July 1, 2022, through June 30, 2023, there were 2,155 total enrollments in various individual insurance products and 457 enrollments in employer insurance products in the past year.

ONLINE VENDOR DIRECTORY

gabar.org/attorneyresources/discountsforattorneys

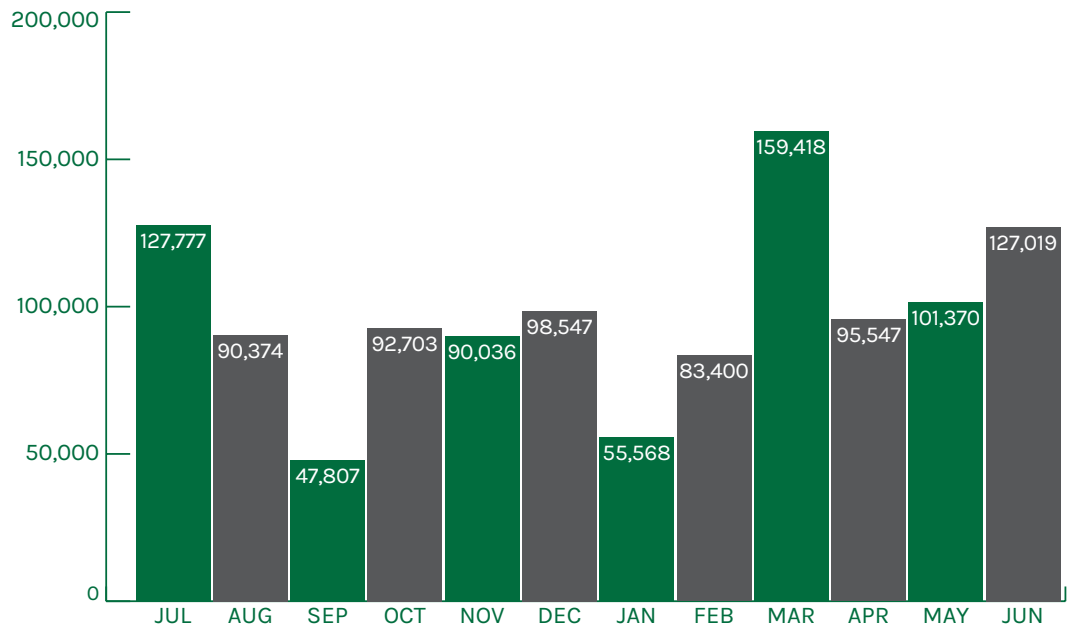
The Online Vendor Directory provides a directory of practice-related products and services; many offer discounts to Bar members.

RELIAGUIDE
gabar.reliaguide.com/home



ReliaGuide with its FindaLawyer directory serves as the Bar's enhanced member directory that offers members the ability to create a profile with a photo, up to three practice areas, education, contact and license information at no cost. An expanded profile is available for only \$8 a month. From July 1, 2022, through June 30, 2023, the directory has facilitated 1,169,566 lawyer searches. Interactions (views and clicks) with member profiles total 754,133 including 6,592 contact form requests and 25,630 clicks on lawyer phone numbers and emails.

NUMBER OF LAWYER SEARCHES FACILITATED JULY 1, 2022–JUNE 30, 2023



MEMBERSHIP SERVICES

The State Bar of Georgia offers a wide range of services and programs that benefit Bar members. Members are encouraged to familiarize themselves with these services and programs, and are welcome to contact the staff members listed for further information. For more information on these programs and services, please visit www.gabar.org. ●

BAR CONFERENCE CENTER | ATLANTA

404-419-0155 | conferencecenter@gabar.org

The State Bar of Georgia Conference Center is available for use by Bar members and legal organizations. With the recent increase in the request for virtual offerings, the Conference Center is well-equipped to handle set-up for a number of virtual platforms (webinars, Zoom meetings, etc.), in addition to the more traditional meeting formats. ●

TOTAL # OF UNIQUE MEETING ROOMS

13  CAN HOST 2-200 ATTENDEES



Currently the Conference Center's average attendance is **1,700** per month.

Pre-pandemic estimates showed that the Conference Center averaged approximately 500 attorneys monthly.



COMMUNICATIONS

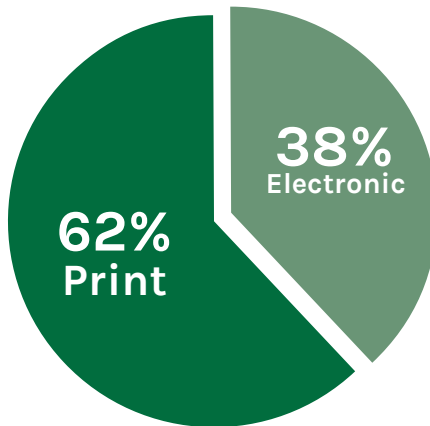
404-527-8761 | communications@gabar.org

The Bar's publications and media relations are coordinated by this department and various committees. This department is also responsible for maintaining the State Bar of Georgia website. The *Georgia Bar Journal* is published bi-monthly. The department also handles a majority of the social media content for the Bar, coordinates the annual awards program and provides staff support for the Attorney Wellness Committee. ●

GEORGIA BAR

JOURNAL

Distribution



www.gabar.org

WEBSITE STATS



Desktop
80.3%



Mobile
19.2%



Tablet
.05%

Average Session Duration
2 minutes 39 seconds

Total Sessions | **2,269,935**

- > Home | **1,103,188 (48.6%)**
- > Member Search | **372,269 (16.4%)**
- > Member Search Results | **104,417 (4.6%)**
- > Member Login | **63,558 (2.8%)**
- > Georgia Rules of Professional Conduct | **38,589 (1.7%)**
- > Continuing Legal Education | **31,779 (1.4%)**

Top Three Public Pages Visited

- > Legal Aid
- > Find a Lawyer
- > File a Complaint

SOCIAL MEDIA

BY THE NUMBERS



LINKEDIN

3,802 page views
 1,682 unique visitors
 147 custom button clicks

Interaction peaked in October 2022 with 22,017 organic impressions, a 60% increase over September 2022. Lowest interaction came in August 2022 with only 1,179 impressions. From August 2022 to August 2023, the Bar's LinkedIn account garnered 3,239 reactions, 137 comments and 224 reposts.

OF FOLLOWERS

FACEBOOK

7.7K

+200 since 2021-22

INSTAGRAM

2,007

+206 since 2021-22

LINKEDIN

7,612

+1,222 since 2021-22








X (TWITTER)

6,978

+123 since 2021-22

LinkedIn: 60% of followers are from the greater Atlanta area and are primarily those in the legal or business development fields. Facebook audience is split 65% women to 35% men and consists of 7,700+ followers.

CONNECT WITH THE STATE BAR

-  gabar.org
-  @statebarofgeorgia
-  @StateBarofGA
-  flickr.com/statebarofgeorgia
-  @statebarofga
-  @/state-bar-of-georgia
-  @StateBarOfGeorgia



GEORGIA LAWYERS LIVING WELL

LAWYERS LIVING WELL

lawyerslivingwell.org

The State Bar of Georgia established Lawyers Living Well to promote health and wellness among members and staff, identify factors that impact the physical and emotional well-being of attorneys, develop work-life balance CLE programs, increase awareness of existing Bar programs that deal with such issues, and accumulate information and educate members about wellness issues and resources. Attorney Wellness Committee members are actively dedicated to achieving the goals of the wellness initiative and, in the process, seek to assist all Bar members in their wellness journey.

The Attorney Wellness Committee supports attorneys by providing a space for lawyers to manage their well-being through the resources offered by the physical, mental and social well-being subcommittees. These programs are promoted through the State Bar's social media platforms with content from the Media and Print Subcommittee. ●



American
Foundation
for Suicide
Prevention



OUT OF THE
DARKNESS
Community Walks

\$10,000

In 2022, the State Bar of Georgia Lawyers Living Well Team helped sponsor the annual Out of the Darkness Walk in Atlanta, and raised \$10,000. Every dollar raised through the community walks allows the American Foundation for Suicide Prevention to invest in life-saving research, education, advocacy and support for those impacted by suicide.

WELLNESS BY THE NUMBERS

SOCIAL MEDIA POSTS

48

GEORGIA BAR JOURNAL ARTICLES

6

ENEWS POSTS

10

PODCASTS RECORDED

4



CONTINUING LEGAL EDUCATION REGULATION


404-527-8710 | cle@gabar.org

This program operates under the Commission on Continuing Lawyer Competency and assists attorneys with keeping track of their CLE hours through an online CLE transcript that can be viewed by the attorney any time at www.gabar.org. The CLE requirement is designed to enhance members' professional competence as lawyers. Active lawyers are required to keep current on the law by attending a minimum of 12 hours of education each year. Of these 12 total

hours, at least 1 hour must be in ethics, 1 hour must be in professionalism and for trial attorneys 3 hours must be in litigation. Attorneys can complete these 12 CLE hours by an approved CLE program attended either in-person or through a distance learning format. In addition to CLE programs, attorneys can receive CLE hours each year for coaching or judging a high school mock trial team, authoring a published legal article or observing a trial. ●

IN 2022


 449,401 hours of CLE were attended by Georgia lawyers.
+43,564 since 2021-22


 925 CLE providers submitted courses for CLE approval.
+169 since 2021-22

OF CLE COURSES APPROVED FOR CLE CREDIT

17,350

OUT OF 33,829 ATTORNEYS WITH A CLE REQUIREMENT ...

 <0.1% attorneys were suspended for noncompliance.



FEE ARBITRATION

404-527-8750 | feearbitration@gabar.org

The Fee Arbitration Program provides a convenient mechanism for resolving fee disputes between attorneys and clients. It also provides for the resolution of fee disputes between lawyers resulting from a partnership dissolution, sharing of fees or the withdrawal of a lawyer from a partnership.

The program is administered by the Committee on the Arbitration of Attorney Fee Disputes, which includes six lawyer members and three public members who each serve a three-year term.

To initiate the process, a petition form supplied by the staff must be completed. A majority of the petitions are filed by the client, however a lawyer may also initiate the process. Every case is reviewed by the committee to determine whether to accept jurisdiction for a hearing.

Hearings are held across the state by a panel of three volunteer arbitrators comprised of two lawyers and one public member. Each panel hears multiple cases with most arbitrators serving an entire day.

Since the first arbitration award was entered on Oct. 17, 1980, the program has been involved in thousands of fee disputes, arbitrating many and facilitating settlement by the parties in many other cases. To a great extent, the program's success is attributable to the dedicated efforts and sound judgment of hundreds of lawyer and public members throughout the state who have volunteered to serve without compensation as arbitrators under the program. ●

JULY 1, 2022 - JUNE 30, 2023

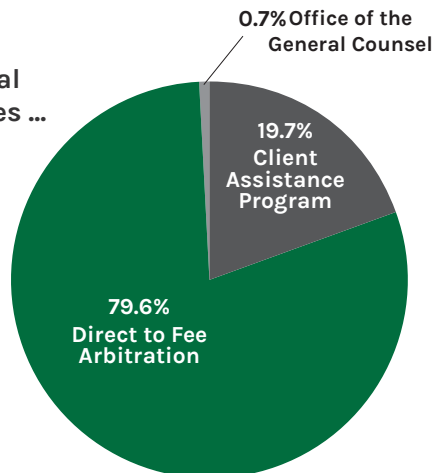


1,242 Petitions mailed
+62 since 2021-22



Some fee disputes received via phone were resolved informally by the Fee Arbitration staff without the filing of a Petition.

Referral Sources ...



Petitions are filed in many fields of law with the following producing the most cases:

Criminal Law | 26%
Family Law | 24%



Amounts in controversy vary widely from nominal sums to fees as high as **\$69,015.19**, with the average case involving **\$8,886**.

FINANCE

404-527-8748 | ront@gabar.org

FY 2023 FINANCIAL SUMMARY

The State Bar achieved a financial surplus during the Bar year ended June 30, 2023. The State Bar's net assets are estimated to be in the range of **\$35 million** to **\$37 million**. The Bar's year end is June 30, and as such, this amount is estimated. The State Bar operates without any debt.

APPROVED FY 2023 BUDGET

The State Bar Board of Governors approved a surplus budget for the year ended June 30, 2023, of **\$65,667**.

MANAGEMENT'S RESPONSIBILITY

The State Bar of Georgia's management is responsible for the information provided in the Financial Report. The basic financial statements and related notes are audited by an independent accounting firm in accordance with auditing standards generally accepted in the United States of America.



\$794,655

Amount raised by Georgia lawyers for the "And Justice for All" State Bar Campaign for Georgia Legal Services Program.

April 1, 2022 – March 31, 2023



GEORGIA DIVERSITY PROGRAM

404-219-8174 | gadiversityprogram@gmail.com

The Georgia Diversity Program (GDP) promotes diversity in the legal profession throughout Georgia. The program provides CLEs, pipeline programs and other programs that ensure lawyers can thrive regardless of their race, ethnicity, gender, national origin, sexual orientation or status as having a disability. GDP is made up of corporate legal departments, law firms and government entities who pay annual dues and drive our programming. In addition to the programming, GDP meets every other month to plan events and discuss diversity issues in the law. ●

HIGH SCHOOL PIPELINE PROGRAM

In July 2022, the Georgia Diversity Program resurrected its annual High School Pipeline Program. For almost two weeks, 10 ambitious students gathered daily at Atlanta's John Marshall Law School's new location in Peachtree Center. Led by their teacher, Valorri Jones, the scholars worked diligently on their writing and their verbal presentation skills. Each day, the students went to a different law firm or corporate legal department to have lunch and to hear from the attorneys on an array of topics.

SPECIAL THANKS TO

Akerman
Atlanta's John Marshall Law School
Balch & Bingham
City of Atlanta Department of Law
Equifax
Georgia Power
Leadership Institute for Women
of Color Attorneys
Parker Hudson
Swift Currie
Troutman Pepper

Programming is supported by Georgia Diversity Program member firms. We are grateful to these firms, a list of which can be found at www.gabar.org/diversity, for their continued support and acknowledge that without their dedication, the work of the program would not be possible.



GEORGIA HIGH SCHOOL MOCK TRIAL COMPETITION

404-527-8779 | mocktrial@gabar.org

Georgia High School Mock Trial (HSMT), recognized throughout the nation as one of the strongest state HSMT programs, oversees an annual statewide competition of more than 100 schools (1,500+ students). Participating teams come from every region of Georgia, Valdosta to Dalton and Savannah to Columbus. Mock trial develops and enhances vital life skills such as public speaking, critical thinking and teamwork, while providing participants with practical knowledge of our legal system. The competition relies on many thousands of volunteer hours by members of the State Bar and especially the

Young Lawyers Division. Volunteer lawyers coach teams, coordinate and run the competition, write the case and staff the panels that judge rounds.

The program also conducts Law Academy, a three-day program each September, designed to empower the top mock trial students with trial practice and leadership skills they can take back to their teammates. The faculty of Law Academy consists of highly experienced judges and trial lawyers. ●

MOCK TRIAL BY THE NUMBERS

www.georgiamocktrial.org

2023 Season (our 35th)

- 1,564 students (+80 since 2022)
- 120 schools (+20 since 2022) in 38 counties
- 354 coaches: judges, attorneys, teachers

Districts

- 54 teams (+12 since 2022)
- 9 locations (+2 since 2022) across the state
- 150+ judges and attorneys on judging panels

The 2023 State Champion, **Jonesboro High School** in **Clayton County**, represented Georgia at the National High School Mock Trial Championship in Little Rock, Arkansas. Jonesboro finished 18th of 47 competing teams.

Regions

- 110 competing teams
- 17 locations (+3 since 2022) across the state
- 500+ judges and attorneys on judging panels

State Finals

- 18 (+2 since 2022) teams
- 81 (+19 since 2022) attorneys and judges on judging panels
- Five rounds (+1 since 2022) over two days to crown one State Champion.

CONNECT WITH HSMT



@GeorgiaMockTrial



@GA_MockTrial





GOVERNMENTAL AFFAIRS | LEGISLATIVE PROGRAM

www.gabar.org/LEG

The State Bar's Legislative Program advocates legislation at the Georgia General Assembly that regulates the legal profession and improves the quality of legal services. Beginning in September 2022 and continuing through early January 2023, the State Bar's sections and committees presented legislative proposals to the Advisory Committee on Legislation and the Board of Governors to vet and approve the State Bar's legislative package.

During the 2023 legislative session, the Legislative Program successfully lobbied to pass the **Uniform Unsworn Declarations Act**, as well as legislation modernizing the **Nonprofit Corporations** chapter of the Georgia Code and revising Code provisions for **curing defective deeds and other instruments in real property transactions**, in addition to a proclamation by the governor recognizing April 2023 as **Legal Professionalism Month**.

The State Bar also supported enhanced appropriations for civil legal services grants for medical legal partnerships (**\$200,000**), legal aid grants for victims of domestic violence (**\$3 million**), kinship care legal services (**\$750,000**) and the Georgia Appellate Practice and Educational Resource Center (**\$800,000**).

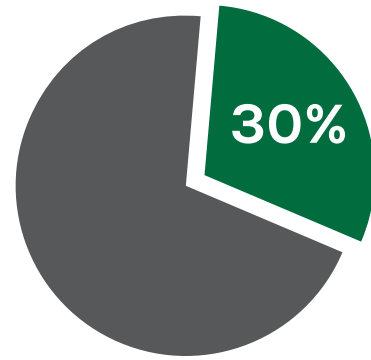
The State Bar's legislative consultants shared feedback from section experts with members of the General Assembly to proactively improve legislation in highly specialized areas of the law. For more information about the 2023 legislative session, including an overview of the State Bar Legislative Agenda, visit www.gabar.org/LEG. ●

The State Bar of Georgia's Legislative Program is exclusively funded by voluntary contributions from our members. Any official position by the State Bar of Georgia, including its sections and committees, must follow the process outlined in Standing Board Policy 100, www.gabar.org/SBP100, and meet the standards set out by the U.S. Supreme Court in Keller v. State Bar of California. The State Bar and affiliated entities cannot take an official position on legislation without following these policies and standards.

INSTITUTE OF CONTINUING LEGAL EDUCATION

678-529-6688 | icle@gabar.org

The Institute of Continuing Legal Education of the State Bar of Georgia (ICLE) was established to promote a well-organized, properly planned and adequately supported program of continuing legal education by which members of the legal professional may enhance their skills, keep abreast of developments in the law, ethics and professionalism, engage in the study and research of the law, and disseminate the knowledge thus obtained. For more information about upcoming CLE programs, please visit icle.gabar.org. ●



ICLE registrations account for nearly **30%** of total CLE hours reported to the CLE Regulation Department.



OF LOCALES THAT HOSTED ICLE PROGRAMS

8 Athens • Atlanta • Avon, Colorado
Amelia Island, Florida • Jekyll Island
Macon • Savannah • St. Simons Island



OF PROGRAMS HELD OUTSIDE ATLANTA

15

AMELIA ISLAND, FLORIDA (3)
ATHENS (3) AVON, COLORADO (1)
JEKYLL ISLAND (1) MACON (2)
SAVANNAH (3) ST. SIMONS ISLAND (1)

OF VENUES THAT HELD ICLE PROGRAMS

13

INCLUDING THE BAR CENTER

765

ICLE PROGRAM CHAIRS AND SPEAKERS



OF HOURS OF EDUCATIONAL PROGRAMMING PRODUCED

467

COVERING **54** PRACTICE AREAS



OF CLE PROGRAMS

69

INCLUDING **12** INSTITUTES



In September 2022, ICLE offered **Wellness and the New Normal**, a complimentary course with 6 hours of CLE credit, including 1 professionalism hour and 1 ethics hour.



1,481

MEMBERS COMPLETED THE LIVE PROGRAM



3,895

MEMBERS COMPLETED THE ON-DEMAND PROGRAM



@iclega



@statebargaicle



@iclega

LAW PRACTICE MANAGEMENT

404-527-8770 | lpn@gabar.org

The Law Practice Management Program provides Georgia lawyers with the strategy and support they need to start, scale or shut down their law practice with less stress. Through our resource library, vendor directory, toolkits, webinars, consultations and Take Charge! Solo & Small Firm Conference, we help lawyers and their teams leverage technology, data and strategy to run a modern, successful and sustainable law practice. Our dedicated team is committed to providing you with the tools you need to practice well. ●

IN 2022-23, MORE THAN ...

231

STARTUP KITS
DISTRIBUTED

163

attorneys attended
2023 Take Charge!
Solo & Small Firm Conference.

1,422

books in the
Resource
Library.

OF GENERAL
CONSULTATIONS

21

OF TECHNOLOGY
CONSULTATIONS

21



OF MEMBERS SERVED

489

+180 since 2021-22



OF SPEAKING
ENGAGEMENTS

7

CONNECT WITH LPM



gapracticeadvisor.com



[/law-practice-management](https://www.linkedin.com/company/law-practice-management)



[@gabarlpn](https://www.instagram.com/gabarlpn)

LAW-RELATED EDUCATION

404-527-8785 | lre@gabar.org

The Law-Related Education (LRE) Program offers K-12 teachers a wide variety of strategies for including LRE in their social studies, law, business and public safety curricula, as well as suggestions for relating LRE to language arts, science and math curricula. The program also offers the free interactive field trip known as Journey Through Justice (JTJ) for students in grades 4-12; maintains the

Virtual Museum of Law at www.thelawmuseum.org; provides lesson plans, classroom resources and links to current events on more than 60 legal topics via online LiveBinders at www.livebinders.com/s/175847; conducts teacher workshops; presents at teacher and parent conferences; and sponsors the ABA Civics and Law Honor Roll for Georgia high school students. ●

OF JTJ FIELD TRIPS IN 2022-23

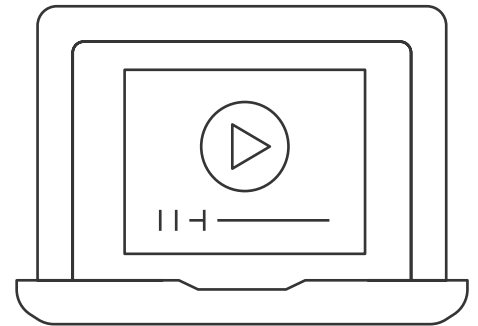
111

OF STUDENT PARTICIPANTS IN JTJ IN 2022-23

7,047

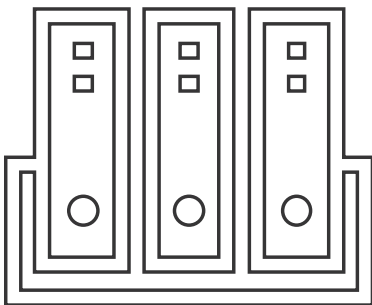
VIRTUAL MUSEUM OF LAW | TOP 5 VIDEOS BASED ON NUMBER OF VIEWS

VIDEO	# OF VIEWS	CHANGE FROM '22
"Brown v. Board of Education"	429,466	↑ 12%
"Marbury v. Madison"	276,010	↑ 15%
The Lizzie Borden Case	112,155	↑ 13%
The Amistad Case	93,786	↑ 12%
The Scopes "Monkey" Trial	85,399	↑ 14%



TOTAL # OF VIEWS OF ALL VIRTUAL MUSEUM OF LAW VIDEOS TO DATE

1,708,818



TOTAL # OF VIEWS OF ALL LIVEBINDERS TO DATE

121,241

LIVEBINDERS | TOP 5 LIVEBINDERS BASED ON NUMBER OF VIEWS

LIVEBINDER	# OF VIEWS	CHANGE FROM '22
"Hands Up, Don't Shoot" Free Press or Fair Trial	10,283	↑ 7%
First Amendment: Freedom of Speech, Press and Assembly	5,257	↑ 61%
General Cruel and Unusual Punishment Resources	3,743	↑ 25%
The Lizzie Borden Case	3,471	↑ 8%
The John Peter Zenger Trial	3,427	↑ 20%

LAWYER ASSISTANCE PROGRAM (LAP)

Confidential Hotline | 800-327-9631

The LAP provides a broad range of confidential helping services to members seeking assistance with depression, anxiety, stress, alcohol/drug abuse, family problems, workplace conflicts, psychological and other issues. Members may contact LAP for confidential assistance 24 hours a day, 7 days a week, by calling 800-327-9631.



Lawyers Helping Lawyers is a volunteer peer support program created by the LAP to give additional tools to members who might benefit from a peer to talk to about the difficulties in their lives. Peer support generally involves people sharing similar experiences with an illness or condition. Drawing on the unique shared experience of practicing law, others may volunteer as well. Bar members who volunteer to become a peer can receive CLE credit for their training. ●

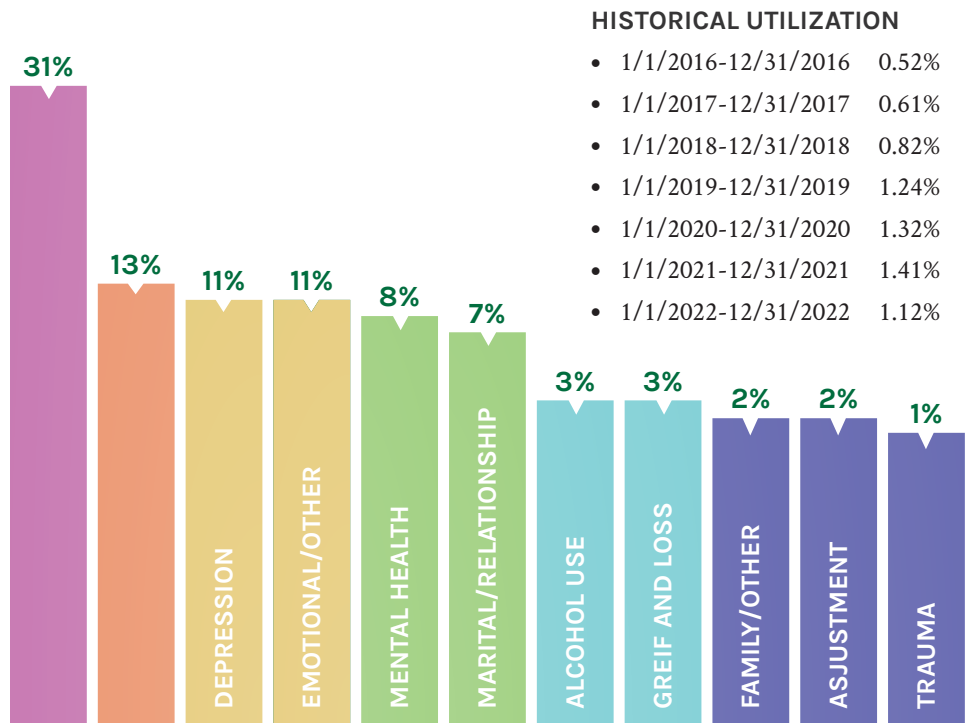
UTILIZATION STATS (JULY 1, 2022-JUNE 30, 2023)

EAP CASE COUNT	ACTIVITIES	HOURS
576*	3,589**	1,586.05***

*Includes the total number of files, organizational services, information calls, etc., that have an open/service date that falls between (and includes) the reporting period date range.

**The total activities (contacts) from files, organizational services, information calls, etc., that have an activity date that falls between (and includes) the reporting period date range.

***The total duration from all activities that have an activity date that falls between (and includes) the reporting period date range.



HISTORICAL UTILIZATION

- 1/1/2016-12/31/2016 0.52%
- 1/1/2017-12/31/2017 0.61%
- 1/1/2018-12/31/2018 0.82%
- 1/1/2019-12/31/2019 1.24%
- 1/1/2020-12/31/2020 1.32%
- 1/1/2021-12/31/2021 1.41%
- 1/1/2022-12/31/2022 1.12%

PRIMARY PRESENTING PROBLEMS*

* as reported by caller



2022-23 BOARD OF GOVERNORS MEETINGS*

FALL 2022 | OCT. 1
VIRTUAL
151 Attendees

MIDYEAR 2023 | JAN. 12-14
ATLANTA, GA
608 Attendees

SPRING 2023 | MARCH 24-26
PINE MOUNTAIN, GA
266 Attendees

ANNUAL 2023 | JUNE 8-11
SAVANNAH, GA
590 Attendees

**Attorney registrants only (does not include guests).*

MEETINGS

404-527-8713 | meetings@gabar.org

The Board of Governors holds at least four meetings each year—Fall, Midyear, Spring and Annual. At the Midyear Meeting in January and the Annual Meeting in June, Georgia attorneys can take part in networking, educational programs and professional development. CLE presentations and meetings of committees, sections, alumni and law-related organizations are held, and exhibits by law-related vendors are included. The Meetings Department also plans and executes monthly Executive Committee Meetings, including an annual joint meeting with the Supreme Court of Georgia. ●

MEMBERSHIP

404-527-8777 | membership@gabar.org

The Membership Department’s mission is to meet the needs of Bar members by providing quality service, either by interacting on the phone, email or in person. To handle all of the assigned membership activities, approximately 75 calls and 60 emails are received and responded to each day.

The primary key to quality service is the timely and accurate maintenance of the database containing the information for all attorneys. Changes to the database can be done by the member online or by submitting any changes to the Membership Department. The information is utilized to respond to questions regarding this information from both the general public and the members. ●

The Department is staffed with five individuals dedicated to meeting the needs of our core base of **54,000** members.

CORE MEMBERSHIP CATEGORIES INCLUDE { ACTIVE INACTIVE EMERITUS }

and grows at a rate of approximately 1,100 new members each year.



In a typical year, more than **16,000** changes are processed in the database.

150 Photo IDs are processed per year.

Bar cards provided average around **1,200** annually.

Approximately **1,100** enrollment packages are processed yearly.

Approximately **3,500** Letters of Good Standing are ordered annually.

OF ANNUAL MEMBERSHIP LICENSE FEES INVOICED AND PROCESSED EACH YEAR

49,669 (approximately)

In addition to the categories indicated above, the department provides service to other membership categories such as, **Students, Affiliates, Provisional, Resigned, Retired, Disabled, Suspended, Disbarred** and **Terminated**. These membership categories make up an additional **7,172** members.



ANNUAL BOARD OF GOVERNORS ELECTION

Staff oversee the election process for **152** candidates; are responsible for verifying petitions; creating the ballots; providing information to the Communications Department to post and share on the website and through email; and ensuring all votes are cast by the deadline. The assistant director serves as the Elections Committee staff liaison and runs periodic committee meetings to modify elections rules when needed.

SATELLITE OFFICES

COASTAL GEORGIA OFFICE | SAVANNAH

912-239-9910 | 877-239-9910 | kindalh@gabar.org

The Coastal Georgia Office of the State Bar of Georgia provides Savannah-Metro Area attorneys more direct access to the Bar. Our facility is often used to provide space for CLE opportunities, depositions, mediations and client meetings. Our facility is a popular “halfway” meeting point for attorneys from Southeast Georgia, South Carolina or Florida to meet with those from Atlanta and other areas. Mediators like using this office because of its neutrality—mediations of varied sizes are frequently scheduled here.

Many solo practitioners enjoy having an impressive space to use when meeting with their clients. Our members also benefit from the ability to use video-conferencing and other available technologies as a means to conduct business with distant offices. These technologies allow more access to various meetings without additional travel and/or overhead costs. Some of the local bar associations, the Savannah Bar and the Port City Bar specifically, have occasionally used our facility for their monthly meetings or other events, such as meet and greets or awards ceremonies. One of our main activities is assisting public consumers by phone. Whether it is directing them to the Bar’s website for attorney referrals, or transferring them to the appropriate department, in the Atlanta office, that can best assist them with their requests. We are very often the first interaction a member of the public has with the State Bar of Georgia. ●

IN EARLY DECEMBER 2022, THE COASTAL GEORGIA OFFICE RELOCATED FROM EAST BAY STREET TO ITS NEW HOME AT 7402 HODGSON MEMORIAL DRIVE.



OF HEARING ROOMS

2 Each can accommodate four people.

OF CONFERENCE ROOMS

2 One can accommodate 30 people classroom style, the other can accommodate 10-12 conference style.

THERE IS ALSO A SPACIOUS GUEST OFFICE AVAILABLE FOR MEMBERS’ USE.

SOUTH GEORGIA OFFICE | TIFTON

229-387-0446 | 800-330-0446 | lacarar@gabar.org

The South Georgia Office located in Tifton serves more than 450 guests annually. Attorneys from across the state utilize the office for depositions, mediations, hearings, client meetings and continuing legal education programs. The space is also used for small receptions, socials, business meetings and other law-related training. The office is a well-liked meeting space because of its location, as Tifton is a connecting point for several major transportation routes including I-75 and several U.S. highways.

The Tifton office has two conference rooms equipped with Aver IP-based video conferencing systems and other technology to offer a broad array of virtual conferencing options. One unit is permanently fixed in our main conference room, with two mobile units for use in the small conference room and as a backup. An office serves as a dedicated workspace for attorneys and a private space to meet with clients.

Our staff accommodates space requests and works diligently responding to inquiries and correspondence from both lawyers and consumers by phone, mail and in person. We also work closely with the Tift Judicial Circuit Bar Association organizing meetings and events and engaging with the community. The South Georgia Office is committed to providing excellent customer service and helping members foster greater connection with the State Bar of Georgia. ●

COASTAL GEORGIA OFFICE STATISTICS JULY 2022 TO JUNE 2023

	Year Total	Yearly %	% Change from 21-22
Client/Misc. Meetings	20	17%	(25%)
Depositions	44	38%	52%
Mediation/Arbitration	26	23%	4%
Walk-ins	20	17%	567%
CLE Opportunities/Training	5	5%	0%
Total Events	115	100%	24%
Total # People Using Facility	513		30%

*Note: Miscellaneous Meetings include video conferences, hearings and focus groups.



Telephone Engagement
643 inbound
592 answered
 *Data captured February through June 2023



MEMBERS SUPPORTED INCLUDE THOSE FROM:

ADEL ALBANY AMERICUS ATLANTA BAINBRIDGE BUFORD CHARLESTON (SC) COLUMBUS CORDELE DAWSON DOUGLAS FITZGERALD HOMERVILLE JACKSONVILLE (FL) JONESBORO LEESBURG MACON MOULTRIE NASHVILLE OCILLA PERRY POOLER SAVANNAH SYLVESTER TALLAHASSEE (FL) THOMASVILLE TIFTON VALDOSTA WARNER ROBINS WATKINSVILLE WAYCROSS

SOUTH GEORGIA OFFICE STATISTICS JULY 2022 TO JUNE 2023

	Year Total	Yearly %	% Change from 21-22
Client/Misc. Meetings	14	8%	(36%)
Depositions	44	24%	33%
Mediation/Arbitration	5	3%	(29%)
Walk-ins	119	64%	(8%)
CLE Opportunities/Training	4	1%	0%
Total Events	186	100%	(5%)
Total # People Using Facility	498		8%

*Note: Miscellaneous Meetings include video conferences, hearings and focus groups.



Telephone Engagement
323 inbound
242 answered
 *Data captured February through June 2023. The office is operated with one full-time person March through June.



MEMBERS SUPPORTED INCLUDE THOSE FROM:

ALPHARETTA ATLANTA BRUNSWICK COLUMBUS GAINESVILLE HINESVILLE KNOXVILLE (TN) LEXINGTON (KY) MACON MARIETTA METAIRIE (LA) POOLER RICHMOND HILL RINCON SAVANNAH SNELLVILLE STATESBORO TALLAHASSEE (FL) TOWNSEND WASHINGTON, D.C.

SECTIONS

404-527-8782 | sections@gabar.org

Sections are voluntary, non-appointed groups within the State Bar. Sections provide specialized services and information to their members in their respective areas of the law. Section leaders determine and plan educational, community service and networking programs. Leadership is responsible for disseminating pertinent information about such events to their members. The sections team can assist in all these areas. Sections are as active as their memberships demands. All members in good standing of the State Bar of Georgia are eligible for membership upon annual payment of section dues, which vary by section. It is important to note, however, that only active members of the State Bar of Georgia are entitled to nominate a member for office or hold office in a section.

Sections produce both accredited and non-accredited CLE programs for their members at a reduced fee.

OF STATE BAR SECTIONS

51

Throughout the 2022-23 Bar year, there were **92 CLE** accredited hours offered through the various sections. Along with general hours of credit earned, specialty credits were also offered. Approximately **2,548** members were able to meet their continuing legal education requirements.



While the majority of the 51 sections stay active throughout the Bar year, the largest sections continue to be consistently active:

- > **Real Property Law** | 3,202 members (+3 since 2022)
- > **Insurance Law** | 2,393 members
- > **Family Law** | 1,959 members
- > **General Practice & Trial Law** | 1,884 members
- > **Corporate Counsel** | 1,865 members (+113 since 2022)
- > **Business Law** | 1,757 members
- > **Criminal Law** | 1,454 members
- > **Labor & Employment Law** | 1,338 members (+47 since 2022)
- > **Intellectual Property Law** | 1,253 members
- > **Fiduciary Law** | 1,196 members (+3 since 2022)

TRANSITION INTO LAW PRACTICE PROGRAM

404-527-8704 | tilpp@gabar.org

The Transition Into Law Practice Program (TILPP) is the mentoring and continuing legal education program for lawyers newly admitted to the State Bar of Georgia, unless exempted. The goal of TILPP is to afford beginning lawyers with meaningful access to experienced lawyers equipped to teach the practical skills, seasoned judgment, and sensitivity to ethical and professionalism values necessary to practice law in a highly competent manner.

Lawyers enrolled in TILPP satisfy the mentoring component by enrolling in one of three types:

1 Inside Mentoring

For an attorney who works in a law firm or organization and has a mentor within that firm or organization.

2 Outside Mentoring

For an attorney who is a sole practitioner with a mentor from another firm or organization.

3 Group Mentoring

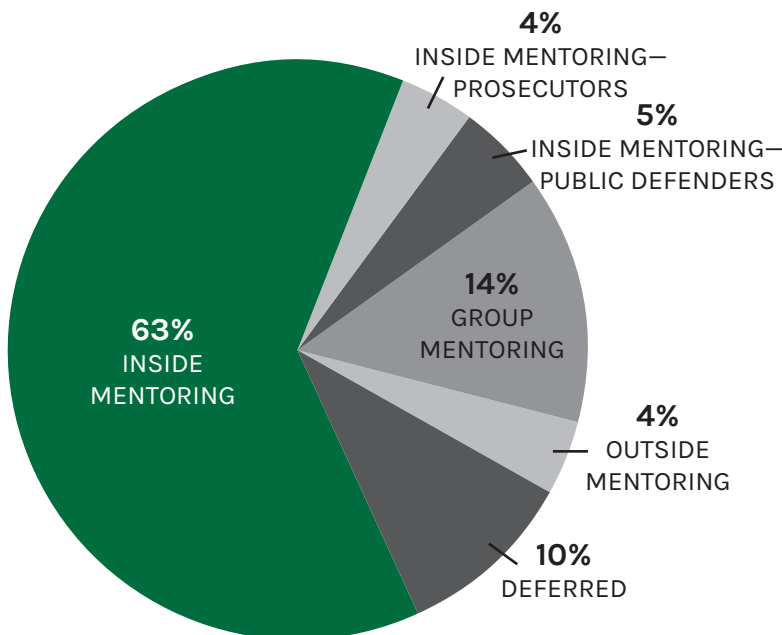
For an attorney who is employed in a non-legal setting, unemployed or who otherwise does not have an individual mentor. ●

New lawyers must also complete 12 hours of CLE. Most will attend the Beginning Lawyers Program to fulfill six of those hours and their choice for the additional six hours. Lawyers who are prosecutors or public defenders must attend their applicable training, which will satisfy their CLE requirement for the year.

The State Bar of Georgia was the first in the country to have a mandatory mentoring program for lawyers.



TILPP BY THE NUMBERS JULY '22 - JUNE '23



776
Lawyers enrolled in TILPP.

UNLICENSED PRACTICE OF LAW

404-527-8769 | upl@gabar.org

The Unlicensed Practice of Law (UPL) Department acts at the direction of a statewide Standing Committee and 10 District Committees representing each of the judicial districts in Georgia. All UPL Committees are directly appointed by the Supreme Court of Georgia and are comprised of both lawyer and nonlawyer members, the latter of which must make up a majority of each committee. UPL Committees are charged with the consideration of complaints received, processed and thoroughly investigated by the UPL Department. The Standing Committee additionally considers requests for advisory opinions. Since the program's initial launch more than 20 years ago, the UPL Department has initiated and conducted more than 2,500 formal investigations, resulting in the voluntary execution of more than 600 cease and desist affidavits, as well as the filing and litigating by UPL counsel of more than 65 injunctive relief (or contempt) actions in the Superior Courts of Georgia. In the 2022 calendar year, the UPL Department initiated 188 UPL investigations with another 89 investigations having been opened to date in 2023. To assist with many of those investigations, UPL counsel has procured and received responses to 39 subpoenas. Investigations involve subjects ranging from disbarred, suspended or out of state attorneys to paralegals and other non-attorneys alleged to have engaged in UPL. Of the formal investigations closed during the 2022-23 Bar year, half resulted in subjects agreeing to comply, while most all others were referred for prosecution. A registry of subjects who have either been permanently enjoined from engaging in the practice of law by court order or have voluntarily executed a cease and desist affidavit within the last two years may be found on the Bar's website. ●

UPL BY THE NUMBERS

- > 2003 | complete launch of UPL program.
- > More than **2,500** formal investigations since launch.
- > More than **600** voluntary cease and desist affidavits executed since launch.
- > More than **65** injunctive relief (or contempt) actions initiated in Superior Courts of Georgia throughout the state since launch.
- > **277** UPL investigations initiated from Jan. 1, 2022, through June 30, 2023.



YOUNG LAWYERS DIVISION

404-527-8778 | yld@gabar.org

The Young Lawyers Division is responsible for aiding and promoting the advancement of the younger members of the State Bar by providing a program of activities and projects which serve the profession and the public. All members who have not yet reached their 36th birthday or who have been admitted to their first Bar less than five years are automatically a member.

The Young Lawyers Division provides service, networking and leaderships opportunities through 27 committees and 10 affiliate organizations from around the state. With almost 10,000 active young lawyers, committees and affiliates offer local opportunities for young lawyers to be involved in their community. ●

SAVANNAH HAS THE
SECOND HIGHEST
CONCENTRATION OF
YOUNG LAWYERS
OUTSIDE OF
METRO-ATLANTA

221

SAVANNAH YOUNG
LAWYERS FOLLOWED
BY MACON (162)



2022-23 YLD MEETINGS

FALL 2022 | SEPT. 22-24
📍 ORLANDO, FLORIDA

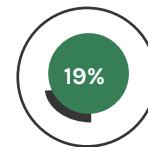
MIDYEAR 2023 | JAN. 12-14
📍 ATLANTA, GEORGIA

SPRING 2023 | MARCH 24-26
📍 PINE MOUNTAIN, GEORGIA

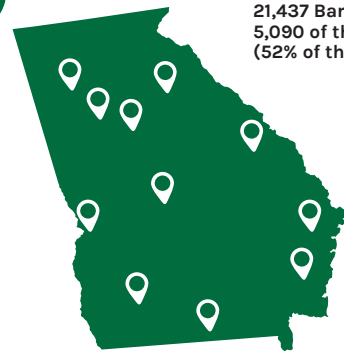
ANNUAL 2023 | JUNE 8-11
📍 SAVANNAH, GEORGIA

DID YOU KNOW?

THERE ARE
9,791
TOTAL YLD MEMBERS



19%
OF THE BAR IS
UNDER THE AGE
OF 36



21,437 Bar members are women;
5,090 of those are YLD members
(52% of the YLD is female)



- YLD metro-Atlanta (5 counties)—5,795 or 59%
- Bar members Out-of-State—13,174 or 26%
- YLD members Out-of-State—2,024 or 21%

YOUNG LAWYERS DIVISION (CONTINUED)

YLD NEWSLETTER

State Bar of Georgia Young Lawyers Division

THE YLD REVIEW

Volume 64

Working for the Profession and the Public

# OF ISSUES	# OF ARTICLES	# OF AUTHORS	# OF SUBSCRIBERS
4	47	31	29,782

YLD SIGNATURE FUNDRAISER

The 16th annual Signature Fundraiser benefiting Georgia Legal Services Program and Middle Georgia Justice was held on March 4 at The Blacksmith Shop in Macon, Georgia.

\$53,000
 RAISED FOR GEORGIA LEGAL SERVICES PROGRAM AND MIDDLE GEORGIA JUSTICE

YLD LEADERSHIP ACADEMY

The YLD Leadership Academy is a six-month cohort that begins in January each year and ends with a graduation ceremony at the State Bar of Georgia Annual Meeting. The program began in 2006 with 32 academy participants. The selected participants go through a competitive application process. Applicants must be YLD members who have a history of involvement and leadership in their communities, offices and/or profession; who want to become more involved in the YLD and State Bar; and who want to network with state and national leaders and hear their perspectives on effective lawyering and leadership.

Young lawyers selected for the Leadership Academy attend monthly sessions around the state, which include CLE programming, a community service project and networking. To date, the program boasts more than 600 Leadership Academy alumni members, many who went on to leadership positions within the State Bar of Georgia. ●



**2023 LEADERSHIP ACADEMY
 SESSION LOCATIONS:**
 ATLANTA PINE MOUNTAIN DUBLIN/EASTMAN
 BLUE RIDGE/ELLIJAY SAVANNAH

CONNECT WITH THE YLD

 georgiayld.org  @georgiayld

 @GeorgiaYLD  /young-lawyers-division-state-bar-of-georgia

 @GeorgiaYLD  flickr.com/yld

BOARD ACTION ITEMS

2022-23 Bar Year

The following action items were taken by the Board of Governors of the State Bar of Georgia during the 2022-23 Bar year. ●

2022 ANNUAL MEETING | JUNE 4

The Board approved appointments to the State Disciplinary Boards, the Formal Advisory Opinion Board and the ICJE Board; the 2022-23 Committees; the nominations to the JQC; the 2022-23 State Bar Budget and the Financial Resolutions; the Executive Director election; the 2022-23 Election Schedule; the Executive Committee election; the Georgia Legal Services Program appointments; and the Chief Justice's Commission on Professionalism appointment.

Proposed Rules and Policy Changes

- Rule 1.2, Comment 9 | Tabled.
- Proposed Change to Standing Board Policy 600 (Conflicts of Interest) | YES, majority.
- Proposed Change to the Investment Policy | YES, majority.

2022 FALL MEETING | OCT. 1

The Board approved appointments to the Commission of Continuing Lawyer Competency (CCLC) and the Formal Advisory Opinion Board.

Proposed Policy Changes

- Officer and Executive Committee Expense and Reimbursement Policy | YES, majority.

New Legislative Proposals

- Health Law Section—Budget request for \$619,000 to provide Civil Legal Services Grants for Medical Legal Partnerships | YES, majority.
- Nonprofit Law Section—Support for Comprehensive Review of the Georgia Nonprofit Corporate Code | YES, majority.

2023 MIDYEAR MEETING | JAN. 14

The Board approved the nominations of the ABA Delegates and the State Bar officers, and appointments to the Commission on Lawyer Competency.

Proposed Rules Changes

- Rule 1.0. Terminology and Definitions | YES, majority.
- Rule 1.2. Scope of Representation and Allocations of Authority Between Client and Lawyer | YES, majority.
- Rule 1.5. Fees | YES, majority.
- Rule 1.8. Conflict of Interest—Prohibited Transactions | YES, majority.
- Rule 7.1. Communications Concerning a Lawyer's Services | YES, majority.
- Rule 7.2. Communications Concerning a Lawyer's Services; Specific Rules | YES, majority.
- Rule 7.3. Solicitation of Clients | YES, majority.

New Legislative Proposals

- Professionalism Committee—Support for a Resolution of the General Assembly Recognizing April 2023 as Legal Professionalism Month | YES, majority.
- Indigent Defense Committee—Grants for Georgia Resource Center | YES, majority.
- Real Property Law Section—Support for HB 182 | YES, majority.
- International Trade in Legal Services Committee—Support for HB 80 | YES, majority.
- Fiduciary Law Section—Support for funding for the Georgia Heirs Property Program | YES, majority.

2023 SPRING MEETING | MARCH 25

2023-24 License Fees | YES, majority.

- Recommendations of the Executive Committee.
 - Active Fees \$260. (No increase from 2022-23.)
 - Inactive Fees \$130. (No increase from 2022-23.)
- Approval of Other Bar License Fee Statement Items.
 - Sections Dues (\$10 to \$40 opt-in).
 - Clients' Security Fund (\$15/year per member per Bar Rule 1-506).
 - Professionalism Fee (\$11/year).
- Other Contributions.
 - Legislative and Public Education Fund Contribution (\$100 optional contribution).
 - Georgia Legal Services Program Donation (\$400 suggested individual contribution/\$100 suggested contribution for YLD).

2023 ANNUAL MEETING | JUNE 9

The Board approved appointments to the State Disciplinary Boards and the Formal Advisory Opinion Board; the 2023-24 Committees; the nominations to the JQC; the 2023-24 State Bar Budget and the Financial Resolutions; the Executive Director election; the 2023-24 Election Schedule; the Executive Committee election; the Georgia Legal Services Program appointments; and the Chief Justice's Commission on Professionalism appointments.

Proposed Rules and Bylaws Changes

- Article IX of the Bylaws, Creation of the Center for Lawyer Well-Being | YES, majority.
- Rule 1-706. Center for Lawyer Well-Being | YES, majority.
- Center for Lawyer Well-Being Bylaws | YES, majority.
- Rule 1-207. Official Address and Change of Address | YES, majority.
- Rule 4-214. Report of the Special Master | YES, majority.
- Rule 4-402. The Formal Advisory Opinion Board | YES, majority.
- Sections Model Bylaws | YES, majority.

REPORT OF THE GENERAL COUNSEL

BY PAULA FREDERICK, GENERAL COUNSEL

I am pleased to present the 2022-23 Report of the Office of the General Counsel. Enclosed herein are reports from all of the Boards and Programs staffed by the Office of the General Counsel—the State Disciplinary Board, the State Disciplinary Review Board, the Clients’ Security Fund, the Formal Advisory Opinion Board, the Pro Hac Vice program and the Trust Account Overdraft Notification Program. There are also reports on the Receiverships that the Office handled this year, amendments to the Bar Rules, the Bar Counsel unit’s work on contracts, insurance matters and disciplinary history requests.

Following the reports is a list of the Supreme Court orders issued in disciplinary cases between July 1, 2022, and June 30, 2023. To read the order in any of these cases, just click on the lawyer’s name in the online Member Directory.

The enclosed reports document an impressive array of cases handled and services rendered to the Bar and to the public; however, they represent only a fraction of the work done by you and other dedicated Bar volunteers along with the staff of the Office of the General Counsel each year. The Office is indebted to each of you, and to every Georgia lawyer who volunteers time in service to the legal profession.

Staff

Deputy General Counsel Jenny Mittelman is retiring in January 2024, and work is already underway to select her successor. Jenny has been with the Office for more than 35 years. She serves as office manager and supervises the staff in the disciplinary unit. She is irreplaceable!

I have attached a staff roster at the end of this report so that you know who to contact when you need something from the Office. Remember that in addition to investigating and prosecuting disciplinary cases, the Office:

- Provides legal advice to the staff, Executive Committee and Board of Governors;
- Represents the Bar and its volunteers in threatened or pending litigation, or monitors outside counsel;
- Drafts and amends bar rules, contracts and policies;
- Provides guidance to supervisors on employment matters, proposes and drafts amendments to the Employee Manual, provides HR advice and training;
- Files and manages receiverships.

Staff of the Office of the General Counsel also provide advice and support to a number of other Bar entities, including the:

- State Disciplinary Board;
- State Disciplinary Review Board;
- Disciplinary Rules and Procedures Committee;
- Formal Advisory Opinion Board ;
- Clients’ Security Fund;
- Unified Bar Committee
- Advisory Committee on Legislation;
- Elections Committee;
- Insurance Committee;
- Committee on International Trade in Legal Services;
- Attorney Wellness Committee;
- Special Committee on Attorney-Client Solicitation;
- Continuity of Law Practice Committee;
- OGC Overview Committee; and the
- Judicial Procedure & Administration/Uniform Rules Committee.

Lawyer Helpline

The Office of the General Counsel operates a Lawyer Helpline for members of the State Bar of Georgia to discuss ethics questions on an informal basis with an assistant general counsel. The Helpline averages 22 calls, letters or email requests each weekday.

Continuing Legal Education

As always, the Office of the General Counsel provides staff counsel to speak at CLE seminars and to local bar groups upon request. This year, OGC lawyers participated in more than 70 CLE presentations.

Thanks

The staff and I remain committed to serving each member of the State Bar of Georgia with efficiency and professionalism. Please call upon us whenever we can be of help to you. ●

CLIENT ASSISTANCE PROGRAM OF THE OFFICE OF THE GENERAL COUNSEL

BY MERCEDES BALL, DIRECTOR

The Client Assistance Program of the Office of the General Counsel (CAP) is the first point of contact for a member of the public who has a problem with their lawyer. CAP seeks to resolve communication issues between attorneys and their clients outside of the formal grievance process. Each year, CAP receives thousands of complaints via telephone calls, letters and emails. By facilitating direct communication between attorneys and their clients, CAP is able to resolve approximately 80% of the complaints it receives without members of the public having to utilize the formal grievance process. ●

CAP CONTACTS

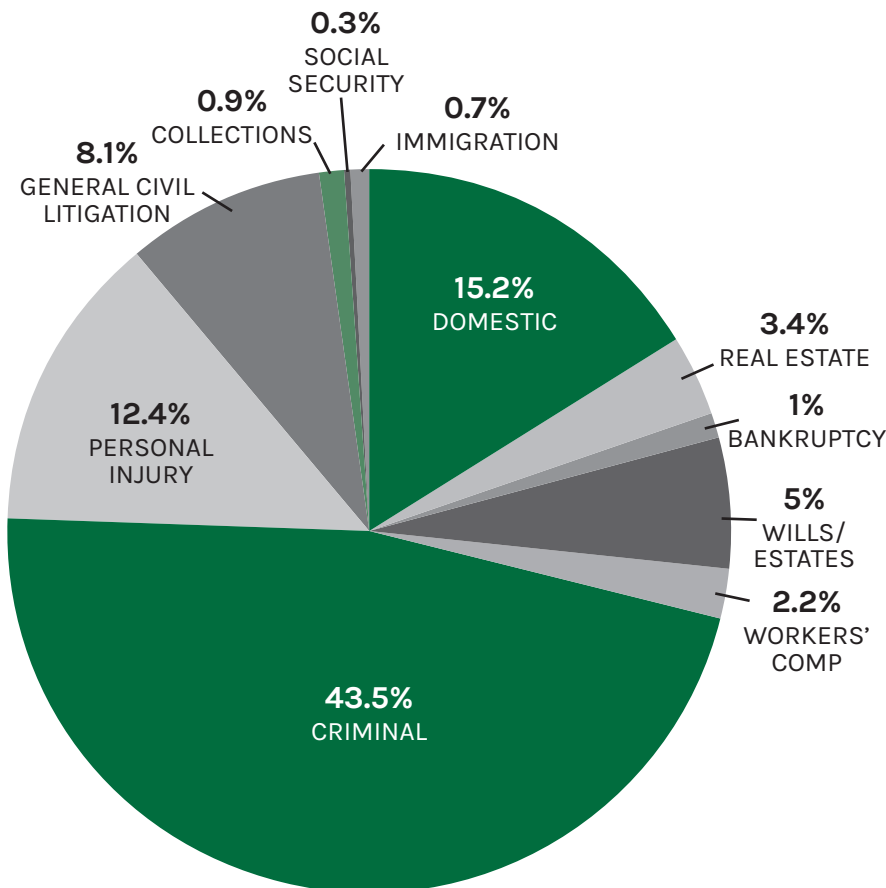


TOTAL # OF NEW MATTERS HANDLED IN 2022-23

8,873

CALLS RECEIVED BY CAP

11,092



WRITTEN COMPLAINTS RECEIVED BY CAP

2,716

Approximately 36% of the complaints received were about issues in criminal cases, 16% involved issues in domestic cases, 14% involved issues in personal injury cases, 9% involved general civil litigation, almost 6% involved real estate and 5% involved wills/estates.

STATE DISCIPLINARY BOARD

BY BRANDON LEE PEAK, CHAIR

The State Disciplinary Board is charged with investigating grievances for potential violations of the Georgia Rules of Professional Conduct, issuing confidential discipline and determining whether there is probable cause to bring formal charges against an attorney. The work of the Board is an essential part of the State Bar of Georgia's regulatory function. As the chair of the State Disciplinary Board, I would like to thank each Board member for their service.

The 2022-23 State Disciplinary Board consisted of two ex-officio members—the president-elect of the State Bar of Georgia and the president-elect of the Young Lawyers Division; 12 investigating members—four lawyers from each of the three federal judicial districts of Georgia; and four non-lawyer, public members. During the 2022-23 Bar year, the Board held eight meetings and managed six in-person gatherings (Augusta, Atlanta, Macon, Pine Mountain and Savannah). The remaining meetings were virtual.

The Bar received more grievance forms this year (2,501) than last year (2,394). After review and screening by the Office of General Counsel, 1,889 grievances were closed or dismissed for their failure to state facts sufficient to invoke the jurisdiction of the State Bar (the number includes some grievances that were pending when the fiscal year began). A total of 175 grievances contained allegations which, if true, would amount to violations of one or more of the Georgia Rules of Professional Conduct. Each of those grievances was referred to one of the district Board members for further investigation.

Investigating members of the Board handled an average of 15 cases during the Bar year. Members worked diligently and efficiently to report each case within 180 days. Each case required investigation and time away from the Board member's law practice, without compensation other than reimbursement of travel expenses. At the conclusion of each investigation, the Board member made a report and recommendation to the full Board. The Board dismissed 37 grievances, 19 of those with a letter of instruction to educate and inform the lawyer about the Rules of Professional Conduct. One hundred and thirty-eight cases met the "probable cause" standard and were returned to the Office of the General Counsel for prosecution.

In matters that met the standard for probable cause, 18 respondents received confidential discipline in the form of Formal Letters of Admonition or State Disciplinary Board Reprimands. In more serious cases, the Board issued a Notice of Discipline for some level of public discipline, or made a referral to the Supreme Court of Georgia for a hearing before a special master.

The State Disciplinary Board took the following action during the 2022-23 Bar year:

ACTION TAKEN	# OF CASES
Confidential Reprimands	6
Formal Letters of Admonition	12
Cases Dismissed with Letters of Instruction	19

Public discipline imposed by the Supreme Court of Georgia is further described in the Annual Report of the State Disciplinary Review Board of the State Bar of Georgia.

It has been a privilege to work with such an outstanding group of volunteers to accomplish this important work on behalf of the State Bar of Georgia. I would like to recognize those members of the State Disciplinary Board who have unselfishly devoted so much of their personal and professional time to this necessary task. They are as follows:

Lawyer Members

Patricia Fortune Ammari
Brittanie D. Browning (*term expiring*)
C. Sutton Connelly
Kayla Cooper
John Cranford
Hon. J. Antonio "Tony" DelCampo (*term expiring*)
Jeffrey W. DeLoach
Jennifer Dunlap
Robert Giannini
Jeffrey R. Harris
William H. Noland
Brandon Peak
Margaret S. Puccini
Christian J. Steinmetz III

Finally, I want to recognize and thank the four non-lawyer members appointed by either the Supreme Court or the president of the State Bar of Georgia:

Jill Cardenas
Dr. Connie Cooper
Judy Fitzgerald
Jennifer D. Ward ●

STATE DISCIPLINARY REVIEW BOARD

BY JOHN R. B. LONG, CHAIR

The State Disciplinary Review Board plays an important role in our disciplinary system and serves several functions. Under the Bar Rules, the Review Board offers an additional level of appellate review after a disciplinary case has been heard by a special master. The parties may elect to file exceptions and request review by the Review Board before the case is filed with the Supreme Court. In these cases, the Review Board considers the complete record, reviews the findings of fact and conclusions of law, and determines whether a recommendation of disciplinary action will be made to the Supreme Court of Georgia. The Board has the discretion to grant oral argument if requested by either party. The Supreme Court may follow the Review Board's recommendation, but may also render an opinion that modifies the recommendation in some way.

In addition, the Review Board reviews all cases involving reciprocal discipline. If a Georgia lawyer has been disciplined in another jurisdiction resulting in a suspension or disbarment, the lawyer is subject to reciprocal discipline in Georgia. The Review Board is charged with reviewing the record from the foreign jurisdiction and recommending the appropriate reciprocal disciplinary result in Georgia. These cases present many interesting issues for the Board and can be challenging when the lawyer objects to reciprocal discipline. In all cases, the Board must consider whether the case is in the correct procedural posture to be reviewed, whether the lawyer was afforded due process in the underlying disciplinary proceeding, whether the misconduct would result in similar discipline under our rules, and recommend discipline which would be substantially similar to the discipline imposed in the foreign jurisdiction. The Review Board also issues Review Board Reprimands when directed by the Supreme Court, and makes recommendations in reinstatement cases which involve suspensions with conditions for reinstatement as directed by the Supreme Court. The Board also provides input on amendments to the Bar Rules involving the disciplinary process.

The Supreme Court approved amendments to the disciplinary rules which became effective July 1, 2018. Under these rules, the former Review Panel was renamed the State Disciplinary Review Board, and the size of the Board was reduced from 15 to 11 members. In particular, the number of lawyer members who serve on the Board from around the state was reduced from nine to seven. The Review Board is currently composed of two lawyers from each of the three federal judicial districts in Georgia, one at-large lawyer member and two non-lawyer members. These members are appointed in alternate years by the Supreme Court of Georgia and the president of the State Bar. Two ex-officio members also serve on the Board in their capacity as officers of the State Bar.

The following is a brief summary of public disciplinary action taken by the Supreme Court of Georgia during the period from July 1, 2022, to June 30, 2023:

FORM OF DISCIPLINE	CASES	LAWYERS
Disbarments/Voluntary Surrenders	25	17
Suspensions	12	9
Public Reprimands	3	2
Review Board Reprimands	2	2

The foregoing summary does not begin to reflect the important issues that were carefully considered by the Review Board over the past year. In addition to attending regular meetings, each Board member must review material for each case prior to the meeting in order to make a fair and well-reasoned decision. This represents a major commitment of time and energy on the part of each Board member, all of whom acted with the highest degree of professionalism and competency during their terms.

I would like to recognize the members of the Board who have unselfishly devoted so much of their time to the implementation of the disciplinary system of the State Bar of Georgia. ●

Non-Lawyer Members

Susan Leger-Boike, Cordele 2024
LaShekia Hughes, Macon 2025

Lawyer Members

Northern District
Norbert D. "Bert" Hummel IV, Kennesaw 2025
Halsey G. Knapp Jr., Atlanta 2023

Middle District
Caroline W. Herrington, Macon 2025
Alfreda L. Sheppard, Albany 2023

Southern District
Paul Threlkeld, Savannah 2025
John R. B. "Jack" Long, Augusta 2023

At-Large Member

D. Pearson Beardsley, Atlanta 2024

Ex-Officio Members

Elissa B. Haynes, Atlanta 2023
Elizabeth L. Fite, Atlanta 2023

CLIENTS' SECURITY FUND

BY WILLIAM D. NESMITH III, DEPUTY GENERAL COUNSEL AND STAFF LIAISON TO THE CLIENTS' SECURITY FUND

The Clients' Security Fund is a public service of the legal profession in Georgia. The purpose of the Clients' Security Fund is to repay clients who have lost money due to a lawyer's dishonest conduct, up to \$25,000. Every lawyer admitted to practice in Georgia, including those admitted as a foreign law consultant or those who join the State Bar of Georgia without taking the Georgia Bar examination, contributes to this Fund.

On behalf of the Trustees of the Clients' Security Fund, it is a pleasure to present the 2022-23 Clients' Security Fund Annual Report. The Trustees of the Fund are proud of the efforts put forth to maintain the integrity of the legal profession.

Creation of the Fund

The Board of Governors of the State Bar of Georgia created the Clients' Security Fund by resolution on March 29, 1968. The Fund was formed "for the purpose of promoting public confidence in the administration of justice, and maintaining the integrity and protecting the good name of the legal profession by reimbursing, to the extent deemed proper and feasible by the Trustees of the Fund, losses caused by the dishonest conduct of members of the State Bar of Georgia." In 1991, the Supreme Court of Georgia adopted the Clients' Security Fund (Part X) rules, making it an official part of the rules of the State Bar of Georgia.

Administration of the Fund

The Clients' Security Fund Board of Trustees performs all acts necessary and proper to fulfill the purposes of and effectively administer the Fund. The rules, issued by order of the Supreme Court of Georgia, establish a Board of Trustees consisting of six lawyer members and one non-lawyer member appointed to staggered terms by the president of the State Bar of Georgia. Trustees of the Fund receive no compensation or reimbursement for their service. The Trustees select the chair and vice-chair to serve as officers for the Fund. On March 30, 2022, the Supreme Court of Georgia issued an order amending Bar Rule 10-104, changing the term length that subsequently appointed Trustees serve from five years to three years.

The deputy general counsel and senior paralegal for the Bar Counsel unit of the Office of the General Counsel of the State Bar of Georgia assist the Board of Trustees in the administration of the Clients' Security Fund. The deputy general counsel serves as the staff liaison to the Clients' Security Fund and provides guidance and advice regarding all aspects of the Fund. The senior paralegal assists the Board of Trustees in a wide range of duties, including but not limited to receiving Clients' Security Fund ap-

plications, processing and investigating claims, communicating with claimants and lawyers, preparing meeting materials, facilitating and attending meetings, taking minutes, processing the payment of claims and the disbursement of funds to claimants, maintaining records and preparing annual reports.

Trustees for the 2022-23 Bar Year

- Tyronia Monique Smith, Atlanta
- Robert J. Kauffman, Douglasville
- Michael G. Geoffroy, Covington
- R. Javoyne Hicks, Decatur
- Karl David Cooke Jr., Macon
- LaToya Simone Williams, Atlanta
- Sammy Strode, Savannah (*non-lawyer member*)

The Trustees strive to meet at least quarterly during the year. If circumstances warrant, special meetings may be called to ensure that claims are processed promptly. These Trustees have served tirelessly, and their dedication to this program is greatly appreciated.

Funding

Members of the State Bar of Georgia provide the primary funding for the Clients' Security Fund. On Jan. 28, 2022, the Supreme Court of Georgia amended Bar Rules 1-506 and 10-103, providing an annual assessment of \$15 to all license fee-paying Bar members. The amendment also changed the \$500,000 per year maximum payout to an amount not to exceed the total amount received through the annual assessment in a Bar year.

All monies held in the name of the Clients' Security Fund are maintained by the Trustees of the Fund, who exclusively control the disbursement of the funds.

Loss Prevention Efforts

A crucial role of the Trustees of the Fund is to promote and endorse rules and educational programs designed to prevent losses. Two significant programs exist to avoid lawyer theft of clients' funds.

Overdraft Notification

In November 1992, the Board of Trustees joined the Investigative Panel of the State Disciplinary Board in urging the Board of Governors to approve amendments to Disciplinary Standard 65 to create a trust account overdraft notification program. On Aug. 22, 1995, the Supreme Court of Georgia approved the amendment to Standard 65, which became effective Jan. 1, 1996. The primary



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purpose of the overdraft notification rule is to prevent the misappropriation of clients' funds by providing a mechanism for early detection of improprieties in the handling of attorney trust accounts. Standard 65 was subsequently replaced with Rule 1.15(III) with the Supreme Court's adoption of the Georgia Rules of Professional Conduct on Jan. 2, 2001 (www.gabar.org/handbook).

Payee Notification

During the 1993 legislative session, with the urging of the Board of Trustees, the Board of Governors endorsed legislation specifically designed to prevent lawyer theft of personal injury settlement funds. As a result of these efforts, the "payee notification rule" was approved as an amendment to the Insurance Code. This statute requires insurers to send notice to the payee of an insurance settlement when the check is mailed to the payee's attorney. This places the client on notice that the attorney has received settlement funds. Adopting this procedure has substantially reduced claims involving the theft of insurance funds.

Claims Process

Before the Clients' Security Fund pays a claim, the Trustees must determine that the loss arose out of the client-lawyer relationship or fiduciary relationship and was caused by the dishonest conduct of the lawyer. The rules define "dishonest conduct" as acts "committed by a lawyer like theft or embezzlement of money, or the wrongful taking or conversion of money, property, or other things of value. The lawyer's "dishonest" conduct must result in their disbarment, indefinite suspension, or voluntary surrender of their license. On May 26, 2022, the Supreme Court of Georgia issued an order approving an amendment to the rules specifying the final disposition need not result from a filed memorandum of grievance but can be attained when credible information is presented from any source without a memorandum of grievance being filed. Claimants are responsible for providing sufficient documentation to support their claims.

Claims filed by corporations or partnerships, government entities, and certain members of the attorney's family are typically denied. Losses covered by insurance or resulting from malpractice or financial investments are also not reimbursable by the Fund.

The last meeting for the 2022-23 Bar year was held on June 10, 2023. The Statement of Fund Balance, Income and Expenses for the period ending June 30, 2023, is below.

ANNUAL FINANCIAL STATISTICS	2021-22	2022-23
Balance on July 1, 2021	\$1,798,187	\$1,634,260
Income to Fund		
Assessments	\$77,590	\$751,680
Restitution	\$85,621	\$18,445
Interest	\$26,218	\$23,907
Gain/Loss Investment Assessment	\$(79,620)	\$17,942
Distributions from Fund		
Claims Paid	\$186,737	\$159,879
Restricted Expenses	\$73,000	\$73,000
Bond Premium Amortization	\$8,444	\$3,156
Investment Service Fee	\$5,555	\$5,847

Summary of Claims Activity

The following summarizes claims activity beginning July 1, 2022, and ending June 30, 2023. The Trustees met two times during this period to consider pending claims. ●

ACTIVITY	2021-22	2022-23
Recorded Application Requests	34	40
Claims Filed	19	32
Claims Considered	28	43
Claims Approved	20	20
Claims Denied	4	18
Claims Tabled	3	5
Claims Reconsidered	3	10
Claims Administratively Closed	0	0
Claims Withdrawn	0	0
Claims Pending	61	48
Inactive Claims	3	3
Number of Attorneys Involved in Paid Claims	13	11

FORMAL ADVISORY OPINION BOARD

BY JOHN J. SHIPTENKO, SENIOR ASSISTANT GENERAL COUNSEL

The Bar Counsel unit (Bar Counsel of the Office of the General Counsel serves as support staff for the Formal Advisory Opinion Board and administers formal advisory opinion requests and opinions.

Formal Advisory Opinion Request Process

Requests for formal advisory opinions are submitted to Bar Counsel, who assesses the requests to determine the best way to handle the requestor's ethical issue. If the request is submitted to the Board, Bar Counsel prepares the request for the Board's consideration by creating a file, assigning a Formal Advisory Opinion (FAO) request number, and creating the heading and question presented. Bar Counsel then researches the ethical issue to determine how the Georgia Rules of Professional Conduct (GRPC) apply to the issue, whether a current FAO addresses the issue and whether other jurisdictions have addressed the issue. OGC staff attorneys are also provided with a copy of the request and asked to share their thoughts about the underlying ethical issue. If necessary, Bar Counsel will contact the requestor to gain a better understanding of the underlying ethical issue.

Bar Counsel keeps the requestor abreast of the status of the request from its receipt to the conclusion of the matter.

Board Meetings

The Board works throughout the year considering and researching the ethical issues presented in FAO requests and drafting proposed opinions. The Board generally meets on a quarterly basis to discuss FAO requests and proposed opinions and analyze how amendments to the GRPC impact current FAOs. During the 2022-23 Bar year, the Board conducted three in-person meetings.

If the Board accepts a request for the drafting of an FAO, the Board assigns one or more Board members to draft a proposed opinion. Bar Counsel supports the Board throughout the drafting process. If a request is rejected, the Board specifies the reason for rejecting the request and Bar Counsel informs the requestor in writing of the Board's decision.

During the 2022-23 Bar year, the Board declined to address the question originally presented by the requestor in FAO Request No. 21-R2. The question presented was:

Can an attorney fulfill his or her duties of "physical presence" at a real estate closing as required by Formal Advisory Opinion

No. 00-3 and of "overseeing and participating in the execution of instruments conveying title" and "[being] in control of the closing process from beginning to end" as required by Formal Advisory Opinion No. 13-1 when using "communication technology" as such term is defined by proposed O.C.G.A. § 45-17-1 (3)?

The initial request was received on Sept. 17, 2021, and concerned an issue related to pending legislation in the Georgia General Assembly. The pending legislation failed to pass by the conclusion of the 2022 legislative session. Accordingly, the Board declined the request. However, at the request of the OGC, on Jan. 23, 2023, the Board accepted a new question addressing an underlying issue related to the original request. The new question, which retained the same request number, FAO Request No. 21-R2, is:

Can an attorney fulfill his or her duties of "presence" at a real estate closing as required by FAO No. 00-3 and of overseeing and participating in the execution of instruments conveying title and being in control of the closing process from beginning to end as required by FAO No. 13-1 when using communication technology?

Bar Counsel notified the requestor and other interested parties of the change to the request.

Consideration of Proposed Opinions

Once a proposed opinion is drafted, the Board considers the draft to determine whether to approve the proposed opinion as drafted for first publication or modify it. Bar Counsel assists the Board as needed. During the 2022-23 Bar year, the Board drafted and considered two proposed opinions.

Formal Advisory Opinion Request No. 21-R1

FAO Request No. 21-R1 became Proposed FAO No. 22-1.

Under what circumstances may lawyers admitted only in jurisdictions other than Georgia practice law by remote means while physically residing in Georgia?

This request was received on June 3, 2021. The Board accepted the request for the drafting of an FAO during the 2022-23 Bar year.

Formal Advisory Opinion Request No. 21-R2

FAO Request No. 21-R2 became Proposed FAO No. 23-1.

Can an attorney fulfill his or her duties of "presence" at a real estate closing as required by FAO No. 00-3 and of overseeing and participating in the execution of instruments conveying title and



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being in control of the closing process from beginning to end as required by FAO No. 13-1 when using communication technology?

This request is referenced above.

Approval of a Proposed Opinion

Once the Board approves a proposed opinion for first publication, it determines whether to post the publication on the State Bar of Georgia website or in the *Georgia Bar Journal* in accordance with Bar Rule 4-403. During the 2022-23 Bar year, the Board approved two proposed opinions and sent both for first publication on the State Bar's website.

Proposed FAO No. 22-1

The Board approved Proposed FAO No. 22-1 (FAO Request No. 21-R1) on Sept. 9, 2022.

Proposed FAO No. 23-1

The Board approved Proposed FAO No. 23-1 (FAO Request No. 21-R2) on April 24, 2023, and published it for first publication on June 24, 2023.

Bar Counsel works with the Communications Department to ensure that the proposed opinion is in the proper format prior to publication.

First Publication of the Proposed Opinion

The first publication process offers State Bar members an opportunity to review the proposed opinion and submit comments to the Board through the OGC. When the first publication of a proposed FAO occurs, Bar Counsel drafts the publication notice and submits the publication to the State Bar's Communications Department and State Bar president. Bar Counsel reviews all comments regarding the proposed opinion and if necessary, conducts additional research related to information in the comments. The comments, any research materials and feedback from the OGC staff attorney

OF IN-PERSON MEETINGS

3

OF PROPOSED OPINIONS DRAFTED AND CONSIDERED

2

OF PROPOSED OPINIONS APPROVED

2

are provided to the Board. The Board reviews the proposed opinion in light of the comments and other information received and decides whether to modify the proposed opinion. If the proposed opinion is modified and the Board determines the modifications are substantive, the first publication process is repeated.

Proposed FAO No. 22-1

On Sept. 26, 2022, the Board issued Proposed FAO No. 22-1 (FAO Request No. 21-R1) for first publication on the State Bar of Geor-



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gia’s website. The Board received comments regarding FAO No. 22-1. At the conclusion of the publication period, the Board reviewed the proposed opinion in light of the comments and decided to modify the proposed opinion. Because the changes were substantial, the Board voted to issue the modified proposed opinion for first publication.

The modified proposed opinion was published on the State Bar’s website on May 9, 2023. No comments were received by the Board during the subsequent first publication period.

Proposed FAO No. 23-1

On June 24, 2023, the Board issued Proposed FAO No. 23-1 (FAO Request No. 21-R2) for first publication on the State Bar of Georgia’s website. The comment period ended on July 24, 2023.

Final Approval and Second Publication of the Proposed Opinion; Filing of Proposed Opinion with the Supreme Court of Georgia

Once the Board makes a final determination to approve and issue the opinion, it is published for a second publication and filed with the Supreme Court of Georgia. The Board decides whether to post the publication on the State Bar’s website or in the *Georgia Bar Journal* in accordance with Bar Rule 4-403. When the second publication of an FAO occurs, Bar Counsel facilitates the publication with the State Bar Communications Department and president, and files the opinion with the Supreme Court of Georgia.

During Bar year 2023-24, the Board will determine whether to approve Proposed FAO No. 22-1 for second publication and filing with the Supreme Court. Also, the Board will review any comments received in response to Proposed FAO No. 23-1.

Discretionary Review

Following the final approval and filing of the opinion, the Board decides whether to recommend that the OGC seek discretionary review of the opinion with the Supreme Court of Georgia. If the Board opts for discretionary review, Bar Counsel assists in this process by drafting the petition and filing it with the Supreme Court of Georgia, ensuring that all comments are provided to the Court.

Issuance of Formal Advisory Opinion

FAOs are either issued by the Board (if no petition for discretionary review is sought or the Supreme Court declines to review the opinion) or the Supreme Court of Georgia (if the Court grants discretionary review and approves the opinion). When an FAO is issued, Bar Counsel drafts a notice of the issuance of an FAO, which is published in an official publication of the State Bar along with the opinion. Bar Counsel also facilitates the placement of the opinion in the Handbook on the State Bar’s website and updates the FAO indexes.

Formal Advisory Opinion Board

The Board consists of active members of the State Bar who are appointed by the president of the State Bar, with the approval of the Board of Governors. For the 2022-23 Bar year, the Board was comprised of the following lawyers:

<i>Members-at-Large</i>	<i>Term</i>
Mary A. Prebula, Chair, Duluth	2022 – 2024
Martin A. Levinson, Atlanta	2022 – 2023
Jeffrey Hobart Schneider, Atlanta	2022 – 2024
Letitia A. McDonald, Atlanta	2022 – 2024
Edward B. Krugman, Atlanta	2021 – 2023
<i>Georgia Trial Lawyers Association</i>	
C. Andrew Childers, Atlanta	2021 – 2023
<i>Georgia Defense Lawyers Association</i>	
Jacob Edward Daly, Atlanta	2021 – 2023
<i>Georgia Association of Criminal Defense Lawyers</i>	
Amanda Rourk Clark Palmer, Vice Chair, Atlanta	2022 – 2024
<i>Georgia District Attorney’s Association</i>	
Sherry Boston, Decatur	2022 – 2024
<i>Young Lawyers Division</i>	
Donavan Keith Eason, Kennesaw	2021 – 2023
<i>Emory University</i>	
Professor Jennifer Murphy Romig, Atlanta	2022 – 2024

University of Georgia

Professor David N. Lefkowitz, Athens 2022 – 2023

Mercer University

Professor Patrick E. Longan, Macon 2021 – 2023

Georgia State University

Professor Cassady V. Brewer, Atlanta 2022 – 2024

Atlanta’s John Marshall Law School

Professor Jeffrey Alan Van Detta, Atlanta 2021 – 2023

State Disciplinary Board

Christian J. Steinmetz III, Savannah 2022 – 2023

State Disciplinary Review Board

John R. B. Long, Augusta 2022 – 2023

Executive Committee

Martin Enrique Valbuena, Dallas 2022 – 2023

Bar Rules

The Formal Advisory Opinion Board is governed by Bar Rules 4-223, 4-401, 4-402, 4-403 and 4-404, and its own internal rules. Bar Counsel periodically reviews these rules, advises the Board regarding whether it should consider amending the rules and suggests proposed amendments.

Formal advisory opinions, opinion indexes and rules governing the Board are located on the State Bar’s website at www.gabar.org/ethics. ●

PRO HAC VICE PROGRAM

BY KATHYA S. JACKSON, PRO HAC VICE PARALEGAL

Attorneys seeking to appear *pro hac vice* in State and Superior Courts and before the State Board of Workers' Compensation and the Georgia State-wide Business Court must comply with Uniform Superior Court Rule 4.4. Attorneys seeking to appear *pro hac vice* in Magistrate Court must comply with Uniform Magistrate Court Rule 7.5. Pursuant to both rules, attorneys applying for *pro hac vice* admission in Georgia must serve a copy of their application for admission on the State Bar of Georgia's Office of the General Counsel (OGC). Senior Assistant General Counsel John J. Shiptenko and *Pro Hac Vice* Paralegal Kathya S. Jackson manage the application process and duties for the OGC.

Applicants can submit their application and fee (check, money order or credit card) via mail or the online portal on the State Bar's website. The *pro hac vice* paralegal creates a paper and electronic file for all applications received by mail and creates an electronic file for all applications received via the online portal. The paper files are purged annually. The *pro hac vice* paralegal reviews the applications to determine whether the application contains the required information pursuant to the rule and its appendix and whether the attorney submitted the annual and application fees. The *pro hac vice* paralegal also verifies the attorney's status with their home jurisdiction(s), determines if the attorney has any disciplinary history and obtains a copy if possible, and obtains the judge's name and address for the case.

If an attorney fails to provide the required fee(s) or provides an incorrect fee amount, the *pro hac vice* paralegal will request the required fee(s) or correct fee amount via email or mail. If the attorney fails to provide information required by the applicable rule's appendix, the *pro hac vice* paralegal requests the attorney file an amended application with the Court and send a copy of the same to the OGC.

After the contents of the application are entered into the *pro hac vice* database, information verified and the fees are received, the *pro hac vice* paralegal drafts a letter to the Court which the senior assistant general counsel reviews and edits, explaining whether the application complies with the rule and its appendix. Occasionally, the senior assistant general counsel may find the attorney is not eligible for *pro hac vice* admission pursuant to the rule and files a response stating the same.

All applications, jurisdiction verification, checks, emails, letters, supplemental information and responses are scanned and uploaded into the *pro hac vice* database. On average, the *pro hac vice* paralegal mails 120 letters monthly to the courts, regarding compliance with the rule, and to the attorney, requesting additional information or fees. The *pro hac vice* paralegal responds to a significant number of emails, voicemail messages and calls from attorneys, their staff and court staff regarding general *pro hac vice* questions, troubleshooting issues with the State Bar's online application form, and the status of specific applications. Below is a chart reflecting the number of calls and emails received regarding pending *pro hac vice* applications.

AVERAGE MONTHLY CALLS AND EMAILS	
Average Monthly Incoming Calls	65
Average Monthly Incoming Emails	100
Average Monthly Voicemails	29
Average Monthly Outgoing Calls	44
Average Monthly Outgoing Emails	116

The *pro hac vice* paralegal provides the State Bar's Finance Department with a weekly spreadsheet recording the checks received and the division of the fees. The *pro hac vice* paralegal also reconciles the credit card fees received with the Finance Department on a weekly basis. The *pro hac vice* paralegal provides



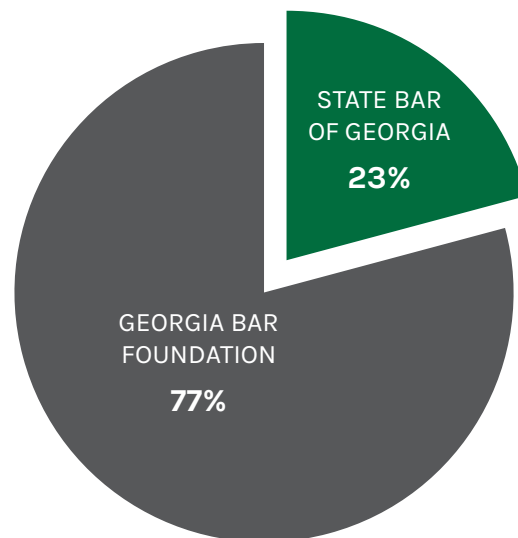
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a bi-annual report to the Georgia Bar Foundation regarding the number of applications received in each county. The *pro hac vice* paralegal creates an internal monthly report to reflect the number of applications processed, fees collected and the division of the fees.

The rules state that any domestic or foreign lawyer granted admission *pro hac vice* must pay an annual fee of \$200 on or before Jan. 15 for each subsequent calendar year of admission. If the annual fee is not received by Jan. 15, Georgia Rule of Professional Conduct 5.5(l) requires applicants to submit a late fee of \$100, along with the annual fee, by March 1. In December 2022, the *pro hac vice* paralegal sent 1,247 annual fee notice emails and 451 annual fee notice letters to applicants (and a copy to their sponsor), which includes a payment link and information on how to notify the OGC if the applicant is no longer admitted *pro hac vice*. In response to the notices, the *pro hac vice* paralegal responded to approximately 800 emails and approximately 200 phone calls regarding annual fees.

If an applicant fails to submit the required annual and late fees, the senior assistant general counsel provides the Court with a letter stating that the applicant is not in compliance with the rule. In April 2023, the *pro hac vice* paralegal sent approximately 580 letters to judges (a copy to the applicant and sponsor) regarding non-compliance with annual fee payments.

During the period of July 1, 2022, through June 30, 2023, the OGC reviewed 1,026 *pro hac vice* applications. The OGC filed nine formal responses with Georgia courts regarding the apparent non-eligibility of the applicant. The OGC collected a total of \$438,785 from *pro hac vice* applicants. The fees are divided between the State Bar of Georgia and the Georgia Bar Foundation. The State Bar of Georgia received \$101,185 from the total collected. The Georgia Bar Foundation received \$337,600 from the total collected. ●



TOTAL PRO HAC VICE FEES RECEIVED

The State Bar of Georgia (SBG) collected a total of \$438,785 for *pro hac vice* fees. The fees were divided between the SBG and the Georgia Bar Foundation (GBF). The SBG received \$101,185 from the total collected. The GBF received \$337,600 from the total collected.

OVERDRAFT NOTIFICATION PROGRAM

BY REGINA PUTMAN, TRUST ACCOUNT OVERDRAFT NOTIFICATION COORDINATOR

The Overdraft Notification Program received 234 overdraft notices from financial institutions approved as depositories for Georgia attorney trust accounts. Of the total number of notices received, eight notices were received on the trust accounts of four deceased lawyers, two notices were received on the trust accounts of two disbarred lawyers, one notice was received in error on a non-IOLTA bank account and three notices were received in error on trust accounts maintained by lawyers licensed in other states. A total of 172 files were dismissed based on the receipt of satisfactory responses following the initial State Bar inquiry, four files were referred to the Law Practice Management Program and 27 files were forwarded to the State Disciplinary Board for possible disciplinary action. (Several attorney overdraft files contained more than one overdraft notice regarding the same IOLTA account number. Some overdraft files opened during the latter part of FY 2022-23 remain open, pending final review and disposition.)

Financial Institutions Approved as Depositories for Attorney Trust Accounts

The number of financial institutions approved as depositories for attorney trust accounts is affected by bank failures, bank mergers and a bank's willingness to execute the Office of the General

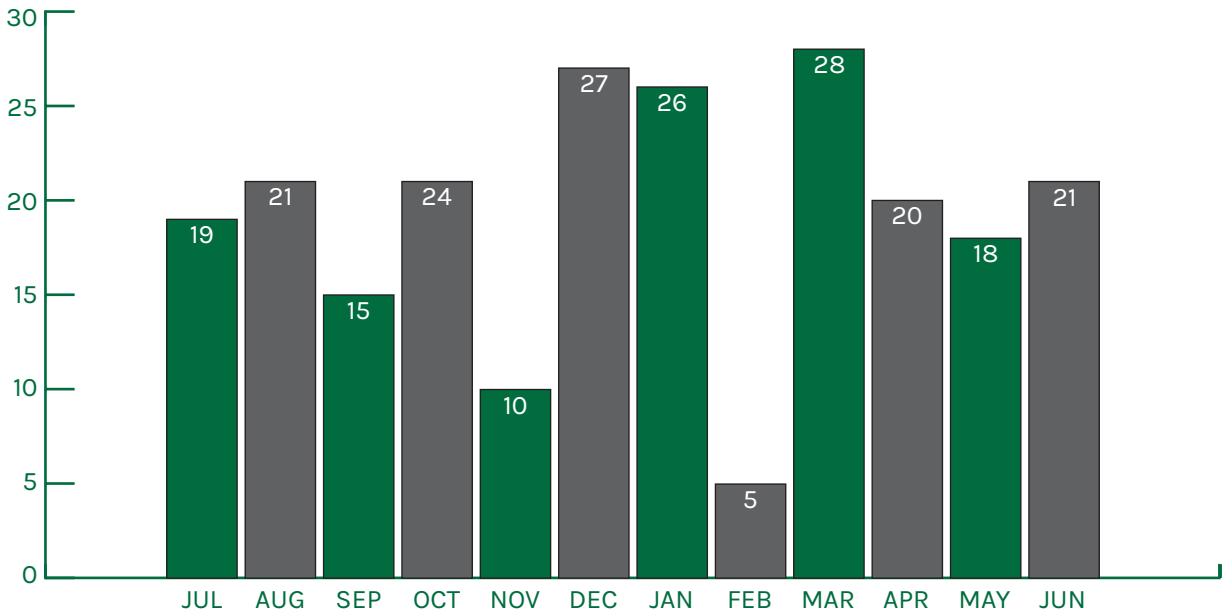
Counsel's overdraft reporting agreement and the Georgia Bar Foundation's interest rate comparability agreement. Currently, 180 banks and credit unions are reflected on the State Bar of Georgia's List of Approved Financial Institutions, which can be found on the State Bar of Georgia's website at www.gabar.org/banks.

The Supreme Court of Georgia's Amendment to Rule 1.15 (III) of the Georgia Rules of Professional Conduct

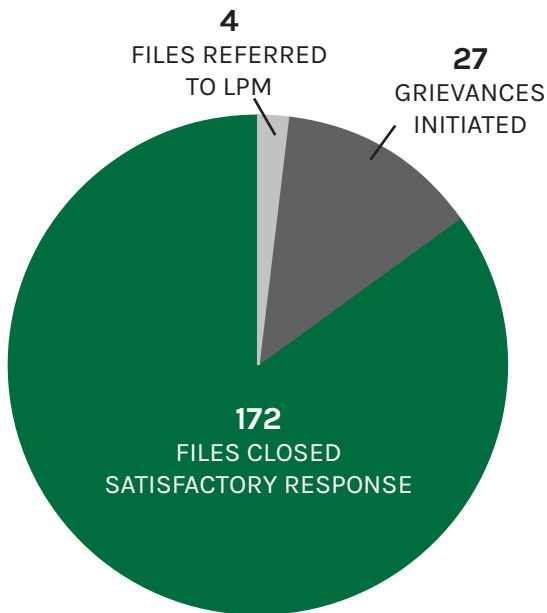
On May 14, 2021, the Supreme Court of Georgia issued an order amending Rule 1.15 (III) of the Georgia Rules of Professional Conduct, which eliminates the three-day grace period it previously granted banks to report overdrafts to the State Bar of Georgia. Accordingly, the Office of the General Counsel has obtained new trust account reporting agreements from banks currently listed as depositories approved for Georgia attorney trust accounts. The elimination of the three-day grace period will create a more effective loss prevention tool to identify trust accounting problems that could otherwise be masked in a lawyer's IOLTA account because of a steady stream of trust account deposits and disbursements. Moreover, the Office of the General Counsel will now be alerted sooner regarding trust account issues in order to provide discipline and/or corrective measures. ●

MONTH 2022-23	ACTUAL # NOTICES RECEIVED	FILES CLOSED/ ADEQUATE RESPONSE	FILES CLOSED/ LPMP	GRIEVANCES INITIATED	TOTAL CLOSED
July	19	14	0	2	16
August	21	25	0	4	29
September	15	24	0	0	24
October	24	8	0	6	14
November	10	9	0	1	10
December	27	10	0	1	11
January	26	15	0	2	17
February	5	12	2	2	16
March	28	17	0	6	23
April	20	7	1	1	26
May	18	13	1	1	15
June	21	18	0	1	19
TOTAL	234	172	4	27	220
PERCENTAGE		91%	0.63%	8.59%	

ACTUAL NUMBER OF BANK OVERDRAFT NOTICES RECEIVED | FY 2022-23



TRUST ACCOUNT OVERDRAFT FILE DISPOSITION | FY 2022-23



A total of 172 files were dismissed based on the receipt of satisfactory responses following the initial State Bar inquiry, **four** files were referred to the Law Practice Management Program and **27** files were forwarded to the State Disciplinary Board for possible disciplinary action.

RECEIVERSHIPS

BY WILLIAM D. NESMITH III, DEPUTY GENERAL COUNSEL

Every year, the Office of the General Counsel handles calls concerning “absent lawyers.” According to Rule 4-228 of the Georgia Rules of Professional Conduct, an absent lawyer is “[a] member of the State Bar of Georgia (or a domestic or foreign lawyer authorized to practice law in Georgia) who has disappeared, died, been disbarred, disciplined or incarcerated, become so impaired as to be unable to properly represent clients or who poses a substantial threat of harm to clients or the public that it is necessary for the Supreme Court of Georgia to appoint a receiver.” While most receiverships involve disbarred lawyers, many involve lawyers who have died without a successor or anyone to manage their firm’s affairs or clients. Often, these receiverships involve hundreds to thousands of files.

Whenever the State Bar of Georgia receives a call indicating a receiver is necessary to protect an absent lawyer’s clients, the Bar Counsel unit for the Office of the General Counsel attempts to locate a local lawyer to accept an appointment as receiver. A local lawyer generally better understands the community and courts affected by the receivership. However, this is often not an option due to the nature or condition of the absent lawyer’s practice. When no lawyer agrees to help, a petition is filed to appoint a lawyer from the Office of the General Counsel as receiver. Typically, this lawyer is the Deputy General Counsel for the Bar Counsel unit.

Whenever a lawyer from the Office of the General Counsel is appointed receiver by the Supreme Court of Georgia, the first order of business is to gain access to the client files. Once access has been obtained, a moving company is typically employed to move the files under the supervision of Bar Counsel staff. All files are inventoried once the files arrive at the State Bar of Georgia headquarters. Bar staff catalogs the files by type, client name, if the file is pending in court and identifies to whom the files belong. A copy of the receivership order is sent to any affected court in pending matters. After handling pending matters, Bar Counsel staff begins carefully

reviewing each file to determine completeness and if any original documents or other client property should be returned to a client. On numerous occasions, original wills and real estate deeds that were never filed are discovered. State Bar rules allow the receiver to file wills with the appropriate probate court; however, real estate deeds and mortgage cancellations must be returned to the client for filing. Every effort is made to contact the absent lawyer’s clients to return client files to the client and protect the client’s and the public’s interests. Client files are returned after the client completes a sworn affidavit of ownership or is provided to a lawyer who presents a letter of representation of the client. This is an abbreviated description of the receivership process.

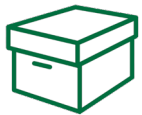
During the 2022-23 Bar year, the State Bar of Georgia filed four petitions for the appointment of a receiver with the Supreme Court of Georgia. Deputy General Counsel William D. NeSmith III was appointed receiver in three of the four petitions. Currently, the Office of the General Counsel is handling 24 receiverships, with Deputy General Counsel William D. NeSmith III serving as the receiver in 21 receiverships. Approximately 1,806 boxes containing approximately 12,456 files are being stored at State Bar Headquarters, and more than 4,000 letters have been sent to the clients of absent lawyers whose practice is in receivership. Additionally, Bar Counsel and staff handle hundreds of phone calls from clients, courts and others concerning receiverships and absent lawyers.

In addition, State Bar members have been appointed receivers and are currently handling 31 active receiverships. Bar Counsel monitors these receivers and checks their progress to ensure that the client’s interests are protected. Once the outside receivers have fulfilled their duties, Bar Counsel arranges the removal of the remaining files and their storage at State Bar Headquarters.

All files, regardless of whether they were handled by outside receivers or Bar Counsel, are cataloged and monitored by age. Files



that are unclaimed and are more than six years old are scheduled for shredding. Once enough files are ready for destruction, Bar Counsel arranges a shredding company to come on-site and remove the files for proper destruction. ●



OF BOXES STORED AT THE STATE BAR

1,806



OF FILES CONTAINED

12,456



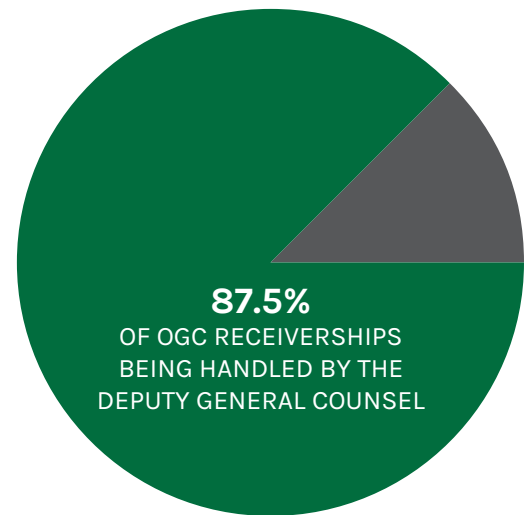
OF LETTERS SENT TO CLIENTS

4,000+



OF ACTIVE RECEIVERSHIPS HANDLED BY BAR MEMBERS

31



Currently, the Office of the General Counsel is handling 24 receiverships, with Deputy General Counsel William D. NeSmith III serving as the receiver in 21 receiverships.

DISCIPLINARY HISTORY REQUESTS

BY WILLIAM D. NESMITH III, DEPUTY GENERAL COUNSEL

Whenever a Georgia lawyer needs an official report on their disciplinary history, a complete history may be ordered from the State Bar of Georgia. Often these reports are required for employment reasons or when a lawyer is seeking admission in another state as a member or admission *pro hac vice*.

Once the Office of the General Counsel receives the request for a lawyer's disciplinary history, Bar Counsel staff determines that the request has been properly submitted and that a waiver of confidentiality has been executed. Once this determination has been made, Bar Counsel staff thoroughly searches the State Bar disciplinary files to prepare a response to the request. The request for a disciplinary history may come directly from the lawyer or an outside entity, such as another state bar. Often, disciplinary history requests involve phone calls to the requestor for more information.

During the 2022-23 Bar year, Bar Counsel received 837 requests for disciplinary histories and handled numerous phone calls from lawyers and entities seeking further information about the process. Each disciplinary history letter includes a detailed explanation of Rule 4-224. Expungement. Often requestors require more information about this rule beyond the explanation provided. ●

OF REQUESTS FOR
DISCIPLINARY HISTORIES

837

CONTRACTS

BY JOHN J. SHIPTENKO, SENIOR ASSISTANT GENERAL COUNSEL

Following State Bar policy and adhering to the established process by the Office of General Counsel (OGC), all State Bar entities, including employees, departments, committees, sections, divisions, boards and others, are required to submit their State Bar contracts to the Office of the General Counsel for evaluation. The responsibility of reviewing State Bar contracts and overseeing all other contractual matters has been assigned to the Bar Counsel unit (Bar Counsel) by the General Counsel.

Bar Counsel may propose modifications, suggest changes and create contract drafts upon contract review. Bar Counsel also offers legal guidance to State Bar departments, sections, committees and employees regarding contract terms. This includes matters related to the State Bar Conference Center and the satellite offices located in Tifton and Savannah.

As part of its usual role, the Bar Counsel assists in handling contracts involving State Bar committees, sections, departments and employees in two main scenarios: first, during the planning of meetings, events and procurement of services, and second, when coordinating with various parties like vendors, suppliers, contractors, consultants, exhibitors and entertainers.

Regarding independent contractors utilized by the State Bar, the Bar Counsel oversees the assessment and renewal of the underlying independent contractor agreements.

Beyond their regular contract support duties, the Bar Counsel also reviewed, revised and negotiated a fresh contract with Fastcase on behalf of the Member Benefits Committee. ●

INSURANCE COMMITTEE

BY JOHN J. SHIPTENKO, SENIOR ASSISTANT GENERAL COUNSEL

Insurance Committee Mission

The Insurance Committee acts in accordance with Article VIII, Section 2 of the State Bar of Georgia Bylaws at the direction of the president of the State Bar. The Committee serves as an advisory committee to the State Bar's Executive Committee, officers, executive director and general counsel. Subject to the purposes established for this Committee by the State Bar president, this Committee reviews the State Bar's insurance coverage. It offers input and recommendations to the executive director and Executive Committee regarding best practices, coverage types, liability amounts, protection and risk management considerations, and insurance broker retention. The Committee also provides input on State Bar policies concerning insurance and liability and other related matters it believes the State Bar should consider.

Committee Members and Staff Liaisons

Committee Members

Charles Minor McDaniel Jr., Chair
Christopher Paul Twyman, Vice Chair
Joseph C. Chancey
J. Anderson Davis
William Wallace Fagan III
Paul L. Groth
Travis Carlisle Hargrove
William H. Major
Tracy O'Connell
Elizabeth Louise Fite, Executive Committee Liaison

Staff Liaisons

Damon E. Elmore, Executive Director
Ron Turner, Chief Financial Officer
William D. NeSmith III, Deputy General Counsel
John J. Shiptenko, Senior Assistant General Counsel
Nariah Dancy, Administrative Support

SUMMARY OF RECOMMENDATIONS

Insurance Renewal

The State Bar of Georgia uses Greyling Insurance Brokerage & Risk Consulting as its broker for insurance and risk analysis. At the Committee's June 1, 2023, meeting, the Committee submitted the following recommendations to the executive director concerning insurance renewal.

Renew all incumbent insurance providers at the same levels as last Bar year. The incumbents are:

- Hanover (*workers' compensation, auto and umbrella liability coverage*)
- Chubb (*workplace violence*)
- Atlantic Specialty (*executive liability—directors and officers, employment practices liability*)
- Munich Re (*professional liability*)
- Travelers (*executive liability—crime*)
- Cowbell (*cyber liability*)

Coverage Changes from 2021-22 to 2022-23

- Renew the cyber liability coverage with a \$3 million liability limit. This is an increase of \$28,960.88.

CYBER LIABILITY COVERAGE LIMIT

\$3 MILLION

- Renew the general liability and property package with Hanover (Citizens Insurance Company of America) with a building limit of \$73,616,265 and a \$25,000 deductible. This is an increase of \$9,954.

BUILDING LIABILITY COVERAGE LIMIT

\$73,616,265

Cyber Incident Expense Resolution

All insurance payments have been negotiated to the Bar's satisfaction, and the cyber incident is closed. However, there can always be some minor issues that occur, which will be handled as needed.

Insurance Broker Request for Proposal

At the Dec.13, 2022, meeting, the committee recommended that the State Bar consider the following factors to determine if the Bar should issue a request for proposal:

- Is the State Bar satisfied with the broker's services?
- Does the State Bar believe that another broker could secure lower premiums?
- Does the State Bar believe another broker could provide similar services at a lower rate? ●



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AMENDMENTS TO BAR RULES & BYLAWS

BY WILLIAM D. NESMITH III, DEPUTY GENERAL COUNSEL

Requests for amendments to the Rules and Regulations for the Organization of the State Bar of Georgia may come from State Bar sections, committees, officers or any State Bar member. If a Bar member is requesting an amendment, the request is typically taken to the general counsel, the executive director, a State Bar officer, the governing committee associated with the particular rule(s) or the deputy general counsel (Bar counsel) who will prepare a draft of the proposed rule amendment. Individual Bar members may also submit their draft of a proposed opinion. Rule amendments are facilitated and processed by the deputy general counsel and the senior paralegal for the Bar Counsel unit of the Office of the General Counsel.

Bar counsel typically circulates the draft of a proposed rule amendment amongst interested parties until it meets with general approval; it is then forwarded to the Executive Committee for their review. Pursuant to Article IV, Section 2 of the State Bar of Georgia Bylaws, the Executive Committee has the power to exercise all the powers of the Board of Governors between meetings of the Board and shall report to each meeting of the Board. Accordingly, the Executive Committee reviews the proposed amendment before it is presented to the Board of Governors. If approved, the proposed amendment is submitted to the Board of Governors for review and approval. If the Executive Committee does not approve a proposed amendment, it is typically not submitted to the Board of Governors. However, no specific rule states that a proposed amendment needs to be presented to or approved by the Executive Committee. Proposed amendments can be submitted directly to the Board of Governors by a member of the Board of Governors as a new agenda item.

After the Board of Governors approves the proposed amendment, the Office of the General Counsel (Bar counsel) prepares a Notice of Motion to Amend the Rules of the State Bar of Georgia. Bar counsel publishes the notice in the *Georgia Bar Journal* or on the State Bar of Georgia website pursuant to Bar Rule 5-101. At the same time the Notice to Amend is published, a copy of the no-

tice is filed with the Supreme Court of Georgia. At least 30 days after the publication date of the notice, a Motion to Amend the Rules of the State Bar of Georgia and a Brief in Support of the Motion to Amend the Rules of the State Bar of Georgia may be filed with the Supreme Court of Georgia and published in accordance with Rule 5-101.

Pursuant to Bar Rule 5-102, Bar members are allowed to file comments or written objections to any motion to amend the Rules of the State Bar of Georgia. All objections shall be filed with the clerk of the Supreme Court of Georgia by a designated date, with a copy served upon the general counsel of the State Bar of Georgia. Each objection shall contain the grounds on which the objection is based. If desired, a request for oral argument on the proposed amendment may be requested. According to Bar Rule 1-503, the Supreme Court of Georgia, at its sole discretion, may grant or deny a request for oral argument. The clerk of the Supreme Court of Georgia shall notify the general counsel of the State Bar of Georgia and the person seeking oral argument of the date of any oral argument granted under the provisions of Rule 23 (b) of the Rules of the Supreme Court of Georgia.

If the Supreme Court approves or modifies and approves the amendment to the rules, Bar counsel notifies the entity requesting the amendment of the Supreme Court's decision and publishes a notice of the amended rule on the State Bar's website. The State Bar's Handbook is also updated accordingly. The State Bar Handbook is only available in electronic form and is found on the State Bar of Georgia website at www.gabar.org/rules.

Proposed Rule Amendments Pending With the Supreme Court of Georgia

During the 2022-23 Bar year, the following proposed rule amendments were approved by the Board of Governors and filed with the Supreme Court of Georgia. The proposed rule amendments remain pending with the Supreme Court of Georgia.

Motion 2023-1

On Jan. 14, 2023, the Board of Governors approved the following proposed rule amendments. A motion to amend the rules (Motion 2023-1) was filed with the Supreme Court of Georgia on April 24, 2023. An amended motion was filed with the Supreme Court of Georgia on May 2, 2023. No substantive changes to the proposed rule amendments were made in the amended motion. Motion 2023-1 remains pending with the Supreme Court of Georgia.

- **Rule 1.0. Terminology and Definitions**

The proposed amendment to this rule adds a definition for “Willful Blindness.” The term is later found in a proposed rule amendment to Rule 1.2 (see below). This proposed amendment will go into effect if the Supreme Court of Georgia approves the proposed changes to Rule 1.2.

- **Rule 1.2. Scope of Representation and Allocation of Authority Between Client and Lawyer**

The proposed amendments to this rule are designed to help eliminate illicit money laundering activities, including the addition of a recommendation that requires lawyers in the Financial Action Task Force (FATF) member countries to report clients’ suspicious activities to law enforcement authorities.

- **Rule 1.5. Fees**

The proposed rule amendments mandate that a lawyer who enters into agreements to arbitrate fee disputes or disputes over payment of expenses must obtain written informed consent from the client in advance. Additionally, fee contracts must disclose the existence of an arbitration agreement. A new comment was added to provide context for the proposed rule change. The primary objective of this proposed change is to ensure that clients are well-informed and safeguarded when they enter into arbitration agreements in fee contracts or agreements.

- **Rule 1.8. Conflict of Interest: Prohibited Transactions**

The proposed amendments to this rule ensure that clients are properly informed and safeguarded when they agree to arbitration in fee contracts or agreements. The amendments incorporate language from the proposed amendment to Rule 1.5 (see above) and provide that clients give informed consent in writing before agreeing to an arbitration provision in a fee contract or agreement. A new comment was added explaining what informed consent entails, what must be included in fee agreements, and what information lawyers must reveal to clients to obtain informed consent.

- **Part 7—Information About Legal Services**

The proposed amendments to these rules constitute a complete reorganization of the current advertising rules, encompassing Rules 7.1 through 7.5.

Proposed Rule Amendments Pending Filing With the Supreme Court of Georgia

The proposed amendments to the following rules were presented to and approved by the Board of Governors. Notice of the proposed

amendments is pending publication and filing with the Supreme Court of Georgia.

- **Rule 1.1. Competence**

The proposed amendments to this rule rewrite Comment [6], which expresses the need for lawyers to keep current with changing technology and continue to study the law, including required legal education requirements.

The Board of Governors approved the proposed amendments to Rule 1.1 on Oct. 19, 2019. Notice of the proposed amendment was published on the State Bar of Georgia website on Nov. 1, 2019, and filed with the Supreme Court of Georgia on Feb. 28, 2020, under Motion 2020-1. After reviewing the proposed amendments, the Supreme Court asked the Office of the General Counsel to return the matter to the Board of Governors for further discussion. The Board of Governors reconsidered the issue at their Nov. 23, 2021, meeting, at which the Board affirmed their previous decision to approve the proposed amendments.

- **Rule 1-207. Official Address and Change of Address**

The Board of Governors approved this proposed amendment on June 10, 2023. The proposed amendment to this rule requires State Bar members to provide the State Bar of Georgia with an email address as part of their official address.

- **Rule 1-706. Center for Lawyer Well-Being**

The Board of Governors approved this proposed amendment on June 10, 2023. The proposed rule is a new rule establishing the Center for Lawyer Well-Being, which will serve as an umbrella organization for members’ wellness and health programs and initiatives.

- **Rule 2-214. Report of the Special Master**

The Board of Governors approved this proposed amendment on June 10, 2023. The proposed amendment to this rule permits the coordinating special master to grant either a respondent or the State Bar of Georgia an extension of up to 15 days to file or respond to exceptions to the Report of the Special Master in a disciplinary case.

- **Rule 4-402. The Formal Advisory Opinion Board**

The Board of Governors approved this proposed amendment on June 10, 2023. The proposed amendments to this rule intend to eliminate outdated language regarding the organization of the Formal Advisory Opinion Board and provide a clearer explanation of the staggered terms of office for Board members and the process for their appointment.

Approved Amendment to the Bylaws of the State Bar of Georgia

- **Article IX, Section 3. Center for Lawyer Well-Being Bylaws**

This amendment creates a new bylaw that establishes an organized structure for the Center for Lawyer Well-Being and outlines the center’s purpose, leadership roles, membership requirements, fees, procedures for meetings and voting, guidelines for fund usage and other provisions. ●



DISCIPLINARY ORDERS OF THE SUPREME COURT OF GEORGIA

BY KATHYA S. JACKSON, CLERK, STATE DISCIPLINARY BOARDS

Reinstatements Granted

<i>Date of Order</i>	<i>Respondent</i>
Aug. 1, 2022	Anthony Van Johnson
Sept. 19, 2022	David Godley Rigdon
Oct. 4, 2022	Trent Lee Coggins
March 22, 2023	David John Pettinato
April 18, 2023	Jason Lee Van Dyke
May 11, 2023	Sawand Palmer

Public Reprimands

<i>Date of Order</i>	<i>Respondent</i>
Aug. 9, 2022	Dennis Robert Kurz
Oct. 4, 2022	Karen Lynn Pass

Suspensions

<i>Date of Order</i>	<i>Respondent</i>
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Indefinite Suspensions

Aug. 23, 2022	Candace Lanette Sneed
Oct. 25, 2022	William D. Thompson Jr.
Jan. 18, 2023	Debra Kaye Scott
Feb. 8, 2023	Muhammad Abdul-Warit Abdur-Rahim
March 7, 2023	David John Pettinato

Definite Suspensions

Oct. 4, 2022	Trent Lee Coggins
March 7, 2023	L. Nicole Hamilton
April 18, 2023	Jason Lee Van Dyke
May 31, 2023	Brian Walton Whiteside

Interim Suspensions

Aug. 9, 2022	John Carl Huber
Sept. 16, 2022	Timothy Orman McCalep
Nov. 9, 2022	Stephen Dana Morrison Jr.
Jan. 24, 2023	Christopher Scott Connell

Jan. 24, 2023	Joseph W. Powell II
Jan. 27, 2023	Ryan Curtis Cleveland
Feb. 27, 2023	Ian Zimmerman
March 13, 2023	Stephen Heuron Robinson
May 11, 2023	Serge Jerome Jr.

Interim Suspensions Lifted

Nov. 14, 2022	Stephen Dana Morrison Jr.
Dec. 30, 2022	Odis William Williams II
Jan. 27, 2023	Christopher Scott Connell
Feb. 27, 2023	Joseph W. Powell II
March 17, 2023	Stephen Heuron Robinson
May 15, 2023	Serge Jerome Jr.

Disbarments/Voluntary Surrenders

<i>Date of Order</i>	<i>Respondent</i>
July 6, 2022	Glen Roy Fagan
Aug. 9, 2022	Amber Holly Bunch
Aug. 9, 2022	Michael Anthony Eddings
Aug. 9, 2022	Grady Alexander Roberts III
Aug. 23, 2022	Stephen Anthony Power
Sept. 20, 2022	Joseph Arrington II
Oct. 4, 2022	Edward Hine Jr.
Oct. 4, 2022	Franklin David McCrea
Jan. 18, 2023	Candice Valerie Blain
Jan. 18, 2023	Chandra McNeil Norton
Feb. 21, 2023	Kara Sherrisse Lawrence
Feb. 21, 2023	Gus Vincent Soto
March 7, 2023	Nathan E. Hardwick IV
March 7, 2023	Dana Nicole Jackson
March 21, 2023	Willie George Davis Jr.
April 18, 2023	Claud L. McIver III
May 31, 2023	Ian Zimmerman

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