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GEORGIA BAR
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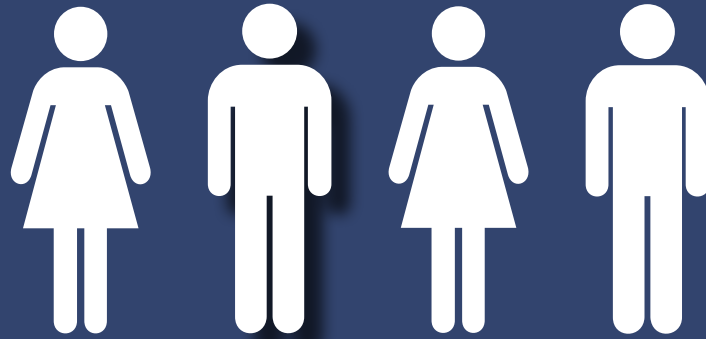
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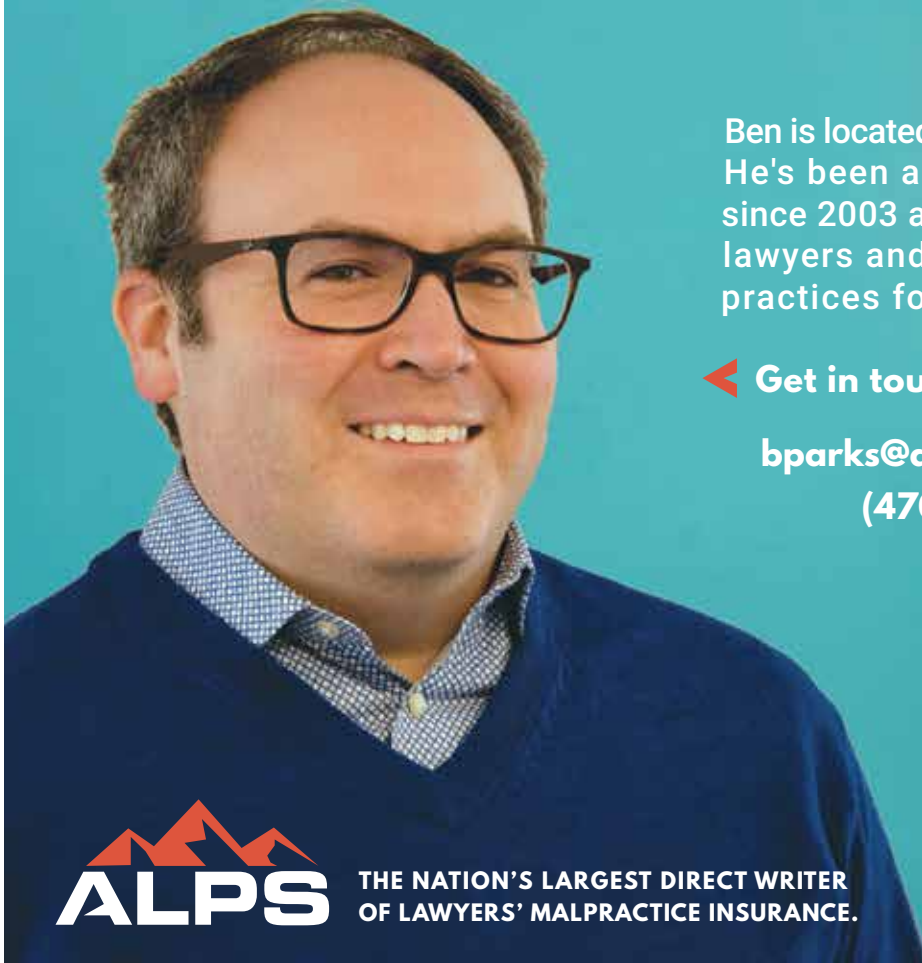
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The *Georgia Bar Journal* welcomes the submission of news about local and voluntary bar association happenings, Bar members, law firms and topics of interest to attorneys in Georgia. Please send news releases and other information to: Ashley Stollar, Communications Coordinator, 104 Marietta St. NW, Suite 100, Atlanta, GA 30303; 404-527-8791; ashleys@gabar.org.

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The August Issue

Welcome to the August issue of the Georgia Bar Journal! The State Bar of Georgia is celebrating the start of its 2021-22 Bar year, and our editorial team would like to introduce you to the leaders and causes that we'll be following for the next year.

The article "Reunited and It Feels So Good" discusses the State Bar of Georgia's Annual Meeting, which took place this June in Isle of Palms, South Carolina. We introduce the new officers who took over in July, and say goodbye to those who helped steer the ship and keep us afloat in the challenging Bar year that was 2020-21. Be sure to read the parting remarks from outgoing State Bar President Dawn M. Jones, who discusses how the Bar and its leadership pivoted, survived, thrived—and learned to embrace our similarities and respect our differences.

In this issue, you'll hear from new State Bar of Georgia President Elizabeth L. Fite. In addition to her remarks to the Board of Governors, she also shares her thoughts on expanding the peer court for juvenile offenders in "Peer Courts: Showing Young Offenders a Different Path." We also hear from the new YLD President Elissa Haynes about "The Path to Leadership: Finding Your Why." In this article, Haynes traces her professional journey and explains what

she plans to accomplish during her time as leader of the Young Lawyers Division.

In this month's Georgia Lawyer Spotlight, former Supreme Court of Georgia Chief Justice Harold D. Melton sits down with *Georgia Bar Journal* editorial board member Jacob E. Daly.

For our legal article, James V. Burgess writes about Georgia's regional commissions and the issue of urban services in "Area-wide Service Delivery in Georgia." Also in this issue, Sam Skelton talks about the importance of spiritual and emotional wellness, as well as changing the stigma of mental health in "The Power of Connection and Perspective." In "You Matter," Chief Justice's Commission on Professionalism Executive Director Karlise Y. Grier discusses how people can be more present for their colleagues, friends and family, as well as the resources available for Georgia attorneys.

On a personal note, this is my first issue as editor-in-chief of the *Georgia Bar Journal*, and I am so incredibly honored and excited for this opportunity. I want to thank previous editor Kristin Poland for her service, guidance and wisdom. I'm also looking forward to working with the talented and dedicated State Bar of Georgia communications department. New Bar year, here we come! ●



MEGAN HODGKISS

Editor-in-Chief, *Georgia Bar Journal*
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ON THE COVER

Pictured on the cover is 2021-22 President Elizabeth L. Fite

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ELIZABETH L. FITE

President
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Peer Courts: Showing Young Offenders a Different Path

I grew up in an area of southern Arkansas that was economically distressed and, likely as a result, I witnessed a fair amount of conflict and violence in my school. To address the increase in violence, my school implemented a peer mediation program when I was in middle school as an alternative means of discipline for some of the students who were getting into trouble. I was selected to be trained and serve as a peer mediator.

As a middle school student, serving as a peer mediator was an eye-opener. It ultimately led me to understand the importance of a “jury of one’s peers.” For the student referred to the program, they often responded more favorably to talking to a fellow student and resolving whatever the underlying conflict was that gave rise to the infraction. It also created a sense of civic responsibility in the students to help their peers. These experiences helped form my appreciation of the justice system’s role in helping people peacefully resolve their problems. It is no surprise that those years heavily influenced my decision to become a lawyer.

For the last nine years, through a joint effort of state and local agencies, Georgia has successfully run its own peer court for juvenile offenders. Founded in 2012 as a collaboration with the Athens-Clarke County Juvenile Court, the Georgia Department of Juvenile Justice, the University of Georgia School of Law and UGA’s J.W. Fanning Institute for Leadership Development, the Athens Peer Court is a diversionary program that offers young people who have been arrested a chance to have their cases’ dispositions decided by fellow middle and high school students who are trained to serve as lawyers, judges, jurors and bailiffs.

Georgia’s second peer court was started in 2015 by the Forsyth County Juvenile Court, supported by a grant from the Criminal Justice Coordinating Council and in coordination with the Fanning Institute, which is working to expand into other counties as soon as possible.

In both Athens-Clarke and Forsyth County, youth volunteers conduct sentencing hearings for their peers who are first-time defendants charged with various misdemeanor offenses. The youth

OFFICERS' BLOCK

The State Bar of Georgia's eight officers are elected to a one-year term by the membership and serve as members of the Executive Committee. Three of the officer positions are held by the president, president-elect and immediate past president of the YLD, shown on page 11.

offenders who successfully complete their dispositions are able to learn from their mistakes but avoid having permanent records and/or contact with the juvenile court system. Cases are resolved in a timely manner, as 60% of youth offenders participating in Athens Peer Court have had their hearings within 30 days of being charged.

For the students who volunteer to run the peer court, the value is in the 13 hours of training in leadership skills, public speaking, an understanding of restorative justice and confidentiality. Students learn and have an opportunity to practice how to interview a client, how to give an opening statement and how to serve on a jury to determine a fair and appropriate disposition.

As a means of expanding the peer court program to other communities around Georgia, the Fanning Institute has established the Judge Horace J. Johnson Jr. Peer Court Initiative to raise funds for that purpose and honor the legacy of one of Georgia's most respected jurists.

During nearly four decades in the legal profession and justice system, Judge Johnson was both the first African-American attorney and first African-American Superior Court judge in Newton County. Dedicated to the betterment of his profession and his community, Judge Johnson regularly mentored young lawyers, started a mentoring program in the Newton County School System and worked to start a Boys and Girls Club in his hometown of Covington.

As a judge who fought for justice, fairness and compassion, Judge Johnson was a pioneer in the realm of alternative sentencing. He started parental accountability courts in the Alcovy Judicial Circuit (Newton and Walton counties) and opened a treatment court for veterans.

Judge Johnson's untimely passing on July 1, 2020, at the age of 61 was a



ELIZABETH L. FITE

President

Fite, of Rogers & Fite, LLC in Atlanta, represents those who have suffered catastrophic injuries or lost loved ones as a result of tractor trailer collisions or other commercial vehicle wrecks. In addition, Rogers & Fite pursues the civil prosecution of DUI and dram shop cases.



SARAH B. "SALLY" AKINS

President-Elect

Akins is with Ellis, Painter, Ratterree & Adams LLP and Miles Mediation & Arbitration. Her practice focuses on mediating civil cases, including premises liability, professional negligence and products liability, amongst others.



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DelCampo, of DelCampo & Grayson LLC in Atlanta, focuses his law practice in the areas of personal injury, medical malpractice, trucking accidents, premises liability and business disputes. He is also a mediator/arbitrator with Henning Mediation and Arbitration.



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Cadle, of Baker Donelson in Macon and Atlanta, is a real estate litigator who advocates for property rights in the areas of eminent domain, land use, title, zoning, conservation easements and commercial lending litigation. He is also a certified public accountant and mediator.



DAWN M. JONES

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Jones, of The Firm of Dawn M. Jones, LLC, is a former ICU nurse representing clients and their families for death or severe injuries resulting from medical negligence, nursing home neglect/abuse, truck collisions and other tort-related matters. She also serves as a Receiver and a consultant to retain expert witnesses.



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... peer courts can be set up by a Juvenile Court judge or court administrator or even a local Division of Family and Children Services office or local youth advocacy group.

tremendous loss for the entire Georgia legal community. During my years in State Bar leadership, my path crossed with Judge Johnson's on numerous occasions. For everyone who has ever known him, he had a way of making you feel you were the most important person in the room.

By seeking to train future generations to give back to their communities, promote justice and fairness, and act with compassion, the Peer Court Initiative named in his honor thus speaks in a meaningful way to the legacy of servant leadership left by Judge Horace Johnson.

It is a way for these young people to move forward and grow from their experiences. No one chooses to be in that situation, but accountability courts are tools for our justice system to resolve problems.

At this point you might be thinking, all that is very nice, but do peer courts actually work? Yes, they do. The Athens Peer Court reports that 78% of the youth offenders it saw between 2017 and 2020 did not reoffend. Lowering youth recidivism rates lead to better outcomes for youth and long-term benefits for the community. According to studies, between \$1.7 million and \$5.3 million is saved when diverting a youth from more serious infractions with the justice system.

In nine years, more than 660 youth offenders and 300 youth volunteers have had the opportunity to engage with their community, learn new skills and make a positive contribution through service and volunteerism. Now, the Judge Horace J. Peer Court Initiative seeks to replicate the successful Athens-Clarke and Forsyth County models by providing seed

money to other jurisdictions throughout the state.

According to Matthew L. Bishop, director of the Fanning Institute, peer courts can be set up by a Juvenile Court judge or court administrator, or even a local Division of Family and Children Services office or local youth advocacy group. "But ultimately, it's run through the Juvenile Court," Bishop added. "The judge creates a set of standards for what cases he or she would be willing to send to peer court. The whole idea is to catch young, first-time offenders as soon as we can and show them a different path so they won't reoffend. It saves money for the taxpayers and reduces a judge's caseload not having to adjudicate those in Juvenile Court."

I hope you will join me in supporting this expansion effort by considering a contribution to the Judge Horace J. Johnson Jr. Peer Court Initiative, honoring the legacy of our late friend and colleague, and providing technical assistance and support to communities in Georgia that would like to start a peer court. You can learn more and donate online by visiting www.fanning.uga.edu/programs/athens-peer-court/ or by writing a check payable to the UGA Foundation (note "Judge Horace J. Johnson Jr. Peer Court Initiative" in memo) and mailing it to the J.W. Fanning Institute for Leadership Development, 1240 S. Lumpkin St., Athens, GA 30602.

For more information on starting a peer court in your community, contact Emily Boness, a public service associate attorney with the Fanning Institute, at 706-542-1472 or boness@fanning.uga.edu. ●

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Georgia Lawyers Helping Lawyers (LHL) is a confidential peer-to-peer program that provides colleagues who are suffering from stress, depression, addiction or other personal issues in their lives, with a fellow Bar member to be there, listen and help.

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The Path to Leadership: Finding Your ‘Why’



ELISSA B. HAYNES

YLD President
State Bar of Georgia
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For the last few years, people have asked me, “why?” Why did I decide to get involved with the Young Lawyers Division of the State Bar of Georgia? Why do I voluntarily choose to write and edit briefs, for free, as chair of the Georgia Defense Lawyers Association’s Amicus Committee? Why do I serve on various committees within my law firm? Is work not exhausting enough? While I can assure you that work is, indeed, exhausting, it is the non-billable work that embodies who I am as a lawyer.

Those who know me know that Ruth Bader Ginsburg is one of my greatest inspirations (and the namesake behind my Peloton username, @RideLikeRBG). Thanks to YLD Past President Rizza O’Connor and our then-YLD Newsletter Editor ShaMiracle Rankin, I had the once-in-a-lifetime opportunity to meet and be sworn in by Justice Ginsburg at the YLD Spring Meeting in March 2019. Justice Ginsburg had many traits that made her one of the most influential leaders of our profession. She spoke her mind, fought for what she believed in and advocated with passion. While Justice Ginsburg had many noteworthy quotes, one is particularly relevant for the work many of us do for our profession. When she was asked how she would want to be remembered, she said, “I’ve gotten much more satisfaction for the things that I’ve done for which I was not paid.” The same applies for me and the work I do for the YLD and the State Bar of Georgia.

Many people think that the Young Lawyers Division is just a group of brand new “baby lawyers” fresh out of law school, when in reality our membership consists of lawyers under the age of 36 or lawyers in their first five years of law practice, regardless of age. My journey to YLD leadership was a bit delayed and did not begin during my “baby lawyer” days. During my first four years of practice, extracurricular involvement was never encouraged or financially supported. It was not until 2016 and my sixth year of practice when my former colleague and friend, Kevin Patrick, encouraged me to apply for the YLD Leadership Academy that I got involved.

During my six-month Leadership Academy program, I had the privilege of serving, networking and building friendships with 30-plus lawyers who practiced in various areas of the law across our state. Together, we learned what it meant to be leaders in our profession, and several of my classmates have since gone on to become judges, partners in law firms, owners of law firms and top-ranking corporate counsel. I think many of them would agree, as I do, that the YLD played a role—however big or small—in their personal and professional development.

If you scour the internet, you will find several definitions for leadership. James MacGregor Burns defined leadership as “leaders inducing followers to act for certain goals that represent the values and the

OFFICERS' BLOCK

The Young Lawyers Division officers consist of a president, president-elect, treasurer, secretary, immediate past president and two newsletter editors who are responsible for carrying out the purposes of the Young Lawyers Division.

motivations—the wants and needs, the aspirations and expectations—of both leaders and followers.” Before I was sworn in as the 75th president of the YLD, I spent years thinking about the type of leader I wanted to be, the goals I wanted to accomplish and how I could build upon the foundation laid by my 74 predecessors. First, I want to encourage and promote inclusivity and YLD involvement at any stage of a young lawyer’s career. Starting my climb up the YLD leadership ladder later in my career meant that unlike many past officers, I had not served on the YLD Board of Directors before I decided to run for YLD Secretary. I ran as an “outsider,” so to speak, which was frowned upon by many at the time. Whether you are just beginning your legal career or have made becoming a lawyer a second career later in life, I want to make sure you feel included and at home with the YLD as a lay member, committee chair or even an officer.

Second, I will work to increase YLD involvement in our state legislature. As part of the YLD Leadership Academy, our young lawyers get the opportunity to meet with lawyer/legislators during a visit to the Capitol and every year, I am shocked to hear how few lawyers we have in our General Assembly. Currently, only 8 of our 56 State Senators are lawyers and by my last count, there are only 24 lawyers out of 180 members in the Georgia House of Representatives. Regardless of which side of the “v” you are on or what



ELISSA B. HAYNES | YLD President

Haynes is a partner and chair of the appellate practice group at Drew Eckl & Farnham, LLP, in Atlanta. Haynes’ trial and appellate practice is focused primarily on defending claims involving negligent security, premises liability, personal injury and religious institution liability.



RON DANIELS | YLD President-Elect

Daniels is the owner of Daniels Law LLC, in Eastman, Georgia. The firm focuses on claims under the Fair Debt Collection Practices Act and the Fair Credit Reporting Act. He also serves as special assistant attorney general representing the Division of Child Support Services and the Department of Corrections.



BRITTANIE D. BROWNING | YLD Treasurer

Browning is an associate at Hall Booth Smith, P.C., Atlanta. She focuses her practice on advising clients in civil litigation matters involving governmental liability, general liability and appellate matters.



KENNETH MITCHELL JR. | YLD Secretary

Mitchell is an associate at Johnson & Freeman, LLC. He focuses his practice on government litigation, commercial litigation and general counsel services.



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The YLD is the service arm of the Bar and seeing the good that 10,000-plus young lawyers can bring to our community and the legal profession is my “why.” What’s yours?

your political affiliations may be, the legal knowledge and skills that you possess are greatly needed and can be put to good use. I look forward to working closely with our YLD Legislative Affairs Committee chairs and the State Bar’s director of governmental affairs to help find more opportunities for our young lawyers to get involved.

Third, I want to see greater interaction between members of the YLD and members of what the YLD often refers to as the “big Bar.” I am honored to serve under the leadership of State Bar President Elizabeth Fite, marking only the second female leadership duo in 59 years. Unlike years past, the YLD will be combining three of our four meetings with the Board of Governors starting with our Fall Meeting in Savannah (Oct. 22-24), followed by our Midyear Meeting in Atlanta (Jan. 6-8), and our Annual Meeting in Amelia Island (June 2-5). Our standalone YLD meeting will be our Spring Meeting in Chattanooga (March 18-20). It is my hope that with increased interaction between our YLD and non-YLD members, we will see an increase in mentor-mentee relationships and an easier transition for the lawyers who will soon age out of the YLD and hopefully continue serving our State Bar. I implore each of our State Bar members to encourage YLD involvement and to financially support our younger lawyers by sponsoring their attendance at one of our quarterly meetings.

Finally, I would be remiss if I did not acknowledge how fortunate I am to serve at a time when we have slowly started to return to in-person events af-

ter a year of Zoom and Microsoft Teams. While we all have Zoom fatigue, one thing that these virtual meeting platforms have helped us with is being able to participate in more meetings and events without the burden or expense of traveling. I plan to keep a virtual option for all our YLD meetings and CLEs so our members across the state, and even out of state, can participate and feel included. On the CLE front, I am excited to bring innovative programming to the YLD such as speakers who will be discussing blockchain, cryptocurrency and their interaction with the law, along with our inaugural YLD Constitution Day CLE. Another technology-related goal of mine is to lay the groundwork for a YLD-wide listserv for those who may not have the benefit of a law firm or the GTLA/GDLA listserv to ask questions, seek recommendations or initiate case referrals.

In addition to these four goals, I remind everyone of the YLD’s motto which is “working for the profession and the public.” I am committed to continuing our efforts in addressing lawyer wellness, mental health and racial injustice, and with the help of my committee chairs and Board of Directors, we will also work to strengthen our institutional projects and programs such as the Legal Food Frenzy, Georgia High School Mock Trial Competition and the YLD Signature Fundraiser. The YLD is the service arm of the Bar, and seeing the good that 10,000-plus young lawyers can bring to our community and the legal profession is my “why.” What’s yours? ●

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A New Bar Year



PHOTO BY EVAN BARTLESON PHOTOGRAPHY

DAMON ELMORE

Executive Director
State Bar of Georgia
damone@gabar.org

For the State Bar of Georgia, summer rings in the new year. In June, a new slate of officers was installed at our Annual Meeting, along with several new faces on the Executive Committee and Board of Governors. New President Elizabeth Fite has completed her committee assignments, numbering in the hundreds, and our fiscal year began July 1.

It comes as no surprise that there is a lot more “new” in this new Bar year than most others. For the first time since March 2020, our Bar Center headquarters is buzzing with activity as our staff members, who never stopped working during the pandemic closure, have returned to the office and welcomed a number of new faces. Our conference center is once again hosting member meetings and events. It is an exciting time.

After a long absence from in-person gatherings, we are pleased with the way the 2021 Annual Meeting turned out. Hundreds of our colleagues, members and friends were able to gather in person to conduct Bar business, receive updates on improvements and changes in the law and legal theory and, most enjoyable of all, to simply fellowship. We are also grateful to the members who joined the meetings, events and educational sessions via teleconference. The result was a record-setting weekend that we all can be proud of.

In case you were unable to join us in person or participate online, I provided an update about the work that has our at-

ention from an operational perspective as this new Bar year begins. I am personally grateful to the Board of Governors for their confidence and extension of my term as executive director. I appreciate the opportunity to continue to work with an amazing team as we support the mission of the Bar and provide value for our members. We are confident and optimistic in our position and the manner in which we will support our members in this new Bar year and beyond.

My report to the Board included some highlights of recent successes and developments within several of our departments. It included our Fee Arbitration staff and how they continue to moderate long and complicated hearings. It complimented our office manager, who has been instrumental in collaborating and coordinating with our conference center, building security, sections, departments and other groups keeping the Bar Center’s reopening top of mind.

We also bragged on our High School Mock Trial program and that team supported the national competition tournament, an event that saw a Georgia team bring home a top-5 finish. Many of you have received support from our membership department as it has been working through database changes and server updates, while navigating past license renewals and elections. In addition, while the report was a snapshot of the work going on, we did also brag about all of our other

departments not specifically mentioned, but doing the work they need to do.

Three things especially have my attention, as I reported to the Board in June. First, we are constantly monitoring the landscape of the commercial real estate market as we stay focused on optimizing the use of 104 Marietta Street. During the building's period of closure, we did lose one tenant. Under the leadership of our Bar Center Committee, we are working with a broker to identify potential new tenants and take advantage of Atlanta's rebounding office market. That is a top priority.

Another priority includes an intentional effort to connect with Bar members and key stakeholders to share the story of the work we are doing at the Bar as part of President Fite's #KnowYourBar initiative. What is equally important in those sessions is to hear your thoughts, feedback, opinions and suggestions. We are always open to improving our services and enhancing our value to all Bar members. I am grateful to those of you that have already allowed me a chance to connect in recent weeks, and I look forward to seeing more of you in the weeks to come, especially if lunch is involved.

Our final focus is simple, and that is to get back into a groove of supporting our staff and carrying out the work of the Board and Bar leadership. That is it. My office has no agenda, program or plan. The aim is to simply make sure that our

Point of Personal Privilege:

Pulling off an Annual Meeting in "normal" times requires a significant amount of work by our meetings department and other staff members. However, to pull one off during a pandemic, in a hybrid format and with a number of obstacles stacked against us, required something just short of a miracle.

But it was that phenomenon that was carried out this year. It could only happen as a result of the planning and participation of our volunteer leaders, coupled with an ability to execute like no other on the part of so many of our staff.

We are grateful for the positive feedback and compliments shared by all. We thank you. Our attention is now turned to the next one, and what similar attention will be required then. Until then, thank you, everyone, for a remarkable event.

processes and people are best suited to do that work.

Now that we are at a place that is directionally supportive of that focus, we will take full advantage of that space and deliver results. I appreciate the opportunity to have been a part of the Bar in this fashion since January, and I look forward to the work before us. DEE ●

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Area-Wide Service Delivery in Georgia

The concept of the delivery of local government services on a regional or area-wide basis in Georgia may warrant consideration as an alternative for improving local government service delivery, particularly in some of the declining rural areas of Georgia.

BY JAMES V. BURGESS JR.

There have been a number of initiatives to eliminate fragmentation in urban service delivery by counties and municipalities in Georgia since the 1950s. In 1951, an attempt was made to sort out urban services and functions to eliminate functional duplication in service delivery between Atlanta and Fulton County.¹ This was followed by voter approval of a constitutional amendment in 1972, authorizing both counties and cities to provide the same type of urban services.² In 1991, Gov. Zell Miller's Local Government Commission on solving service delivery problems found extensive jurisdictional fragmentation among Georgia's local governments.³ In 1995, the Georgia Future Communities Commission proposed legislation for service delivery reform. Its recommendations resulted in passage of the Service Delivery Act (HB 489) that required cities and counties to minimize duplication and overlap in service delivery and conflicts in land use plans.⁴

A concept for improving urban service delivery on a regional basis that received limited attention in these earlier reform efforts is the delivery of urban services on an area-wide basis. Under this concept,

Georgia's 159 counties would be grouped together regionally to provide delivery of urban services. The current 12 regional commissions would serve as a model for implementation of this concept, and, by expanding their direct service delivery, could achieve economies of scale that would result in cost savings to local governments throughout Georgia, and particularly in rural areas.

Local vs. Area-Wide

While there is little published research in Georgia about the delivery of local government services on a regional or area-wide basis, the concept was examined extensively in a report by the Advisory Commission on Intergovernmental Relations (ACIR) in 1963.⁵ The ACIR report analyzes urban functions and presents conclusions about whether they should be performed on a local, area-wide or intermediate basis. The report examines 15 major urban functions and enumerates economic and political criteria for evaluating these functions from the standpoint of an appropriate area of jurisdictional performance. It presents three groupings

of urban functions in terms of whether the service is confined or broadly diffused throughout the region. The three groupings of services are distinguished on the following basis:

1) Services whose benefits are least susceptible to appropriation by any one individual and most likely enjoyed on a community-wide basis. These services include:

- Parks and conservation.
- Sanitary and health inspection services.
- Highways and streets.
- Planning and zoning.
- Building and housing inspection.
- Judicial functions.
- Civil defense.
- Nuisance control.
- Welfare.

2) Services whose benefits are enjoyed almost exclusively by the individual consumer. These services include:

- Refuse collection and disposal.
- Gas and electricity.
- Golf courses.
- Curb, gutter and sidewalk improvement and maintenance.
- Transportation terminals, airports.
- Legal services.

3) Services that fall between the above groupings in that their benefits are enjoyed primarily by individual consumers. These services include:

- Water supply.
- Sewage disposal.
- Public health services.
- Hospital and medical facilities.
- Transportation.
- Recreation programs.
- Education.
- Libraries.

These services are analyzed in terms of whether the cost and spill over benefits of the service is susceptible to area-wide performance and ranked on a scale

of “most local” through “most area-wide” as follows:

- Fire protection.
- Public education.
- Refuse collection and disposal.
- Libraries.
- Police.
- Health.
- Urban renewal.
- Housing.
- Parks and recreation.
- Welfare.
- Hospital and medical care.
- Transportation.
- Planning.
- Water supply and sewage disposal.
- Air pollution control.

These 15 functions and services account for approximately 85% of local government expenditures.⁶ Examples of criteria used in evaluating the optimum performance of these 15 urban services include:

- The governmental jurisdiction responsible for the service should be large enough to allow benefits of the service to be enjoyed primarily within the jurisdiction.
- The unit of government should be large enough to realize benefits of economies of scale.
- The unit of government should have sufficient administrative and legal authority to perform the service.
- The unit of government should be controllable and accessible to its residents and allow opportunities for citizen participation.

Area-Wide Service Delivery in Georgia

ACIR’s demonstration of an approach for area-wide delivery of urban services may not be fully applicable or even feasible as a model for implementation in most Georgia communities. However, this concept for area-wide service delivery may warrant consideration as an alternative for improving local government service de-

livery, particularly in some of the declining rural areas of Georgia.

Georgia’s Regional Commissions (see page 19) may offer possible geographic jurisdictions for area-wide service delivery. Georgia was one of the first states in the country that allowed local government to voluntarily form regional groupings of counties, initially known as Area Planning and Development Commissions (APDCs). These APDCs were later reconstituted as Regional Development Centers (RDCs) by the Georgia Planning Act of 1989, and given responsibility for the establishment of coordinated and comprehensive planning for the state and for assisting local governments with the preparation of such plans.⁷

Regional cooperation and coordination in service delivery was one of the key issues considered by The Commission for a New Georgia (CNG) established during Gov. Sonny Perdue’s administration.⁸ As an innovative public-private partnership, the CNG’s goal was to provide an opportunity for leaders from both sectors to lend expertise in the areas of policy development and governmental operations. It was comprised of small, highly focused working groups created around a dozen or so themes and chaired by prominent business leaders. Each task force was charged with reviewing and analyzing various aspects of state government, learning as much as possible about the issues, sharing best practices and providing ideas for improvement. Creative suggestions generated by the task forces were forwarded to the governor and senior staff for review, and transferred to the appropriate governmental agency or department for potential implementation.

The Service Delivery Task Force, as its name implies, reviewed matters related to the delivery of services and their coordination by state agencies, local governments and regional entities. This particular task force was active from 2007-09 and chaired by Paul Wood, president and CEO of the Georgia Electric Membership Corporation. The Service Delivery Task Force included elected and appointed local government officials, members of the General Assembly, representatives of Regional Development Centers and others

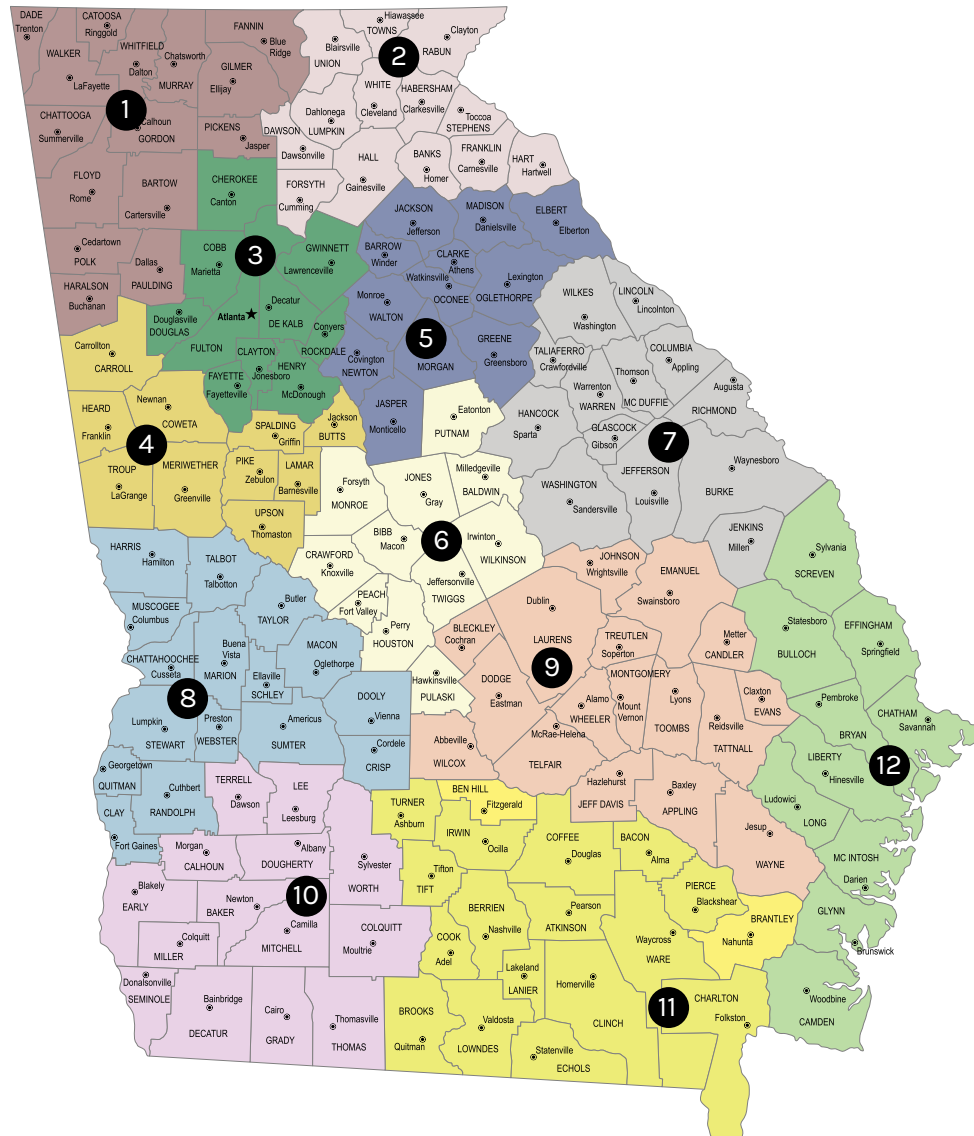
knowledgeable of the subject matter.⁹ The Service Delivery Task Force approved the following recommendations:

- 1) Rename Regional Development Centers as Regional Commissions.
- 2) Reduce the number of entities from 16 to 12 and revise boundaries to ensure that commissions include a minimum of 300,000 persons and a vibrant regional economic hub so that each commission would have sufficient population base and resources for support of operations.
- 3) Expand the governing boards of the commissions to include members appointed by the governor, lieutenant governor and speaker of the house.
- 4) Establish and implement minimum per capita dues in order to receive additional matching funds from the state.
- 5) Authorize Regional Commissions to provide the direct delivery of urban services within their boundaries only upon formal requests and consent by participating governments.¹⁰

In 2010, state legislation was adopted to implement the Service Delivery Task Force recommendations, designating RDCs as Regional Commissions (RCs).¹¹ This legislation further authorized RCs to provide direct services to local governments within their respective regions. Each RC is governed by a council that establishes policy and provides direction for the commission. Membership on the council is comprised of the chief elected official of each county and one elected official of each municipality in each county of the region.

The organizational structure of Georgia's Regional Commissions is consistent with the ACIR criteria for performance of area-wide urban services. The jurisdiction of the commissions is sufficiently large enough to facilitate economies of scale that would benefit the residents of their member counties and cities. They have been granted sufficient legal and administrative authority to perform urban service delivery. Each commission is governed by a council that establishes policy and direction for its programs and services. The council is composed of elected officials and resi-

Georgia's Regional Commissions



- | | |
|-------------------------------|-------------------------------|
| 1 Northwest Georgia | 7 Central Savannah River Area |
| 2 Georgia Mountains | 8 River Valley |
| 3 Atlanta Regional Commission | 9 Heart of Georgia Altamaha |
| 4 Three Rivers | 10 Southwest Georgia |
| 5 Northeast Georgia | 11 Southern Georgia |
| 6 Middle Georgia | 12 Coastal |

dents as nonpublic members, thus assuring citizen access and participation. An executive director is appointed by the council, serves at its pleasure and is responsible for carrying out the policies and programs of the commission.

The provision of direct governmental services on behalf of local governments requires approval of the council and the passage of a resolution by the county or municipality requesting direct provision of services. Governmental services include all the necessary services provided by local governments.¹²

Services Provided by Regional Commissions

Most of Georgia's regional commissions provide a similar base line of services to the citizens of counties and cities within their respective regions. Generally, these entities serve local governments by focusing on planning, economic development, services for the elderly and workforce development, providing technical and consulting assistance to local governments as follows:

- Aging and Disability Services.
- Community Development.
- Comprehensive/Regional Planning.
- Economic Development.
- Government Information Systems.
- Historic Preservation.
- Human Resources.
- Information Technology.
- Land Use and Development Code.
- Revolving Loan Fund.
- Transportation.
- Workforce Training and Development.

Direct Urban Services Delivery

Georgia's 12 Regional Commissions provide few direct urban services to their member cities and counties. While granted this legal authority in 2010, it has been seldom utilized by Georgia's RCs for the direct delivery of urban services. The following examples of direct services provided by regional commissions are based

upon telephone interviews with executive directors and from their websites:

- 1) The Southern Georgia Regional Commission provides staff assistance to a solid waste authority that operates a regional landfill for cities and counties.¹³
- 2) The Middle Georgia Regional Commission provides property tax parcel maintenance, graphic information services and local human resource assistance in the recruitment and selection of personnel for local governments.¹⁴
- 3) The Northeast Georgia Regional Commission (NEGRC) was selected to coordinate a comprehensive multi-county water study conducted by the U.S. Army Corps of Engineers.¹⁵ Completed in 1987, the study indicated that future water resource planning in the region would be the responsibility of local and regional entities, there being no identified navigational concerns or flood control issues. This led to the formation of the Upper Oconee Basin Group, including Barrow, Athens-Clarke, Jackson and Oconee counties, and the NEGRC was asked to provide staffing for the Basin Group. Following due diligence studies related to environmental concerns, archaeological and historic resources, existing residential and commercial structures, wildlife, endangered species of plants and others, a site in southwestern Jackson County on Bear Creek, a tributary of the Middle Oconee River, was chosen as the optimum location for a regional reservoir. The Upper Oconee Basin Water Authority (UOBWA) was created by the General Assembly in 1994.¹⁶ It secured the necessary permits related to design, financing, acquisition and construction of the reservoir and related improvements. A Section 404 permit from the U.S. Army Corps of Engineers allowing construction efforts to proceed was issued in 1998.

The Bear Creek Reservoir and Treatment Plant were dedicated in

2002. The reservoir includes 505 acres and contains 5 billion gallons of water. The treatment plant, with a capacity of 21 million gallons per day, provides treated water to Barrow, Jackson and Oconee counties. A raw water line extends from the reservoir to an existing treatment plant in Athens-Clarke County, providing water to that entity. Initial estimated project costs were approximately \$75 million; however, the project was completed at an amount approximately \$6 million under budget. Additional savings were realized when bonds were refinanced.

The Bear Creek project, from initiation to fruition, was undertaken with staff support and oversight by the NEGRC. Since the 2002 opening of the project, the UOBWA has relied upon the NEGRC to serve as the body's administrative entity. Working with UOBWA officers, NEGRC hosts all meetings, prepares agendas and meeting minutes, coordinates the Authority's finances and reports, and serves as the administrator of all UOBWA contracts. Several members of the UOBWA Board serve also as members of the NEGRC Board, thus the relationship among the two bodies is seamless. The UOBWA has realized administrative cost savings through utilization of NEGRC staff resources.

- 4) The Coastal Regional Commission initiated a regional transportation services program in 2009 for employment, medical and public service needs within the 10-county coastal region. Its Coordinated Transportation Department provides rural public transit across 10 counties and 35 municipalities. Its Coastal Regional Coaches operate a system of 62 buses and cover a service area of more than 5,100 square miles. Passengers are allowed to travel regionally to accommodate their trip purpose regardless of county boundaries. The service is a demand-response, advance-response regional public transit program that coordinates human services transportation and private contract services on one

fleet of vehicles. This optimizes use of resources and expanded transit choices.¹⁷

- 5) The Three Rivers Regional Commission has administered a Rural Public Transportation Program in its 10 county regions since 1999. The program operates under a “demand-response” model. This means that there are no fixed routes, bus trips or pickup times. Residents must call in and order a trip 24 hours in advance, and daily routes are generated based on the destination request.¹⁸

Potential Direct Service Delivery

There are a number of additional potential urban services that RCs could provide to member counties and cities. This is particularly true in certain rural areas of the state where cities and counties have experienced declines in populations and resources. Regional commissions could serve as the leadership catalyst by initiating discussions and workshops among local elected officials about potential urban services that could be performed on a regional basis. The universities could assist in this effort by conducting research to demonstrate benefits and cost savings to local government from area-wide service delivery. The following examples of direct urban services are presented for purposes of illustration. Extensive cost-benefit research would be necessary to determine whether a particular service provided by a regional commission is feasible.

Administrative Services

This category covers a number of functions that could be provided by regional commissions. Examples include purchasing and contracting, personnel management, computer-based information systems and geographic information systems. A number of the RCs currently provide these services to their cities and counties. The establishment of a central purchasing and warehousing system administered by the regional commission could result in cost savings through bulk acquisition of commonly used public works material and equipment, such as sand, gravel, stone, tractors, trucks, etc.

Personnel administration services could include employee recruitment and selection, pay and position classification, and training. A computer-based information system for utility billing could be of great assistance to small cities.

Records Management

All local governments have requirements for storing and retrieving public records. Those records that have to be kept for a longer period of time could be stored in a regional facility. There would be personnel savings from economies of scale as well as cost of storage space for the records. A number of years ago, Rome and Floyd County created a joint records management agreement. They have a building for this and used it for both city and county records.¹⁹

Fire Protection

Most urban services consist of various sub functions, which may have different spillover effects. For example, fire protection is best suited for administration at the local level. Fire companies of necessity must be close to the scene of a fire. However, personnel recruitment and training could benefit from performance on an area-wide basis.

Public Safety

Day-to-day law enforcement should remain a local responsibility because of quick citizen access. Police patrol, parking and traffic regulation are best administered locally. However, the costs and benefits of other police services such as laboratories, communications, detection and detention may be more suitably performed on an area-wide basis.

A problem of major concern to local law enforcement agencies is the recruitment and retention of personnel. Police chiefs and sheriffs frequently complain about the loss of good people to higher paying jurisdictions. Regional commissions could assist in solving this problem by providing a central recruitment service and training for a pool of law enforcement officers. The service would be under contract and include a specified scale of base salaries where local government under contract could draw upon the pool

of trained officers and, if necessary, pay supplements to salaries if desired.

Law enforcement in Canada offers a model for a regional approach for provision of police services. Most urban areas in Canada have been given the authority to maintain their own police departments. However, seven of Canada’s provinces and three territories contract out their law-enforcement responsibilities to the Royal Canadian Mounted Police (RCMP), popularly known as the “Mounties.” The RCMP also serves in areas that do not have an established police force, primarily rural areas.²⁰

Detention

The county jail function would be another excellent candidate for area-wide performance. In one area of South Georgia, five rural counties have jails within 30 minutes of each other. About half of these jails have excess jail capacity ranging from 40-70%.²¹ Elimination of this county-by-county jail function could result in significant savings for taxpayers.

Solid Waste Collection and Disposal

Solid waste collection is a service that many local governments both “provide” and “produce.” In some instances, they provide the service but contract out the production to a private vendor. There are many private vendors; some are regulated by the local the government jurisdiction others are not. Regional commissions could offer consolidated region wide solid waste collection via individual contracts with the local governments. The RC would in turn contract for the production of the service with private vendors. This could be done as a franchise with a limit on the number of producing private sector companies or offer contracts for any and all businesses wanting to offer the service. As part of the contract, the RC could set standards for recycling, frequency of pickup and contract administration. Local governments would contract with the RC for solid waste services produced by the private sector vendors. By offering a private vendor a larger service area, there could be cost savings to the local governments.

Water Supply and Sewage Disposal

Responsibility for water distribution and sewage collection is appropriate for local control. There could be savings or economies of scale from area-wide performance of water supply and sewage disposal.

Parks and Recreation

A larger geographic area has the advantage of economies of scale in the financial planning of large parks. Recreation programs involving team sports may also benefit from area-wide organization and participation. Recreation programs and activities generally cut across political boundary lines.

Passive recreational services such as bike trails, hiking trails, canoe/kayak trails, and historic and scenic trails often benefit from routes that may encompass more than one jurisdiction. A regional commission could act as a planning, coordinating and administrative body to plan and manage such resources. Costs could be allocated on levels of use by each jurisdiction which could be monitored by random survey or video monitoring of vehicle tags in parking areas.

Comprehensive Planning

This function is best administered on an area-wide basis for resolving land use and development conflicts among local government units. Planning activities such as subdivision control and zoning are local functions.

Health and Human Services

In recent years, Georgia has experienced a number of hospital closures. These closures have occurred in rural areas of the state where economies are distressed. State lawmakers' attempts to address the financial plight of rural hospitals have repeatedly failed. Many rural hospital facilities have low occupancy rates and draw from areas where population is below the poverty line. The establishment of medical facilities through the combined resources of counties and cities within a regional area may provide one solution to the problem of rural hospital closures.

Regional commissions could also establish employee insurance pools that could have potential for cost savings on health benefits.

Conclusion

Georgia's Regional Commissions have legal authority to provide the same direct urban services provided by counties and municipalities. Regional commissions have proven highly effective as administrative agencies for comprehensive planning and technical assistance to local governments. A few RCs provide certain direct urban services regionally, but utilization of this concept is not widespread. The possible drawback to this approach is that many may lack the level of confidence from local governments to turn over some aspect of their operations to a regional entity. There is significant additional potential for direct service delivery by regional commissions ranging from solid refuse disposal to health and human services. Regional commissions could be an excellent resource for achieving economies of scale and cost savings to the taxpayers of Georgia's local governments. ●



James V. Burgess Jr. served as executive director of the Georgia Municipal Association from 1983 until 1995. Upon retirement he served as mayor of the city of Social Circle from 1997 until 2011. He is a practicing attorney specializing in municipal law and also serves as a public policy mediator and consulting attorney in matters affecting local and state government.

Endnotes

1. Act No. 208, Regular Session, 1949 Georgia General Assembly.
2. Ga. Laws 1972.
3. *A Platform for Local Government Change in Georgia, final report of the Governor's Local Governance Commission*, Atlanta, Ga. (Nov. 30, 1992).
4. O.C.G.A. §§. 36-70-20 through -28.
5. *Performance of Urban Functions: Local*

and Area Wide, Advisory Commission on Intergovernmental Relations, Washington, D.C. (1963).

6. *Id.* at p. 5.
7. Georgia Planning Act, O.C.G.A. § 50-8-38.
8. The commission was established at the beginning of the Perdue Administration in 2003 as a non-profit corporation, privately funded, with representation from businesses, professions and academia.
9. James Dove, then Executive Director of the Northeast Georgia Regional Commission, now retired, was a key member of the Commission and provided this background information about the Commission.
10. This recommendation was to ensure that the regional commissions refrain from engaging in service delivery activities without consent of participating local governments. Delivery of services across regional boundaries would occur only if formal agreements among the participating regional commissions are executed. The Task Force felt that Georgia had long been recognized as a national model for effective regional efforts, and this would become another example of benefits derived from joint collaboration - primarily the elimination of duplication of efforts and unwise expenditure of financial resources.
11. O.C.G.A. § 50-8-32 (2010).
12. O.C.G.A. § 50-8-35 (11) (2010).
13. Lisa Cribb, Executive Director, Southern Georgia Regional Commission.
14. Laura Mathis, Executive Director, Middle Georgia Regional Commission.
15. James Dove, former Executive Director, Northeast Georgia Regional Commission.
16. HB 168, Ga. Laws 1994, at 5123 (approved April 14, 1994).
17. *Coastal Regional Commission of Georgia Transportation Services* <<http://www.crc.ga.gov/departments/trans/trans.html>>.
18. *Three River Regional Commission Transportation Services* <<https://www.threeriversrc.com/transportation-services.php>>.
19. Harry Hayes, Local Government Project Director, Carl Vinson Institute of Government, University of Georgia.
20. *Id.*
21. James V. Burgess, Jr., *Improving Local Service Delivery*, p. 93 (2019).

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Annual Meeting 2021: Reunited and It Feels So Good

BY JENNIFER R. MASON



R&B vocal duo “Peaches and Herb” said it best: “Reunited and it feels so good.” And who are we to argue? For the first time since January 2020, the State Bar of Georgia held an in-person meeting, and by all accounts from those who attended, it was a huge success.

The 2021 Annual Meeting offered in a hybrid format, allowed for in-person attendance at the Wild Dunes Resort, Isle of Palms, South Carolina, for those who were comfortable with an in-person event, or virtual attendance for all Board of Governors meetings, as well as a large number of committee and section meetings, YLD functions and CLE offerings. This combination allowed for a larger number of participants than in previous years as the virtual component enhanced accessibility for those who may not have normally been able to attend due to cost or feasibility of travel based on professional or personal obligations. Whether you attended in person or virtually, the experience of being reunited with friends and colleagues resonated with all participants as the hard work, success found and lessons learned over the past Bar year

An impromptu dance party breaks out during the Opening Night Festival.

PHOTO BY JENNIFER R. MASON

were highlighted, celebrated and noted. The lessons learned by looking back and taking stock of the year completed ensure that the Bar as a whole is well-equipped to shape a path moving forward, strengthening the organization and its service to the profession and the public.

Opening Night Festival

The traditional Opening Night Festival on Thursday evening had more of a celebratory feel than ever before due to the two-year hiatus between Annual Meetings. The excitement was almost palpable as the minutes ticked away before the official opening of the weekend. Attendees and their guests gathered outside the Sweetgrass Inn pool deck eagerly awaiting the moment when they could enter the appropriately themed “Superhero Soiree” and celebrate the simple pleasure of being with other people in the same place. Music by the Live Exchange Party Band set the tone while everyone’s favorite superheroes meandered amongst the guests, stopping for photo-ops in between playing out scenes from the big screen to the delight of everyone watching. Food, drink, fun and games were enjoyed by all, but the best part of the night was the time people had with each other. That, and the end-of-the-evening dance party that spontaneously broke out and closed out the night on sweet notes of joy and laughter.

Weekend Bar Business

This was a working meeting, and despite the change in location and view, for most, the business of the Bar took precedence even in the lovely resort setting. There was work to be recognized, work to do and plans to make. Attendees were able to set about doing the business of the Bar during the day as committee meetings, section meetings and Board of Governors meetings took place. And in the new dawn of hybrid meeting offerings, participation was enhanced by the virtual attendance of those who were unable to make the trip. CLE opportunities were also available for those who wished to get a jump-start on earning their CLE

credit, or for those who were just interested in learning more about the topics at hand. Offerings, presented live and via livestream, included courses on institutional bias in the justice system, lawyers as legislators and the annual war stories and Georgia evidence series.

Business was also conducted in a number of less structured environments, allowing for a more personal approach to any manner of professional conversations. Beginning with the Opening Night Festival on Thursday and continuing through the weekend, Bar members were able to meet with their colleagues in more casual settings, including a number of social events, most open to all, that attendees could choose to participate in based on their level of interest. From the YLD/Pro Bono Fun Run on Friday morning to the section and law school receptions that evening, attendees were able to gather together in a relaxed atmosphere for fun, food and fellowship that enhanced the in-person networking opportunities that had been on hold for the last 18 months or so. More formal events included the YLD Dinner and Swearing-In Ceremony on Friday and the Presidential Gala on Saturday evening.

Board Meeting Highlights

The June 11 plenary session began with recognition by President Dawn M. Jones of members of the judiciary, the past presidents of the State Bar and other special guests in attendance, in addition to honoring retiring Executive Committee members and Board of Governors members.

Following the recognition of special guests and prior to the presentation of the awards, President Dawn M. Jones reported on Inactive Sections and presented the Individual Rights Law and the Law and Economics Sections for abolition per Article IX Sections, Section 5. Abolition of Sections. The Board of Governors, by majority voice and poll vote, agreed to abolish both sections. If there are members who would like to reinstate either of these sections, per the rules, they will follow the same process as if they were establishing a new section.

President Jones then took time to present a number of special awards, call-

ing upon members of the Bar and the judiciary for assistance.

After inviting Jay Elmore, chair of the Military Legal Assistance Program to the podium, the 2019 Marshall-Tuttle Award was presented to Charles Shanor, professor of law emeritus, Emory University School of Law, Asheville, North Carolina; and the 2020 Marshall-Tuttle Award was presented to Douglas G. Andrews, partner, Andrews & Sanders Law, Savannah.

Following the presentation of the Marshall-Tuttle Award, President Jones invited JP Berlon, chair, Child Protection & Advocacy Section, and Supreme Court of Georgia Presiding Justice David Nahmias to the podium to present the Juvenile Law and Child Advocacy Awards. The 2021 Judge Willie Lovett Award for Advancing the Field of Juvenile Law was presented to Hon. LeRoy Burke III, presiding judge, Chatham County Juvenile Court, retired; and Ira Foster, general counsel/deputy director, Georgia Legal Services Program. The 2021 Chief Justice Harris Hines Award for Outstanding Advocacy for Children in Dependency Proceedings was presented to Christy Williams, Chattooga County Georgia Division of Family & Children Services (case manager), and Richard “Rick” Jones, Jones Family Law, Canton (lawyer). President Jones then called Immediate Past President Darrell Sutton to the podium to present the 2020 Chief Justice Thomas O. Marshall Professionalism Awards to Hon. Toby Batson Prodggers, retired judge, State Court of Cobb County, Marietta and A. James Elliott, Dean, Emory University School of Law, Atlanta. President Jones then presented the 2021 Chief Justice Thomas O. Marshall Professionalism Awards to Hon. John D. Allen, retired judge, Chattahoochee Circuit Superior Court, Columbus; and George W. “Buddy” Darden III, Pope McGlamry, Atlanta.

President Jones presented a replica check to GLSP General Counsel Ira Foster in the amount of \$827,870, representing voluntary contributions made by Bar members to GLSP’s 2020 “And Justice for All Campaign.”

Following the presentation of the annual awards, the State of the Supreme Court of Georgia was given by Chief Jus-



(Left to right) Avarita L. Hanson, Hon. Joy Lampley-Fortson and 2020-21 President Dawn M. Jones celebrate Lampley-Fortson's 2021 Thomas R. Burnside Excellence in Bar Leadership Award.

(Left to right) Executive Committee and Board Member Martin Valbuena, Christina Hummel and 2020-21 YLD President Bert Hummel during the Presidential Gala.

tice Harold D. Melton and the State of the Court of Appeals of Georgia was given by Chief Judge Christopher J. McFadden. The State of the Office of the Attorney General was given by Attorney General Chris Carr and the State of the Office of the Governor was delivered by Executive Counsel David Dove on behalf of Gov. Brian Kemp. The State of the Georgia House Judiciary Committee was given by Rep. Chuck Efstrotation (chair) and the State of the Georgia Senate Special Judiciary Committee was given by Sen. Jennifer Jordan (chair). President Dawn M. Jones presented the Memorials report.

Outgoing YLD President Bert Hummel reported on the activities of the YLD. He stated that, "this was not the year that anyone envisioned," but he was proud of what the YLD was able to accomplish regardless of the circumstances. He said that the YLD had received the benefit of many leaders this year. The Poll Worker Program in conjunction with the Secretary of State's office was a huge success; they had hundreds of volunteers who served as poll workers and deputy registrars. Each Bar member who volunteered with their county's Board of Elections, completed poll worker training, worked at their local polling place on Election Day and donated their reimbursement check was eligible to receive six hours of CLE credit. The donated reimbursement checks ben-

efited the YLD's Public Interest Internship Program, allowing the program to award four grants this year. Hummel also reported that the YLD's Women in the Profession Committee continued their wills program to provide estate planning for frontline workers in the fight against COVID-19, helping several hundred Georgians. The Georgia Legal Food Frenzy was a resounding success, raising more than \$934,000, setting a new record. The YLD also sponsored the Atlanta Volunteer Lawyers Foundation's Saturday Lawyers Program, providing impactful results for several Georgians in their time of need. Hummel thanked the Board for their support during his year and wished Incoming YLD President Elissa Haynes luck as he turned over the YLD to her.

During the plenary session, President Jones delivered her outgoing remarks as required by the bylaws of the State Bar of Georgia. A copy of those remarks can be found on page 36.

Elizabeth L. Fite presided over the 288th meeting of the Board of Governors on Saturday, June 12. Highlights of the meeting included:

- Immediate Past President Dawn M. Jones presented the Section Awards.
- President Fite addressed the Board of Governors and presented an overview of her proposed program activities for the 2021-22 Bar year (see page 40).

- The Board approved the following presidential appointments:

State Disciplinary Board:

- John Herbert Cranford Jr., Newnan (2024)
- Robert Rogers Giannini, Lawrenceville (2022)
- Jeffrey R. Harris, Savannah (2024)
- Margaret Ware Sigman Puccini, Savannah (2024)

State Disciplinary Review Board:

- At-Large:* D. Pearson Beardsley, Atlanta (2024)
- Lay Member:* Susan Leger-Boike, Cordele (2024)

Formal Advisory Opinion Board:

- Member-at-Large:* David Neal Lefkowitz, Athens (2023)
- Member-at-Large:* Edward B. Krugman, Atlanta (2023)
- Georgia Defense Lawyers Association:* Jacob Edward Daly, Atlanta (2023)
- Georgia Trial Lawyers Association:* C. Andrew Childers, Atlanta (2023)
- John Marshall:* Jeffrey Alan Van Detta, Atlanta (2023)
- Mercer University:* Patrick E. Longan, Macon (2023)
- State Disciplinary Review Board:* Alfreda Lynette Sheppard, Albany (2022)
- State Disciplinary Board:* Christian Joseph Steinmetz III, Savannah (2022)
- University of Georgia:* Lonnie Theodore Brown Jr., Athens (2023)



Past President Jimmy Franklin and wife Fay Foy take in the sights and sounds of the Opening Night Festival.

(Left to right) Tabitha Ponder and Hon. Phinia Aten displaying signs of pure joy during the Presidential Gala.

Young Lawyers Division: Donavan Keith Eason, Savannah (2023)

- The Board approved the proposed 2021-22 ICLE Board by unanimous voice and poll vote.
- The Board approved the proposed 2021-22 standing, special and program committees and board by unanimous voice and poll vote.
- Following a report by President Elizabeth L. Fite, the Board of Governors, by unanimous voice and poll vote, approved the following list of nominees, as revised, to the Judicial Qualifications Commission, which was submitted by the JQC Nominating Committee: Robert O. Bozeman, M. Gino Brogdon Sr., Caren Cloud, J. Anderson “Andy” Davis, Jeffrey Reese Davis, Keith Elliot Gammage, W. Pope Langdale, Tiffany Darcel, Williams Roberts, Toronda “Tori” Michelle Silas and R. Gary Spencer. Pursuant to O.C.G.A. § 15-1-21, the names will be provided to Lt. Gov. Geoff Duncan for consideration.
- Treasurer Tony DelCampo reported on the Bar’s finances and investments, and the Board, by majority voice and poll vote, approved the 2021-22 proposed consolidated budget and ICLE budget.
- The Board of Governors approved the following financial resolutions by unanimous voice and poll vote:

- As required by Article V, Section 8 of the Bylaws, the Board authorized the president to secure a blanket fidelity bond to cover all officers, employees and other persons handling State Bar funds.
- Pursuant to Article V, Section 6 of the Bylaws, the Board:
 - directed that the State Bar of Georgia and related entities open appropriate accounts with such banks in Georgia, but excluding any bank that does not participate in the IOLTA Program, and other such depositories as may be recommended by the Finance Committee and/or Investment Committee, and designated by the Executive Committee of the Board of Governors of the State Bar of Georgia, and that the persons whose titles are listed below are authorized to sign an agreement to be provided by such banks and customary signature cards, and that the said banks are hereby authorized to pay or otherwise honor any check drafts, or other orders issued from time to time for debit to said accounts when signed by two of the following: the treasurer, the president, the immediate past president, the executive director, the office manager and the general counsel, provided either the president or

- the treasurer shall sign all checks or vouchers and that said accounts can be reconciled from time to time by said persons or their designees. The authority herein given is to remain irrevocable so as said banks are concerned until they are notified in writing of such revocation of authority and in writing, acknowledge receipt thereof.
- designated Mauldin & Jenkins as the independent auditing firm to audit the financial records of the State Bar of Georgia for the fiscal year 2020-21.
- The Board, by unanimous voice and poll vote, elected Damon Elmore as executive director for the 2021-22 Bar year.
- The Board approved the proposed 2021-22 elections schedule.
- The Board, by unanimous voice and poll vote, approved the Election Committee’s recommendation of changing how members choose to receive paper ballots from opt-out to opt-in.
- The Executive Committee elections were held with the following results: William C. “Bill” Gentry, R. Javoyne Hicks, Shiriki Cavitt Jones and David Lipscomb.
- The Board approved the appointments of William Gregory II, Tennell Lockett, Darrell Sutton and Suzanne Werner for two-year terms to the Geor-



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Photos from the ANNUAL MEETING



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1. (Left to right) Board Member Jack Long and new Board Member Hon. Amanda Heath enjoy the atmosphere at the Mercer Law School Reception.
2. The Opening Night Festival Superhero Coloring Wall, sponsored by Georgia State University College of Law.
3. State Bar of Georgia's 2020-21 Executive Committee: (back row, left to right) YLD President-Elect Ron Daniels, Secretary Ivy N. Cadle, Member David Lipscomb, Member Javoyne Hicks, Member Martin Valbuena, YLD Immediate Past President Bert Hummel; Treasurer Tony DelCampo, Member Bill Gentry; (front row, left to right) Member Shiriki Cavitt Jones, YLD President Elissa B. Haynes, President Elizabeth L. Fite, Immediate Past President Dawn M. Jones, President-Elect Sally Akins and Member Nicki Vaughan.



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4. (Left to right) Secretary Ivy Cadle, Treasurer Tony DelCampo and President-Elect Sally Akins were sworn in as officers of the State Bar of Georgia on Saturday, June 12, by Chief Justice Harold Melton.
5. (Left to right) Hon. Verda Colvin receives the Distinguished Judicial Service Award from 2020-21 YLD President Bert Hummel.



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6. (Left to right) Treasurer Tony DelCampo and son Michael take charge on the dance floor at Presidential Gala.
7. (Left to right) Rebecca Dally and Anne LaMalva accept the 2020 Award of Merit, 2020 Law Day Award and 2020 Website Award for under 50 members; and the 2021 Award of Merit, the 2021 Law Day Award and the 2021 Website Award for 51-100 members on behalf of the Walton County Bar Association from 2020-21 State Bar of Georgia President Dawn M. Jones.
8. (Left to right) Construction Law Section Chair Peter Crofton accepts the Section Award of Achievement from 2020-21 President Dawn M. Jones.
9. (Left to right) Hon. Toby Batson Prodders accepts the 2020 Chief Justice Thomas O. Marshall Professionalism Award from 2019-20 State Bar of Georgia President Darrell Sutton.



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10. 2021-22 YLD Officers are sworn in by Hon. Sara Doyle. (Left to right) Secretary Kenneth Mitchell Jr., Treasurer Brittanie Browning, President-Elect Ron Daniels, Newsletter Co-Editors LaKeisha Randall and Ashley Akins, President Elissa Haynes and Immediate Past President Bert Hummel.



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11. The Band Be Easy brings the dancers to the floor.
12. 2016-17 President Pat O'Connor and wife Carol enjoying the Opening Night Festivities.

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Chief Justice Harold D. Melton shares a moment with his wife, Kimberly, during the 2021 State Bar of Georgia Annual Meeting.

gia Legal Services Program Board by unanimous voice and poll vote.

- The Board approved the appointment of Christopher J. Chan for a three-year term to the Chief Justice's Commission on Professionalism by unanimous voice and poll vote.
- YLD President Elissa Haynes said that she was grateful to be the 75th president of the Young Lawyers Division this year, and she thanked Outgoing YLD President Bert Hummel for his service and dedication to the YLD during a difficult year where almost all meetings and events were held via Zoom. Haynes stated that her goals will be: 1) encouraging and promoting inclusivity and involvement in the YLD, and she encouraged Board members to help support young lawyers in their participation in the YLD; 2) increasing legislative involvement from young lawyers because of the extremely low numbers of lawyers in the Legislature; 3) encouraging greater interaction between the

YLD and the Board of Governors, holding joint meetings and gatherings; and 4) focusing on technology, including a virtual option for all of her meetings to encourage participation. She also plans to create a YLD-wide listserv for those who may not have the benefit of a law firm or access to a listserv like GDLA or GTLA, so they can ask questions or receive support; focus on attorney wellness; secure new and interesting speakers for YLD CLEs and events; create a Hamilton-themed CLE for Constitution Day; and continue the momentum of the Legal Food Frenzy.

- Executive Director Damon Elmore reported on current Bar operations.
- Hon. Susan Edlein reported on the activities of the Chief Justice's Commission on Professionalism.
- Governmental Affairs Director Christine Butcher Hayes reported that the Bar successfully lobbied the passage of the Uniform Mediation Act, SB 234. The Remote Online Notary bill, HB

334, which was of interest to several State Bar sections, did not pass and will continue next year in the second year of the session. She briefly reported on HB 411, a bill to create a disciplinary entity similar to the Judicial Qualifications Commission for district attorneys and solicitors. It did not pass during session but will continue next year. She introduced Kyle Williams as the new chair of the Advisory Committee on Legislation and thanked Javoyne Hicks for her service as last year's chair. She stated that she was grateful for the support of the Bar's contract lobbyists Rusty Sewell, Mark Middleton and Roy Robinson. Lastly, Hayes thanked the Bar's leadership and the Board of Governors for their support of the legislative program.

- Hon. Walt W. Davis reported on the Georgia Statewide Business Court. He said that it had been two years since the governor asked him to take on and create the Business Court, which officially opened on Aug. 1, 2020. He reported that they created the Business Court and got it running by: 1) building, designing, developing rules and a web presence; and 2) marketing the Business Court with many speaking engagements. As a result, the Business Court has had 37 cases filed since August. Judge Davis offered to visit any place to tell people about the new Business Court.
- Secretary Ivy Cadle gave an informational report on the Clients' Security Fund.
- The Board received a copy of the State Bar of Georgia Audit Reports for the year-end 2020 and related auditor's letter regarding governance.
- The Board received a copy of the minutes of the Executive Committee meetings held on Feb. 26, March 6 and April 16.
- The Board of Governors received a written memorandum from the Office of the General Counsel and written reports from the following: the Insurance Committee, the Fee Arbitration Program, the Law Practice Manage-

ment Program, the Unlicensed Practice of Law Program, the Administrative Law Section, the Animal Law Section, the Antitrust Law Section, the Child Protection and Advocacy Section, the Construction Law Section, the Creditors' Rights Section, the Employee Benefits Law Section, the Equine Law Section, the Family Law Section, the Fiduciary Law Section, the General Practice & Trial Law Section, the Nonprofit Law Section and the Professional Liability Section.

- The Board received a copy of the 2020-21 media report.
- The Board received a copy of the Wellness Newsletter, Vol. 1, No. 2.

Annual Awards

During the plenary session, outgoing President Dawn M. Jones recognized specific Bar members and organizations for the work they have done over the past two years, as this year's awards presentations included award recipients from both the 2019-20 and 2020-21 Bar years.

Local and Voluntary Bar Awards

The Thomas R. Burnside Excellence in Bar Leadership Award, presented annually, honors an individual for a lifetime of commitment to the legal profession and the justice system in Georgia, through dedicated service to a voluntary bar, practice bar, specialty bar or area of practice section. The 2020 recipient is Rebecca Dally, as nominated by the Walton County Bar Association. The 2021 recipient is Hon. Joy Lampley-Fortson, as nominated by the Georgia Association of Black Women Attorneys.

The Award of Merit is given to voluntary bar associations for their dedication to improving relations among local lawyers and devoting endless hours to serving their communities. The bar associations are judged according to size.

2020 Recipients:

- Under 50 members: Walton County Bar Association

- 101 to 250 members: Gwinnett County Bar Association
- 251 to 500 members: Georgia Association of Black Women Attorneys
- 501 members or more: Atlanta Bar Association

2021 Recipients:

- 51 to 100 members: Walton County Bar Association
- 251 to 500 members: Georgia Association of Black Women Attorneys
- 501 members or more: Cobb County Bar Association

The Law Day Award of Achievement is presented to local and voluntary bar associations that best plan Law Day activities in their respective communities to commemorate this occasion. The bar associations are judged in size categories:

2020 Recipients:

- Under 50 members: Walton County Bar Association
- 101 to 250 members: Gwinnett County Bar Association

2021 Recipients:

- 51 to 100 members: Walton County Bar Association
- 101 to 250 members: Houston County Bar Association

The Best Newsletter Award is presented to voluntary bars that provide the best informational source to their membership, according to their size.

2020 Recipients:

- 101 to 250 members: Gwinnett County Bar Association
- 501 members or more: Georgia Defense Lawyers Association



PHOTO BY LAUREN KANE

Christie Williams, case manager, Chattooga County Georgia Division of Family & Children Services, accepts the Chief Justice Harris Hines Award for Outstanding Advocacy for Children in Dependency Proceedings from Supreme Court of Georgia Presiding Justice David Nahmias and 2020-21 State Bar of Georgia President Dawn M. Jones.

2021 Recipients:

- 101 to 250 members: Gwinnett County Bar Association
- 501 members or more: Georgia Defense Lawyers Association

The Best Website Award is given to local and voluntary bar associations with websites that exemplify excellence in usefulness, ease of use, content and design in meeting the needs of the website's targeted audience. The bar associations are judged in size categories.

2020 Recipients:

- Under 50 members: Walton County Bar Association
- 101 to 250 members: Gwinnett County Bar Association

2021 Recipients:

- 51 to 100 members: Walton County Bar Association
- 101 to 250 members: Gwinnett County Bar Association
- 501 members or more: Cobb County Bar Association

The President's Cup Award is presented annually to the voluntary bar associa-

tion with the best overall program. The recipient of this award for both 2020 and 2021 is the Georgia Association of Black Women Attorneys.

Section Awards

Section awards are presented to outstanding sections for their dedication and service to their areas of practice, and for devoting endless hours of volunteer effort to the profession.

- *Section of the Year*
Equine Law Section—Philip Burrus, interim chair
- *Awards of Achievement*
Construction Law Section—Peter Crofton, chair
Fiduciary Law Section—Patricia Friedman, chair
Nonprofit Law Section—Sabrina Fitze, chair

Young Lawyers Division Awards

Young Lawyers Division Awards are presented during the YLD Dinner and Swearing-In Ceremony.

The Distinguished Judicial Service Award was presented to Hon. Keith R. Blackwell, Hon. Verda Colvin and Hon. Robert D. Leonard II.

The Ross Adams Award was presented to Sharri Edenfield.

The Joe Dent Hospitality Award was presented to Zack Howard.

The YLD Ethics & Professionalism Award was presented to Pamela Peynado Stewart.

The Award of Achievement for Service to the YLD was presented to Christopher Bruce, J. Daniel Cole, Harry D. Dixon III, B. Chase Elleby, Matthew Gettinger, Taylor Hanks, Hon. Margaret A. Head, Hon. Amanda N. Heath, JonVieve Hill, Sarah Jett, Chinny Law, Luke Moses, ShaMiracle J. Rankin and Mark Weaver.

The Award of Achievement for Service to the Profession was presented to Audrey Bergeson, Chanel Chauvet, Carlos Fernández, Matthew Gettinger, Michelle Gettinger, Alexis Hamilton, Mishael Najm, Andy Navratil, Pamela Peynado Stewart and Kate Reddy.

The Award of Achievement for Service to the Public was presented to

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Chief Justice Harold D. Melton swears in Elizabeth L. Fite as the 59th president of the State Bar of Georgia while Fite's mother looks on. (Left to right) President Fite, Margaret Wooten Fite and Chief Justice Melton.

LaToya Bell, Jena Emory, Greenberg Traurig, LLP, Joe Habachy, Morgan Lyndall, Lindsey Macon, Veronica Rogusky and Jamie Rush.

The Award of Achievement for Service to the Bar was presented to Ashley Akins, Autumn Cole, Donovan Eason and LaKeisha Randall.

The Award of Excellence for Dedication to the YLD was presented to Win Cook, Michael Geoffroy, Ana María Martínez and Henry Walker.

The Outstanding YLD Affiliate Award was presented to the Cobb County YLD and the Houston County YLD.

The Bert Hummel Profile in Courage Award was presented to Will Davis, Lynn Garson, Ryan Germany, Javoyne Hicks, Kelsey Kicklighter, Jamie McDowell, Hon. Shondeana C. Morris, Hon. Wesley B. Tailor and Erica Taylor.

The Griffin Bell Triumph in Leadership Award was presented to Dawn M. Jones, Hon. Harold D. Melton and Darrell Sutton.

Passing of the Gavel

Saturday evening began with the reception honoring the justices and judges of the Supreme Court of Georgia and the Court of Appeals of Georgia, followed by the business portion of the evening. Prior to the swearing-in ceremony, President Jones presented the State Bar of Georgia's Distinguished Service Award, the highest accolade bestowed on an individual lawyer by the State Bar of Georgia, to Chief Justice Harold D. Melton. Melton was honored for "conspicuous service to the cause of jurisprudence and to the advancement of the legal profession in the state of Georgia" (see page 50). Following the award presentation, Chief Justice Melton swore in Elizabeth L. Fite at the 59th president of the State Bar. With her hand on the Bible, Fite repeated the following:

I, Elizabeth L. Fite, do solemnly swear that I will execute the office of president of the State Bar of Georgia, and perform all the duties incumbent upon me, faithfully, to the

best of my ability and understanding, and agreeable to the policies, bylaws, and rules and regulations of the State Bar of Georgia and constitution of the United States, so help me God.

The evening continued with dinner and drinks, along with two different types of entertainment, depending on preference. The Band Be Easy brought the tunes for dancing while an immersive 4K musical listening experience was available for those who preferred a more relaxing way to spend their last evening at the Isle of Palms. ●



Jennifer R. Mason

Director of Communications
State Bar of Georgia

jenniferm@gabar.org

2021-22 State Bar Officers, Executive Committee and Board of Governors Members

Officers

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Elizabeth L. Fite
Atlanta

President-Elect

Sarah B. "Sally" Akins
Savannah

Treasurer

Hon. J. Antonio "Tony" DelCampo
Atlanta

Secretary

Ivy N. Cadle
Macon

Immediate Past

President

Dawn M. Jones
Atlanta

YLD President

Elissa B. Haynes
Atlanta

YLD President-Elect

Ron Daniels
Eastman

YLD Immediate Past President

Bert Hummel
Atlanta

Executive Committee

William C. "Bill" Gentry
Marietta

R. Javoyne Hicks
Stone Mountain

Shiriki Cavitt Jones
Atlanta

David S. Lipscomb
Lawrenceville

Martin E. Valbuena
Dallas

Nicki Noel Vaughan
Gainesville

New Board of Governors Members

Alapaha Circuit, Post 1
Daniel Jackson Connell III, Adel

Atlanta Circuit, Post 10
Edward A. Piasta, Atlanta

Augusta Circuit, Post 1
Amanda Nichole Heath, Augusta

Brunswick Circuit, Post 1
Stephen Elliott Tillman, Baxley

Flint Circuit, Post 1
Amanda Renee Flora, McDonough

Macon Circuit, Post 3
Rebecca Holmes Liles Grist, Macon

Member-at-Large, Post 1
William T. Davis, Newnan

Member-at-Large, Post 2
Rosten Dara Diya "Chinny" Law, Atlanta

Middle Circuit, Post 2
Jerry Neal Cadle, Swainsboro

Northern Circuit, Post 1
Kimberly W. Higginbotham, Hartwell

Out-of-State Circuit, Post 1
Scott R. McMillen, Winter Park, FL

Toombs Circuit
Thomas B. "Britt" Hammond,
Warrenton

Board of Governors Members

Alapaha Circuit, Post 1
Daniel Jackson Connell III, Adel

Alapaha Circuit, Post 2
Clayton Alan Tomlinson, Nashville

Alcovy Circuit, Post 1
Michael G. Geoffroy, Covington

Alcovy Circuit, Post 2
Austin O. Jones, Loganville

Appalachian Circuit
Will H. Pickett Jr., Jasper

Atlanta Circuit, Post 1
Nicole Christine Leet, Atlanta

Atlanta Circuit, Post 2
Kent Edward Altom, Atlanta

Atlanta Circuit, Post 3
Lisa Katsuko Liang, Atlanta

Atlanta Circuit, Post 4
Jeffrey Ray Kuester, Atlanta

Atlanta Circuit, Post 5
Catherine Koura, Atlanta

Atlanta Circuit, Post 6
Tracee Ready Benzo, Atlanta

Atlanta Circuit, Post 7
William M. Ragland Jr., Atlanta

Atlanta Circuit, Post 8
Hon. Paige Reese Whitaker, Atlanta

Atlanta Circuit, Post 9
Keith Elliott Gammage, Atlanta

Atlanta Circuit, Post 10
Edward A. Piasta, Atlanta

Atlanta Circuit, Post 11
Jill Pryor, Atlanta

Atlanta Circuit, Post 12
Joyce Gist Lewis, Atlanta

Atlanta Circuit, Post 13
R. Gary Spencer, Atlanta

Atlanta Circuit, Post 14
Edward B. Krugman, Atlanta

Atlanta Circuit, Post 15
Leitia A. McDonald Atlanta

Atlanta Circuit, Post 16
James Daniel Blitch IV, Atlanta

Atlanta Circuit, Post 17
Hon. JaDawnya C. Baker, Atlanta

Atlanta Circuit, Post 18
Foy R. Devine, Atlanta

Atlanta Circuit, Post 19
Zahra S. Karinshak, Atlanta

Atlanta Circuit, Post 20
Jennifer Auer Jordan, Sandy Springs

Atlanta Circuit, Post 21
Patricia Anne Gorham, Atlanta

Atlanta Circuit, Post 22
Frank B. Strickland, Atlanta

Atlanta Circuit, Post 23
Donna G. Barwick, Atlanta

Atlanta Circuit, Post 24
Joseph Anthony Roseborough, Atlanta

Atlanta Circuit, Post 25
Amanda Rourk Clark Palmer, Atlanta

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Anthony B. Askew, Atlanta

Atlanta Circuit, Post 27
Nancy Jean Whaley, Atlanta

Atlanta Circuit, Post 28
J. Henry Walker IV, Atlanta

Atlanta Circuit, Post 29
Tina Shadix Roddenbery, Atlanta

Atlanta Circuit, Post 30
Shiriki Cavitt Jones, Atlanta

Atlanta Circuit, Post 31
Michael Brian Terry, Atlanta

Atlanta Circuit, Post 32
Seth David Kirschenbaum, Atlanta

Atlanta Circuit, Post 33
Hon. Susan Eichler Edlein, Atlanta

Atlanta Circuit, Post 34
Allegra J. Lawrence, Atlanta

Atlanta Circuit, Post 35
Terrence Lee Croft, Atlanta

Atlanta Circuit, Post 36
Graham Elliott McDonald, Atlanta

Atlanta Circuit, Post 37
Harold Eugene Franklin Jr., Atlanta

Atlanta Circuit, Post 38
Michael Dickinson Hobbs Jr., Atlanta

Atlanta Circuit, Post 39
Anita Wallace Thomas, Atlanta

Atlanta Circuit, Post 40
Carol V. Clark, Atlanta

Atlantic Circuit, Post 1
H. Craig Stafford, Hinesville

Atlantic Circuit, Post 2
Hugh J. McCullough, Glennville

Augusta Circuit, Post 1
Hon. Amanda Nichole Heath, Augusta

Augusta Circuit, Post 2
Danny L. Durham, Evans

Augusta Circuit, Post 3
Thomas Reuben Burnside III, Augusta

Augusta Circuit, Post 4
John Ryd Bush Long, Augusta

Bell Forsyth Circuit
Hon. Philip C. Smith, Cumming

Blue Ridge Circuit, Post 1
David Lee Cannon Jr., Canton

Blue Ridge Circuit, Post 2
Eric Alvin Ballinger, Canton

Brunswick Circuit, Post 1
Stephen Elliott Tillman, Baxley

Brunswick Circuit, Post 2
Martha Wilson Williams, Brunswick

Chattahoochee Circuit, Post 1
Amy Carol Walters, Columbus

Chattahoochee Circuit, Post 2
Brandon Lee Peak, Columbus

Chattahoochee Circuit, Post 3
Alex Musole Shalishali, Columbus

Chattahoochee Circuit, Post 4
Donna Stanaland Hix, Columbus

Cherokee Circuit, Post 1
Randall H. Davis, Cartersville

Cherokee Circuit, Post 2
John Thomas Mroczko, Cartersville

Clayton Circuit, Post 1
Kathryn Lauranne Powers, Jonesboro

Clayton Circuit, Post 2
Harold B. Watts, Jonesboro

Clayton Circuit, Post 3
Hon. Martin L. Cowen III, Jonesboro

Cobb Circuit, Post 1
Katie Kiihnl Leonard, Marietta

Cobb Circuit, Post 2
Ronald Arthur Lowry, Marietta

Cobb Circuit, Post 3
C. Lee Davis, Atlanta

Cobb Circuit, Post 4
Patrick H. Head, Marietta

Cobb Circuit, Post 5
Dawn Renee Levine, Marietta

Cobb Circuit, Post 6
Laura Joan Murphree, Marietta

Cobb Circuit, Post 7
William C. Gentry, Marietta

Conasauga Circuit, Post 1
Terry Leighton Miller, Dalton

Conasauga Circuit, Post 2
Robert Harris Smalley III, Dalton

Cordele Circuit
James W. Hurt, Cordele

Coweta Circuit, Post 1
Nina Markette Baker, LaGrange

Coweta Circuit, Post 2
Jason W. Swindle Sr., Carrollton

Dougherty Circuit, Post 1
Joseph West Dent, Albany

Dougherty Circuit, Post 2
William Fleming Underwood III, Albany

Douglas Circuit
Kenneth Brown Crawford, Douglasville

Dublin Circuit
Joseph Carl Sumner Jr., Dublin

Eastern Circuit, Post 1
Paul Wain Painter III, Savannah

Eastern Circuit, Post 2
Lester B. Johnson III, Savannah

Eastern Circuit, Post 3
Jonathan B. Pannell, Savannah

Eastern Circuit, Post 4
John Bell Manly, Savannah

Enotah Circuit
Hon. Joy Renea Parks, Dahlonega

Flint Circuit, Post 1
Amanda Renee Flora, McDonough

Flint Circuit, Post 2
John Philip Webb, Stockbridge

Griffin Circuit, Post 1
Janice Marie Wallace, Griffin

Griffin Circuit, Post 2
Hon. Christopher Charles Edwards, Fayetteville

Gwinnett Circuit, Post 1
David S. Lipscomb, Lawrenceville

Gwinnett Circuit, Post 2
Judy C. King, Lawrenceville

Gwinnett Circuit, Post 3
Wesley Charles Ross, Lawrenceville

Gwinnett Circuit, Post 4
Gerald Davidson Jr., Lawrenceville

Houston Circuit
Carl A. Veline Jr., Warner Robins

Lookout Mountain Circuit, Post 1
Archibald A. Farrar Jr., Summerville

Lookout Mountain Circuit, Post 2
Douglas Ray Woodruff, Ringgold

Lookout Mountain Circuit, Post 3
Christopher Sutton Connelly, Summerville

Macon Circuit, Post 1
John Flanders Kennedy, Macon

Macon Circuit, Post 2
Thomas W. Herman, Macon

Macon Circuit, Post 3
Rebecca Holmes Liles Grist, Macon

Member-at-Large, Post 1
William Thomas Davis, Newnan

Member-at-Large, Post 2
Rotsen Dara Diya Law, Atlanta

Member-at-Large, Post 3
Joshua I. Bosin, Atlanta

Middle Circuit, Post 1
Mitchell McKinley Shook, Vidalia

Middle Circuit, Post 2
Jerry Neal Cadle, Swainsboro

Mountain Circuit
Hon. James T. Irvin, Toccoa

Northeastern Circuit, Post 1
Mark William Alexander, Gainesville

Northeastern Circuit, Post 2
Nicki Noel Vaughan, Gainesville

Northern Circuit, Post 1
Kimberly Wilkerson Higginbotham, Hartwell

Northern Circuit, Post 2
Hon. Richard Dale Campbell, Elberton

Ocmulgee Circuit, Post 1
Carl Santos Cansino, Milledgeville

Ocmulgee Circuit, Post 2
Ashley Mackin Brodie, Gray

Ocmulgee Circuit, Post 3
Christopher Donald Huskins, Eatonton

Oconee Circuit, Post 1
Hon. Charles Michael Johnson, Eastman

Oconee Circuit, Post 2
Stephanie Diane Burton, Hawkinsville

Ogeechee Circuit, Post 1
Daniel Brent Snipes, Statesboro

Ogeechee Circuit, Post 2
Susan Warren Cox, Statesboro

Out-of-State, Post 1
Scott R. McMillen, Winter Park, Florida

Out-of-State, Post 2
William J. Monahan, Washington, D.C.

Pauldala Circuit
Edward R. Collier, Dawson

Paulding Circuit
Martin Enrique Valbuena, Dallas

Piedmont Circuit
Barry E. King, Hoschton

Rockdale Circuit
Daniel Shelton Digby, Conyers

Rome Circuit, Post 1
Christopher Paul Twyman, Rome

Rome Circuit, Post 2
J. Anderson Davis, Rome

South Georgia Circuit, Post 1
Lawton Chad Heard Jr., Camilla

South Georgia Circuit, Post 2
Tabitha Edwina Payne, Whigham

Southern Circuit, Post 1
Christopher Frank West, Thomasville

Southern Circuit, Post 2
Robert Allen Plumb Jr., Valdosta

Southern Circuit, Post 3
H. Burke Sherwood, Valdosta

Southwestern Circuit
Hon. R. Rucker Smith, Americus

Stone Mountain Circuit, Post 1
Hon. Stacey K. Hydrick, Decatur

Stone Mountain Circuit, Post 2
William Dixon James, Decatur

Stone Mountain Circuit, Post 3
Hon. Shondeana Crews Morris, Decatur

Stone Mountain Circuit, Post 4
Donna Coleman Stribling, Decatur

Stone Mountain Circuit, Post 5
Amy Viera Howell, Atlanta

Stone Mountain Circuit, Post 6
Claudia Susan Saari, Decatur

Stone Mountain Circuit, Post 7
John G. Haubenreich, Atlanta

Stone Mountain Circuit, Post 8
R. Javoyne Hicks, Stone Mountain

Stone Mountain Circuit, Post 9
Sherry Boston, Decatur

Stone Mountain Circuit, Post 10
Hon. Dax Eric Lopez, Decatur

Tallapoosa Circuit, Post 1
Michael Douglas McRae, Cedartown

Tallapoosa Circuit, Post 2
Brad Joseph McFall, Cedartown

Tifton Circuit
Hon. Render Max Heard Jr., Tifton

Toombs Circuit
Hon. Thomas Brittan Hammond, Warrenton

Towaliga Circuit
Curtis Stephen Jenkins, Forsyth

Waycross Circuit, Post 1
Matthew Jackson Hennesy, Douglas

Waycross Circuit, Post 2
C. Deen Strickland, Waycross

Western Circuit, Post 1
Hon. Lawton E. Stephens, Athens

Western Circuit, Post 2
Edward Donald Tolley, Athens

Jones' Final Remarks to the Board of Governors

The bylaws of the State Bar of Georgia specify the duties of the president. One of the responsibilities is to “deliver a report at the Annual Meeting of the members of the activities of the State Bar during his or her term of office and to furnish a copy of the report to the Supreme Court of Georgia.” Following is the report from 2020-21 President Dawn M. Jones on her year, delivered June 11 at the State Bar’s Annual Meeting.

BY DAWN M. JONES



How it started. I began this particular journey five years ago when I ran for secretary of the State Bar of Georgia. It was a contested election. I was the person who made it contested, as a good friend had entered the race first. At the time, all of my knowledge about running for a State Bar officer position resulted from working with others on their campaigns, beginning with Past President Patrise Perkins-Hooker. I also knew I had the support of many friends and organizations including Georgia Association of Black Women Attorneys and Gate City Bar Association.

I wasn't sure if I would win. In fact, I was prepared to lose to my good friend, learn valuable lessons and run successfully next time. I did not really have a plan beyond getting my name and qualifications out there, crossing the state to meet with Bar members, to talk to them, to see what their needs and concerns were

2020-21 President Dawn M. Jones presents her final remarks to the Board of Governors during the plenary session of the Annual Meeting.

PHOTO BY LAUREN KANE

and how I could help. I had no idea at the time, but I quickly recognized the “benefits” of a contested election and how it forces a candidate to work for each and every vote earned. Among other campaigning activities and gatherings across metro-Atlanta, I campaigned across the state for two months, crisscrossing Georgia in my car, staying at local hotels, often carrying portable office equipment in my trunk to work from the road. It was an incredibly valuable experience for me, and it certainly highlighted how the concerns and needs of our members vary from region to region. During those two months of campaigning on the road, I meet with local bar associations, with lawyers and judges, with non-lawyers who served on various Bar-related committees and boards. I met with people from all over the state, people whom I would not have had the pleasure and opportunity to meet had I not run in a contested election. As a bonus, my appreciation for the beauty and character of every corner of our state grew.

In meeting with at least three to four groups in two to three cities each week for two months, I enjoyed a number of unexpected surprises and pleasures. I received extremely warm receptions and often welcome baskets containing local fare. Bar members, some old friends and some new acquaintances, volunteered to walk me around and introduce me in each of those meetings, at each of those association events, in numerous cities and counties throughout the state. I saw our State Bar of Georgia in a new and different light, and I learned so much about who we are as Bar members and as people. That is how I started this journey.

Today, I end my presidency of the State Bar of Georgia presiding over the only in-person meeting of the Bar year, our very first hybrid meeting and the first Annual Meeting of our Bar in two years. And the bonus here, added to those firsts, is that we are still here. We have survived.

We are not only surviving, but we are thriving together. I am grateful for the journey and for the support, leadership, guidance, cajoling and prayers that I have received over the course of this year. It was an incredibly challenging and trau-

matic year, and it demanded more from us as individuals and as a profession than we could have ever anticipated. I am grateful for the journey and worked daily to do my very best to benefit the Bar, its members and the public as your president. In spite of those challenges, we accomplished quite a lot together.

What we did together, facing incredibly challenges, was more than any one of us could have ever imagined. And those challenges really started during Immediate Past President Darrell Sutton’s year as Bar president. Darrell really had to pivot when we faced these new challenges. I need him to stand up and be recognized for his leadership by giving him a round of applause. Darrell had to pivot; the Bar had to pivot; the Supreme Court had to pivot; and everyone worked together to do whatever was needed. I saw it happening as president-elect, and I was grateful for Darrell’s leadership at that uniquely difficult time.

I want to just highlight a couple of things that we did together this Bar year. And I will happily take credit for all of it, even though I accomplished nothing alone.

There is so much that you do not see behind the scenes. As you know, I was a Board of Governors (BOG) member before I became a member of the Executive Committee (EC) six years ago. I had no idea about all the work that went on behind the scenes to make this Bar work and move forward every day before I was elected to the EC.

Leading a Bar of our size is not easy. We are individuals with different interests, perspectives, opinions and expectations. I saw that five years ago when I was campaigning, and our membership has grown since then to more than 52,000 members. With that many people, the idea that, from the start, we are all going to agree or be on the same page about most issues is idealistic at best.

Nevertheless, as officers and BOG members, we were elected to serve the Bar and its members. I knew we could work together, respecting those differences and talking through our concerns to reach agreement or consensus. Frankly, I have never been prouder of the care and kindness that we have shown each other

this year. I am extremely thankful for that. Not so many years ago, I do not think many would have used the words “care” or “caring” in the same sentence as a “good lawyer.” Now, I think we understand that we have to; we must care as a Bar. It is our responsibility to care for each other. I believe we understand that in ways we did not understand before the two pandemics (that I described to you during my installation last June) occurred. In addition to caring, we accomplished a lot this Bar year, in spite of the pandemics and associated tribulations. Let me summarize some of them for you.

We Zoomed a lot. We hosted numerous virtual meetings as Executive Committee members and Board of Governors members, including four Board of Governors meetings before today, starting with my virtual installation last June. And we set a record, I believe, for the longest Board of Governors meeting ever held. I know folks will laugh at that, but I do not think it is funny. It is admirable. Although not planned, our six hour and 15 minute BOG virtual meeting held in January allowed us to conduct all the necessary business of our Bar. It will remain one of the highlights of this Bar year for me. I was so proud of us. We talked, we discussed and we even argued a little bit. And that is exactly what we were supposed to be doing, working through an agenda full of Bar issues and action items, with discussions held and questions answered. Every Board of Governors member is elected to do just that, and this year our BOG members went above and beyond the call of duty to complete the work, regardless of obstacles faced. I sincerely hope, however, that no one breaks that record.

We had at least 15 Executive Committee virtual meetings. We had a two-day extremely fun—I’m going to use the word fun—joint meeting with the Supreme Court of Georgia. (I thought it was fun. I think they thought it was fun.) And it was extremely informative and substantive as well; you should know that the relationship between your State Bar and your Supreme Court is healthy and thriving. That’s important.

I accepted invitations to speak at more than a dozen conferences, local bar asso-

ciations, the American Bar Association and other events throughout the state, all virtually. I took every opportunity to talk about our Bar, about our members, about member benefits like the six free counseling sessions each Bar year, and about the work we do through our programs, committees and sections.

As you all know, I established the Seeking Equal Justice and Addressing Racism & Racial Bias Committee. Among other work of that committee, we began having courageous conversations about race, social justice and bias. How many of you attended that committee's enlightening CLE presentation yesterday morning? I must admit, I was fairly ignorant of a lot of the discussion topics that this committee covered this year, and I learned so much. Whether formally through a program, or informally among our members, I am proud of the race conversations we are having. Darrell led our EC through one of them before his term ended last year. And they are hard conversations. They're not supposed to be easy. We have so many differences, and I hope your understanding of how much we are alike has grown this Bar year.

The Courageous Conversations series that the Seeking Equal Justice and Addressing Racism & Racial Bias Committee began included the topic, "Blue Lives Matter vs. Black Lives Matter." And the series opened with an interesting discussion involving and with the *Daily Report* about how stories are created, and when the focus involves a person of color, how that can be misinterpreted. We also discussed the role that the media actually plays in shaping bias, in contributing to bias, implicit or actual, conscious or unconscious.

We've had and will continue to have these healthy conversations. Again, I'm so grateful for the leadership of Anita Wallace Thomas and Gary Spencer and all of the active committee members of the Seeking Equal Justice Committee. Please stand up. Let's give them a round of applause.

I also established the special COVID-19 Virtual Planning Committee. I'm going to ask Shiriki Jones, Eric Ballinger and everyone else who served on this committee to please stand up and be recognized.

I appointed this special committee to help us think outside the box when it comes to our meetings. Normally, we hold our BOG meetings on Saturday morning. The Friday night before that, we would have a dinner to connect, socialize and network. Due to COVID-19, we were unable to continue that tradition. The COVID-19 Virtual Planning Committee not only helped to give us that networking, connecting, fun "face time" virtually, but they also contributed to the work that we're doing today by helping us plan events and providing input and feedback for this Annual Meeting. I'm really grateful for their work. They really stepped up and showed out.

As your Bar president, I served on numerous committees because I hold this office. And on those committees, it was clear to me that not only does the State Bar of Georgia have a voice, but others seek our advice and counsel as a Bar. You should know that. You should be proud of and inspired by that fact. I am. We have a voice; others listen to us and what we have to say. I appreciated every opportunity afforded to me to advocate for our Bar and our members.

Ok, so we didn't really have meeting practices and protocols in place for regular virtual meetings, but after you have a couple of virtual BOG Zoom meetings with 150+ members and guests, you'll learn that you need to have some standing policies, and the Bar staff jumped in to make that happen. I am purposefully leaving my comments about our incredible staff until the end of this address, but rest assured we all worked together to make virtual meetings run smoothly, including implementing regular BOG and EC virtual meetings; creating protocols for how to poll, how to conduct business and how to vote; and how to determine attendance and a quorum. Those were only some of the logistics we had to work out to conduct our Bar work safely.

I held weekly virtual huddles initially, and since January, huddles twice a week with senior management—including Paula Frederick, Damon Elmore and Sarah Coole. Elizabeth, in preparation for her year, was included in many of those huddles as well. Every week of this Bar year I developed a greater understanding and

appreciation for the work that the 105 or so Bar staff does to support not only Bar members, but the EC and the BOG in particular. I'm grateful for that, because we literally would not be here, but for Michelle Garner, Gakii Kassamba, Michael Nixon and so many other Bar staff. I am going to stop trying to call everyone's name because I don't want to miss anyone, but I wish you knew the heavy lifting and the incredible amount of work it took to get us here today. This hybrid meeting, being our first, was no small feat. We were flexible, we were accommodating and we got it done.

I initiated monthly attorney wellness "touches," in addition to a new wellness newsletter. I know the wellness and mental health work we have done as a Bar this year in fact saves lives. I hope it continues. We don't talk about mental health. We don't talk about stress and anxiety as a group and we don't talk about it as a profession. I was stressed; I was anxious; I was tested this year, and I "used my six." I am certain I am not alone. The more we talk about it as a Bar, the more members we will help. If you have not used your six free counseling sessions that you get a member of the Bar, you are selling yourself short. You don't need to wait for a crisis to happen to use those sessions. Please take advantage of that offering. We've heard from folks who have told us that they were considering suicide and the presentations by the Attorney Wellness Committee and/or Lawyer Assistance Program helped them. They can help you, too.

Caring for our collective health is serious business. That point was certainly brought home to our members this year, affecting every aspect of our practice. I am grateful again that, as a Bar, we are able to have these conversations and talk about real stuff, real issues. Some are concerned about looking weak, or being stigmatized or even ridiculed, or some other negative impact. I'm grateful that as a Bar we understand that being healthy means you're a better lawyer and likely a better human, too.

I asked the Executive Committee to take on a number of tasks, and they showed up and showed out. We all serve

I am very, very grateful. I'm grateful to be here and I'm grateful for everyone who supported me. I am grateful to have my family with me. ... it was my absolute pleasure to serve, and I am honored to have led this remarkable Bar. Thank you!

as liaisons to the committees and programs of the State Bar, as do the Bar staff. At every Executive Committee meeting, liaisons shared updates, keeping the entire EC informed about how Bar committees and programs were working and ensuring they had the support they need to work virtually. This also allowed us to identify whether any committees or programs were having issues, or were having trouble meeting. What did they need? Were they nervous about meeting virtually? Did a chair not have the capacity to run a meeting virtually? How could we help them do that? In that way, we were more efficient and supportive than ever in supporting the work of each committee and program of the Bar.

We had these great social networking events this year. I don't discount them because while everyone was working remotely, it was more important than ever to connect with each other. One of the many downsides of a virtual meeting is that you don't get to have one-on-one conversations, or chat around the breakfast buffet before the meeting or during a meeting break. I have many long-time friendships that began at a BOG dinner or a reception or from other Bar-related events. Connecting with members whenever possible was especially important this year. I can clearly see that these more "social" events play a vital role in how well we do the work we do, and how well we work together.

As I mentioned earlier, EC members showed up and showed out. We had an anti-bias, team building session for all EC

members and senior Bar staff early this year, which was well-received. We also had a Robert's Rules of Order instruction and training for EC members. They weren't particularly excited about that training, but enjoyed using it against me (smile) in subsequent meetings.

Remote working for the State Bar of Georgia was a fairly new situation when I was installed last June, one we managed this entire Bar year. To make sure all Bar staff had what they needed to work from home and to ensure that they were fully engaged while working remotely, I initiated a comprehensive oral review last winter of Bar staff functions, capacity and needs.

I don't know what it is about me and Bar leadership, but when I was Bar treasurer we hired a new CFO. That means I started as the new treasurer of the State Bar of Georgia when Ron Turner came on. Two years ago, when I was then president-elect, I found out that the Bar was losing our 30-plus year chief operating officer and our executive director, two of our top Bar staff. So, we hired two of our senior staff this year, Damon Elmore as executive director and Sarah Coole as chief operating officer. You can imagine, with everything else that was going on, I would not have chosen to have these important and crucial roles transition during the course of this year, but we dealt with it and we thrived as a result. I'm grateful for that. Our Bar staff is amazing!

I'm not going to bore you with any other stuff that I've done because we've done it together. I don't know that I

would have chosen this opportunity to lead at this time had I known what was coming, but I know I was here for a reason. Ultimately, my goals as your president every day, including today and through this weekend—when I'm asking you to wear your mask and social distance to keep us all safe at this Annual Meeting—were to do the very best I could for our Bar, and to keep everyone, vaccinated and unvaccinated alike, safe.

If you have not yet figured it out, I am very, very grateful. I'm grateful to be here and I'm grateful for everyone who supported me. I am grateful to have my family with me. My family, whom I have not seen in person since February of last year, is here this morning: my father, Elwood Jones Sr. (Vietnam Veteran); my brother Elwood Jones Jr. (Marine Corps Veteran); my uncle Warren Jones (Army Veteran); my stepmother Erna Jones (retired teacher); my cousin Renee Jones Forney (CISSP top exec., among other skills) and her daughter, my cousin Kierston Forney (a '21 Spelman graduate). I will have *few* additional remarks to share tomorrow night during the gala and installation. Suffice it to say, it was my absolute pleasure to serve, and I am honored to have led this remarkable Bar. Thank you! ●



Dawn M. Jones

Immediate Past President
State Bar of Georgia

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Remarks of Elizabeth L. Fite to the Board of Governors

The following is excerpted from Elizabeth L. Fite's remarks to the Board of Governors on June 12, during the 2021 Annual Meeting in Isle of Palms, South Carolina.

BY ELIZABETH L. FITE

I am incredibly grateful and most assuredly ready to stand before you today.

Before I talk about what I hope we can accomplish together, I'd like to take a moment to thank those who had the unenviable task of leading our profession and this organization during the COVID-19 pandemic.

First, I'd like to thank Chief Justice Melton, who suspiciously timed his retirement from the Court to coincide with start of my Bar year. Next, to thank Darrell Sutton and Will Davis, who found



PHOTO BY LAUREN KANE

2021-22 President Elizabeth L. Fite addresses Board of Governors members on Saturday, June 12.

the end of their Bar years as president and YLD president, respectively, upended by a virus that had never before been heard of and that resulted in many of us becoming armchair epidemiologists. Last, but certainly not least, to thank Dawn Jones, immediate past president, and Bert Hummel, YLD immediate past president, who bore the brunt of the challenges facing this organization at a time when we had to become fluent in Zoom to be able to continue the work of the Bar. To each of them, I say, "Thank you." Thank you for your service to the profession and for your leadership. I hope everyone will join me in showing our gratitude for their leadership during this unprecedented time.

The onset of the COVID-19 pandemic in March of 2020 was the beginning of an era unlike any other in our lifetimes—for the world, our nation, our state and our profession. No one could have predicted in March of 2020 that it would be June 2021 before we were able to gather together again. It makes me think about the last time we were able to meet in person at the Midyear Meeting in January 2020 in Atlanta. Knowing what we know now, would we have stopped to say hello to or caught up with one other person? Would any annoyances about venue or menu seemed trivial? Would we have stayed and chatted a little longer with someone else? I think the answer is "yes," and it is with that in mind that I look forward to the upcoming year. We will face additional challenges, but we will do it together. If the past year has taught us anything, it is that we are better together.

As excited as we are all to be here at this meeting—indeed, the atmosphere is electric—Georgia is still reeling from the devastating effects of the pandemic that have robbed us of our loved ones and members of our community. For those losses you have suffered, I, on behalf of State Bar of Georgia, offer my sincerest condolences.

It is difficult to quantify the number of challenges that we as a profession have faced over this last year, and some of those challenges will stay with us. And yet, for all of the bad, the pandemic has provided us with some opportunities for introspection and change that, if we were being honest with ourselves, were needed

anyway. At my gym, we say it's the challenge that creates the change. That is certainly true with the State Bar. I know we will still be in an early stage of this transition. Some would say a transition back to normalcy. Instead of a transition back to normal, why not take this opportunity to reflect on who we are and who we want to be? Let's take this opportunity to create something exceptional. As you can imagine, that's no small feat for an organization of more than 50,000 members.

I can tell you that I have no grand initiatives planned for the coming year. This is not the time for that. Going forward, we will remain focused on figuring out ways for the Bar to adapt and grow during a time of transition. We will promote our strengths and address our perceived weaknesses.

To work toward a stronger, better, more-unified Bar, I will utilize the tools of collaboration and consensus-building. For all the pomp and circumstance that will occur later tonight, this year isn't about me; it's about us—all 52,000 of us. When Damon nominated me for the Executive Committee when I was still considered a young lawyer, he said I was the right person for the job because I didn't have a personal agenda. That my concern was for the best interests of this Bar. I stand before you today ready to deliver on that promise.

By way of example, I've already started regularly communicating with the slate of officers that will follow me to ensure that we can operate as one cohesive unit where possible, and my commitment is that I will continue to do so. I respect the diversity of experiences and backgrounds of those whom our members have chosen to lead this great organization. I firmly believe that our collective effort will ensure the successful operation of the Bar.

Whenever possible and especially when it relates to difficult decisions that you—the Board of Governors—must make for the Bar, I want to provide timely information to allow for real, substantive deliberation.

For example, later today you will hear a presentation on the recommendations of the Clients' Security Fund that will be set for action at the Fall Board of Governors meeting. Given the impact that your decision will have not only on your

constituency, but also the public, I wanted to give you time to collect whatever additional information you may need before we call for a vote.

Likewise, many of you have asked when we would be having a vote on the final recommendations of the Professional Liability Insurance Committee. The committee will also present its final recommendations at the Fall Meeting. This is a topic that has been addressed in multiple meetings and townhalls, but it was important for us to let you know today when the vote would be held because of the significance of this vote and to give as much notice as possible so you can make arrangements to attend that meeting and cast the vote that best represents the wishes of the lawyers in your community and our Bar.

I commit to continuing to prioritize transparency in our budget process, so that Bar members can have a full understanding of our budget. We know our programs have costs associated with them, and we, like many institutions, continue to have budget challenges. As a long-standing member of the finance committee and someone who enjoyed the minutia of being treasurer, I take very seriously our responsibility to be good stewards of our Bar license fees.

While this has certainly been a focus of mine for years, it is particularly important because during this past legislative session, as mentioned by Chairman Efrstration yesterday, the State Bar as an organization also faced a unique challenge in the form of HB 166 requiring the Bar to remit member fees to the state treasury, which would allow the General Assembly to appropriate the Bar's budget. Ultimately the bill didn't get out of committee in the House, but the legislation gave the Bar's leadership a chance to evaluate and reflect on why we, unlike other regulated professions in the state, are able to collect our own fees and set our own budget.

In Georgia, our state Supreme Court delegates budgeting and the collection of fees to the State Bar's Board of Governors to cover attorney discipline and other programs to improve the practice of law. We don't take this duty lightly and we continue to prioritize transparency in the process so



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Kim Henry, Resource Advisor
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State Bar
of Georgia

... I hope to be a steady hand at the helm as the State Bar plans and implements our post-pandemic future, continues to adapt as needed and moves forward.

that Bar members and the Legislature can have a full understanding of our budget. We also plan to engage new stakeholders in our programs so we can continue to showcase the important work the Bar is doing for Georgia and its lawyers.

While serving on the Board of Governors, the Executive Committee and as an officer over the years and hearing from Bar members, I have learned that a lot of lawyers in this state don't know how the Bar operates, which certainly makes it difficult for them to answer the question "What has the Bar done for you?"

So I'm not going to ask you that today. With our very well done and successful public service announcements and other education campaigns, we have been focusing the past few years on what the public thinks of the legal profession and justice system. Perhaps it's time for us to pay more attention to what our members think of the State Bar and to raise their awareness of the importance of a unified Bar. I could do a day's program extolling the virtues of the Bar, but I want to give you a sampling of the member benefits: Fastcase; the insurance exchange offered by Member Benefits, Inc.; and free, confidential counseling services, which saw a significant increase in use this last year.

Over the course of this next year, I intend to highlight in each of my president's remarks one program or offering of the Bar because I need your help in letting our members know what they get for their Bar license fees. With this platform, I can reach many. With your help, however, we can reach everyone, and you never know what lawyer in your community may need the very service the Bar offers as a part of their Bar license fees.

In this first installation of #KnowYourBar (everything has a hashtag these days), I wanted to highlight our amazing Law Prac-

tice Management Program (LPM), which can provide your firm advice on technology, firm finances, organization or library materials, among other things.

Maybe you are saying to yourself, "I'm a judge, work at an 'established' firm or work in the public sector. I don't need to know about tools to better run a firm." I respectfully suggest that's not necessarily the case. First, as a gentle reminder, as a member of the Board of Governors, you were elected by your community of lawyers to represent their interests in this organization. LPM is a service that could be beneficial to them.

Second, perhaps your office, court or public agency is looking to acquire software to further adapt to the change in work patterns that have arisen because of the pandemic. LPM can provide you with suggestions, recommendations or a forum to learn more about various platforms related to the practice of law or the judicial system.

I look forward over the year of highlighting more of our offerings so that you can better #KnowYourBar.

There are other areas of focus I have this year, but I want to always be respectful of your time. Besides, I know I'll have other opportunities to speak to this group.

In conclusion, I hope to be a steady hand at the helm as the State Bar plans and implements our post-pandemic future, continues to adapt as needed and moves forward. After all, it's not about me. It's always about the Bar and our more than 52,000 members. Thank you for your service and dedication to our profession. ●



Elizabeth L. Fite

President
State Bar of Georgia

president@gabar.org

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#KnowYourBar



Elizabeth Fite Takes Her Turn in a Partnership of Presidents

“I very much so respect the perspectives of my fellow officers, my fellow EC members and the Board of Governors. I just want people to know that their interests are represented and that they can always feel free to reach out.”

BY LINTON JOHNSON

Should the need arise during her service as 59th president of the State Bar of Georgia, Elizabeth L. Fite won't have to go far to seek input from one of her predecessors on an issue or idea. Her law partner, Brian D. “Buck” Rogers, just happens to have served as State Bar president four years ago.

It's likely the Rogers & Fite civil plaintiffs' firm is the only two-member partnership of presidents in State Bar history. Fite—also known to many friends by her monogram “ELF”—says she is glad to have Rogers nearby, not only as a sounding board but also as someone who knows the level of commitment that leading an organization of more than 52,000 members can require.

For Fite, the path to the State Bar presidency started in Camden, Arkansas, a town situated on a bluff overlooking the Ouachita River in the south-central part of the state. The daughter of a warehouse foreman and a schoolteacher, with a brother 11 1/2 years her senior, “I had a really traditional upbringing,” Fite recalls. “We went to church on Sundays. I was in Girl Scouts and was in every ex-

tracurricular activity. I sang in the church choir, I sang in the school choir, I played the piano and briefly played a couple of other instruments. Music was an important part of my upbringing.”

When she was 15, “the minute that I was allowed to work somewhere,” Fite took her first part-time job and has worked ever since. During her senior year in high school, a Camden lawyer named Allen P. Roberts, whose clients included the local School Board, asked the school superintendent to recommend some students who might want to work at his solo firm. Fite, a straight-A-plus student who had expressed some interest in the law, got the job and her first experience in the legal field.

Roberts, a Marine from Texas, had gone to law school at the University of Arkansas and in 1966 moved to Camden, where he lived and practiced until his death last January. Roberts' obituary noted, “Allen was particularly proud of the work he did over many decades working toward the desegregation of several school districts across south and central Arkansas.” To Fite, he was an influential mentor and lifelong friend.

Elizabeth L. Fite and Betty White.

PHOTO BY ZACHARY D. PORTER

“He was a retired Marine, he was gruff, he had a big, booming voice, and he was smart,” she said. “He lived in Camden because that’s the kind of lifestyle he preferred, but he would have been successful in any major city being a lawyer. As a general practitioner, a sole practitioner in a small town, he did everything.” As his protégé, so did Fite.

“So as a senior in high school, I started drafting pleadings, I had to walk to the clerk’s office and file things, I recorded deeds, I helped proofread metes and bounds, which, to put it mildly, I did not find enjoyable,” she recalled. “I got to go to depositions, I got to go to hearings and I got to go to trials. I worked with him part-time my senior year, and I worked with him the summer after I graduated from high school. Throughout college, if I didn’t have a job associated with something I was doing at college, on breaks when I would come home, I’d go pick up a few hours with him and go work and hang out. He was just really important in my life.”

Fite had envisioned her college years being spent somewhere other than in Arkansas. But during her junior year in high school, her father suffered a serious heart attack and went through “a really long, arduous recovery,” she said. Fite had qualified for the Distinguished Governor’s Scholarship, the Arkansas equivalent of Georgia’s HOPE Scholarship, which would pay for her tuition and board at any in-state institution, public or private.

“Because of my dad’s situation, we had real concerns about my family’s ability

to pay for me to even go to school,” Fite said. She made the decision to accept the scholarship and attend Hendrix College, which was 135 miles away in Conway and was, she thought, the best academic opportunity in Arkansas. For a Georgia counterpart to Hendrix, the school competes at the NCAA Division III level in the Southern Athletic Association with Berry College and Oglethorpe University. She contemplated majoring in history but wound up a math major with a minor in economics, taking her brother’s advice that “I needed to do something that would get me a job.”

She enjoyed her math classes at Hendrix and took a research assistant’s position, which Fite said “blossomed into a job as a computer programmer. I started off developing something theoretical and ultimately ended up writing software to implement the theory. But while doing that, I applied to law school on the side.”

Going to law school had always been a possibility for Fite, even before her time working for Allen Roberts. In the third grade, her teacher told her she would probably grow up to be president, not of the State Bar of Georgia but of the United States. “I didn’t know what that meant,” Fite said, “but I always did have an affinity for American history and civics. I think when you start to read and learn about those things, you understand the importance of the law to our society.”

With her father’s health having improved by the time she earned her math degree from Hendrix, Fite’s delayed plans to venture out of Arkansas were back in

play. “My parents were good, and I said, ‘OK, I’m leaving the state now.’ I had a couple of schools that were viable contenders for me, but I knew I wanted to land in a city. I thought Atlanta was far enough away and big enough that I could do something, and I like living where it’s warm. I don’t want to be cold.”

Emory University is affiliated with the United Methodist Church, as is Hendrix College. Although Fite is not a Methodist, she had heard good things about Emory from some of her Hendrix professors who had gone to Emory either for conferences or to get advanced degrees. “I also came to Atlanta because my thought was if I get to law school and it’s not a fit, if it just ends up not being for me, I knew I would be at a place where I could have more options for an advanced degree,” she said. “If I wanted to jump back into science, I was coming to a place where that would be very easy. I hedged a little.”

As an Emory Law student, Fite had started out on a path to a career in transactional law. But the mid-sized firm where she got her first summer job as a law student introduced her in a big way to litigation. “I had done litigation with Allen, but I didn’t know what it looked like in a bigger place, so I just started doing litigation that first summer and then never stopped. After my first summer, I had a part-time job at a law firm the rest of my law school career. I was helping pay my way, so I needed to do that. I also got a lot of real-world experience while I was at law school, which has served me well.”

Knowing litigation was in her future, Fite took a trial practice class her third year at Emory. Her adjunct professors included prominent trial lawyers Rob Wellon and Tommy Malone and a Fulton County Superior Court judge named Rowland W. Barnes, an Emory Law alumnus. During the second week of March in 2005, Fite's class was trying a medical malpractice case before Judge Barnes. "That week, I had the easy job, I got to be the witness," she recalled. "I got to sit in the witness box, and he was the judge. I remember on downtime, Judge Barnes and I were just chit-chatting and carrying on. I was having a good time that day."

That Friday morning, Fite heard on the news that a Superior Court judge had been shot and killed, along with a court reporter, a sheriff's deputy and, later in the day, a federal agent, by a defendant who had escaped custody at the courthouse and taken another deputy's gun. "I only knew one Superior Court judge and I was hoping it was not him," Fite said. "Within minutes, we found out that it was Judge Barnes. That experience was traumatic generally just because of what had happened and where it had happened, but to know him and to have interacted with him that week really left a mark on me."

Fite earned her law degree from Emory and was admitted to the State Bar in 2005. Her legal career, all in Atlanta, has been focused in one area or another of litigation. Having started in medical malpractice defense with Owen, Gleaton, Egan, Jones & Sweeney LLP, the next

PHOTO BY ZACHARY D. PORTER



nine years were in business litigation, first at Schreeder, Wheeler & Flint LLP and next at Kutak Rock.

In 2015, Fite moved on to King & Spalding LLP, where for nearly two years she worked exclusively on defending the R.J. Reynolds Tobacco Company in product liability cases. “All of our cases were tried in Florida,” Fite said, “so I traveled a lot then. We would go down to Florida and be there maybe three weeks or a month. But it was a great, immersive experience. It’s an anomaly. It’s an unusual type of litigation. But I’m glad I got to do it. I learned from a lot of great people, really got to see how it works, and it was such a unique experience to have to work cases up that way.”

For the next 2 1/2 years, Fite was an assistant county attorney for DeKalb County, leaving King & Spalding for government work in an effort to broaden her experience with an eye on the future. “The idea of becoming a judge has always been in the back of my mind,” she said. “Because of that I wanted to make myself as well-rounded as possible. I thought I had the private sector litigation side covered, and I wanted to see what it was like to work for a governmental entity. I came on board to do public safety work, and that was just a great experience to learn how our government works and the different considerations you have when you’re working for a governmental agency.”

Fite met Buck Rogers in 2012 when she was elected to the State Bar’s Executive Committee, following Rogers onto the committee by one year. They immediately struck up a professional friendship that continued through each of their ascensions through the officer ranks, four years apart. According to Fite, it was “at one meeting or another” when they first talked about her joining Rogers in a truck collisions-focused plaintiffs’ practice, already his specialty.

“I think we had a conversation in line while we were getting drinks, which is when lots of great ideas are hatched,” she recalled, “and talked about whether I would be interested in joining up with him. We knew we got along well. We don’t think the same on everything. We definitely complement each other, though, and we have a healthy mutual respect for each other. So if you’re going to hang up a shingle, it’s also nice to hang it up with someone who’s done it, knows what they’re doing and is well respected and an expert in their field.”

Rogers & Fite LLC was launched in late 2019, convenient timing as Rogers was ending his service on the Executive Committee as immediate past president just as Fite was transitioning from secretary to treasurer in the Bar hierarchy. But less than a year in, the COVID-19 pandemic caused jury trials to come to a screeching halt. “Certainly we were impacted by that,” Fite said. “We’re trial lawyers, so trials are really important to us. Having them pushed indefinitely or having them pushed for the foreseeable future was a cause for concern.” With civil trial calendars open again, Fite said, “we are really optimistic now.”

During the past year as president-elect, Fite served on the Judicial COVID-19 Task Force and counts that among her proudest achievements, stating that working with other leaders of the bench and bar to shepherd Georgia’s justice system through the public health crisis enabled her to witness “professionalism, collegiality and servant-leadership regularly demonstrated.”

Having a law partner who is willing and able to support and advise her on Bar leadership is important to Fite because she has been deeply involved in professional service for most of her career. After heading her firm’s effort for a Young Lawyers Division project early on, she was encouraged by then-President

Elena Kaplan to continue her service in the YLD. Fite would serve on the YLD Board of Directors, and later she edited the YLD’s newsletter. At 29, she ran for and won a seat on the Board of Governors of the “big Bar,” becoming one of the youngest board members at time, to the best of anyone’s recollection.

Then, “I ran for Executive Committee and won. I knew, however, I wanted to be an officer, or I would roll off the Executive Committee. When the time was right for me professionally, I ran for secretary, and here we are.”

The theme for Fite’s presidential year is #KnowYourBar, which will focus on communicating to Georgia’s lawyers and judges the many benefits of Bar membership they are paying for with their annual license fee. “I want to at least do my part to help raise our members’ awareness of the benefits they are getting. Until the pandemic, many people didn’t know we had our ‘Use Your Six’ campaign, where we provide free counseling sessions. Through the past year, we’ve promoted that heavily, and we know more members are using it. We have so many other programs and offerings, and I want to make sure our members know about them.”

Finally, Fite said she wants her fellow Bar members to know “that I intend to lead collaboratively this year. I very much so respect the perspectives of my fellow officers, my fellow Executive Committee members and the Board of Governors. I just want people to know that their interests are represented and that they can always feel free to reach out.” ●



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 **State Bar
of Georgia**

Chief Justice Harold D. Melton Receives the Bar's Highest Honor

The 2021 Distinguished Service Award was presented to Chief Justice Harold D. Melton at the State Bar's Annual Meeting for his extensive service to the legal professional, the justice system and the public.

BY ASHLEY G. STOLLAR



The Distinguished Service Award is the highest honor bestowed by the State Bar of Georgia for conspicuous service to the cause of jurisprudence and to the advancement of the legal profession in the state of Georgia.

During the plenary session of the State Bar's Annual Meeting at Wild Dunes Resort, Isle of Palms, South Carolina, Supreme Court of Georgia Chief Justice Harold D. Melton was presented with this prestigious award by 2020-21 President Dawn M. Jones.

Melton was honored for his extensive service to the legal system over his 30-year career as an attorney for the State of Georgia, executive counsel to Gov. Sonny Perdue and justice of the Supreme Court of Georgia.

A native of Washington, D.C., Melton was raised in East Point and Marietta, Georgia. He earned a Bachelor of Science degree from Auburn Univer-

Chief Justice Harold D. Melton receives the Distinguished Service Award from 2020-21 President Dawn M. Jones.

PHOTO BY JENNIFER R. MASON

sity where he served as the president of the Student Government Association, the first African-American to hold that role in the school's history. The university's student center is now named in his honor. Melton earned his J.D. from the University of Georgia School of Law and was admitted to the State Bar of Georgia in 1991.

Justice Melton worked for the Georgia Department of Law for 11 years where he dealt with issues ranging from the creation of the Georgia Lottery Corporation to the administration of Georgia's tobacco settlement. He served as executive counsel to Gov. Sonny Perdue, representing the governor on legal issues covering the entire scope of state government, helping safeguard Georgia's interests in water rights disputes with Alabama and Florida, and participating in the administration's efforts to advance the delivery of criminal justice services in the state.

In July 2005, Melton was appointed to serve as a justice of the Supreme Court of Georgia, and has subsequently been re-elected statewide with no opposition to three terms. He has served as chief

justice since September 2018 and retired from the position July 1.

Upon presenting Chief Justice Melton with the 2021 Distinguished Service Award, President Jones remarked, "The legal community in our state owes you considerable appreciation for your many contributions upholding the foundational American ideal of equal access to justice for all, including your direction in the state of Georgia during the move

of the Supreme Court into the new Nathan Deal Justice Center and, more recently, the many unique challenges of the COVID-19 pandemic." ●



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Twenty-Five Years of TILPP

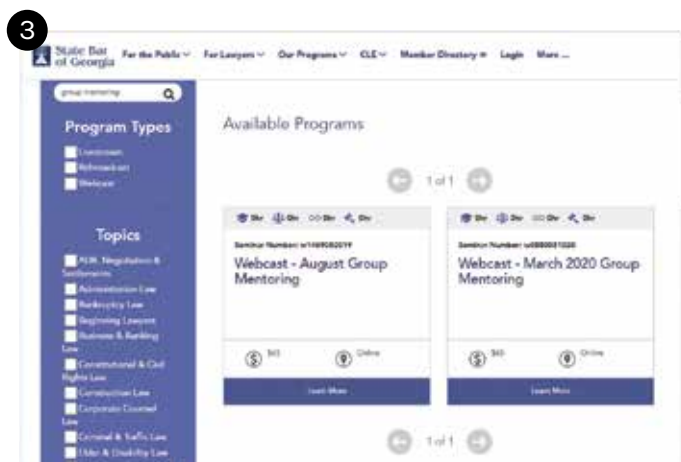
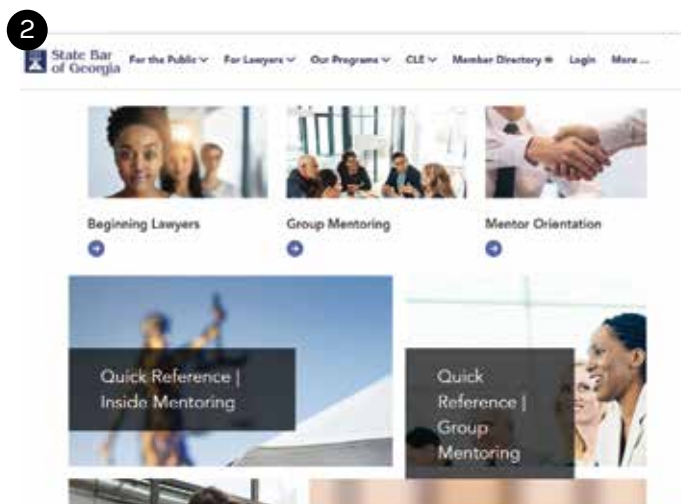
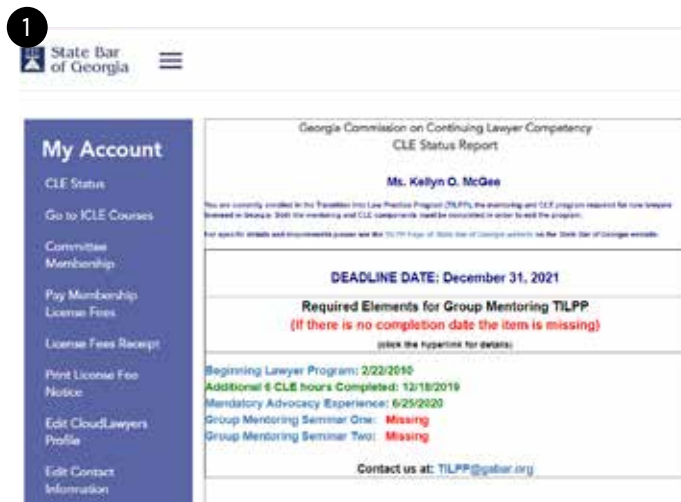
The Transition Into Law Practice Program began as an idea 25 years ago. As we get our feet planted firmly in the new Bar year, we look forward to continuing to build upon the foundation laid a quarter of a century ago.

BY KELLYN O. MCGEE

As we start a new Bar year, this is a good time to provide a little history of the Transition Into Law Practice Program (TILPP) and give some updates.

It has been 16 years since the first class of newly-admitted lawyers enrolled in the program. In 1996, the State Bar of Georgia created the Standards of the Profession Committee, whose charge was to determine whether the Bar should require internships or other supervised work for new lawyers. A year later, that committee suggested a pilot program to determine the feasibility of a mandatory mentoring and continuing legal education program. That pilot program lasted two years, from 2000-02. Following an evaluation of that program, approval by the Board of Governors and adoption by the Supreme Court, TILPP officially began in 2005, the first program of its kind in the country. If you were admitted before 2005, you may remember attending Bridge-the-Gap, the regular or enhanced versions.

The mentoring component includes three different statuses: Inside Mentoring (for the lawyer who has a mentor within the firm or organization where they are employed); Group Mentoring (for the lawyer who is employed in a



Transition Into Law Practice Program Since 2005

BEGINNING LAWYERS ENROLLED

13,810

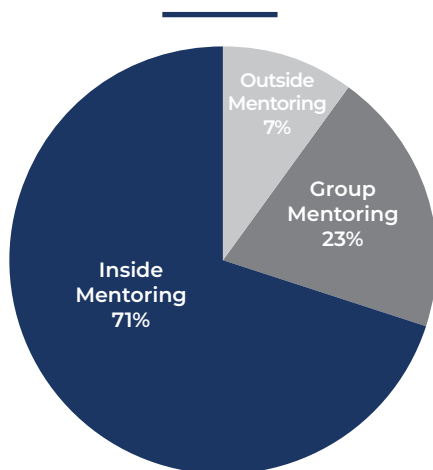
MENTORS

4,852

TILPP CLE/MENTORING COURSES

88

TILPP BY THE NUMBERS



GEORGIA IS FIRST IN THE
NATION TO HAVE A MANDATORY
LEGAL MENTORING PROGRAM.



non-legal setting or part-time, is unemployed, or is not paired with a mentor); and Outside Mentoring (for the sole practitioner with a mentor from another firm or organization).

Lawyers enrolled in TILPP are required to complete 12 hours of CLE. They must attend the Beginning Lawyers Program (which provides six hours) or the equivalent trainings that prosecutors and public defenders are required to attend. Lawyers can choose courses to fulfill the additional six hours.

There have been changes to TILPP over the past 16 years, and we will continue to implement changes to enhance the ease and efficiency for those lawyers enrolled in the program. Some of the modifications and updates we have made over the last year have been highlighted here.

Electronic Submissions

We are all electronic now! In an effort to better serve lawyers enrolled in TILPP, we no longer require notarization on cer-

tain forms, which allows us to receive all forms electronically at tilpp@gabar.org.

Check TILPP Status Online

TILPP lawyers are able to check their status at any time by logging onto the website and selecting "CLE Status." TILPP requirements, including those still outstanding, are located at the top of the CLE Transcript along with the lawyer's deadline to complete the program (see fig. 1).

TILPP Webpages

We are excited to announce that the TILPP webpages have been updated. We streamlined the pages to make locating information about the program simpler and more accessible in addition to giving them an entire new look. I invite you to check them out at www.gabar.org/tilpp (see fig. 2).

Live Programming

We hit pause on creating new content, and particularly, live programming in

2020, subsequently affecting programming in 2021. But we are currently evaluating and planning what our Beginning Lawyers Program and Group Mentoring sessions will look like in 2022. Lawyers who currently need those programs to complete their requirements are able to view webcasts of previous sessions through the ICLE course schedule, viewable at www.gabar.org/webcasts (see fig. 3). It is our hope that when we return to live programming next year, our offerings will be even more engaging and informative.

As we get our feet planted firmly in the new Bar year, we look forward to continuing to build upon the foundation laid a quarter of a century ago. ●



Kellyn O. McGee

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A Conversation with Chief Justice Harold D. Melton

In this installment of the “Georgia Lawyer Spotlight,” Editorial Board Member Jacob E. Daly interviews Chief Justice Harold D. Melton prior to his June 30 retirement from the Supreme Court of Georgia.

BY JACOB E. DALY

Why have you decided to leave the Court at this particular time?

I always knew I probably would not retire on the Court. When I was appointed in 2005, the trend was for governors to appoint younger lawyers as judges. That trend has continued, but it remains to be seen how far we actually go toward retirement. Once I serve as chief, that checks a significant box in terms of what is left to be done in service to this Court. More immediately, starting in the fall I will have all three of my children in college at the same time. Math dictates that I have a little bit more income so I can have a better outcome. I do want to be able to help them and have been able to help them. So now is just a good time.

How do you look back and assess your 16 years on the Court?

Better than I would have expected. Better than I deserved. When I came on the Court, the tone and the concern and the doubt were palpable. I understood. I told the governor that I did not fit the profile of what people were expecting for an appointment to the Supreme Court. Nor did they know me in a way that would give them some degree of comfort. I remember going to Savannah for the State Bar meeting and walking through the Marriott, and I felt the eyes, the stares and the question marks. All of it was fair. What was beautiful and what I value is the protective nature that the Bar has toward the bench in general. They gave me a fair chance, and we developed a re-

ally strong working relationship that I value greatly.

Is there anything that stands out about your time on the Court that you're most proud of?

What gets the most attention is the navigation of the pandemic. I am somewhat surprised how well that's received. What it felt like when nobody else was looking was not having any idea what we should do next, bringing smart people on board for several conversations and trying to figure out as best we could what we needed to do. It felt like sometimes we were just commiserating about loss and struggle, commiserating about uncertainty. The reaction that interprets this as leadership in some form or fashion is kind of surprising, but rewarding. I value that

experience, not from a sense of pride, but from a sense of fellowship in tough times.

What were the considerations that weighed on you in the last year and a half as you were thinking about how to navigate the pandemic?

A lot of it was abstract, just like with the work that we do in deciding cases. We answer discrete legal questions, and we have to remind ourselves that real lives are involved. So we're thinking about policies and procedures for safety. We could talk about CDC guidelines and public health guidelines, and all of those types of questions, but then when you get a call from somebody about people you know, it becomes really real really fast and you almost have a sense of panic at times about the need to get it right. There is no absolute right because you're painting with a broad brush. There are 11 million people across the state, and whatever you do, somebody's going to fall out as an outlier. So there were moments when there was a lot of fear and the reality and magnitude of what we were dealing with would sink in. What I tended to do was talk with the people affected, and we bonded and said, "Let's get through this together the best we can."

Tell us about some of the good that you've seen in the judiciary during the last year and a half.

Right now, our judiciary is as unified as it's been in the history of our judiciary largely because the pandemic has had a galvanizing effect. We have the ability for anybody to pick up the phone and talk to anybody and work collaboratively on any initiative in a way that would be designed to benefit the entire judiciary. Even if it's to benefit one class initially, the mindset is that as soon as we learn what we're doing, we're going to spread this out to the rest of the courts. That is a real strength right now. Ultimately, our judiciary will have to figure out how to work in a unified fashion to adapt to the modern world, especially as it relates to data sharing. People move between counties and between circuits and move in and out of the state. We have 11 million people compared to half that just a few years ago. There is a lot more information fly-

ing around that needs to be accurate the first time. The more we work in a unified way, the more efficient we are. If we hold on to that, protect it and treasure it, we'll be better off.

With the benefit of hindsight, is there anything you think you should have done differently?

I have not gotten to that point yet. I am sure there will be some things that I will say I would have liked to have done differently, but I have not gotten to that point yet.

Are there any decisions you made during the last 16 years that stand out to you as particularly important or impactful for the state?

I try not to measure cases based on what kind of impact they would have. I do not think that's the right way to look at how we decide cases. There are some cases that we decide that we knew would have a negative impact, but in our view, that's what the law required. So we went that way. I am hesitant to celebrate our impacts, one way or the other. What I would hope is that when anybody looks at the body of work, and not just the work coming from my chambers, but our Court as a whole over the

“Right now, our judiciary is as unified as it's been in the history of our judiciary largely because the pandemic has had a galvanizing effect. ... The more we work in a unified way, the more efficient we are. If we hold on to that, protect it and treasure it, we'll be better off.”

last 16 years, that they would see the effort and faithful dedication to applying the law fairly and squarely, regardless of persons involved. I would hope that they would see that there was fidelity to the law that trickled all the way down to the most local of courts, and that there would be confidence in the judicial system. Ultimately, I want people to trust that their interests would be fairly presented and protected in our judicial system, and be confident of a fair and just result.

Does it bother you that the American Tort Reform Association has included the Supreme Court of Georgia on its list of judicial hellholes?

Sure. I do not like the Court or the judicial system being viewed as a judicial hellhole. To the extent people view it that way, that's not what we want people to view it as. I also would take issue with what they are grading us on to some extent. They have their personal interests, and they are measuring it from that perspective. But a lot of times, the outcomes that we are being graded on are driven by what I would consider factors beyond our control, such as what the Constitution says, or what the actual statutes say that we are called to interpret. There are times when the text of a statute drives a certain result that the Legislature may or may not have really focused on when it was passing the legislation. We can't look past the legislation and into the thought processes. We can't say, "Let's look past the text and follow the philosophy of what's embedded in the legislation instead." We are not inclined to do that as a Court. So, if we end up with a result that's unfavorable because we followed that pattern, we'll take our lumps and live by whatever assessment that follows. Ideally, I'd like for there to be another layer of analysis before the Court is referred to as a judicial hellhole.

What would you want your successor to know as he or she embarks on a career here at the Court?

Get the best support you can from a staff attorney standpoint. Value the input of

the fellow justices on the Court. Value the relationships with the fellow justices on the Court. And enjoy the Bar as a whole.

What do you think of the method for selecting judges in Georgia?

Judicial selection can be done any number of ways, and all options have a downside. If you have a lifetime appointment, you increase the ability for judges to be independent. The downside of that is, you might increase the opportunity for judges to be independent. And there's such a thing as too much independence. On the election side, you have the risk of judges being too beholden to public sentiment. On the appellate courts, that's buffered somewhat by having 6-year terms versus 4-year terms. And it's buffered even more by the reality that a sitting appellate judge is hardly ever defeated at the polls. And then you talk about selections, the governor versus election. I think by and large the governors have been very good, especially at the appellate court level, about the rigor in selecting judges. I also think at the trial court level they have selected really good judges. You could debate which process produces the best quality of judges, but I do not have any qualms with the current way that the judges are selected, and I said that even before I was selected.

Do you think in the future you might find yourself arguing a case here on the other side of the bench?

It could happen. There was a time when former justices who argued in front of our Court could expect very friendly treatment, not so much in opinions, but at least in how they were treated during oral argument. I suspect that if I were to argue in front of this Court, or if Justice Blackwell were to argue in front of this Court, there would be very rigorous discussion to help the justices understand whatever issues they are trying to decide. If they were dissatisfied with any of my answers, I think I would be able to tell.

What advice do you have for attorneys who appear in the Supreme Court?

I think for our current Court, the main advice would be to go two or three layers beyond what you would do to prepare to argue for a trial court motion in terms of the law that you are trying to assess and where that law came from. It is often not good enough just to cite the law that supports the proposition. You have to make sure you understand where that law came from and whether the case law that you are relying on is well reasoned and well informed so that you can have the assurance that you are standing on solid ground. Anticipate the questions and the weak spots, and be prepared for how you would respond. Everybody is preparing a lot more than they used to. If you argue in front of this Court, you have to moot your arguments. You can't just go over it a couple of times the night before.

Is partisan political office in your future?

It is not in my immediate future. I am not ruling anything out. I definitely have a desire to impact the community on a large scale. I have more perspective now than I have ever had, and I'd like to be able to do something with it in some capacity. But there are a lot of ways to impact the community on a large scale, and I hope to find a way to do that.

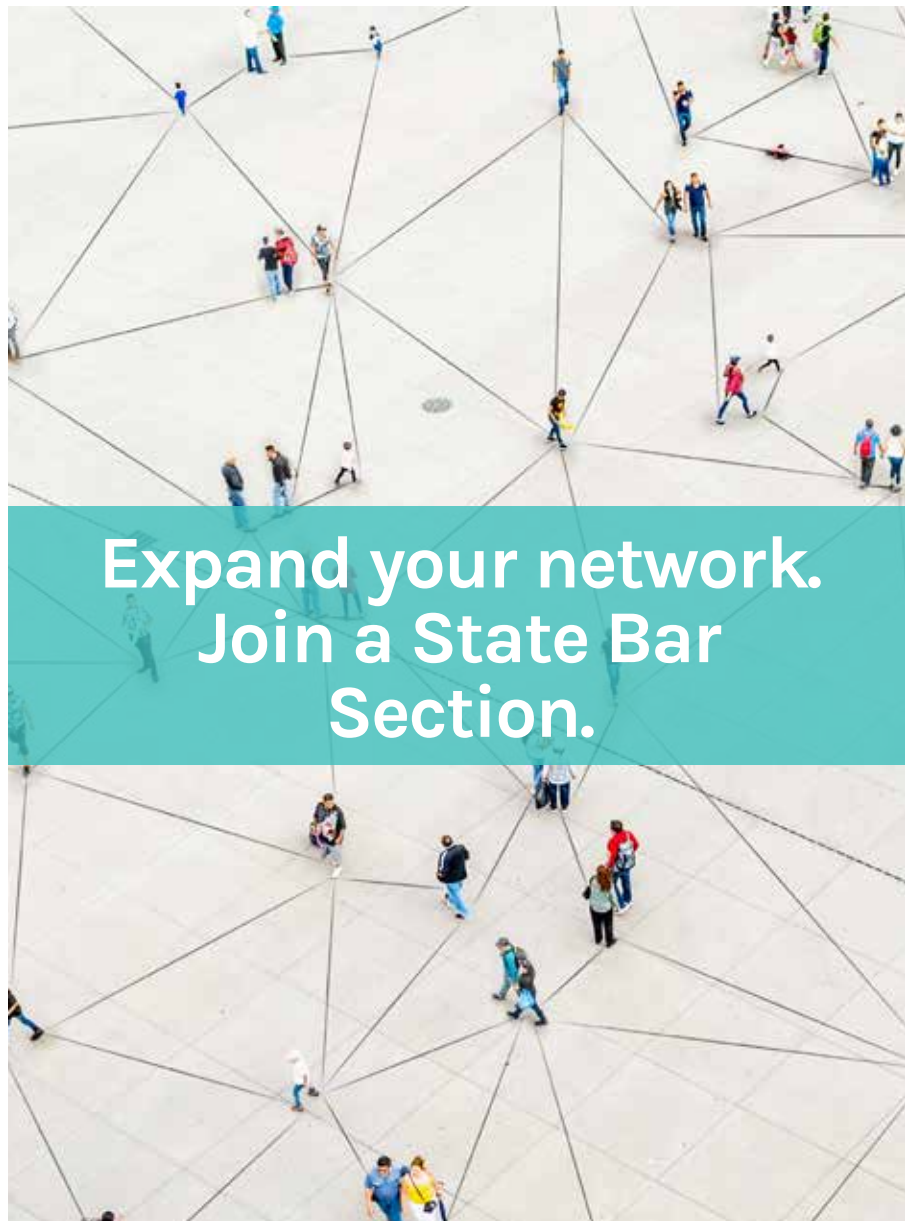
Tell us about your work with the Atlanta Youth Academy and Young Life Ministries and why those organizations are important to you.

I am on the board of the Atlanta Youth Academy, which is a private Christian school in the Thomasville Heights area. Its mission is to make sure everybody has quality educational opportunities regardless of economic background and family situation. Young Life is a Christian ministry as well. It is designed to reach unchurched kids. Young Life leaders and volunteers walk with these kids: rural, urban, international, kids with disabilities, teenage mothers, all kids. It has been an interesting cross-section between that which I love doing with the kids and see-

ing the lightbulb turn on in the hearts and minds. That involvement intersects nicely with my experience in the legal community, especially in the criminal justice context. It has very much informed my perspective about what it means when we talk about criminal justice reform and social justice and what kinds of things will make a difference and what kinds of things won't make a difference. I'm a big believer that if you really want to change the outcomes and disparities or just sheer volume in our prison population, it is going to require personal support of families and individuals, the earlier the better, and if you are not talking about that as part of the equation, I do not believe you are really serious about talking about affecting those numbers. If you're talking about education as a tool, great, but you are going to have to provide some support to individuals and families to increase educational outcomes. You can put a factory in the backyard and say now you have job opportunities, but you are going to have to provide individual support and training to help people in that endeavor. It's not something that we can fix externally. I've seen that firsthand in so many different ways. This is not what I hear in the general conversation right now, and that scares me because the more we talk about the things that won't move the needle, then that means we're distracted for a continued period of time and it will delay getting us to what we need to produce real and meaningful change. Meanwhile, the situation will be getting worse. ●



Jacob E. Daly is of counsel with Freeman Mathis & Gary, LLP, in Atlanta and a member of the *Georgia Bar Journal* Editorial Board. He represents private companies, government entities and their employees in personal injury litigation with a focus on defending property owners, management companies and security companies in premises liability lawsuits.



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Kudos



HALL



MEADOWS

The Georgia Defense Lawyers Association (GDLA) announced George R. Hall of Hull Barrett, PC, Augusta, was sworn-in as president during the 54th GDLA Annual Meeting held at the Omni Amelia in June. Other officers installed included President-Elect James D. "Dart" Meadows of Balch & Bingham LLP, Atlanta; and Treasurer Pamela N. Lee and Secretary William T. "Bill" Casey Jr., both of Swift Currie McGhee & Hiers, LLP, Atlanta. Tracy O'Connell of Ellis Painter, Savannah, was promoted to vice president and Mary Elizabeth "Libby" Watkins of Levy Sibley Foreman & Speir, LLC, Augusta, was elected to the board of directors. Walter B. McClelland of Mabry & McClelland, LLP, Atlanta, was honored with the Distinguished Service Award, the highest accolade given by GDLA. The President's Award was presented to Past President N. Staten Bitting Jr.



LEE



CASEY



O'CONNELL



WATKINS



MCCLELLAND



BITTING

of Levy Sibley Foreman & Speir, LLC, Augusta, and his wife, Cindy, for their combined efforts in helping organize and manage GDLA conference arrangements for the past decade. GDLA is committed to advancing the civil defense bar by providing training and resources, facilitating communication, and offering networking to more than 950 members.



Merchant & Gould P.C., announced Partner Loretta L. Freeman will co-chair the Patent Design & Trade Dress Group, demonstrating a forward-looking view of the firm's more-inclusive leadership team. The Patent Design & Trade Dress Group serves all clients, regardless of industry

or specific technical needs, helping obtain and enforce utility patents, utility models, design patents, trademarks, trade dress, copyrights and trade secrets. Intellectual property spans a wide group of disciplines, as does Merchant & Gould's Patent Design & Trade Dress Group, providing a holistic and integrated approach to help clients secure their protected position in the marketplace.



Bouhan Falligant announced partner Dennis Keene was named to the Georgia Motor Trucking Association's Board of Directors at the organization's annual meeting. The Georgia Motor Trucking Association (GMTA), founded in 1933, is the only organization in the state that provides full-time service and representation for the trucking industry. GMTA serves as the "voice" of the trucking industry in Georgia, representing for-hire carriers, private carriers and affiliate members.

Adams and Reese LLP announced that the firm is participating in the Mansfield Rule 5.0 Certification Process. Adams and Reese is among more than 160 large law firms in the United States and Canada participating, with the goal of boosting the representation of historically underrepresented lawyers in law firm leadership. Participating in the Mansfield Rule initiative is a commitment to consider an intentionally broad pool of candidates for leadership and high visibility positions within the firm. This includes selecting leaders for positions within the firm, hiring lateral attorneys and forming teams for client pitches. The Mansfield Rule initiative also includes a commitment by the firm to be transparent in internal governance, particularly with selection guidelines and job descriptions for existing management roles and committees.

In collaboration with the Adams and Reese Diversity Committee, the firm announced that it has created a year-long calendar of programs and messaging to promote the firm's priority on diversity. To enhance the professional opportunities afforded to law students who are members of underrepresented groups, the firm has established the Adams and Reese Minority Fellowship Program to support law students as they embark on their legal careers. In addition, Adams and Reese is proud to host, sponsor, partner and participate in numerous diversity initiatives throughout the year, including the ABA Minority Counsel Program, the Bayou Classic, the Endowed Professorships and Scholarships at Historically Black Universities, the GE Midwestern Diversity Conference and the National Black Law Student Association Convention.



Chandler Law announced the publication of "Minnows and Sharks, Lawyers' Quick Reference for Reducing Risk and Avoiding Trouble," by founding partner Douglas V. Chandler. The book serves a lawyer's go-to resource with practice tips for handling Bar Admissions obstacles, ethics conundrums, disciplinary investigations and malpractice situations. Chandler condenses some of the lessons learned during his more than 20 years of practice focusing on suing and

defending lawyers in malpractice and ethics situations into this handy guide. The book is available in paperback and e-book through the firm's website, www.chandler-law.net.



ARON



AUGUSTINE

Chamberlain Hrdlicka announced that Stephanie Friese Aron and Scott Augustine have been named co-managing shareholders of the firm's Atlanta office. Chamberlain Hrdlicka is a diversified business law firm that represents both public and private companies, as well as individuals and family-owned businesses across the nation.

On the Move

IN ATLANTA



Baker Jenner LLLP announced the addition of attorney Adam P. Ford as senior counsel. Ford practices business law, litigation and consulting, focusing on employment law, commercial transactions, intellectual property, trademarks and brand protection, personal injury and other areas of law that impact businesses. The firm is located at 210 Interstate N. Parkway, Suite 100, Atlanta, GA 30339; 404-400-5955; www.bakerjenner.com.



Sutton Slover announced the addition of Kevin W. Burkhart as an associate. Burkhart's practice focuses on civil litigation in state and federal courts in matters of premise liability, transportation liability, workers' compensation and medical malpractice. The firm is located at 5901 Peachtree Dunwoody Road NE, Suite A220, Atlanta, GA 30328; 404-768-0292; Fax 404-419-6011; www.sloverlaw.net.



FELTON

FordHarrison LLP announced the addition of Elverine "Rena" Felton and Abigail Larimer as counsel. Felton focuses her practice on executive compensation, including negotiating and drafting equity compensation plans and awards, employment/severance agreements, other compensation arrangements, and health and welfare matters. Larimer's practice focuses on restrictive covenants, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Family Medical Leave Act, the Fair Labor Standards Act, and state wage and hour laws such as employee misclassification, meals and rest breaks, and other wage and hour concerns. The firm is located at 271 17th St. NW, Suite 1900, Atlanta, GA 30363; 404-888-3800; Fax 404-888-3863; fordharrison.com.



LARIMER



EVANS



GILSON



WATKINS



FREEMAN

Hall Booth Smith, P.C., announced the addition of Jake Evans and James E. "Jim" Gilson as partner, Christopher J. Watkins as counsel, and M. Christopher Freeman Jr. and Cristal Gomez Vickers as associates. Evans focuses his practice on disputes involving breach of contract and fiduciary duties, residential and commercial real estate, restrictive covenants, business dissolutions, partnerships and joint ventures, derivative corporate



VICKERS

claims, note defaults and workouts, and intellectual property. Gilson specializes in high-exposure trial litigation for catastrophic injury, premises liability, insurance and transportation tort claims. Watkins' practice focuses on wrongful death, personal injury and other high-exposure general liability matters in construction, transportation and other industries, liability and damage estimates, insurance coverage evaluations and other pre-litigation matters. Freeman represents clients in corporate and partnership matters, business litigation, labor and employment, general liability cases, government affairs matters and governmental liability litigation. Vickers concentrates her practice on insurance coverage and general liability matters. The firm is located at 191 Peachtree St. NE, Suite 2900, Atlanta, GA 30303; 404-954-5000; Fax 404-954-5020; hallboothsmith.com.



Parker Poe Adams & Bernstein LLP announced the addition of Josh Marks as counsel. Marks focuses his practice on environmental compliance, conservation, sustainability, real estate, land use and corporate legal needs. The firm is located at 1075 Peachtree St. NE, Suite 1500, Atlanta, GA 30309; 678-690-5750; Fax 404-869-6972; parkerpoe.com.



SHEPPARD



BURROWS

Weinberg Wheeler Hudgins Gunn & Dial announced the addition of William "Bill" Sheppard as partner and Briana Burrows and Marriah Paige as associates. Sheppard focuses his practice on construction, environmental, real estate and banking matters. Burrows' practice areas include complex civil litigation with an emphasis on catastrophic personal injury and wrongful death, and commercial disputes involving intellectual property and construction-related issues. Paige focuses her practice on wrongful death, personal injury premises liability, medical malpractice and civil rights violations. The firm is located at 3344 Peachtree Road NE, Suite 2400, Atlanta, GA 30326; 404-876-2700; Fax 404-875-9433; www.wwhgd.com.



PAIGE



Stein Law, LLC, announced the addition of Evita Jantaraweragul as partner. Jantaraweragul's practice focuses on a wide range of business, tax and estate planning-related issues. The firm is located at 750 Hammond Drive, Building 5-100, Atlanta, GA 30328; 770-804-4888; steinlawllc.com.



BRAMLETT

Boyd & Jenerette, P.A., announced the addition of Payton D. Bramlett as partner and Nicholas L. McKenney as senior associate. Bramlett focuses his practice in the areas of insurance defense, general liability and personal injury litigation including automobile, trucking and premises liability, and property damage cases including construction defect cases. McKenney's practice focuses on insurance defense, general liability and personal injury litigation, including automobile, bad faith, trucking and premises liability. The firm is located at 33 Bull St., Suite 100, Savannah, GA 31401; 912-921-8820; www.boydjen.com.



MCKENNEY

IN BRUNSWICK



Hall Booth Smith, P.C., announced the addition of Krysta Grymes as an associate. Grymes focuses her practice on aging services and medical malpractice defense. The firm is located at 3528 Darien Highway, Suite 300, Brunswick, GA 31525; 912-554-0093; Fax 912-554-1973; hallboothsmith.com.

IN SAVANNAH



SARB



GUILLEBEAU

HunterMaclean announced the addition of Sarah J. Sarb and Clint Guillebeau as associates. Sarb focuses her practice on corporate law and business transactions. Guillebeau focuses his practice on real estate, affordable housing, commercial real estate and bond transactions. The firm is located at 200 E. Saint Julian St., Savannah, GA, 31401; 912-236-0261; Fax 912-236-936; huntermaclean.com.

IN STATESBORO



Kimberly S. Ward announced the launch of Kimberly S. Ward, LLC. Ward focuses her practice on representing debtors in consumer and business bankruptcies and related areas of law. The firm is located at 127 N. Main St., Suite 203, Statesboro, GA 30459; 912-764-9616; Fax 912-764-8789; www.kswardlaw.com.

Announcement Submissions

The *Georgia Bar Journal* welcomes the submission of news about local and voluntary bar association happenings, Bar members, law firms and topics of interest to attorneys in Georgia.

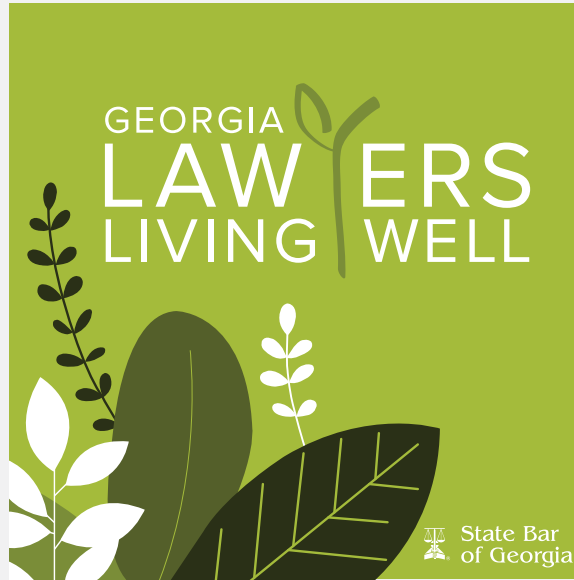
Notices are printed at no cost, must be submitted in writing and are subject to editing. Some restrictions apply, and items are printed as space is available. News releases regarding lawyers who are not members in good standing of the State Bar of Georgia will not be printed. Learn more at www.gabar.org/newsandpublications.

For more information or to submit an announcement, please contact Ashley G. Stollar, ashleys@gabar.org or 404-527-8792.

When life doesn't make sense.

The SOLACE program is designed to assist any member of the legal community (lawyers, judges, law office and court staff, law students and their families) in Georgia who suffer serious loss due to a sudden catastrophic event, injury or illness. Visit www.gabar.org for more information on SOLACE, or email solace@gabar.org.





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SPOTIFY

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BY PAULA FREDERICK

“I only hired your firm because of the cybersecurity precautions you have in place,” your client fumes. “I thought my Secret Formula would be safe with you, but now it’s swirling around in cyberspace where any hack can find it!”

“We’ve done everything you asked,” you respond. “This firm safeguards client information with the latest technology. We don’t have any reason to believe that the Secret Formula is at risk.”

“I’ll agree you were storing it safely,” your client admits. “But why in the world did you send that email with the Formula attached? And from your zmail account, no less!”

“Umm ... I used my zmail account because the file was so large. The office email doesn’t allow large attachments. What’s wrong with zmail?” you ask. “I use it all the time!”

“Are you kidding?” your client asks. “It’s not even encrypted! You could at least have used confidential mode.”

“Zmail has a confidential mode?” you wonder.

The Rules of Professional Conduct require lawyers to keep confidential information safely in order to reduce the likelihood that it will be compromised. But how far must a lawyer go to ensure that confidential client information stays confidential?

The answer is clearer now that the Supreme Court of Georgia has approved new comments to the confidentiality rule, Georgia Rule of Professional Conduct 1.6. The Court’s Order of May 14, 2021, adds Comments 24 and 25 to help lawyers understand the precautions they must take to prevent confidential information from falling into the wrong hands.

Comment 25 specifically deals with transmitting a communication that includes confidential information. Although the lawyer is required to use “reasonable precautions,” the comment clarifies that there is no need to use special security measures if the method of communication affords a “reasonable expectation of privacy,” so encrypted email would normally suffice. On the other hand, the comment acknowledges that extra steps might be warranted when dealing with sensitive information or when the client requests specific precautions.

Email transmission is often the weakest link in a firm’s cybersecurity plan. Consult your cyber professional to be sure that you are acting responsibly to preserve client confidentiality. ●



Paula Frederick

General Counsel
State Bar of Georgia

paulaf@gabar.org



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Attorney Discipline Summaries

April 19, 2021 – June 21, 2021

BY PAULA FREDERICK

Disbarments

Cynthia Ann Lain

4470 Satellite Blvd., Suite 101
Duluth, GA 30096

Admitted to the Bar 2007

On April 19, 2021, the Supreme Court of Georgia disbarred attorney Cynthia Ann Lain (State Bar No. 705135) from the practice of law in Georgia. The disciplinary matters came before the Court on the reports and recommendations of the Special Master who recommended that Lain be disbarred as a result of five State Disciplinary Board matters, each pursued in a separate formal complaint. In connection with these matters, the Special Master concluded that Lain violated Rules 1.2 (a), 1.3, 1.4, 1.5 (a), 1.16 (d), 3.1 (b), 3.2, 3.3 (a), 3.5 (d) and 8.4 (a) (4) of the Georgia Rules of Professional Conduct. The maximum sanction for a violation of Rules 1.2, 1.3, 3.3, and 8.4 (a) (4) is disbarment while the maximum penalty for the remainder of the rules is a public reprimand. Because Lain engaged in a pattern of serious misconduct that included contempt of court and contempt for the disciplinary pro-

cess, the Court agreed that disbarment was the appropriate sanction.

The State Bar filed a formal complaint in each matter in January 2019, and Lain filed an answer in each matter in April 2019. Thereafter, the Special Master entered an initial scheduling order and the Bar served interrogatories, requests for admissions and requests for production of documents on Lain. Lain, however, failed to respond adequately to the Bar's requests, and her response to the Bar's requests for admissions became the subject of a discovery dispute. The Special Master attempted to resolve the dispute by issuing a discovery deadline order, but Lain still failed to comply with the discovery order and never supplemented her responses to the Bar's discovery requests. The Bar filed three motions to compel, and in December 2019, the Special Master entered orders on the motions to compel, directing Lain to comply with her discovery obligations. Lain failed to comply, and the Bar filed a motion for sanctions. Lain then filed a frivolous motion to dismiss the Bar's complaints on the grounds that they

*"He who is his own lawyer
has a fool for a client."*

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were not timely prosecuted. The motion to dismiss was denied, and following a show cause hearing on the matter, the Special Master found that Lain failed to show why her answers should not be stricken. In addition, although Lain had agreed to attend a deposition in January 2020, she failed to appear, leading the Bar to file a second motion for sanctions.

The Special Master said that Lain's conduct in the underlying actions was consistent with her approach to the disciplinary proceedings, in which she refused to participate in good faith, failed to respond to motions, failed to attend scheduled status conferences or hearings, and attempted to advance factual and legal positions inconsistent with the facts and law governing proceedings. The Special Master determined that her conduct was so consistent and pervasive that, at best, it could be characterized as reckless disregard for the disciplinary process and those involved in it, and at worst, an intentional effort to avoid or delay the process. In April 2020, the Special Master entered an order granting the Bar's first motion for sanctions and ordering that Lain's answer to each formal complaint be stricken and that all facts alleged in the Bar's formal complaints be deemed admitted.

In Case No. S21Y0652, the Special Master concluded that Lain violated Rule 1.3 by failing to act with reasonable diligence when she failed to appear for scheduled court appearances without notifying the court in advance, resulting in the court finding her in contempt and assessing attorney fees against her and her client causing detriment to her client. The Special Master also concluded that Lain violated Rule 1.4 (a) by failing to notify her client of scheduled court appearances, resulting in attorney fees being assessed to her client and a finding of contempt by the court. Finally, the Special Master concluded that Lain violated Rule 3.1 when she knowingly filed a frivolous motion to dismiss.

In Case S21Y0654, the Special Master concluded that Lain violated Rule 1.2 (a) when she failed to consult with her client about her case, causing the client to

attend her arraignment hearing without counsel present; violated Rule 1.3 when she failed to promptly attend scheduled court appearances and notify her client of any delays in attending court appearances; and violated Rule 1.4 (a) when she failed to appear in court on behalf of her client on multiple occasions without notice to her client or to the court, which caused delay and detriment to the client's case. The Special Master determined that Lain's lack of performance and failure to meet reasonable expectations resulted in the collection of an unreasonable fee from her client in violation of Rule 1.5 (a). The Special Master also concluded that Lain violated Rule 1.16 (d) because, after accepting payment for representation, she was expected to perform promptly and diligently on behalf of her client, but instead her lack of performance delayed the case, which should have resulted in a refund of unearned fees. Finally, the Special Master concluded that Lain violated Rule 3.2 when she agreed to represent her client in a criminal case but then caused unnecessary delay for several months by failing to communicate and to attend several court appearances.

In Case S21Y0655, the Special Master concluded that Lain violated Rule 1.2 (a) when she failed to consult and communicate with her client about the client's case, including before pretrial hearings and the jury trial; that she violated Rule 1.3 by failing to promptly attend and communicate with the court regarding court appearances and to consult with her client about the status of the client's case; and that she violated Rule 1.4 (a) by failing to notify her client about the status of her case or attend court appearances, which was detrimental to her client's case. In addition, the Special Master concluded Lain violated Rule 3.2 by agreeing to represent her client but then failing to serve her client's interests; that she violated Rule 3.3 (a) when she filed a motion containing false information; and that she violated Rule 3.5 (d) when she attempted to mislead the court, failed to comply with court orders and failed to appear for scheduled hearings. Finally,

the Special Master concluded that Lain violated Rule 8.4 (a) (4) when she filed a motion containing false information in the hope of obtaining a supersedeas.

In Case S21Y0657, the Special Master found that Lain violated Rule 1.3 and 3.2 when she failed to appear in court as scheduled in her two clients' cases and failed to provide evidence to the court to excuse her absences. The Special Master found that she violated Rule 3.3 (a) when she misled the court regarding her reasons for failing to appear in court and Rule 3.5 (d) by failing to comply with the court's orders and failing to appear for scheduled hearings.

In Case S21Y0658, the Special Master found that Lain violated Rule 1.2 (a) when she failed to consult with her client about her case; Rule 1.3 when she failed to file the client's custody action; and Rule 1.4 when she failed to keep the client updated about the status of her case and failed to respond to her client's numerous requests for an update on the case. In addition, the Special Master concluded Lain violated Rule 1.5 (a) when she charged her client an unreasonable fee and did not perform work to earn the fees; that she violated Rule 1.16 (d) when she failed to return the client's file and refund any unearned fee; and Rule 3.2 when she failed to perform work on the client's case, including filing the custody action.

Majd M. Ghanayem

500 Chestnut St., Suite 1509
Abilene, TX 79602
Admitted to the Bar 2013

On April 22, 2021, the Supreme Court of Georgia disbarred attorney Majd M. Ghanayem (State Bar No. 221849) from the practice of law in Georgia. The disciplinary matter was before the Court on the Report and Recommendation of the State Disciplinary Review Board addressing a Notice of Reciprocal Discipline issued to Ghanayem pursuant to Rule 9.4 of the Georgia Rules of Professional Conduct. After personal service was unsuccessful, Ghanayem was served by publication. He did not file any objection to the

imposition of reciprocal discipline which arose out of a Judgment of Disbarment entered against him in Texas. The State Bar of Texas Evidentiary Panel found that in 2015, a Texas client hired Ghanayem to file an involuntary relinquishment of parental rights action against the biological father of her son; that Ghanayem neglected the legal matter by failing to file a petition for an involuntary relinquishment of parental rights until March 2017; that Ghanayem failed to keep the client reasonably informed about the status of her matter and failed to promptly respond to reasonable requests for information; that Ghanayem engaged in conduct involving dishonesty, fraud, deceit or misrepresentation by misrepresenting the status of the matter to his client and by providing her with a fraudulent order and forged signature of the judge. The Evidentiary Panel found that by his conduct, Ghanayem violated various Texas Disciplinary Rules of Professional Conduct relating to his failure to provide competent and diligent representation, his failure to communicate with his client and his dishonest conduct in forging a court order. Based upon a review of the disciplinary procedures and rules in Texas and the corresponding disciplinary procedures and rules in Georgia, the Review Board concluded that disbarment would be an appropriate level of discipline in Georgia for similar misconduct and found no basis for recommending anything other than substantially similar discipline. The Court agreed with the Review Board that disbarment was the appropriate sanction.

Joseph Roger Davis

433 Cherry St., Suite A
Macon, GA 31201
Admitted to the Bar 2005

On June 21, 2021, the Supreme Court of Georgia disbarred attorney Joseph Roger Davis (State Bar No. 141985) from the practice of law in Georgia. Davis was retained to represent a client in a criminal matter in early November 2018. The client paid Davis a retainer, informed him of her concerns that warrants had

been issued for her arrest and asked Davis to investigate and arrange for her to turn herself in, if necessary. Davis failed to conduct an appropriate investigation into whether warrants existed, but falsely told the client there were no warrants. Although the client continued to make payments, Davis failed to respond to many of her inquiries; failed to appear on her behalf at a hearing; failed to respond to her questions about how the payments she had made had been earned; and repeatedly told her that no warrants had been issued. The client was arrested on Dec. 24, 2018, on warrants that had been issued prior to her hiring Davis. Following the arrest, the client and her family attempted to contact Davis, but he failed to respond to their calls and failed to contact or visit the client. The client remained in jail for about seven weeks, and her failure to turn herself in despite having knowledge of the arrest warrants was cited by the prosecution as a reason for not allowing her to be released. After her release, the client sent Davis a letter by certified mail asking him to detail what he did to earn the money she paid him, to whom he spoke about the warrants and requesting a refund. Davis did not respond to the letter nor did he respond to the grievance filed by the client with the State Bar.

The disciplinary matter came before the Court on the report and recommendation of the Special Master recommending that the Court disbar Davis for the abandonment of a client and his failure to respond in the disciplinary matter. The Court agreed with the Special Master that based on the misconduct, Davis violated Rules 1.2 (a), 1.3, 1.4 (b), 1.5 (a), 8.4 (a) (4) and 9.3 of the Georgia Rules of Professional Conduct. The maximum sanction for a violation of Rules 1.2 (a), 1.3 and 8.4 (a) (4) is disbarment, and the maximum sanction for a violation of Rules 1.4 (b), 1.5 (a) and 9.3 is a public reprimand. The Court agreed with the Special Master that at least the following aggravating factors were present: dishonest or selfish motive, a pattern of misconduct, refusal to acknowledge the wrongful

nature of his conduct, and substantial experience in the practice of law. The Court also noted that Davis received a Formal Letter of Admonition in 2015 and that his prior disciplinary history was another aggravating factor. The Court agreed that Davis's intentional misrepresentations to and abandonment of a client facing criminal charges, and his failure to respond to the disciplinary authorities, warranted the sanction of disbarment.

Review Board Reprimand Misty Oaks Paxton

3895 Brookgreen Point

Decatur, GA 30034

Admitted to the Bar 2009

On April 19, 2021, the Supreme Court of Georgia accepted the petition for voluntary discipline of Misty Oaks Paxton (State Bar No. 127089) and directed that Paxton receive a State Disciplinary Review Board Reprimand for her admitted violations of Rules 1.2 (a), 1.2 (c), 1.3 and 1.5 of the Georgia Rules of Professional Conduct.

In her petition, Paxton admitted the following: As a solo practitioner, she had a relationship with a nationwide law firm marketing loan modification services called Kealy Law Center (KLC) where KLC would refer people in Georgia who contacted the firm for services to Paxton. In December 2017, KLC referred a disabled veteran who was in danger of losing his home to Paxton. KLC provided a retainer agreement on Paxton's letterhead to the client. The agreement required payment of an initial retainer and monthly payments and also required the client to respond to requests and inquiries. The client executed the agreement, returned it to KLC and began making payments to KLC. On May 2, 2018, a KLC employee faxed a letter of authority for third-party authorization to the client's mortgagee so that Paxton could speak to the mortgagee about loan modification. On May 10, a KLC employee contacted the mortgagee and learned it would not consider loan modification for the client because he had already modified his loan three times, but that he would qualify for a repayment plan. Paxton failed to inform the client that he did not qualify for a

loan modification but instead proceeded to process his file for a repayment plan with the mortgagee.

During the same period, the client failed to respond to requests and inquiries from KLC and failed to make monthly payments, resulting in KLC notifying the client in June 2018 that his case would be closed if payment wasn't received in 10 days. On June 29, KLC notified the client that his case with the firm was being closed for non-payment. Neither Paxton nor KLC sent a mortgage modification package to the client's mortgagee between January and June of 2018. On July 24, 2018, the mortgagee notified the client that his home was subject to a foreclosure sale on Sept. 4, 2018. On July 31, the client notified KLC about the pending foreclosure sale and date and signed another attorney-client agreement with KLC agreeing to pay his balance and a \$900 "requalification fee." On Aug. 1, Paxton wrote to the client introducing herself as "the local attorney in the State of Georgia, working ... on your file for a loan modification/foreclosure defense." The client paid \$500 to KLC on Aug. 3, but did not provide necessary documentation and he spent several days that month in the hospital with a head injury. On Aug. 31, the client called KLC and expressed concern because his house was still being advertised for the foreclosure sale on Sept. 4. KLC sent the client an email informing him that nothing would be done for him because he had not paid the full fee and the client paid the additional \$400 to KLC. That same day, KLC emailed Paxton about the matter and she emailed the client, informing him that she could not travel to Brunswick to file for bankruptcy to head off the foreclosure because she was out of town, but that she had completed and attached an Emergency Chapter 13 Bankruptcy petition, which she informed him he needed to file by the morning of Sept. 4. The client was unable to print the petition and therefore filled out his own pro se petition and filed it on Sept. 5. The client's home was sold at the scheduled foreclosure sale on Sept. 4. On Oct. 18, 2018, the client contacted Atlanta Legal Aid, and a legal aid attor-

ney sent written requests to Paxton for information regarding the case on Oct. 18 and Nov. 1, 2018, and again on Feb. 13, 2019. Paxton finally responded on Feb. 18, 2019, stating that she was "in the middle of loan modification efforts" when the mortgagee foreclosed on the client's home. The legal aid lawyer asked Paxton for additional information and documents but she never responded.

The client filed a grievance against Paxton in April 2019. On Oct. 30, 2020, Paxton refunded the client's money as requested by the State Bar. Paxton asserted that her failures were based on a business model that left too much of the handling of client matters in the hands of non-lawyers several states away whom she did not supervise or employ, which caused the client's case to fall through the cracks to his detriment. She said she has terminated her relationship with KLC. Paxton admitted she violated Rule 1.2 (a) insofar as she failed to abide by her client's decisions concerning the scope and objectives of representation; she violated 1.2 (c) insofar as the limitations on her representation of the client were unreasonable; she violated 1.3 insofar as she was not sufficiently diligent on behalf of the client; and she violated 1.5 (e) insofar as she did not advise the client about the division of fees between her and KLC, that division was not proportionate and the total fee was unreasonable. The maximum punishment for a violation of Rules 1.2 (a), 1.2 (c) and 1.3 is disbarment and the maximum punishment for Rule 1.5 (e) is a public reprimand. In mitigation, Paxton asserted she had no prior discipline, had no dishonest or selfish motive, had a cooperative attitude toward the disciplinary proceedings, had otherwise exhibited good moral character, had a positive reputation and was remorseful. The State Bar filed a response consenting to Paxton's petition but submitted the aggravating factor of "vulnerability of victim." ●



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Ethics dilemma?

Lawyers who would like to discuss an ethics dilemma with a member of the Office of the General Counsel staff should contact the Ethics Helpline at 404-527-8741 or toll free at 800-682-9806, or log in to www.gabar.org and submit your question by email.



State Bar
of Georgia

Legal Tech TIPS

BY MIKE MONAHAN



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1 Ruby Receptionist www.ruby.com

Need a receptionist fast? Vacations, staff illness or covering a vacancy can be very problematic. A for-fee service like Ruby Receptionist can save the day and your business. Ruby Receptionist is essentially a call center where you can have your office calls forwarded. A live person—a receptionist—answers and follows a script you provide. You purchase blocks of minutes for the time slots or period you need to have covered. Ruby Receptionist is available via website and app—Android and iOS. Check out other examples like Lex and Posh and compare.



2 TechSmith www.techsmith.com

We've covered Jing before. Jing is now TechSmith Capture and worth a revisit. TechSmith allows you to record your screen and share it with others. Use it to send instructions to your client or to walk your client through a case scenario or forms. Your client can also use it to record a text message thread and share it with you. Only available only in iOS.

3 Fingerprint Security

Here's a useful life and tech hack. Many of us use the fingerprint security feature on our smartphones. Occasionally something—like an injury or medical treatment—affects your fingerprint, leaving you to recall all your logins for perhaps a dozen or more phone apps to pay bills, work or communicate via social media. You may have to switch fingers, so just use the Biometrics feature of your phone to add a second fingerprint as a backup. Best not to wait.



4 Eastgate Tinderbox www.eastgate.com/Tinderbox

I'm always searching for ways to organize my work. Check out Eastgate Tinderbox (no, not related to a dating service). The for-fee Tinderbox documents and visuals adapt to your work style and grow with your understanding. Tinderbox can help keep your data organized and complete, automatically supplying routine metadata and discretely reminding you of gaps and errors. Tinderbox can even remind you if you repeat the same words too often. Tinderbox AI automatically recognizes addresses and gets their geographical location for you. It finds names and organizations mentioned in your notes, helping your agents to tag and organize your work, freeing you to concentrate on what matters most.

5 Data Breach

haveibeenpwned.com

In prior Tech Tips, I have mentioned that you ought to Google yourself and your firm. First, doing so gives you an idea of where and how your identity is showing up on the web, but it also could alert you to potential and actual misuses of your identity. You should also regularly check if your email or phone is in a data breach. We all have one or more email addresses associated with our financial accounts, social media and work—and often our phone numbers are captured by businesses we deal with and are used to identify us. Go to haveibeenpwned.com and input your email addresses (personal and work) and then check your phone numbers (personal and work).

6 Search Syntax

Up your Google Search skills: Use Search Syntax. Most of us go directly to Google and type in key words and then refine the key words. For example, you can exclude words from your search. Put a dash (-) in front of the word you want to leave out, for example, search jaguar speed -car. Also you can demand an entire phrase by putting the phrase in quotes in the search field. Go to the Google Help Center for a lengthy list of syntax ideas to help improve your search.



7 Mental Well-Being

guardians.media.mit.edu

Guardians Unite the Realms is a new mobile game developed in the Affective Computing Group of the MIT Media Lab that provides immediate and gratifying rewards for using a therapeutic technique known as behavioral activation. Behavioral activation is a therapy that asks people to choose and perform a meaningful and positive task, then reflect on it. The Guardians utilizes the psychological techniques of mobile games to reward and encourage healthy habit formation and teach skills that are invaluable toward fighting depression. Available in iOS and Android. #lawyerslivingwell

8 iTimeKeep

www.aderant.com/itimekeep/

Attorney time tracking doesn't have to be a hassle. Keep time consistently, effortlessly, accurately and securely, regardless of device, operating system, location or time of day. Built by attorneys, for attorneys because it's our goal to create better timekeepers. With iTimekeep, it's ridiculously easy to enter your time.



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Volunteering and Happiness

What? Volunteering will make you happier? That's right. Multiple studies have shown that volunteering on a regular basis can give a boost to a person's happiness. So, what are you waiting for? Get happy. Do pro bono.

BY SARAH J. ANDERSON



So here it is. Another article about why you should be taking pro bono cases. But this isn't the typical article on why it's good to donate your legal talents to programs like Georgia Legal Services Program. This article is not about Bar Rule 6.1, which states that we should aspire to provide at least 50 hours of pro bono service a year. This article is not about the fact that every year more than 800,000 cases involve self-represented litigants, or the fact that those litigants have difficulty understanding the court process. Self-represented litigants miss deadlines, resulting in dismissed cases, and often feel at a disadvantage in negotiations and in the courtroom when there is an attorney on the other side.

This article is also not going to talk about all the professional benefits attorneys get out of taking pro bono cases. There will be no talk about how pro bono cases can help you sharpen litigation skills, give you the opportunity to appear before judges in a variety of cases or improve your client/case management skills.

No, this article is about a benefit you might not have considered before: the health benefits of volunteering. Especially, the connection between volunteering and happiness.

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What? Volunteering will make you happier? That's right. Multiple studies have shown that volunteering on a regular basis can give a boost to a person's happiness. A 2004 study found a connection between volunteering and happiness.¹ People who did not volunteer reported the lowest scores for happiness.² Those who volunteered weekly or monthly reported the highest.³ Most interesting was that volunteers all reported high happiness levels regardless of the original motivation behind volunteering.⁴ That means that whether you volunteer simply because you enjoy helping people or because you see volunteering as an investment in your career, you will still experience an increase in happiness.

When volunteering, you can't get too much of a good thing. A 2007 longitudinal study following Wisconsin volunteers for decades found that volunteering has a positive effect on a person's sense of well-being⁵ over several years, stating, "There is never a decrease in the impact of volunteering as the amount increases."⁶

Volunteering not only improved overall well-being, but research also showed that the more frequently a person volunteered the more likely they were to report being healthy and happy.⁷ In 2008, researchers found that volunteering was associated with greater happiness than other altruistic behaviors, such as monetary donations or donating blood.⁸ They concluded that "(t)he process of volunteering itself ... might reinforce satisfaction for what one has rather than dissatisfaction for what she lacks. ..."⁹

Money can't buy happiness, but volunteering can. The rise in well-being from volunteering monthly is similar to that seen with people whose incomes rose from less than \$20,000 to between \$20,000 and \$30,000.¹⁰ Those who volunteer weekly have an increase in well-being similar to moving from an income of less than \$20,000 up to an income between \$75,000 to \$100,000.¹¹

The list of benefits you can get from volunteering goes beyond happiness and improved well-being. In 2018, research-

ers found that volunteering was "significantly predictive of better mental and physical health, life satisfaction, self-esteem, happiness, lower depressive symptoms psychological distress, and mortality and functional inability."¹²

There's also some evidence that volunteering can act as a protective factor in aging. As people grow older, they lose major role-identities as marital, parental and employment statuses change. This loss of identity for older adults often results in lessened psychological well-being. In 2004, researchers found that formal volunteering allowed older individuals to regain role-identity and thereby improve well-being.¹³ The study concluded that "(v)olunteering might not prevent us from feeling dysphoric, but it might help us to feel cheerful and happy in later adulthood."¹⁴

In addition to happiness, studies have shown that people who volunteer have reduced risk of depression, stress, anxiety and live longer than those who don't volunteer.¹⁵

So, what are you waiting for? Get happy. Do pro bono. ●



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Endnotes

1. Stephan Meier & Alois Stutzer, *Is Volunteering Rewarding in Itself?*, IAZ DISCUSSION PAPERS, No. 1045, Institute for the Study of Labor (IZA), Bonn (2004). This study was conducted between 1985-1999 and involved approximately 22,000 German individuals across a range of socio-economic and demographic range.
2. *Id.* at 9.
3. *Id.* at 10.
4. *Id.*
5. Merriam-Webster defines well-being as "the state of being happy, healthy, or prosperous." <<https://www.merriam-webster.com/dictionary/well-being>>,
6. last accessed June 10, 2021.
7. Jane Allyn Piliavin & Erica Siegl, *Health Benefits of Volunteering in the Wisconsin Longitudinal Study*; J. HEALTH AND SOCIAL BEHAVIOR, VOL. 48 (Dec.): 450-464 (2007). This longitudinal study began with over 10,000 Wisconsin adults in 1957. Follow up surveys were conducted in 1964, 1975, 1992, and 2004.
8. Francesca Borgonovi, *Doing well by doing good. The relationship between formal volunteering and self-reported health and happiness*; SOCIAL SCIENCE & MED., VOL. 6: 2321-2334 (2008). This study used the Social Capital Community Benchmark Survey containing samples from 41 communities across 29 states. The survey is used extensively in studies of the relationship between individuals and health and happiness.
9. *Id.* at 2331.
10. *Id.*
11. *Id.* at 2326.
12. *Id.*
13. Jerf W.K. Yeung, Zhuoni Zhang & Tae Yeun Kim, *Volunteering and health benefits in general adults: cumulative effects and forms*, BMX PUB. HEALTH 18:8 (2018). This study followed 1504 "community-dwelling" Texas adults.
14. Emily A. Greenfield & Nadine F. Marks, *Formal Volunteering as a Protective factor for Older Adults' Psychological Well-Being*, THE GERONTOLOGICAL SOCIETY OF AMERICA, VOL. 59B, No. 5 S258-S264 (2004). This study used a subsample of the National Survey of Midlife Development in the United States. The survey includes 3,032 adults between the age of 25 and 74. The subsample consisted of 373 adults between the age of 65 and 74.
15. *Id.* at S263.
16. Mayo Clinic Health System, *Helping people, changing lives: The 6 health benefits of volunteering*; May 18, 2017; <<https://www.mayoclinichealthsystem.org/hometown-health/speaking-of-health/helping-people-changing-lives-the-6-health-benefits-of-volunteering#:~:text=From%20lowering%20stress%20to%20boosting%20self-confidence%2C%20research%20has,you%20meet%20others%20and%20develop%20new%20relationships.%20>>; last accessed June 8, 2021.

#KnowYourBar: Law Practice Management Program

The State Bar of Georgia and the Law Practice Management Program are continually working to provide our members with benefits that can help both professionally and personally. This article provides a brief overview/introduction to a number of services that are always available to you.

BY KIM HENRY

The Law Practice Management Program (LPM) is one of the Bar's most popular offerings for members. Read on for an overview of some of the many services LPM provides and be sure to take advantage of this member benefit.

Law Office Start-Up Resources/ Office Start-Up Kit

LPM continues to provide free copies of the start-up kit, "Guide to Starting Your Georgia Law Practice," to members. In fact, we have found that the kit is not only beneficial to lawyers looking to start a law practice, but it has also been helpful with general business planning for those members who have already established an office. The contents include thoughts on hanging out a shingle, choice of entity selection, marketing, office automation, trust accounting, social media and more. The kit is available via in-person pick up and mail delivery. To request a copy via mail, log in to your member account, navigate to the store and select the product. Mailed copies require a \$5 postage fee. Questions? Contact Latashia Hughes at 404-527-8772 for more information or to set up an office visit for additional business planning and advice on best practices.

Resource Library

Boasting more than 1,500 items, the program's resource library is arguably the largest in the country, containing books, DVDs and periodicals covering a wide range of practice management and business topics related to law office management and technology. We love to recommend resources that can help members with their individual business decisions.

The library has a large number of business-focused titles, including: "The Lawyer's Guide to Creating a Business Plan"; "Law Office Policy & Procedures Manual"; "Legal Upheaval: A Guide to Creativity, Collaboration, and Innovation in Law"; "Law Practice Strategy: Creating a New Business Model for Solos and Small Firms"; "Getting Clients: For Lawyers Starting Out or Starting Over"; "Automating Legal Services: Justice through Technology"; "Building a Better Law Practice: Become a Better Lawyer in Five Minutes a Day"; "Advising the Small Business: Forms and Advice for the Legal Practitioner"; "Trust Accounting in One Hour for Lawyers"; "The Lawyer's Guide to Marketing on the Internet"; and "The Solo and Small Firm Legal Technology Guide" to name a few.

Many of the library items mentioned are available from ABA Publishing and can be purchased by Georgia lawyers at a

discount. Just ask for Georgia's ABA book discount code. Other external resources include legal podcasts, blogs, periodicals and even business management consultants for business development and coaching. The list of products and services expands almost daily. From resources for opening a new practice mid-career to guidance for newly-minted lawyers fresh out of law school and from managing the day-to-day activities of a thriving practice to closing down and retiring, the LPM's Resource Library is an invaluable tool for success.

Members, their staff and law students may access the LPM resource library online through the Bar's website, or contact Latashia Hughes at 404-527-8772/latashiah@gabar.org or Kim Henry at 404-526-8621/kimh@gabar.org for assistance.

Consulting

LPM also continues to assist members with the nitty-gritty issues of operating a law practice through its general management consultations. Do you need help with trust account and/or financial management? Aren't sure what software or hardware to invest in, or even just how to use what you already have? We regularly assist many firms via our low-cost, onsite consultations. Consultations are generally





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limited to one day (approximately eight hours) and are reasonably priced, based on the size of your firm.

Sample Forms and Checklists

If you want to get your policies and procedures in writing, then you should review the downloadable practice forms and checklists available at www.gabar.org/lpmforms. While most are not practice-area specific, they will ensure you have what you need in terms of practice operations. If you can't find the form you need, please contact us.

Solo and Small Firm Resources

This resource is devoted to Bar members who practice in solo and small firms, and includes a discussion board where members can discuss daily issues and concerns of running solo and small firms, office start-up information and more. Access to this resource is available through your member account.

Online Closing a Law Practice Guides

The program has created a series of online guides, checklists and forms for a variety

of law office closing situations. Located at www.gabar.org/closingalawpractice, the webpage features information covering situations where users are closing practices voluntarily and involuntarily. With the focus on making sure clients' interests are protected, the information provided is available to download for adaptation by those responsible for closing the law office.

Member Benefits Programs: Fastcase, CloudLawyers, Member Benefits, Inc., and the Online Vendor Directory

The State Bar of Georgia is continually working to provide our members with benefits that can help both professionally and personally. To that end, you should know what your Bar is doing for you to help you reach your business goals effectively. Three of our most visible member benefits include: Fastcase, free online legal research; Member Benefits, Inc., a comprehensive insurance brokerage service; and CloudLawyers, the enhanced membership directory that helps the public find a lawyer.

Vendors who provide other benefits to our members can be located through the Online Vendor Directory or by talking with a LPM staff member. Simply

knowing what benefits are available can be a resource for your business. Contact Sheila Baldwin at 404-526-8618 or sheilab@gabar.org for help with any member benefits issue.

The services of LPM are in place to assist you with everyday practice issues, and LPM staff continue to be provide help via phone or email. If you have questions about your daily law practice operations or want to take advantage of LPM's many resources or services, please contact Kim Henry, resource advisor, kimh@gabar.org, 404-526-8621; Sheila Baldwin, member benefits coordinator, sheilab@gabar.org, 404-526-8618; and Latashia Hughes, administrative assistant, latashiah@gabar.org, 404-527-8772.

Please let us know if there is ever a program, topic or service you feel can benefit you and your practice. We are happy to work on developing resources and services for a better and more efficient practice. We are here to help you stay on top of your practice! ●



Kim Henry

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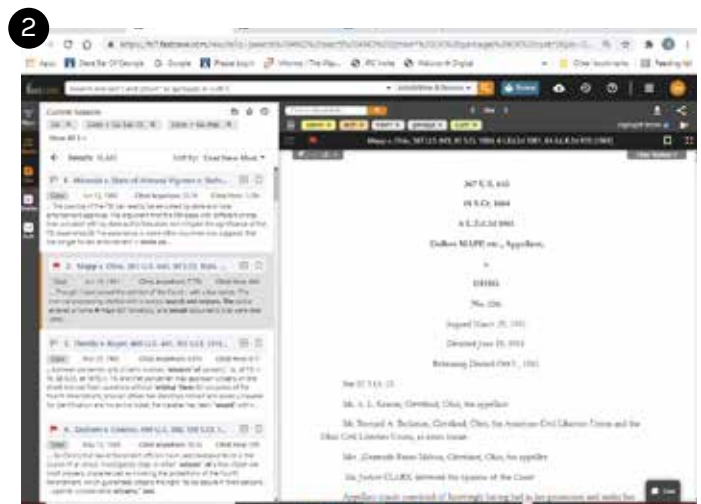
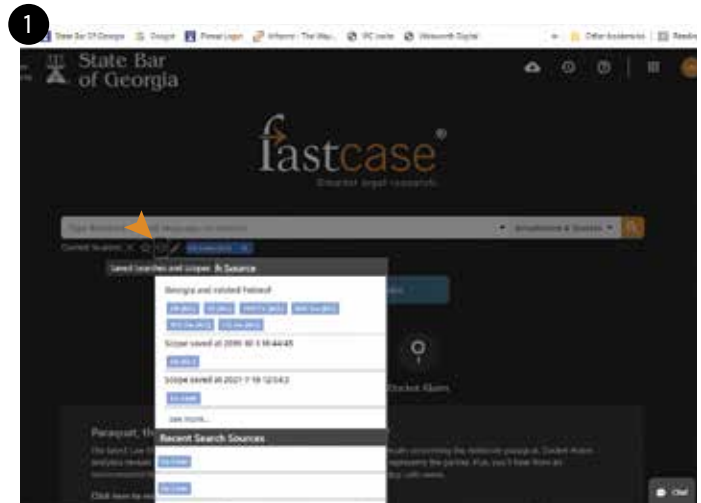
Fastcase Tricks and Tips

Free online research is available to all Bar members. Learn how to effectively use and navigate Fastcase. In-person sessions are currently not being offered, but you may still sign up for a webinar hosted by Fastcase at www.fastcase.com/webinars.

BY SHEILA BALDWIN

Fastcase brings big data analytics, visualization and workflow tools to on-line legal research, enabling attorneys to quickly identify the most important cases and reduce time wasted on repetitive tasks. In September 2020, Fastcase users transitioned to the newly updated version of Fastcase, and on the heels of the recent Casemaker and Fastcase merger, you will see even more improvements. In this article, I'll share some tips on how you can use shortcuts and settings to save time; how to take advantage of the intuitive features and brilliant design; and how to customize your searches.

Fastcase is a full text database enhanced with artificial intelligence, which makes searches more logical and relevant, and easier for users to get the best results. The integrated single search finds documents using case and statute citations or parts of them. For example, if searching Georgia cases concerning child custody and visitation governed by O.C.G.A. § 19-9-3, use only the numbers "19-9-3". In this way,



you minimize typing or formatting errors with the idea that less is more. This search will bring up 231 cases that directly cite to O.C.G.A. § 19-9-3. If you use the wild card operator, the asterisk, in place of the subsection 3 to search “19-9-*” the results expand to 472 results, including cases that cite to any of the subsections of this code. Tip: Set “Georgia Cases and Statutes” as your default setting by clicking on the star under the search box and save time (see fig 1).

Fastcase has intuitive searching capability with its type-ahead feature built into the search query box, which finishes typing the name or full citation in a predictive manner and even adding other suggested terms. Find more suggested terms in the results screen at the bottom of the far left panel. This feature will help you think of terms you may have overlooked with the added convenience of numbering how many cases use the terms. Choose the plus sign or the minus sign before the terms to add or delete them from your query. To view the results, click on the blue number to the right.

The results page was cleverly designed to display the maximum information on one screen (see fig. 2). When you open a case, the text of the case along with various methods to help you analyze and filter the data will be visible. All the search terms you used will appear in color at the upper left corner of the case. By tapping on a term, you are able to “jump” through the

case to find each mention of it in context. A term not highlighted by color (looks gray) indicates that it is not mentioned in the case, which may help eliminate less relevant results. The page icon displayed to the left of the color-coded terms takes you to the most relevant paragraph, eliminating the time it takes to scroll and search. A panel to the left of the case contains the entire list of results in order with the most relevant paragraph of the case displayed. Tip: Adjust your screen size to see a different view of the results page—if it’s set too large, some of the text and extra features won’t be visible.

Frequent users will want to devise ways to customize the research. If you are interested in creating a digest of all recent cases coming out of Georgia courts, you can select the jurisdiction “Ga Cases” and use the date (july w/2 2021) to find all cases that reference July 2021. Set the results filter to “Most Recent” to isolate cases that reference the date within the text but were not heard in July 2021. You can also pinpoint topics such as child support or child custody by using these terms ((child and (custody or support)) and (july w/2 2021)) and filter to “Most Recent.” Tip: Stay on top of new cases by having them automatically emailed to you throughout the month. Set an alert from the drop down feature at the right side of the search box where your terms were entered (see fig. 3).

Fastcase is a valuable tool to use when preparing for a case. For instance, it’s

helpful to know the history and disposition of an assigned judge. If you can determine the familiarity that a judge has with the issues of your case, you can avoid including lengthy background information and get right to the point of your argument. By viewing the judge’s rulings and written opinions you can prepare yourself to make the best possible argument. Fastcase finds cases using the name of the judge and relative terms to identify a specific type of case that suits your objective. For example, (judge or justice) /3 Smith and (search and seiz*) should bring cases where Judge Smith ruled on cases that concerned warrantless searches. Try this strategy: enter (judge or justice) w/3 “smith p.j.” to narrow to cases that the judge is presiding. Tip: Set your search filter to relevance to weed out random cases.

Learn best practices by attending a CLE-approved Fastcase 7 webinar offered by Fastcase. The schedule and registration page are located at www.fastcase.com/blog/free-fastcase-webinars/. You can also reach out to me at sheilab@gabar.org or 404-526-8618 to learn how to better use this resource. And you can always reach out to support@fastcase.com. ●



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BAR BENEFITS

Fastcase Legal Research

DID YOU KNOW?

Fastcase is a comprehensive national law library on your computer/tablet/smartphone, with online access to cases, statutes, regulations, court rules and Bar publications. Apps and mobile sync aid mobility in regard to legal research.

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State Bar
of Georgia

The Power of Connection and Perspective

Our thoughts are powerful; the things we know have a way of manifesting themselves in our real lives. The good news is that if you also have struggled with pessimistic lenses, you do not have to change all of the world. Rather, you only have to change the way you perceive it to free yourself.

BY SAM SKELTON

Disconnected. I see that now. I was only 30, but I had already disconnected—from friends, coworkers and even my family. Addiction is a disease of isolation. Addicts do not need friends. That is how they feel, anyway. They have drugs.

Attorneys are charged with bearing others' burdens. This leads many in the legal profession to yearn for disconnection. Being continuously connected to such negative emotions is painful. Over time, though, distance from others may lead to a distance from reality. Denial is the state addicts are in because ... well, if they were not in denial, they would not be addicts. They would have recognized the warning signs and adjusted accordingly.

I have been to that place, the island of denial, far from the mainland with its harsh realities. I am grateful now, though, for my experiences struggling with mental health and addiction because, through them, I have gained the perspective to provide insight to others who may be struggling. I now have the privilege of doing that here, in this article, by expounding on the elements of spiritual and emotional well-being in the life of an attorney.

Spiritual and emotional wellness, although distinct, go hand in hand, as each

influences the other significantly. Emotional well-being relates primarily to “identify[ing] and manag[ing] ... emotions to support mental health, achieve goals, and inform decision-making.”¹ Recognizing the importance of emotions is a key to emotional wellness, as is seeking help for mental health issues when needed.² Spiritual well-being is “developing a sense of meaningfulness and purpose in all aspects of life.”³ The word “religion” comes from the Latin word *ligare*, meaning “to join, or link,” and truly, spirituality represents one’s connection to everything.

My emotional journey has indeed related to my spiritual path, which had been, for much of my life—and is now again—a well of strength. But, for a season of my life, I was spiritually disoriented, searching and wrestling with difficult questions about the purpose of existence. During that time, I utilized chemicals to feel “okay.” Drugs were, in essence, my “God,” as they are for many others.

A critical component of spiritual well-being is engaging with others or, more specifically, engaging with others in a positive way. Berating your co-workers or opposing counsel is, after all, engaging with others, but it is less likely to lead to

spiritual wellness. Since one may find it difficult to, by oneself, be plugged in to something greater than oneself, positive interaction with others is a key to spiritual well-being.⁴ Being socially active is being spiritually active. Social support has its own proven effects on wellness, like enhanced mental health and reduced impact of stress. And, while many social groups are specifically focused on spirituality (places of worship, Alcoholics Anonymous, etc.), sociality, in and of itself, helps us develop meaning and purpose. By getting to know individuals better, you are simply connecting with other components of the whole, of all that is.

Just as interpersonal interaction is a key of spiritual well-being, reframing is a key of emotional wellness. Reframing has to do with changing your vantage point. If you do not think that your vantage point can affect your emotions, you have not watched a Braves game—live, in the ballpark—seated miles from home plate. Instead of visually changing our sightline, though, which would be helpful during those games, we change the way we perceive. Optimistic thinking is so transformative that it can change the brain itself, physiologically.



Take what you NEED

LOVE

HOPE

COURAGE

FREEDOM

STRENGTH

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At the peak of my emotional turmoil, I was working as an assistant district attorney, and I was overwhelmed at work. My wife and I went from having one son to two, so we were overwhelmed at home. When I look back now, though, I see that almost all the weight that I was carrying was self-imposed guilt, shame, feelings of inadequacy and more, of which no one else was even aware. The traumatic events of my childhood—the pain of abuse and neglect—created in me a baseline of functioning, in which the world was not a safe or kind place.⁵ If you think the world is a dangerous place, you do not feel comfortable in the world, but the origin of your discomfort is your thinking.

An example of my thought patterns then would be, “My argument was not good enough,” so “I must not be good enough,” and, therefore, “Others must not like me.” Notice, however, how those ideas came only from my own mind. I heard someone say recently, “The anniversary of my loved one’s death is coming up, and I know that is going to be terrible for me.” I had no doubt that time was going to be very difficult for that individual, but the realization also struck me: What if that person did not remember the day

was the loved one’s death anniversary? Or, more importantly, what if the person knew that it was going to be a day of great joy and celebration of the loved one’s life?

Our thoughts are powerful; the things we know have a way of manifesting themselves in our real lives. The good news is that if you also have struggled with pessimistic lenses, you do not have to change all of the world. Rather, you only have to change the way you perceive it to free yourself.

As a final observation, there is still significant stigma around all discussions of wellness in the legal profession, which is at least in part, I believe, because many feel cultivating sensitivity may dull lawyers’ killer instincts. During my time in prison,⁶ I met actual killers (at least one of whom was an attorney), and many of their instincts are not healthy or productive. Also, because of this thinking, those who may want to shame the wellness initiative in the legal profession may want to consider an article that I recently came across, “5 Tips for Beating the Winter Blues,” which was published primarily for U.S. Marines by the U.S. Marine Corps, Community Services Division.⁷ Whether a Marine or attorney, well-being issues affect us all.

We are all human, we are all broken and we all need love. ●



Sam Skelton lives with his wife, Samantha, and two sons, Grady (7), Jackson (9) and Theo (newborn) in Hart County, Georgia. He currently

performs a wide range of freelance legal research and writing services, as well as document drafting services, for attorneys in small and mid-sized firms. He can be reached at sameskelton@gmail.com.

Endnotes

1. See <https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_well-being_toolkit_for_lawyers_legal_employers.pdf>.
2. *Id.*
3. *Id.*
4. See <<https://time.com/collection/guide-to-happiness/4856978/spirituality-religion-happiness/>>.
5. See “Mostly True: The Sam Skelton Story,” Sam Skelton, *GEORGIA BAR JOURNAL*, Feb. 2020, p. 56.
6. *Id.*
7. See <<https://usmc-mccs.org/articles/5-tips-for-beating-the-winter-blues/>>.

You Keep Using That Word: I Do Not Think It Means What You Think It Means

As careful as legal writers can be, even the most diligent of writers can become tangled with these commonly confused words. Budget time for proofreading to minimize the likelihood that you confuse the reader by confusing these words.

BY DAVID HRICK AND KAREN J. SNEDDON

The title of this installment of “Writing Matters” is just one of many famous lines from “The Princess Bride.” This installment of “Writing Matters” shares 20 commonly confused, and so misused, words. It addresses confused words or expressions, including those caused by autocorrection, easily-missed typographical errors and writer error, which should help you avoid using the wrong word from the start.

The need to quickly create a document can lead to typographical mistakes, some of which may accidentally alter the meaning of a sentence or render it nonsensical. Consider how the inclusion or omission of an apostrophe can alter the meaning of its versus it’s. And, we’ve all experienced autocorrect fails, particularly when using all capitalized words, shown by the use of “the Unites States” instead of “the United States” in the recent Senate impeachment proceedings, for example.

User and computer error aren’t the only sources of the problems we discuss here. The complexity of the English language also creates confusion, particularly because of homonyms and homophones.

Homonyms are two words that have the same pronunciation, and often the same spelling, but have different meanings. For example, the word tire can refer to a wheel on a car or to fatigue. Homophones are two words that have the same pronunciation but different spellings—and different meanings. For example, the word here sounds like the word hear, but they are spelled differently and have very different meanings.

1 Accept v. Except

The word accept is a verb that means to receive something, such as a job offer, a check or a gift. The word except is typically used as a preposition that means to exclude something. The buyer accepted the contract, which was perfect except for a typo on page three. Also, be careful not to unintentionally type expect when you mean except.

2 Advise v. Advice

The word advise is a verb that means to provide counsel or advice. In contrast, the word advice is a noun that refers to



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an opinion or recommendation. A lawyer advises a client by providing advice.

3Affect v. Effect

Affect and effect are often identified as the two most misused words in the English language. Not only do they have similar meaning, but they can be both verbs and nouns, depending upon the context. The word affect is typically used as a verb that means to act. The pandemic affected housing prices. The word effect is typically used as a noun that refers to a change when something is done. The statute goes into effect on Oct. 1, 2021.

4Appraise v. Apprise

This confusion may relate to a typographical error of including (or excluding) the letter “a,” or letting auto-correct add or delete that letter. The word appraise is a verb that means to evaluate or value something. Remove the second “a” and the word becomes the verb apprise, which means to inform or to tell. The lawyer appraised the seller of the buyer’s offer, which was higher than expected because the house had appraised at a higher value.

5Bare v. Bear

As a noun, the word bear is a large mammal, but the word bear also has another meaning when used as a verb. Bear, as verb, usually means to carry, support or give birth. I can’t bear another Zoom meeting. The word bare is also a verb, but it means to uncover, reveal or expose something. The neighbor’s dog bares her teeth when she is startled.

6Capitol v. Capital

The word capitol is a noun that refers to a government building that is typically

occupied by a legislative body. The word capital has a wider range of meanings and can be used as either a noun or an adjective. As a noun, the word capital can refer to the city that is the center of a governmental body, such as a state capital. Capital, still used as a noun, can also refer to money, net worth or even advantage. As an adjective, capital can mean important or valuable. Various buildings in the capitol need capital improvements, which will require a lot of capital.

7Compliment v. Complement

This pair of confused words demonstrates that one letter can create confusion. The word compliment can be used as a noun to mean an expression of praise. The word complement can be used as a verb to mean the act of expressing praise. Complement can be used as a verb to mean to enhance something. Spell check complements the editing process; people will compliment your writing if you use it well.

8Council v. Counsel

The word council is a noun that refers to a group of people or an entity that has rule making authority, such as a city council. The word counsel can be used as a verb or a noun. As a verb, counsel means a person or entity that provided advice. Also a noun, counsel means advice or recommendation. The lawyer provided sound counsel when the lawyer explained the consequences of the plea agreement. The word counsel can also serve as a noun to refer to the person or entity providing the advice. The city council’s lawyer counseled it to consider the argument of the applicant’s counsel’s carefully. Today, instead of counsel, the word counselor is often used to refer to the person providing the advice.

9 Elicit v. Illicit

The words elicit and illicit are near-homophones. The words sound similar but are not pronounced exactly the same. The word elicit is a verb that means to draw out or gather information. The word illicit is an adjective meaning illegal. The unexpected disturbance in the courtroom did not elicit a response from the defendant.

10 Insure v. Ensure

The word insure is a verb that refers to the act of taking precautions. The word ensure is a verb that refers to guaranteeing an outcome. To ensure that your property is protected, be sure to insure the property at fair market value.

11 It's v. Its

The two functions of the apostrophe create this word confusion. Apostrophes are used to show contractions, like we will becomes we'll. Apostrophes are also used to show possession or ownership, like Isabel's brief. Thus, it's reflects the contraction of the words it is. In contrast, without the apostrophe—its—reflects the possession or ownership. It's effective because Isabel's brief leads with its strongest argument.

12 Lose v. Loose

The word lose is a verb that means to fail or not to win. Lose is exclusively a verb. In contrast, the word loose can be used as an adjective, verb, adverb and even a noun. The more common use of loose is as an adjective—when it means not tight—or as a verb—when it means to free from restraint. I often lose my car keys because the fastener on the keychain is loose.

13 Moot v. Mute

Both words can be used as adjectives, verbs or nouns. Lawyers often use the word moot to refer to a dispute that is or has become purely hypothetical, as

in moot court. As an adjective, the word mute means refraining from sound. As a verb, mute means to muffle or soften the sound. "You are muted" has become a common phrase.

14 Principal v. Principle

You may remember the phrase "the principal is your pal" to distinguish between the words principal and principle. As a noun, principal refers to a person in a leading position, such as a head of a school or lead performer. Principal can also be an adjective, and in that context means important. Principle is a noun that refers to a governing rule, concept or policy. The principal value of the opinion involves the articulation of the principle of fairness.

15 Proceed v. Precede

The word precede is a verb that means to go before or be in front of. The ceremony preceded the reception. The word proceed is also a verb, but it means to carry on or go forward. The lawyer asked, "May I proceed?"

16 Role v. Roll

The word role is a noun that refers to the function or job that a person has. The lawyer's role includes that of advocate, counselor and evaluator. The word roll as a noun refers to type of bread or a list of individuals. But roll can also be verb that refers to rotation or bundling. The role of the teacher included rolling the class roll into a ball to throw away.

17 Site v. Sight v. Cite

The word site refers to a place or location. The word sight may be a noun or a verb and refers to the act of seeing. The word cite is the abbreviation of the word citation and can be used as a noun. Cite can also be used as a verb to mean make a reference or give attribution. The mistake was easy to sight: the brief had incorrectly cited the opinion.

18 Their v. There v. They're

The word their is a possessive pronoun that can sometimes be autocorrected to there. The word there can be an adjective, noun or adverb. The word they're is a contraction of they and are. They're never going to take their parents there again.

19 Your v. You're

The word your is a possessive adjective. The word you're is a contraction of the words you and are. Your lawyer will explain this to you. You're lucky to have her.

20 Whether v. Weather

The word whether is a conjunction that is similar in meaning to the word if. Be careful with your spelling and with autocorrect: wether is a word and refers to a castrated ram or goat. The word weather when used as a noun means something related to air or sky. As a verb, the word weather refers to the act of exposing something to, or having been affected by, the weather. Whether we can hike to see the weathered lighthouse depends on the weather.

Conclusion

As careful as legal writers can be, even the most diligent of writers can become tangled with these commonly confused words. Budget time for proofreading to minimize the likelihood that you confuse the reader by confusing these words. ●



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The Legal Writing Program at Mercer continues to be recognized as one of the nation's top legal writing programs.



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You Matter

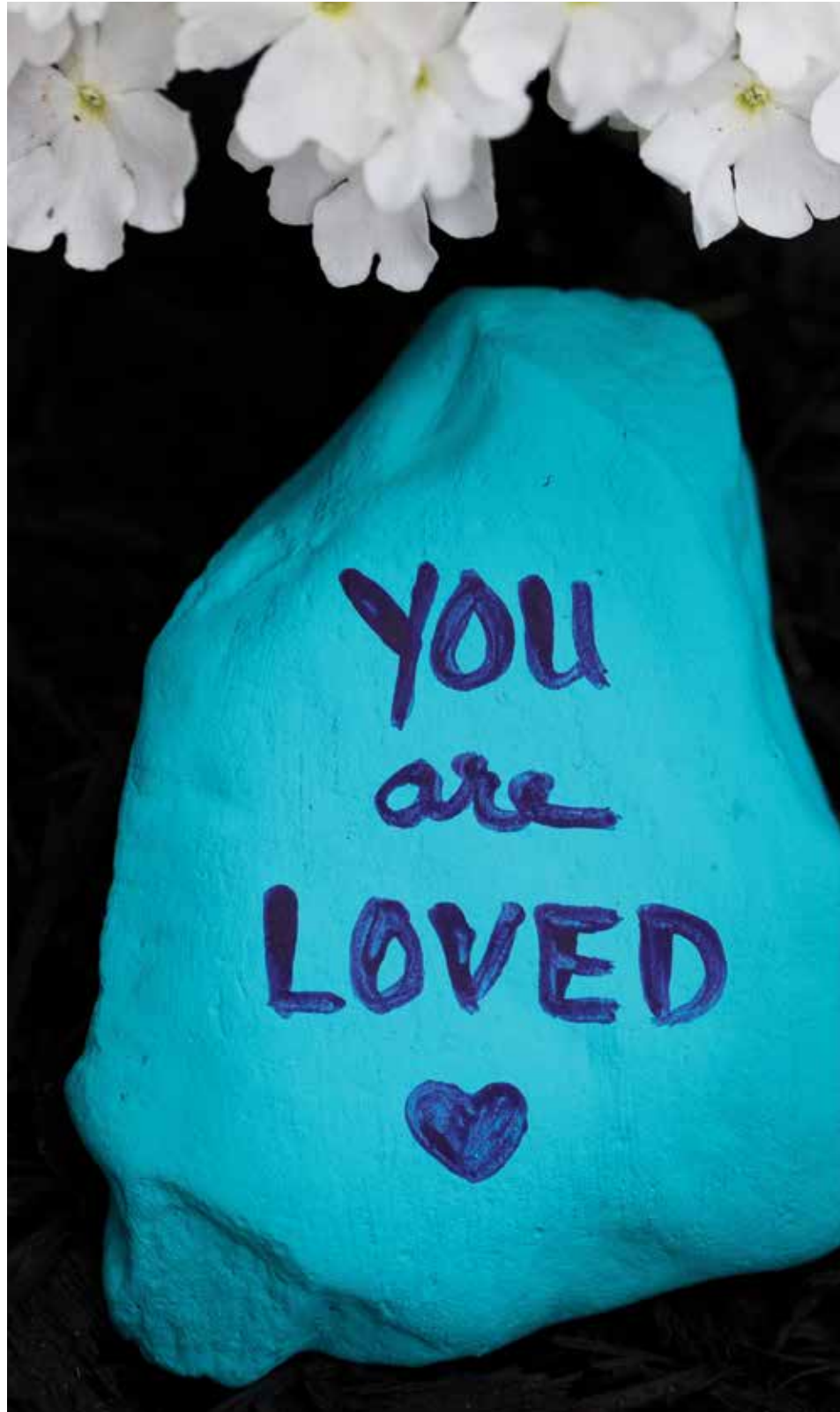
As lawyers and judges, we specialize in helping people with problems. We mask the fact that we have our own problems. It is okay to ask others if they need help. It is okay to ask for help. Your life matters. You matter.

BY KARLISE Y. GRIER

“I did not think anyone would care if I was here or not,” shared Dr. Mark Swancutt, a panelist at the Suicide Awareness Program convened by the Chief Justice’s Commission on Professionalism on April 30. Dr. Swancutt then shared how wrong he was, as evidenced by the outpouring of support he received when he was hospitalized for an illness. His powerful testimony was not unique. Throughout the Suicide Awareness Program, which had as one of its goals making the case that suicide is preventable, we heard many times how people often feel their family, friends and colleagues would be better off without them. We also learned during the program that it is untrue when believe that we don’t matter.

Your Life Matters. You Matter.

Suicide is a difficult topic, and even more so when it is something that you have personal experience with. A number of the program’s speakers and panelists shared these experiences with those participating as this extremely important dialogue began. Moderator Sally Yates shared the impact that her father’s death had on her life. J. Kelley Quillian, a former judge of



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the Court of Appeals of Georgia, died by suicide in 1986.¹ State Bar Attorney Wellness Committee Chair R. Javoyne Hicks spoke about the challenges she faced as a single parent after her children lost their father, attorney Charles Hicks, to suicide. And it was those unique experiences that played a large part in Hicks' role helping to launch the State Bar's Attorney Wellness Program—Lawyers Living Well.²

State Bar Past President Robin Frazer Clark and Hon. Bill Reinhardt highlighted the tremendous professional and personal contributions made by some of our colleagues who died by suicide, including 2004-05 State Bar President Rob Reinhardt. Their lives mattered—as does each of our lives. And because we all matter, one of Clark's initiatives during her year as president was to launch the State Bar of Georgia's Suicide Awareness Prevention Campaign.

Suicide is preventable, and we as a legal community can each play a role in creating an environment that makes it less likely that another colleague will die by suicide. In professionalism parlance, I would say, "To my colleagues in the practice of law, I offer concern for your welfare. I will strive to make our association a professional friendship."³ As a practical matter, I would offer these suggestions gleaned from the Suicide Awareness Program.

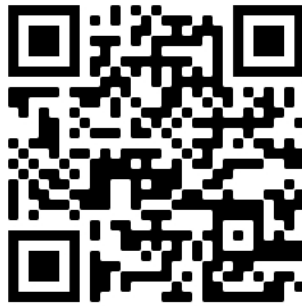
Be Lovingly Present

Attorney Lynn Garson shared in a paper she wrote for the program:

"Recognizing that depression is a disease of isolation, others can try to spend time with the person or check in by phone if in person is not possible. The calls and visits from my friends propped me up enough to stay alive until I got the help I needed. If I had thought that no one cared, I wouldn't have made it through. If you see any spark of interest or liveliness, do your best to fan the flame. Given the person's low state, it may not work, but

Chief Justice's Commission on Professionalism Suicide and Awareness Program Resources

Access all of the resources and materials compiled for the Suicide Awareness Program via the QR Codes below:



SUICIDE AWARENESS PROGRAM



SUICIDE AWARENESS PROGRAM RESOURCES



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LAWYERS LIVING WELL

if it does, you will have gained some ground. If the person wants to talk, listen. Don't listen so that you can respond and fix it (which you can't and will make you both miserable). Listen to be present to that person's distress. Don't hide from it, don't dramatize it and don't inject your own pain or experience into the conversation unless invited. Just be lovingly present."⁴

Colleagues, friends and family don't have to have a solution, just have referral numbers in your phone.

While we as lawyers and judges may be hard-wired to solve problems, being present for colleagues, friends or family who may need help doesn't mean we are the ones who are best equipped to provide that help. Rachael Holloman, suicide preven-

tion director for the Georgia Department of Behavioral Health and Developmental Disabilities, made this clear when she discussed the QPR program. QPR stands for Question, Persuade and Refer, three steps anyone can learn to help prevent suicide. Just like CPR, QPR is an emergency response to someone in crisis and can save lives. Asking someone about the presence of suicidal thoughts and feelings opens up a conversation that may lead to a referral for help. There are numerous resources available to help those in crisis (both lawyers and non-lawyers) including the National Suicide Prevention Lifeline by phone at 1-800-273-TALK (8255) or by chat at suicidepreventionlifeline.org/chat/.⁵ Holloman reminded the audience that everyone can do this one thing—put the referral numbers for resources discussed during the program into their phones.

If You Have Suicidal Thoughts, Ask for Help

Attorney Eric Lang stressed self-awareness in his panelist remarks. He shared that before getting the appropriate treatment, he believed that most people regularly thought about death by suicide.

He did not initially understand that this condition warranted treatment; that it was treatable.

Other people may not always recognize that they need help. Psychiatrist and program panelist Dr. Ben Hunter, medical director of outpatient services at Skyland Trail in Atlanta, recommended that if an individual regularly thinks about death by suicide, or if an individual has a family history of depression or death by suicide, that person should seek professional counseling. In Georgia, one place to begin—just to talk to someone and start a conversation—is the Georgia Crisis and Access Line (GCAL), 1-800-715-4225. GCAL is available 24/7 to both lawyers and non-lawyers. Reading the article “Help Is Out There” by Lynn Garson and “Choosing A Therapist” by Plamen Russev is also a good first step.⁶

Employee Assistance Programs, #UseYour6 and a Helpline for Judges Can Help Save Lives

Judge Wes Tailor shared the challenges he experienced as an attorney after being in New York City and near ground zero when the World Trade Center collapsed.

He received help from the Employee Assistance Program of his then-employer—a large Atlanta law firm. Tailor also shared that he has taken advantage of the State Bar of Georgia’s #UseYour6 sessions.⁷ All Georgia lawyers have access to six free counseling sessions each year through the State Bar of Georgia’s Lawyer Assistance Program.

Joe Chancey, the Managing Partner at Drew Eckl & Farnham LLP and a member of the Planning Team for the Suicide Awareness Program, contributed a paper entitled “Talking To Employees About Mental Health—Can I? Should I? Must I? Navigating The Medical Privacy Maze In Georgia,” to assist law firms in navigating the legal issues related to supporting the mental health of attorneys.⁸ Another Drew Eckl Partner, Taylor S. Poncz, also shared her experiences after losing a colleague to death by suicide in “Attorney Mental Health & Wellness—A Personal Essay on Why I Believe We Have an Ethical Obligation to Act on it in the Workplace.”⁹

Judge Shondeana Crews Morris, another member of the Suicide Awareness Planning Team, responded to a question about resources solely for judges.

ACKNOWLEDGMENTS

The planning team for the Suicide Awareness Program, with staff support from the Commission and the program co-sponsors, began working on the program in May 2019, after learning of the death by suicide of an associate at Drew Eckl Farnham, LLP. The Commission is grateful to everyone who contributed in any manner to the Suicide Awareness Program.

PLANNING TEAM MEMBERS

SOLACE Committee Co-Chair

Hon. Clyde L. Reese III, Court of Appeals of Georgia

SOLACE Committee Co-Chair

Hon. Render M. Heard, Tifton Circuit Juvenile Court

Suicide Prevention Committee Program Chair

Hon. Shondeana Crews Morris, DeKalb County Superior Court

Partner Joe Chancey, Drew Eckl Farnham¹³

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Georgia Department of Behavioral Health and Developmental Disabilities

Judicial Council of Georgia/Administrative Office of the Courts

State Bar of Georgia Attorney Wellness Committee

State Bar of Georgia Suicide Awareness and Prevention Committee

SPECIAL RECOGNITION

The Suicide Awareness Program took place under the leadership of then-Chief Justice Harold D. Melton in his role as Commission chair. We thank him for his work in bring this program to light.

Need help but don't know where to start? Contact the Georgia Crisis and Access Line (GCAL) at 800-715-4225 and begin a conversation. GCAL is available 24/7 to both lawyers and non-lawyers.

She told the audience that the American Bar Association has a National Helpline for Judges Helping Judges available at 1-800-219-6474.¹⁰

Take Care of Yourself and One Another

Dr. Alex Crosby, senior medical advisor, Division of Injury Prevention for the Centers for Disease Control and Prevention, closed by reiterating that death by suicide is preventable and that we as a community of professionals each have a role to play in prevention. Not everyone can perform the same role, but we can all do something, including checking on others and taking care of ourselves. Dr. Crosby shared a variety of ways that individuals can consider when determining how they can best help to prevent death by suicide.¹¹ Hicks then reminded the audience that we don't have to wait until we feel like we are in crisis to get help. She encouraged everyone to be proactive in taking care of themselves before sharing the many ways that the State Bar of Georgia Attorney Wellness Committee is helping lawyers to live well.¹²

Available Resources

The Commission compiled numerous resources to help you help yourself and others. The resources highlighted in this article are only some of the information that you can find as our legal community works to prevent death by suicide. Use the QR Codes on page 83 to access all of the resources and materials compiled for the Suicide Awareness Program, or visit cjcpga.org/suicide-awareness-program/.

As lawyers and judges, we specialize in helping people with problems. Lawyers help craft creative solutions to assist people in solving their problems. Judges make decisions—sometimes life and death—that resolve the problems of those in conflict. We mask the fact that we have our own problems. We sometimes don't know how to check in on others we may be worried about. It is okay to ask others if they need help. It is okay to ask for help.

Your life matters. You matter. ●



Karlise Y. Grier

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Endnotes

1. You can read more about Yates' experience with her father's battle with depression at: <https://www.cnn.com/2018/06/11/opinions/when-my-dad-lost-his-struggle-with-depression-sally-yates>.
2. Learn more about Lawyers Living Well at <https://www.gabar.org/wellness/>.
3. See *A Lawyer's Creed and the Aspirational Statement on Professionalism* at: <http://cjcpga.org/wp-content/uploads/2019/07/2-Lawyers-CreedAspStatement-v-2013-Line-Number-with-new-logo-and-seal-v07-25-19.pdf>.
4. You may read the complete essay by Lynn Garson, *Everything I Know About Suicide*, at the link here: <http://cjcpga.org/wp-content/uploads/2021/04/Updated-v-04-27-21-Everything-I-Know-about-Suicide-4813-4438-5509-v.3.pdf>
5. A resource page from the Suicide Awareness Program is available at the link here: <http://cjcpga.org/suicide-awareness-program-resources-qr-code-page/>.
6. See <http://cjcpga.org/wp-content/uploads/2021/04/Help-Is-Out-There-by-Lynn-Garson.pdf>.
7. #UseYour6 is the informal name for the State Bar of Georgia's Lawyer Assistance Program. For more information, visit <https://www.gabar.org/wellness/upload/Use-Your-6.pdf>.
8. See <http://cjcpga.org/wp-content/uploads/2021/04/Drew-Eckl-Farnham-from-Joe-Chancey-Suicide-Awareness-Employee-Privacy-Branded.pdf>.
9. See <http://cjcpga.org/wp-content/uploads/2021/04/DRI-For-Life-Article-Mental-Health-and-Awareness-Branded.pdf>.
10. See also https://www.americanbar.org/groups/lawyer_assistance/articles_and_info/resources_for_judges/
11. See http://cjcpga.org/wp-content/uploads/2021/07/Alex-Crosby-06-28-21-Cleared-Slides-StateBarGeorMentHlthPromo_June2021shrtA.pdf.
12. See Note 2, supra.
13. Staff support was provided by Karlise Y. Grier, executive director, Chief Justice's Commission on Professionalism and Layne Bridges (State Bar of Georgia South Georgia Office, on behalf of the State Bar of Georgia SOLACE Program). Previous staff support was provided by Bonne Cella. The Administrative Office of the Courts, under the leadership of Cynthia Clanton, provided assistance with webinar logistics and support, provided by Michelle Barclay, Noelle Lagueux-Alvarez, Bruce Shaw and Latoinna Lawrence. Amber Rikard provided graphic design support on behalf of the State Bar of Georgia's Attorney Wellness Committee.

In Memoriam honors those members of the State Bar of Georgia who have passed away. As we reflect upon the memory of these members, we are mindful of the contributions they made to the Bar. Each generation of lawyers is indebted to the one that precedes it. Each of us is the recipient of the benefits of the learning, dedication, zeal and standard of professional responsibility that those who have gone before us have contributed to the practice of law. We are saddened that they are no longer in our midst, but privileged to have known them and to have shared their friendship over the years.

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Died May 2021

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Admitted 1988
Died June 2021

MARGARET GERRY WALSH

Dunwoody, Georgia
Atlanta's John Marshall
Law School (1972)
Admitted 1973
Died February 2021

Memorial Gifts

Memorial Gifts are a meaningful way to honor a loved one. The Georgia Bar Foundation furnishes the *Georgia Bar Journal* with memorials to honor deceased members of the State Bar of Georgia. Memorial contributions may be sent to the Georgia Bar Foundation, 104 Marietta St. NW, Suite 610, Atlanta, GA 30303, stating in whose memory they are made.

The Foundation will notify the family of the deceased of the gift and the name of the donor. Contributions are tax deductible. Unless otherwise directed by the donor, In Memoriam contributions will be used for Fellows programs of the Georgia Bar Foundation.



OBITUARIES



Hugh Brown McNatt of Vidalia died June 1.

He was a trial lawyer for more than 50 years, an effective advocate who could express intricate matters in a way all could understand.

McNatt was born on June 23, 1946, in Uvalda, Georgia, to the late Lillian Sanders and Hugh Brown McNatt. He grew up in Uvalda and attended Montgomery County public schools. Following his father's death, McNatt moved to Atlanta and attended Druid Hills High School, followed by Mercer University and Mercer University School of Law. He flourished in law school, excelling in academics and was an editor of the *Mercer Law Review*. Upon graduation from law school, McNatt began practicing law in Lyons with his mentor and cousin, the late T. Malone Sharpe.

He honed his trial skills practicing law in South Georgia, developing a national reputation as a trial lawyer. His proudest moments were representing the electric utility industry across the

state. He was well known and respected by the federal and state judiciary throughout Georgia.

Working to better the community, McNatt started Kids' Chance, Inc., a charity that provides scholarships to children whose parents were killed or catastrophically injured in workers' compensation accidents. Each year, Hugh hosted the "Bird Supper" at the Trolley Barn on Edgewood Avenue in Atlanta where he served fried quail, grits and gumbo to raise money for Kids' Chance. The Bird Supper became and remains a major event in the legal and political community.

McNatt received many awards during his career, including The Tradition of Excellence Award and the Thomas O. Marshall Professionalism Award from the State Bar of Georgia. He was a member of many organizations including the American College of Trial Lawyers of which he served as president, the American Board of Trial Advocates and the International Society of Barristers. ●



Professor R. Perry Sentell Jr. of Athens died on

Jan. 28. A 1958 University of Georgia law school alumnus, he retired in 2004 after 46 years of teaching and service at the University of Georgia.

Sentell was a titan in the legal academy and a demanding instructor who set high expectations had with a warm heart for his students. Famous for his annual Palsgraf lecture, Sentell taught Torts, Municipal Corporations

and Law of Legislative Government and published nearly 30 books. Among his law school honors are a bust in the Alexander Campbell King Law Library, the law school's Distinguished Service Scroll Award and an endowed scholarship fund named in his honor.

Sentell earned both his Bachelor's and Law degrees from the University of Georgia. He later earned a Master of Laws degree from Harvard University. ●

In Memoriam Contributions to the Georgia Bar Foundation

**Unless otherwise directed by the donor, In Memoriam contributions will be used for the Fellows program of the Georgia Bar Foundation.*

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In Memory of Bobby Lee Cook
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In Memory of Richard M. Shafritz
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In Memory of Terry Sullivan
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In Memory of John Sweet
Melinda E. Lehrer

We all have to start somewhere.

The State Bar of Georgia values wellness in the legal profession, and we offer a variety of resources to help lawyers in their lives and practices. Visit lawyerslivingwell.org to read articles on wellness and access discounts to gym memberships and classes. Plus, learn about the following programs:

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Suicide Awareness Campaign
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Questions? Please contact one of our Wellness Committee members, listed at gabar.org/committees under Attorney Wellness.



Seeking Inspiration? ICLE Has You Covered!

As we embark upon a new Bar year, know that ICLE continues its work to inspire members and add value.

BY MICHELLE E. WEST

Are you looking for inspiration? It seems that so many people are given the conditions over the past year or so. This has been a unique and challenging time, leaving many searching for motivation, vision, stimulation and change. ICLE programs provide a solution for those pursuing a fresh and interesting perspective. Our programs break the monotony by fostering awareness of various topics surrounding the practice of law.

However, don't just take my word for it. Recent attendees have expressed the following regarding programs that are currently available in the webcast library.

One viewer of the Living Well to Practice Well livestream hailed the program as, "One of the best CLE's I have attended." Another was excited to experience the diversity in programming and opined, "I like the uniqueness of this program! I also appreciate that the State Bar of Georgia is taking proactive steps to educate its members about physical, mental and emotional awareness." A third attendee noted that it was "truly incredible to hear

judges and lawyers talk about these topics with such vulnerability and humanity. Not addressed nearly enough." Yet another viewer remarked, "There was a lot of useful information. ... I have never attended a CLE on this subject but I plan to in the future and will recommend this CLE to other attorneys."

The Professionalism, Ethics & Malpractice program yielded the following impressions:

- "All presentations were among the best I have ever heard on the topics, and more importantly were also of great practical significance."
- "Excellent program materials and exceptional presenters."
- "The preparation of materials and presenters was top notch."

Workers' Compensation for the General Practitioner received great feedback from both seasoned and newer attorneys. One novice expressed, "It covered a wide variety of 'nuts and bolts' topics useful to me as a practitioner with limited workers'





ICLE WEBCASTS

Below is a list of webcasts that correspond with programs ICLE typically administers in the summer and early fall. You can view these titles online now, along with all available webcasts at www.gabar.org/webcasts.

- ▶ Banking Law
- ▶ Basic Fiduciary Law 101
- ▶ Basic Fiduciary Law 201
- ▶ Family Law Seminar
- ▶ Georgia Auto Insurance Claims Law
- ▶ Handling Big Cases
- ▶ Jury Trial
- ▶ Jury Trials in Divorce
- ▶ Negotiated Corporate Acquisitions
- ▶ Not Your Everyday Custody Case
- ▶ Nuts and Bolts of Family Law
- ▶ Recent Developments
- ▶ Restrictive Covenants and Trade Secrets in Georgia
- ▶ Trial Advocacy
- ▶ Trial and Error
- ▶ Trial of Leo Frank
- ▶ War Stories XVIII

#STAYWELL

GEORGIA BAR

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The Editorial Board of the *Georgia Bar Journal* is in regular need of scholarly legal articles to print in the *Journal*. Earn CLE credit, see your name in print and help the legal community by submitting an article today.

Submit articles to Jennifer R. Mason:
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State Bar
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The ICLE team is excited to collaborate with Bar members to bring new programs to fruition and eager to assist those who are in search of inspirational programming.

compensation experience.” Another attorney new to the practice area stated, “This topic was all new to me. The agenda and the presenters’ approach to the material effectively maintained approachability for the novice, while providing useful information for more seasoned practitioners. The back and forth between the panelists was great.”

Numerous attendees were impressed by the overall program, saying that the virtual format was helpful, and the materials were clear and useful. The presenters were well prepared, as were the presentations.

These comments are just a glimpse into the impact of ICLE programming. We were also afforded the opportunity to hear from the ICLE Board and gain their perspective on the value ICLE provides to Bar members.

The consensus of our dedicated Board was that ICLE sets the gold standard in the state, providing lawyers access to quality legal education. The materials and substantive documents are superior and the topics diverse. The consistent quality and breadth of the programs provide the opportunity for attorneys to be exposed to many different areas of the law. ICLE programs provide access to subject matter experts for the various practice areas. For many attorneys, ICLE programs serve as an introduction to the go to authorities for questions on specific areas of the law. There is significant value in identifying the experts in your practice area and inspiration in discovering new areas of interest.

As we embark upon a new Bar year, know that ICLE continues its work to inspire members and add value. ICLE kicks off its second year of the Bar anniversary discount. You can access this promotion during your Bar admittance

month by logging into your member account, registering for one 6-credit hour webcast program of your choice and selecting the Bar Anniversary ticket.

As the year progresses, we remain committed to providing additional added value. The ICLE team is excited to collaborate with Bar members to bring new programs to fruition and eager to assist those who are in search of inspirational programming. We hope you find inspiration in our upcoming programs listed below and the offerings available in the ICLE webcast library.

Register Now or Save the Date

- Truck Accident Claims | Aug. 25 | www.gabar.org/truck-claims
(registration now open)
- Medical Malpractice Boot Camp | Sept. 17 | www.gabar.org/med-mal
(registration now open)
- Workers’ Compensation Law Institute | Oct. 7-9 | www.gabar.org/workers-comp
(registration now open)
- Criminal Practice | Oct. 13
- Construction Law for the General Practitioner | Oct. 15
- Punitive Damages | Nov. 3
- Family Law Seminar | Dec. 10



Michelle E. West

Director, Institute of Continuing
Legal Education
State Bar of Georgia

michellew@gabar.org



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Notice of and Opportunity for Comment on Amendments to the Rules of the United States Court of Appeals for the Eleventh Circuit

Pursuant to 28 U.S.C. § 2071(b), notice and opportunity for comment is hereby given of proposed amendments to the Rules of the United States Court of Appeals for the Eleventh Circuit. The public comment period is from Aug. 4 to Sept. 3, 2021.

A copy of the proposed amendments may be obtained on and after August 4, 2021, from the court's website at www.ca11.uscourts.gov/rules/proposed-revisions. A copy may also

be obtained without charge from the Office of the Clerk, U.S. Court of Appeals for the Eleventh Circuit, 56 Forsyth St. NW, Atlanta, Georgia 30303 (phone: 404-335-6100).

Comments on the proposed amendments may be submitted in writing to the Clerk at the above address, or electronically at <http://www.ca11.uscourts.gov/rules/proposed-revisions>, by 5 p.m. Eastern Time on Sept. 3, 2021.



Serve the Bar. Earn CLE credit.

2 Volunteer and complete online training to be a peer in the Georgia Lawyers Helping Lawyers program and earn up to **two** CLE hours during your training. Visit www.georgiaLHL.org to learn more.

3 Coach a team or judge a trial for the High School Mock Trial program and receive up to **three** hours of CLE credit. Contact michaeln@gabar.org for more information and to volunteer.

6 Earn up to **six** CLE credits for having your legal article published in the *Georgia Bar Journal*. Contact jenniferm@gabar.org to learn more.

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PRACTICE FOR SALE

A well-established Business Immigration Law practice (20+ years) in metro-Atlanta area offered for sale. Prospective buyer is either a larger firm seeking to add immigration practice or a business immigration practice expanding its client base. Serious inquiries only and no brokers. Please send contact details to lawfirmsaleinquiry@gmail.com.

POSITION WANTED

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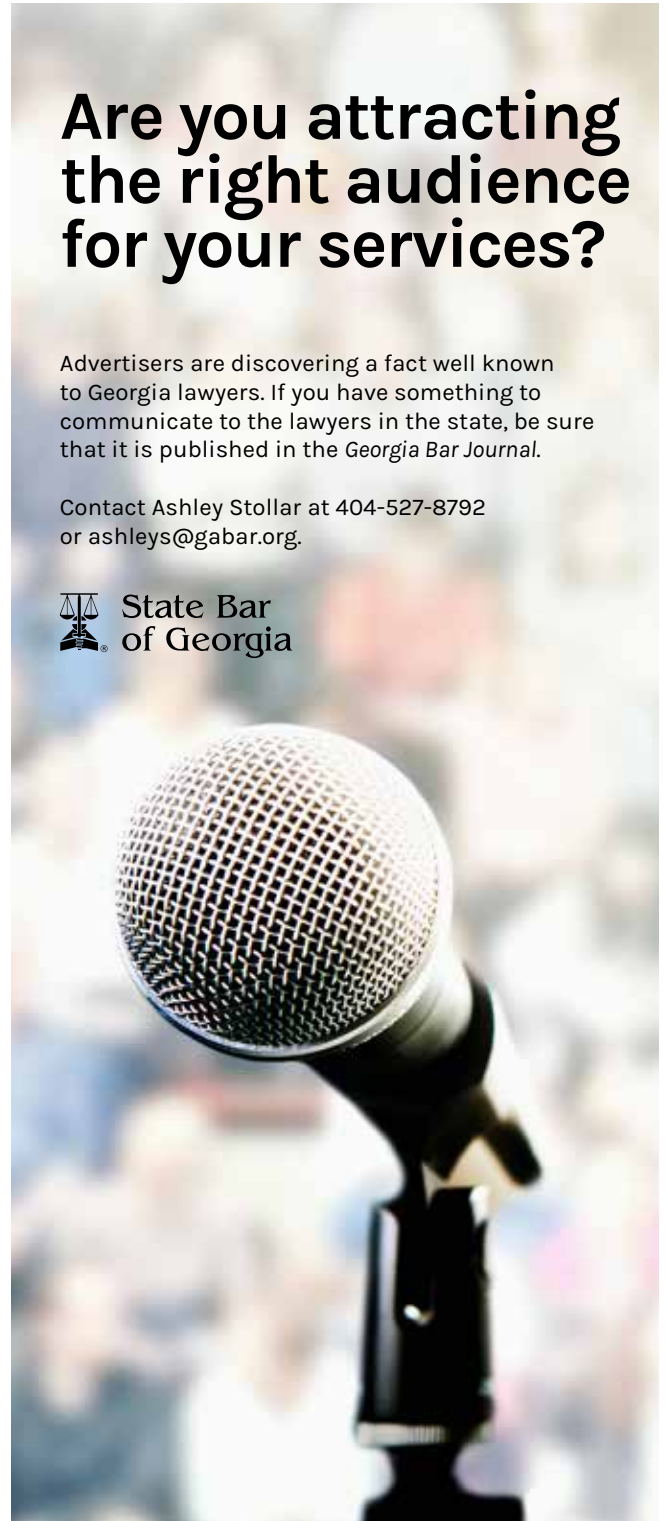
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Contact Ashley Stollar at 404-527-8792 or ashleys@gabar.org.

 State Bar
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PROFESSIONAL SERVICES

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The State Bar of Georgia's suicide awareness campaign has a dual purpose, directed toward lawyers and judges who are suffering from anxiety and depression and may be at risk for suicide, as well as all Bar members, who need to recognize the severity of the problem and be able to identify warning signs among our colleagues.

If you or someone you know are contemplating suicide, call 800-327-9631 today.

Learn more at gabar.org/suicideawareness.



State Bar
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