

**STATE BAR OF GEORGIA
BOARD OF GOVERNORS
MINUTES
March 22, 2014
Ritz-Carlton Lodge on Lake Oconee/Greensboro, GA**

The 251st meeting of the Board of Governors of the State Bar of Georgia was held at the date and location shown above. Charles L. Ruffin, President, presided.

Roll Call

Secretary Rita A. Sheffey circulated the attached roll (Exhibit A) for signature.

Special Recognition

President Ruffin recognized the Past Presidents of the State Bar, members of the judiciary, and other special guests in attendance.

Recognition of Retiring Board Members

President Ruffin recognized the following retiring members of Board of Governors: Thomas C. Chambers, Myles E. Eastwood, Judge Stephen Schuster, Steven Keith Liebel, Jeffrey O'Neal Monroe, Gregory Tyson Talley and Ralph John Caccia.

Next Generation Courts Commission Report

Following a report by Judge Lawton Stephens, the Board of Governors, by unanimous voice vote, adopted the final report of the Next Generation Courts Commission, *Embracing the Courts of the Future*, and approved up to \$500 to help defray the cost of printing the report.

Consent Agenda

President Ruffin presented the Consent Agenda. There being no objection or request for removal of the item, a motion was made and seconded to approve it:

1) Board of Governors Minutes

The minutes of the January 11, 2014, Board of Governors Minutes, as presented.

The Board of Governors, by unanimous voice vote, approved the above item on the Consent Agenda.

Citizens Advisory Council

President Ruffin announced that the Citizens Advisory Council was reinstated this year to bring in community leaders around the state to learn more about the State Bar, and Past President Lester Tate introduced the members of the Council to the Board of Governors. The Council is meeting in conjunction with the Spring Board meeting and joined the Board of Governors the evening before for dinner. A list of the Council members is included in the agenda materials.

Legislation

President Ruffin recognized the Bar's legislative consultants in attendance and thanked them for their work on behalf of the State Bar during the legislative session: Rusty Sewell, Meredith Weaver, and Roy Robinson. Director of Governmental Affairs Thomas Worthy provided an update on the 2014 General Legislative Session. The Bar's request for an increase in funding for victims of domestic violence will receive last year's funding level plus an additional \$386,000, which represents half of the Bar's original requested increase. The Appellate Resource Center received full funding. The State Bar's testamentary guardianship bill did not pass out of Senate Rules in time for a floor vote, but House Judiciary Chairman Wendell Willard amended a bill in the House with the testamentary guardianship language and that bill was passed. SB 364 and SB 365 that contain justice reform and reinvestment initiatives were passed. HB

889, the Bar's unauthorized practice of law bill, and HB 685 (the Uniform Deployed Parents Custody and Visitation Act) did not pass, but the Bar's legislative team will continue to work with all parties to perfect the language in these bills so that they can be pre-filed before the beginning of the 2015 Regular Session. SB 209, globally known as the LegalZoom bill, which provided immunity from unauthorized practice of law lawsuits for providers of legal self-help documents and products, did not pass in the final hours of the Session.

Representative Wendell Willard presented a resolution from the General Assembly to President Ruffin for his leadership and service to the State Bar.

SB 209 – Emergency Action

President Ruffin reported that a subcommittee of the Executive Committee took emergency action approving proposed alternative language for HB 209 under Standing Board Policy 100.

Legislative Forum

The Board of Governors received a copy of the Legislative Forum Agenda that took place on January 9, 2014 in conjunction with the Midyear Meeting.

Civil Legal Services Task Force – IOLTA Rate Comparability

Secretary Rita Sheffey presented proposed revisions to Bar Rules 1.15(I), (II) and (III) and new Part XV concerning IOLTA Rate Comparability. The current version was adopted by the Civil Legal Services Task Force, the Executive Committee and the Georgia Bar Foundation. The Board of Governors, by unanimous voice vote, approved the proposed revisions (Exhibit B).

Resolution Honoring Ed Menifee, BASICS director

President Ruffin and Seth Kirschenbaum presented a resolution to the family of the late Ed Menifee. Ed Menifee admirably served 38 years as the director of the State Bar of Georgia's Bar Association Support to Improve Correctional Services (BASICS) offender rehabilitation program.

Treasurer's Report

Treasurer Bob Kauffman provided a report on the Bar's 2013 audit report and the Bar's finances and investments. The Board of Governors received a summary report of the State Bar of Georgia Revenues and Expenditures Report as of January 31, 2014, the Income Statement YTD for the seven months ending January 31, 2014, the State Bar Balance Sheet as of January 31, 2014, and the State Bar of Georgia Revenues and Expenditures Report for the Bar Center as of January 31, 2014.

Dues 2014-15 Recommendation to the Board of Governors

Following a report by Treasurer Bob Kauffman, and in consideration of the recommendations submitted by the Finance Committee and the Executive Committee, the Board of Governors, by majority voice vote, approved setting the 2014-15 dues as follows:

1. Increasing dues by \$2 from the previous year to \$248 for active members and \$124 for inactive members, which includes indexing for the Law-Related Education Program and the Fee Arbitration Program contract attorneys, along with a requirement that either the Finance Committee, Executive Committee, or a subcommittee thereof; review and analyze the Bar's current indexing policy relative to the profitability of the Bar in conjunction with next year's budget process; and
2. Section dues to be reflected on the dues statement ranging from \$10-\$35; and

3. Continuation of assessments required by Bar Rules regarding the Clients' Security Fund (\$100 @ \$25/year) and Bar Center Facility (\$200 @ \$50/year); and
4. Continuation of a \$100 opt-out contribution for the Legislative and Public Education Fund; and
5. Maintaining the current suggested \$250 opt-in provision for Georgia Legal Services Program.

Henry Walker asked if some consideration has been given to looking at the continued Bar Facility assessment now that the Bar Center is generating revenue, and Martin Valbuena asked if the Executive Committee was still in the process of spending down the reserves. Treasurer Kauffman reported that discussions on revising the projections and how that could affect dues indexing and the Bar's budget have been discussed and that the issue will be reviewed and analyzed by the Executive Committee next year.

The Board of Governors received a copy of the Dues and Revenue history, minutes of the Finance Committee meeting on January 31, 2014 and the Programs Committee meeting on January 16, 2014, and the 6/30/2013 audited financial statements from Cherry Bekaert.

Civil Legal Services Task Force

Randy Evans provided an update on other activities of the Civil Legal Services Task Force. Judge David Blevins' pro hac vice proposal for the Superior Court was approved by the Uniform Superior Court Rules Committee and passed the first reading by the Council of Superior Court Judges. The proposal incorporates a \$75 application fee for pro hac vice admission to any Superior Court, and an annual fee of \$200 each year if a case is still pending. Judges Robert E. Turner and Richard Michael Gailey are working on the adoption of pro hac vice proposals with the State and Magistrate Courts, and he and Rita Sheffey are working on proposed pro hac vice rules for the Appellate Courts. The Task Force was able to make some significant progress on increasing funding for victims of domestic violence, as was reported in the legislative update. Tony Del Campo and Rita Sheffey are leading an effort to obtain funding from county law libraries around the state. Evans urged the Board members to make a contribution to GLSP through their next dues statement. He announced that when everything is finally adopted and in place, and including funds from the Georgia legislature, the Task Force will have put together approximately \$2.8 million for indigent civil legal services.

President's Report

President Ruffin reported that the Executive Director Search Committee has been meeting and working with Heidrick & Struggles, the executive search firm that was selected by the Search Committee. The pool of resumes collected thus far is diverse by race, gender, and positions held. He reported that there will be an opportunity for the Executive Committee and key State Bar staff to be involved later on in the search process once the candidate list has been narrowed down.

President Ruffin reported that the Constitutional Law Symposium, which had over 500 people in attendance, garnered national media recognition and continues to receive many favorable comments. He thanked Justice David Nahmias, Professors David Odell and Eric Segall, the Constitutional Law Section, Attorney General Sam Olens, and others involved in putting together the program. He also thanked Michelle Garner, and Sarah Coole and the Communications staff, for their work on behalf of the Symposium, and acknowledged Steve Harper and the ICLE staff for their tireless efforts.

President Ruffin announced that he and YLD President Darrell Sutton met with Attorney General Sam Olens to kick off this year's annual Legal Food Frenzy.

President Ruffin announced that Board of Governors member John F. Kennedy is running for a seat in the Georgia Senate.

YLD Report

YLD President Darrell Sutton reported on the activities of the YLD. The Annual Signature Fundraiser set records in all categories, including attendance and donations, and raised a total of \$66,000 for the Public Interest Internship Program's endowment. He recognized the following Bar staff for their efforts in helping with the Fundraiser: Mary McAfee, Sarah Coole and Derrick Stanley. The Leadership Academy is meeting this weekend in Augusta, and met in February with leaders in the State Capitol. In February, the YLD met with members of the Columbus Bar's YLD in conjunction with the YLD's Local Affiliate Outreach program. All five of Georgia's law schools have now signed on to participate in the Law School Fellows Program. The YLD Family Law Committee hosted its 8th annual Supreme Cork Fundraiser and raised nearly \$23,000 for the Atlanta Volunteer Lawyers Foundation's Guardian ad Litem and Domestic Violence programs. The Wills Clinic held its first program in December in Augusta where lawyers prepared 120 estate planning documents for first responders. On behalf of the Chief Justice's Commission on Professionalism (CJCP), he announced its upcoming 25th Anniversary Celebration on March 25, 2014, that will benefit the Georgia Legal Services Program and pay tribute to Past President A. James Elliott as a CJCP co-founder.

President-elect Patrise Perkins-Hooker recognized the work of Darrell Sutton's wife, Meredith, who also worked in the trenches helping with the Silent Auction.

International Trade In Legal Services

Bill Smith reported that regulation of professional services, including the regulation of legal services, is covered by a number of international trade agreements, including the General Agreement on Trade in Services and the North American Free Trade Agreement. These trade agreements have already had, and will continue to have, a significant impact on professional regulation in our country. In May, the State Bar will host a meeting of selected representatives from the Southern Conference of Bar Presidents with experts familiar with these issues to discuss what can be done so that state bar associations in the U.S. have a role in the treaties being negotiated.

ABA Report

Paula Frederick provided a report on the ABA Midyear Meeting. She announced that she had nominated Past President Linda Klein for ABA President-elect nominee.

Future Meetings Schedule

The Board of Governors received a copy of the Future Meetings Schedule.

Executive Committee Minutes

The Board of Governors received copies of the Executive Committee Minutes of November 15, 2013, December 5, 2013, January 10, 2014, and January 16, 2014.

2014 Board of Governors Election

The Board of Governors received a copy of the 2014 Board of Governors Election information.

Election Schedule

The Board of Governors received a copy of the 2014 Election Schedule.

Office of General Counsel

The Board of Governors received a written report on the activities of the Office of General Counsel.

Military Legal Assistance Program

The Board of Governors received a written report on the status of the Military Legal Assistance Program.

Law Practice Management Program

The Board of Governors received a written report on the activities of the Law Practice Management Program.

Member Benefits – Private Insurance Exchange

The Board of Governors received a written report from Member Benefits on the State Bar's Private Insurance Exchange.

Consumer Assistance Program

The Board of Governors received a written report on the activities on the Consumer Assistance Program.

Chief Justice's Commission on Professionalism

The Board of Governors received a copy of a flyer announcing the Chief Justice's Commission on Professionalism's 25th Anniversary Celebration on March 25, 2014.

Law School Excellence in Access to Justice Award

The Board of Governors received information on the Access to Justice Committee's new Law School Excellence in Access to Justice Award.

ABA Legislative Alert

The Board of Governors received information about the State Bar's response to an ABA Legislative Action Alert regarding a tax proposal that may adversely affect many lawyers and law firms.

Old Business

There was no old business.

New Business

Harold Watts announced that donations are needed to help fund the 2014 High School Mock Trial State Champion team from Jonesboro High travel to Wisconsin for the 2014 National High School Mock Trial Championship in May.

Remarks, Questions/Answers, Comments and Suggestions

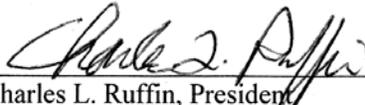
The President opened up the meeting for questions and comments.

Adjournment

There being no further business, the meeting was adjourned.


Rita A. Sheffey, Secretary

Approved:


Charles L. Ruffin, President