

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE
MINUTES**

November 20, 2014

Mercer University Walter F. George School of Law/Macon, GA

Members Present:

Patrise M. Perkins-Hooker, President; Robert J. Kauffman, President-elect; Rita A. Sheffey, Treasurer; Patrick T. O'Connor, Secretary; V. Sharon Edenfield, YLD President (by phone); John R.B. Long, YLD President-elect; Darrell L. Sutton, YLD Immediate Past President (by phone); Elizabeth Louise Fite (by phone); Kenneth B. Hodges, III; Phyllis Holmen; David S. Lipscomb; Brian D. Rogers; and Nicki Vaughan.

Members Absent:

Charles L. Ruffin, Immediate Past President.

Staff Present:

Sharon Bryant, Chief Operating Officer; Jeff Davis, Executive Director; Paula Frederick, General Counsel; and Steve Laine, Chief Financial Officer.

Approval of the Meeting Agenda

Following a report by President Patrise M. Perkins-Hooker, and a request to add a discussion under New Business on the use of consent agendas at Executive Committee and Board of Governors meetings, the Executive Committee approved the meeting agenda, as revised, by unanimous voice vote.

Future Meetings Schedule

The Executive Committee received a copy of the Future Meetings Schedule.

Consent Agenda

President Patrise Perkins-Hooker presented the Consent Agenda. Following a request to remove items a) (Minutes of the October 24, 2014 Executive Committee Meeting) and c) (Approval of Members' Requests), and there being no request for removal of any other item, a motion was made and seconded to approve the Consent Agenda:

- a) Minutes of the October 24, 2014 Executive Committee Meeting
- b) Members Requesting Resignation (approve): Eduardo Garcia-Otero-283998, Clarence F. Duchac III-445565, Patricia Guilday Lynch-315113, Joyce Ann Keller-411850, David A. Wansley-736525, Laurie Martin-473398, Jann Shevin-642636, J. William Veatch III-726575, Lauren Pregmon-586755, Robert H. Cable Jr.-171901, Robyn Ice-667237, Michael R. Parodi-564475, Mark E. Henderson-346330, Letitia Utley Alfonsi-723142, Terry Currie Banta-202287, Yoong-Neung Kee-410052
- c) Approval of Member's Requests (staff recommendations in parenthesis):
 - 1) Portia Seals (deny extension of time to complete the Fitness requirement)

The Executive Committee, by unanimous voice vote, approved the remaining item b) (Members Requesting Resignation) on the Consent Agenda by unanimous voice vote.

Items Removed from the Consent Agenda

Minutes of the October 24, 2014 Executive Committee Meeting

Following a discussion on the Minutes of the October 24, 2014 Executive Committee meeting, the Executive Committee, by unanimous voice vote, approved the minutes, as revised, by unanimous voice vote.

Approval of Members' Requests

Following a discussion on a request by Portia Seals for an extension of time to complete the Fitness requirement, the Executive Committee approved the request by unanimous voice vote.

Law School Outreach Committee Budget Request - \$5,000

Following a report by President Patrise Perkins-Hooker the Executive Committee, by unanimous voice vote, approved a \$5,000 budget request from the Law School Outreach Committee for its upcoming presentations at the five Georgia law schools. The cost will be paid from the Committees line item.

Speakers Travel Budget Request for the Magna Carta Symposium - \$5,000

Following a report by President Patrise Perkins-Hooker the Executive Committee, by unanimous voice vote, approved a \$5,000 budget request for speakers travel for the 2015 Magna Carta Symposium. The cost will be paid from the Cornerstones of Freedom line item. The Executive Committee asked that the Magna Carta 800th Anniversary Commemoration Committee submit a proposed budget for all of the costs associated with the upcoming symposium and exhibit.

Thurgood Marshall CLE (\$5,000)

Following a report by President Patrise Perkins-Hooker the Executive Committee, by majority voice vote, approved underwriting by up to \$5,000 the cost of the *Thurgood Marshall's Coming* 3-hour CLE on January 9, 2015 in conjunction with the Midyear Meeting. The cost will be paid from the Cornerstones of Freedom line item.

Sponsorship Request – Urban League of Greater Atlanta - \$3,500

Following a report by Ken Hodges the Executive Committee, by unanimous voice vote, approved a \$3,500 Bronze Sponsorship for the Urban League of Greater Atlanta's 53rd Annual Equal Opportunity Day Dinner on December 6, 2014. The cost will be paid out of the Conference Sponsorship line item.

Approval of Recommendation from Finance Committee

Following a report by Patrise Perkins-Hooker the Executive Committee, by unanimous voice vote, approved the Finance Committee's recommendation that the Cornerstones of Freedom (COF) program be funded via a restricted reserve fund of \$600,000. The fund will be established using the residual of the 2014-15 COF operating budget line items as of June 30, 2015, plus an allocation of Bar surplus funds to total the \$600,000. The COF operating budget line item for the Bar Year 2016-17 and beyond will be the necessary amount to replenish the reserve fund to \$600,000.

Executive Session

Following a motion and second, the Executive Committee met in Executive Session to discuss the Bar's communications efforts. Thereafter, by unanimous voice vote, the Executive Committee moved out of Executive Session.

Communications Department Operations and Policy on Consultants

The Executive Committee withdrew this item.

Disciplinary Rules and Procedures Committee

Following a report by Paula Frederick the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors proposed amendments (Exhibit A) to the following rules: 1) Rules 4-104, 4-204 and 4-221(g), 2) Rule 4-403(c) and (d), 3) Rule 4-106 (f)(2), and 4) Rule 4-227.

Business Court and International Arbitration Rules Change

Following a report by Ken Hodges the Executive Committee, by unanimous voice vote, approved recommending to the Board of Governors proposed amendments (Exhibit B) to Atlanta Judicial Circuit Rule 1004 regarding the Superior Court of Fulton County Business Court Division. The proposed rule will allow cases subject to the Georgia International Arbitration Code to be transferred to the Business Case Division.

President's Report

President Patrise Perkins-Hooker reported that she and Jeff Davis recently met with the County Commissioners in Glascock County, and will be meeting tomorrow with representatives of Webster County regarding the rural lawyers' initiative. She is trying to get resolutions from each county to submit with the Bar's legislative proposal and funding request. The iCivics program has been very well received in those school systems in which it has been implemented, reaching 20,000 students to date. She is meeting next month with the Georgia Department of Education to request a statewide rollout of the program. She announced that the 2014 Law Day program is an ABA Law Day 2014 Outstanding Activity Award winner and she and Rita Sheffey were given a round of applause for their efforts as the 2014 cochairs. Lastly, she reported that the videoconferencing upgrades have been completed and commended the staff for their help in its implementation.

Treasurer's Report

Treasurer Rita Sheffey provided a report on the Bar's finances and investments. The Executive Committee received copies of the Operations and Bar Center Consolidated and Individual Revenue and Expenditures Reports for the three months ended September 30, 2014, the Balance Sheet as of September 30, 2014, and the Summary of Dues and Voluntary Contributions for May-October 2012-2014.

The Executive Committee received a copy of the 2015-2016 Budget Timetable.

YLD Report

YLD President Sharri Edenfield reported on the activities of the Young Lawyers Division. She stated that the Solo, Small Firm Affiliate Conference has been combined with a Solo, Small Firm Program at Mercer's School of Law that will be held on Saturday, February 21, 2015. Natalie Kelly, Director of the Law Practice Management Program, has been an invaluable resource in putting together the program. The annual Signature Fundraiser will take place on February 28, 2015 at Terminal West and the proceeds will benefit the Augusta Warriors Project. She encouraged the Executive Committee members to attend the YLD Holiday Party on December 5 at the Four Seasons Hotel.

Executive Director's Report

Jeff Davis reported that the Prosecuting Attorneys' Council of Georgia (PAC) will be vacating the office space it leases in the State Bar Building in early February 2015. The Criminal Justice Coordinating Council plans to expand and lease approximately half of the space being vacated by PAC. That will leave approximately 10,000 square feet of rentable space available on the 4th Floor. He recently attended the unveiling of the *Courthouses of Georgia* book by the Georgia Association of County Commissioners.

Georgia Legal Services Corporation (GLSP)

Phyllis Holmen provided an update on the activities of the GLSP. The program has been doing well this year with additional funding due to Georgia's poverty population and funding from the State of Georgia for victims of domestic violence, which has allowed it to hire 5 new lawyers and fill some other existing spots. However, with the recent election and change in Congress the budget for next year is very uncertain and very important. The best thinking is that no federal budget will be passed until January when the new members are sworn in, which could mean a decrease in funding for the Legal Services Corporation. She thanked everyone for their continued support of the GLSP. President Patrise Perkins-Hooker reported that she will encourage Bar members to actively support giving to civil legal services providers this holiday season.

Board of Governors Minutes

The Executive Committee received a copy of the Minutes of the November 2, 2014 Board of Governors Meeting.

Communications Report of Published Articles 2014-15

The Executive Committee received a copy of the 2014-15 Media Report.

Law Day Outstanding Activity Award Winners

The Executive Committee received a copy of a notice from the ABA Division for Public Education – Programs and Initiatives, announcing that Georgia's Law Day 2014 program is an Outstanding Activities Award Winner. The program was a collaboration of the following 14 legal and civil rights organizations: Atlanta Bar Association, Atlanta Public Schools, Chief Justice's Commission on Professionalism, Fulton County Superior Court, Gate City Bar Association, Georgia Asian Pacific American Bar Association, Georgia Association for Women Lawyers, Georgia Association of Black Women Attorneys, Georgia Hispanic Bar Association, Multi-Bar Leadership Council, National Center for Civil & Human Rights, South Asian Bar Association of Georgia, State Bar of Georgia, and Stonewall Bar Association.

Avvo Launches Service Providing On-Demand Legal Advice for a Fixed Fee

The Executive Committee received a copy of an *ABA Journal Business of Law* article about Avvo launching a new on-demand service that provides legal advice at a fixed rate.

Legal Zoom Products To Be Sold at a Discount Through Sam's Club

The Executive Committee received a copy of an *ABA Journal Business of Law* article announcing that LegalZoom products will be sold at a discount through Sam's Club. The products are a suite of estate planning products priced at \$299, and a discount of up to 25% on other LegalZoom products.

UPL Suit Against Legal Zoom Must Go to Arbitration

The Executive Committee received a copy of an *ABA Journal Legal Technology* article wherein the Arkansas Supreme Court ruled that a mandatory arbitration clause in LegalZoom's customer agreement must be enforced. The ruling reverses a judge's decision that arbitration would encroach on "the exclusive jurisdiction of the state courts to determine whether or not something constitutes unauthorized practice of law."

Atlanta Legal Aid Society Receives \$212,837 Pro Bono Innovation Grant

The Executive Committee received a copy of a press release announcing that the Atlanta Legal Aid Society will receive a 24-month \$212,837 Pro Bono Innovation Fund grant to deliver free legal follow-up services to low-income clients.

Courthouses of Georgia Photography Book

The Executive Committee received a copy of a press release from the Association of County Commissioners of Georgia (ACCG) announcing that the new *Courthouses of Georgia* photography book is now available for purchase through the University of Georgia Press, Amazon.com, Barnes and Noble.

Old Business

There was no old business.

New Business

David Lipscomb commended President Patrise Perkins-Hooker on today's luncheon with the Macon Bar Association at which she recognized the distinguished careers of Past Presidents Cubbedge Snow, Jr. and Rudolph N. Patterson, and Board of Governors member Virgil Louis Adams.

David Lipscomb asked that the Consent Agenda be done away with as it continues to create problems for the meeting chair, the Executive Committee, and the Board of Governors. If an item is important enough to go on an agenda, it is important enough to be discussed and voted on individually. Patrise Perkins-Hooker thanked David for his comments and noted that the decision to use a Consent Agenda is up to each meeting chair that sets the agenda. She also noted that the General Counsel's office is looking into the Executive Committee's authority to grant or deny members' waiver requests.

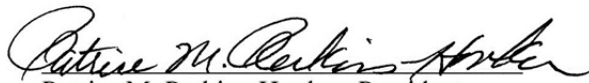
Adjournment

There being no further business the Executive Committee meeting was adjourned.



Patrick T. O'Connor, Secretary

Approved:


Patrie M. Perkins-Hooker, President