

**STATE BAR OF GEORGIA
EXECUTIVE COMMITTEE MEETING
MINUTES
April 25, 2025, 1 p.m.
The Cadle Barn
Swainsboro, GA**

Members Participating

Ivy N. Cadle, President; William C. “Bill” Gentry, Treasurer; R. Javoyne Hicks, Secretary; Kenneth Mitchell Jr., YLD President; Shiriki Jones; Joyce Gist Lewis; R. Gary Spencer; and Martin Valbuena.

Members Absent

Christopher P. Twyman, President-Elect; J. Antonio “Tony” DelCampo, Immediate Past President; Veronica Cox, YLD President-Elect; Brittanie Browning, YLD Immediate Past President; Norbert “Bert” Hummel; and David S. Lipscomb.

Staff Participating

Sarah Coole, Chief Operating Officer; Damon Elmore, Executive Director; Jennifer McNeely, Director of Governmental Affairs; Bill NeSmith, Deputy General Counsel; Ron Turner, Chief Financial Officer; and Russ Willard, General Counsel.

Call to Order

President Ivy N. Cadle called the meeting to order at 1:25 p.m. The members of the Executive Committee in attendance are indicated above.

Upcoming Annual Meeting and Future Meeting Schedule

President Ivy Cadle gave an update on the upcoming Annual Meeting. He then reviewed the meetings for the 2025-2026 Bar year.

President’s Report

President Ivy Cadle expressed his appreciation for the Executive Committee working diligently this year to update the many rules, bylaws and policies that will ensure a better future for the Bar. He said he appreciated the collegiality among the Executive Committee members and the numerous meaningful discussions that took place. He thanked the Bar staff for all they’ve done and collaborated with throughout his year as president. At this meeting, President Cadle had the opportunity to present his father, Jerry Cadle, with his certificate for 50 years of membership with the State Bar of Georgia.

Executive Director’s Report

Executive Director Damon Elmore acknowledged President Ivy Cadle’s leadership and provided updates on the Bar Center’s leasing strategy and the conference center’s improvements. No new developments on the updated CLE rules were reported; however, the internal CLE team has reconvened to build a thoughtful communication strategy that includes FAQ lists and multi-phase rollouts to ensure clarity to all Bar members and providers. State Bar budget forecasts indicate little growth in unallocated cash, with rising event costs of meetings and events prompting discussions on cost control measures. He said the Investment Committee’s latest meeting reported no significant changes and reassured the Executive Committee that they are maintaining their current strategy and closely monitoring market trends with expert guidance. Additionally, CorpCare’s sale to CuraLinc has led to considerations for the future of the Lawyer Assistance Program, with potential alternatives being evaluated.

Treasurer’s Report

Treasurer Bill Gentry reported that the Bar was operating according to plan and had encountered no financial surprises. Excluding Bar Center operations, a loss of approximately \$1,288,225 was budgeted,

while the Bar Center operations projected a net profit of around \$147,800. Total Bar expenses were approximately 63% of the total budget through February 2025, which signified a strong alignment with the budget expectations at this stage of the fiscal year. Lastly, it was noted that the financial statements for March 2025 were currently being prepared, with no significant items to report at this time.

YLD Report

YLD President Kenneth Mitchell reported on the successful completion of the Spring Meeting in March, which showcased the spirit of collaboration within the YLD. The meeting was held in conjunction with the Leadership Academy and featured a CLE session focused on the ELVIS Act. Attendees also enjoyed a spirited kickball game, fostering camaraderie among participants. Looking ahead, the next Leadership Academy will take place in Columbus, with a swearing-in planned for the Middle District of Georgia. The Southern District swearing-in will be in May. The year will finish with the YLD's Annual Meeting events and the Supreme Cork fundraiser hosted by the YLD Family Law Committee.

Office of the General Counsel Report

General Counsel Russ Willard reported that Jakarah Everett was hired as a new Assistant General Counsel; she previously worked on a contract basis. Following a motion, second, and unanimous voice vote, the Executive Committee met in Executive Session to discuss the litigation report. Thereafter, the Executive Committee emerged from Executive Session by unanimous voice vote.

Legislative Report

Director of Governmental Affairs Jenn McNeely reported on the Bar's legislative agenda. She said that Governor Brian P. Kemp has until May 14 to sign the bills that were passed in session.

1. Support for Amendments to Title 53 and Related Code Sections—Fiduciary Law Section

Summary: The Bar supported this proposal as part of its 2024 legislative package, but the bill did not pass due to end-of-session time constraints. The goal of the proposed legislation is to improve the provision of legal services relating to wills, trusts, and the administration of estates and trusts in the courts, especially probate courts. It proposes changes to Title 53 and related code sections, including the banking code, the Uniform Power of Attorney Act, and the Uniform Statutory Rule against Perpetuities Act. A large focus was placed on amending Title 53 and harmonizing provisions across the probate code and trust code, as well as a comprehensive revision and modernization of heirship provisions in various code sections, including Title 53 and Title 19. One of the amendments replaces notice provisions added by HB 91 with a duty by the executor to notify beneficiaries of a testate estate of the probate of the will within six months after qualification as executor. Status: Passed/adopted. On Gov. Kemp's desk.

2. Support for a Resolution of the Georgia General Assembly Recognizing April 2025 as Legal Professionalism Month. Status: Adopted.

3. Support for FY 2026 Judicial Council Budget Request

Summary: This is the Judicial Council's annual funding request for grants to legal services providers for the representation of victims of domestic violence. The funding for these grants is appropriated by the General Assembly and administered to civil legal service organizations by the Administrative Office of the Courts (AOC). The AOC distributes the funds to each organization based on the poverty population throughout the state. The Judicial Council has officially made its request for renewed funding of \$3 million, and the Committee to Promote Inclusion in the Profession has asked that the Bar support an increase of \$100,000, for a total of \$3.1 million. Status: The current level of funding was continued for the victims of domestic violence, kinship care, and medical-legal partnerships grant programs.

4. Support for FY 2026 Judicial Council Budget Request

Summary: The proposal requests the continuation of the long-standing baseline budget of \$900,000 to fund the Georgia Appellate Practice and Educational Resource Center. Bar members, law schools, and other stakeholders initially started the Georgia Resource Center. Georgia is presently the only state that does not provide a statutory procedure or constitutional right to the appointment and compensation of counsel in state habeas corpus proceedings; the Resource Center seeks to provide free representation to indigent death row prisoners. The State Bar has supported the Resource Center's appropriations request for 34 years. Status: Passed/adopted in HB 68.

Director of Governmental Affairs Jenn McNeely reviewed the status of SB215, noting that it remains in committee with no movement to date. To promote progress, the Bar plans to schedule meetings over the summer to cultivate relationships and prevent unresolved issues from carrying into the new session.

Committee Updates

Executive Committee liaisons to State Bar committees gave updates regarding their assigned committees.

Executive Committee Minutes

Secretary Javoyne Hicks presented for approval the minutes of the February 20, 2025, Executive Committee meeting, which passed by unanimous vote.

Members Requesting Resignation

Pursuant to State Bar Rule 1-208, the Executive Committee approved the following resignation requests by unanimous vote: Carol Kay Black-096289; Christian L. Deichert-216295; Robin Frances Frydman-278715; Kimberly Mitchell Hagan-316676; Mary Ruth Hawk-338598; James Ernest Hooper-365675; Patricia Ann Jones-402552; John Burnett Morris Jr.-524230; Frances Beth Schleicher-629324.

Members Requesting Disability

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

Request to Waive Late Fees

The Executive Committee, by unanimous vote, approved the request to waive late fees.

Proposed Rules Change

Georgia Rules of Professional Conduct

1. *Rule 1.15(II). Safekeeping Property-Trust Account and IOLTA.*

This proposed change, originating from the Disciplinary Rules and Procedures Committee, includes non-substantive housekeeping and grammatical updates. It also incorporates revisions prompted by a recent Supreme Court opinion on paymaster cases. Under the proposed changes, a lawyer holding or managing funds in a fiduciary capacity without representing any party must notify all parties in writing that neither the funds nor the lawyer are subject to the Georgia Rules of Professional Conduct. Additionally, lawyers may not use their law firm trust or IOLTA accounts to hold fiduciary funds unless they are representing a client in a specific matter. The OGC is requesting that the Executive Committee consider and recommend for consideration by the Board of Governors an alternative version that increases the maximum sanction for commingling funds held unrelated to the representation of a client in a lawyer's trust account that holds, or has held, funds for clients from public reprimand to disbarment.

By unanimous vote, the Executive Committee approved the proposed change as set forth by the Office of the General Counsel in place of the version set forth by the Rules Committee.

2. *Rule 4-203.1. Uniform Service Rule.*

This proposed change, originating from the Disciplinary Rules and Procedures Committee, clarifies the service process in disciplinary matters. It defines a lawyer's "official address" for serving documents and authorizes State Bar Investigators or individuals approved by the State Disciplinary Board to serve Petitions for the Appointment of a Special Master and Formal Complaints. The changes also specify acceptable methods of service and introduce the use of an affidavit to document unsuccessful service attempts.

By majority vote, the Executive Committee approved the proposed change.

3. *Rule 4-220. Notice of Punishment or Acquittal; Administration of Reprimands.*

This proposed change, originating from the Disciplinary Rules and Procedures Committee, addresses concerns raised by the Court regarding Disciplinary Review Board Reprimands. It replaces the term "issued" with "read in the presence of the respondent" and requires the reprimand to be administered during the portion of the Review Board meeting open to the public. Additional changes clarify notice requirements for both the public and the respondent.

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

Bar Rules

4. *Rule 1-202. Membership Status.*

This proposed rule would expand the universe of non-active members eligible to provide pro bono services beyond Emeritus Status members to also include Inactive Status members with at least five years of active service. The revised rule vests the determination of which pro bono organizations are eligible to supervise the provision of such services by non-active members with the Supreme Court. The Inactive Status member can only represent clients who are referred by an approved pro bono organization. Finally, the revised rule requires that Inactive Status members must take an hour-long CLE (in each CLE renewal period) to be eligible to provide covered pro bono services.

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

5. *Disciplinary Rules and Procedures Committee Internal Rules*

In accordance with newly approved Article VIII, Section 5 of the State Bar of Georgia bylaws, the Disciplinary Rules and Procedures Committee has adopted internal operating and procedural rules. Section 5 requires that all internal rules be submitted to the Office of the General Counsel for review to ensure compliance with the State Bar's bylaws and policies and then to the Executive Committee for final approval. The OGC has reviewed these internal rules for compliance and now requests them for consideration by the Executive Committee for final approval.

By unanimous vote, the Executive Committee approved the Disciplinary Rules and Procedures Committee's internal operating and procedural rules.

Approval of the 2025-2026 Election Schedule

The Executive Committee unanimously approved the 2025-2026 election schedule as proposed.

Legislative Consultant Agreements

Director of Governmental Affairs Jenn McNeely presented the 2025-2026 legislative consultant agreements of Rusty Sewell and Mark Middleton. The Executive Committee approved the agreements unanimously.

Old Business

Treasurer and Senior Lawyers Committee Member Bill Gentry presented the proposed bylaws for the Senior Lawyers Division. The mission of the division is to “foster robust social connection, support continued professional engagement, promote pro bono work, address cognitive decline, and provide mentorship and support to younger lawyers.” He gave a brief overview of some of the most asked questions, which included the following: 1) The Senior Lawyers Division will have a mandatory automatic membership similar to the Young Lawyers Division. The age will begin at 55; 2) There will not be mandatory dues; and 3) It will be funded by a suggested voluntary contribution of \$175 on the license fee notice, and also by sponsorships. After the discussion, the Executive Committee unanimously approved the creation of the Senior Lawyers Division. These bylaws will now go to the Board of Governors at the Annual Meeting.

New Business

There was no new business.

Announcements

There were no announcements.

Adjournment

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



R. Javoyne Hicks, Secretary

Approved:



Ivy N. Caudle, President