

**STATE BAR OF GEORGIA  
EXECUTIVE COMMITTEE MEETING  
MINUTES  
December 5, 2024, 1 p.m.  
Atlanta Marriott Alpharetta  
Alpharetta, GA**

Members Participating

Ivy N. Cadle, President; William C. “Bill” Gentry, Treasurer; R. Javoyne Hicks, Secretary; Kenneth Mitchell Jr., YLD President; Brittanie Browning, YLD Immediate Past President; Norbert “Bert” Hummel; Shiriki Jones; Joyce Gist Lewis; David S. Lipscomb; R. Gary Spencer; and Martin Valbuena.

Members Absent

Christopher P. Twyman, President-Elect; J. Antonio “Tony” DelCampo, Immediate Past President; and Veronica Cox, YLD President-Elect.

Staff Participating

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

Call to Order

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

Future Meetings Schedule

President Ivy Cadle reviewed the Future Meetings Schedule, including the upcoming meetings of the Executive Committee and Board of Governors.

President’s Report

President Ivy Cadle reported that the Special Committee on Artificial Intelligence and Technology and the Attorney-Client Solicitation Committee have been broken into subcommittees to focus on certain tasks and deliverables. More information on what those committees have been working on will be forthcoming. President Cadle welcomed the new Director of Governmental Affairs, Jennifer McNeely, to her first Executive Committee meeting.

Executive Director’s Report

Executive Director Damon Elmore gave a brief update on the following committees: Artificial Intelligence and Technology, Attorney-Client Solicitation, and the Supreme Court’s Study Committee on Legal Regulatory Reform. The Supreme Court’s study committee has five Bar appointments. They will meet in March, and Chief Justice Michael Boggs has asked for a report by June. Executive Director Elmore reported that the Bar’s parking deck now has EV charging stations on floors four and five. He said there will be a more comprehensive report on unallocated cash at the next Executive Committee Meeting; he wants to ensure that Bar leadership is updated regularly on the unallocated cash. He also reported that the Supreme Court held an administration banc today and will review the submitted advertising rules and appointments to the Unlicensed Practice of Law district committees.

Treasurer’s Report

Treasurer William C. Gentry reported on the provided financial statements through September 2024. He said the first quarter historically has the least amount of activity. He reported there are no negative or significant surprises. Treasurer Gentry said the October finances are complete, and the finance team is currently working on the November finances.

### YLD Report

YLD President Kenneth Mitchell reported the Leadership Academy Alumni Lunch was that same day. Past President Patrise Perkins Hooker was the keynote. He said the YLD has had a busy fall, including some of the following events: the Community Service Committee planted trees for Trees Atlanta; the Litigation Committee had a CLE titled "When in Rome;" the Law School Outreach Committee had an event at Mercer; and the Solo Small Firm Committee had a program titled "Building Your Brand with Purpose." He said the YLD is now preparing for the Midyear Meeting. The YLD's Signature Fundraiser will be held on March 8 at the Hank Aaron Terrace at Truist Park, with the theme "A Night on the Diamond," and he asked the Executive Committee for their support. He added that the Spring Meeting will be held in Nashville, including a CLE on the ELVIS Act.

### Office of the General Counsel Report

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 Jennifer McNeely reported the Advisory Committee on Legislation will meet on December 10. She said there will be some bills from last year's Bar agenda, in addition to the bills that were voted on at the Fall Board of Governors Meeting. There will also be two separate bills for judicial funding, one for superior court and one for state court. The Bar will review those once they are in final draft.

### Executive Committee Minutes

Secretary Javoyne Hicks presented for approval the minutes of the October 3, 2024, 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: Mary Conner Ball-035375; John Charles Bircher, III-057521; Peter S. Dardi-205333; Elizabeth A. DiRusso-360751; Millicent Boyce Dittmar-222929; Susan Gundling Ebersbacher-238220; Curtis Douglas Edmonds-239651; Steven Spencer Elg-940592; Cynthia Sims Garcia -001130; Todd Bradley Johnson-273387; Kerry Jeanne O'Connell-188726; Stephen Douglas Palmer-560202; Bonnie Elaine Rosen-773445; Matthew Joseph Shechtman-757781; Aaron Joshua Shnider-202388; Brandon Sinnott-359465; Hoyt Gold Tessener-887644; Kevin Blair Wilson-112117.

### Members Requesting Disability

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

### Request for Reinstatement and Resignation in Good Standing

The Executive Committee approved one request to withdraw a petition for resignation and allow the petitioner to resign in good standing. Currently, their status is listed as "administrative suspension for non-payment of dues," on the website and it jeopardizes their license in another state. The Executive Committee by unanimous vote approved the request, with one abstention.

### Proposed Bylaws and Rules Changes

#### *1. Article IV. Executive Committee. Section 1. (EC Elections) (Second Read)*

This is a rewrite of the EC Election bylaw, designed to simplify the election process for Executive Committee members.

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

2. *Article IV. Executive Committee. Section 3. Misconduct and Removal. (Second Read)*

This new bylaw guides the removal process for officers, board members, volunteers, guests, and others who have engaged in misconduct.

By unanimous vote, the Executive Committee approved the proposed change as amended, with one abstention.

3. *Article IV. Executive Committee. Section 4. Standing Executive Committee Policies. (Second Read)*

This new bylaw is similar to Article III Section 13, Standing Board Policies, previously approved by the Executive Committee. This new bylaw provides enabling language in the bylaws for Executive Committee Standing Policies.

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

4. *Bar Rule 1-302. Composition.*

This is a rewrite of the rule defining the composition of the Board of Governors. This proposed change is designed to simplify the rule and remove old, archaic language that is no longer relevant.

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

5. *Bar Rule 1-501. License Fees.*

This proposed change simplifies the appeal process for challenging a delinquent dues payment and reduces the termination date from five years to three years, matching the Office of Bar Admissions rules.

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

6. *Bar Rule 1-501.1 License Fees—Late Fee.*

This proposed change removes the escalating late fee and sets it at \$175.

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

7. *Bar Rule 4-106. Conviction of a Crime; Suspension and Disbarment.*

The proposed amendment to Rule 4-106 comes as a motion from the Disciplinary Rules and Procedures Committee. The changes clarify that the report of a Special Master is to be filed with the State Disciplinary Clerk.

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

8. *Bar Rule 4-108. Conduct Constituting Threat of Harm to Clients or Public; Emergency Suspension.*

The proposed amendment to Rule 4-108 comes as a motion from the Disciplinary Rules and Procedures Committee. The changes clarify that the report of a Special Master is to be filed with the State Disciplinary Clerk.

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

9. *GRPC 1.0. Terminology and Definitions.*

The proposed amendment to Rule 1.0 comes as a motion from the Disciplinary Rules and Procedures Committee. The proposed amendments to Rule 1.0 amend the definition of “lawyer” and add definitions of “attorney” and “counsel.”

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

10. *GRPC 1.6. Confidentiality of Information.*

The proposed amendment to Rule 1.6 comes as a motion from the Disciplinary Rules and Procedures Committee. The proposed amendments to Rule 1.6 adopt language from ABA Rule 1.6(c).

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

Legislative Consultant Agreement

Executive Director Damon Elmore presented State Bar Lobbyist Roy Robinson’s 2025 contract, which the Executive Committee approved unanimously.

BASICS Program

President Ivy Cadle explained the reason this item is on the agenda. He said that the BASICS Committee receives its funding from the Georgia Bar Foundation, which is added to their line item in the Bar’s budget. The Bar then disperses it to the BASICS program, based on the submitted invoices that at least two BASICS Committee members approve. He said he believes it is problematic from an accounting standpoint, and that he believes they would do better as a 501(c)(3) than a State Bar committee.

BASICS Committee Chair Judge Shondeana Morris and BASICS Committee Member Seth Kirschenbaum presented to the committee on behalf of BASICS. Mr. Kirschenbaum said that since 2020, BASICS has not received money from the Bar. In January 2020, in return for the BASICS committee withdrawing their request for money, the Board of Governors allowed the BASICS committee to continue to operate. State Bar Past President Darrell Sutton attended by phone to affirm those details. The BASICS Committee believes their relationship with the State Bar legitimizes the program and gives the Georgia Bar Foundation comfort that their grants are being used appropriately. Seth reported there is a Memorandum of Understanding between the BASICS Committee and the Southeastern Management company, which runs the program, and there is no liability for the Bar. Their request is to continue to allow the committee to operate without the financial support of the Bar. President Ivy Cadle and the Executive Committee agreed there was no need for further action on this item, and the committee can continue its work as a standing committee of the Bar.

Committee Updates

Executive Committee liaisons to State Bar committees gave updates regarding the committees they are assigned to.

Personnel Committee Update

Damon Elmore reported that the Bar’s senior staff reported to the Personnel Committee and asked for their support for a 4% increase for staff, breaking down to 2% for COLA and 2% for merit. They also asked the Personnel Committee to consider supporting an increase in staff in the Office of the General Counsel, consisting of one screening attorney and one appellate attorney. Those positions would be a \$360,000 increase in budget, equating to an increase of \$16 in Bar dues. Senior staff would also like to add a paralegal

to the department, but they are looking into other ways to fund that position. He reported that the Personnel Committee supported all of the suggestions above.

#### Programs Committee Update

Executive Committee Member Martin Valbuena reported that the Programs Committee met and reviewed three requests. The first was a request from the Access to Justice Committee for \$30,000 to conduct a statewide survey to examine the current pro bono services offered by Georgia's public interest programs. The Programs Committee asked them for additional information, and they will meet again to provide a recommendation to the Finance Committee before their meeting once that information is received. The committee approved a \$5,000 request from the Committee to Promote Inclusion in the Profession to conduct their annual CLE at the Bar's Annual Meeting. The final request was from the Georgia Resource Center for continued funding of \$55,166. It was approved with the understanding this would be their last year of funding from the Bar.

#### Standing Executive Committee and Board Policy Review

The Executive Committee asked the Office of the General Counsel to draft the respective bylaw or rule per the policy to review at a future meeting: Standing Board Policy 100, Standing Board Policy 200, Standing Board Policy 600, and Standing Executive Committee Policy 300.

#### Board of Governors Meeting Minutes

The Executive Committee was provided with a draft copy of the November 2, 2024, minutes of the Fall Meeting.

#### Old Business

There was no old business.

#### New Business

President Ivy Cadle was contacted by Rachel Spears and Betsy Griswold of Pro Bono Partnership of Atlanta. Their goal is to have as many lawyers as possible to be able to assist with pro bono work. They've asked that the Bar consider lowering the age for emeritus status to increase the number in that category who can perform pro bono work. President Cadle asked senior Bar staff if the Bar should consider changing the rule and allowing those with inactive status to perform pro bono work. General Counsel Paula Frederick is concerned with the level of lawyering from inactive members for the indigent who deserve good legal representation. President Cadle also asked the Bar's Supreme Court liaisons their opinion, and they said they wouldn't have written the rule as it is.

President Cadle has asked the Office of the General Counsel to work with him to write a new rule, or incorporate into the current rules, that an inactive or emeritus member can perform pro bono work if they have completed a CLE and they are working under an approved pro bono entity that has liability insurance. He said more information will be available on this in the near future.

#### Announcements

Executive Committee Member Martin Valbuena announced that his son Andrew passed the bar!

#### Adjournment

There being no further business, the meeting was adjourned at 4:35 p.m.

Approved:



R. Javoyne Hicks, Secretary

Approved:

A handwritten signature in black ink, reading "Ivy N Cagle". The signature is written in a cursive, flowing style. The "I" is tall and thin, the "y" has a long descender, and the "N" is large and prominent. The "Cagle" part is also cursive and connected to the "N".

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Ivy N. Cagle, President