

## MINUTES

### ALABAMA STATE BAR BOARD OF BAR COMMISSIONERS MEETING

State Bar Headquarters  
Montgomery, Alabama

Friday, April 6, 2007

#### 1. CALL TO ORDER

President Boots Gale convened this meeting of the Alabama State Bar Board of Commissioners at 10:00 a.m. in the Board Room of the Alabama State Bar headquarters in Montgomery, Alabama. Commissioner Wynne gave the invocation.

#### 2. ROLL CALL

The Secretary called the roll of the Commission and the following Commissioners were present:

Louis C. Rutland	J. Garrison Thompson	Oliver Kitchens
Cooper Shattuck	William H. Broome	Nicholas B. Roth
W. N. (Rocky) Watson	Anthony A. Joseph	S. Greg Burge
Jack Neal	Phillip McCallum	Greg Hawley
Maibeth Porter	Joseph A. Fawal	William A. (Pete) Short
Albert J. Trousdale, II	Richard W. Whittaker	Billy C. Bedsole
Mary Margaret Bailey	James H. Anderson	Donald R. Jones, Jr.
Thomas J. Methvin	Sim Penton	F. Michael Haney
K. Scott Stapp	John E. Medaris	Robert L. Bowers, Jr.
Everette A. Price, Jr.	Harold Stephens	L. Thomas Ryan, Jr.
Richard J.R. Raleigh, Jr.	Kenneth E. White, III	John C. Gullahorn
Allan Chason	Tut Wynne	Robert L. Rumsey
Elizabeth Parsons	Roy W. Williams, Jr.	Roger Bedford
David T. Hyde, Jr.	Gerald R. Paulk	Jere C. Trent
Walter E. McGowan	Claude E. Hundley, III	Deborah Byrd Walker
Merceria Ludgood	Alicia F. Bennett	Kyra Sparks
Pamela H. Bucy		

The following Commissioners were absent:

Ronnie E. Keahey	Michael E. Jones	Robert E. Moorer
Jim Pratt	Michael D. Knight	William M. Cunningham
Cecilia J. Collins	Charles R. Stephens	Lee H. Copeland
Joseph A. Morris	Thomas B. Albritton	Ronald H. Strawbridge, Jr.
William H. Atkinson	John M. Kennemer	Robert H. Brogden
Timothy D. Littrell	Robert T. Meadows, III	David F. Law
Wayman Sherrer	Dawn Wiggins Hare	Kelly T. Lee
Les Hayes, III	Alyce Spruell	

Also in attendance were President-elect Sam Crosby and Immediate Past President Bobby Segall. Staff members present included Tony McLain, Ed Patterson, Brad Carr, Laura Calloway, Linda Lund, Robby Lusk, Jeremy McIntire, Sam Partridge, Anita Hamlett, Jeanne Marie Leslie and Andy Brindley. Also in attendance were Tracy Daniel, Alabama Law Foundation and Judy Keegan of the Alabama Center for Dispute Resolution.

### **3. INTRODUCTION OF GUESTS**

Commissioner Williams introduced Jason Knight, President of the Cullman Bar Association. President Gale welcomed Judge Tommy Bryan of the Court of Civil Appeals.

### **4. APPROVAL OF THE MINUTES OF THE BOARD OF COMMISSIONERS MEETING FOR FEBRUARY 16, 2007.**

President Gale stated that the minutes of the Board of Commissioners meeting for February 16, 2007 had been disseminated to the Board. He asked if there were any corrections, additions or deletions. There were none.

COMMISSIONER BEDSOLE MOVED TO APPROVE THE MINUTES OF THE BOARD OF BAR COMMISSIONERS MEETING FOR FEBRUARY 16, 2007. THE MOTION WAS SECONDED AND THE MINUTES WERE APPROVED BY UNANIMOUS VOICE VOTE.

### **5. PUBLIC REPRIMANDS**

#### **5.1 Elizabeth V. Addison, Lauderdale County, ASB 06-24(A)**

Ms. Addison received a public reprimand without general publication for violation of Rules 7.3(a) and 8.4(a) of the *Alabama Rules of Professional Conduct [ARPC]*.

#### **5.2. Herndon Inge, III, Mobile County, ASB 05-126(A)**

Mr. Inge entered a conditional guilty plea of violations of Rules 3.1(a), 4.1(a) and 8.4(a) of *ARPC* and received a public reprimand without general publication.

#### **5.3. Larry Joel Collins, Russell County, ASB 06-105(A)**

Mr. Collins received a public reprimand with general publication for violating Rules 1.3, 1.4(a), 8.4(a) and 8.4(g) of *ARPC*.

#### **5.4 Lucien Blankenship, Jefferson County, ASB 05-116(A)**

Mr. Blankenship received a public reprimand without general publication for violating Rules 1.15(a), 1.15(f) and 8.4(g) of *ARPC*.

## **6. PRESIDENT'S REPORT**

President Gale congratulated General Counsel Tony McLain for his recent recognition as the Outstanding Alumnus of Cumberland Law School. The President then mentioned the Lawyer Legislator Breakfast and encouraged members of the Commission to attend. He concluded his remarks by commenting on the programming for the bar's annual meeting in July.

## **7. SECRETARY'S REPORT**

The Secretary recognized staff members with at least ten years employment for their loyal and dedicated service: Laura Calloway (10 years); Judy Keegan (10 years); Mary Corbitt (11 years); Rita Gray (12 years); Roderick Palmer (12 years); Robby Lusk (12 years); Heidi Alves (13 years); Kim Ellis (14 years); Katherine Church (15 years); Dorothy Johnson (15 years); Ed Patterson (13 years plus 4 previous years); Bonnie Mainor (18 years plus 4 previous years); Cheryl Rankin (19 years); Tony McLain (19 years); Keith Norman (19 years); Tracy Daniel (20 years); Maggie Stuller (22 years plus one year part-time); Margaret Murphy (23 years); Gale Skinner (25 years); Diane Locke (25 years plus 4 years part-time); Vivian Freeman (26 years). President Gale and the Commission expressed their appreciation with a round of applause for the staff members recognized.

Next, the Secretary stated that the Mobile Bar Association had forwarded memorial resolutions for Charles Hoffman and Julia Christie Glover to be included in the Alabama State Bar Book of Memorial Resolutions.

COMMISSIONER BEDSOLE MOVED THAT THE MEMORIAL RESOLUTIONS FROM THE MOBILE BAR ASSOCIATION FOR CHARLES HOFFMAN AND JULIA CHRISTIE GLOVER BE RECEIVED AND INCLUDED IN THE ALABAMA STATE BAR BOOK OF MEMORIAL RESOLUTIONS. THE MOTION WAS SECONDED AND THE MOTION WAS APPROVED.

The Secretary concluded with a reminder of the June 8<sup>th</sup> Commission meeting and Hall of Fame Induction Ceremony.

## **8. INTRODUCTION OF ANDY BRINDLEY**

Jeanne Marie Leslie introduced Andy Brindley, the new assistant director for the Alabama Lawyer Assistance Program. The Commission welcomed Mr. Brindley.

## **9. COMMUNICATIONS UPDATE**

Mr. Carr reported that in the first two months of 2007, the bar had received \$249,000 in radio and airtime through its partnership with the Alabama Broadcasters Association. He then played a new non-commercial spot announcement produced by the Public Relations Committee concerning the current debate on constitutional reform. He concluded by calling the Commission's attention to the new table-top display outside the board room and the newly recorded on-hold telephone messaging focusing on member benefits and annual meeting information.

**10. PROGRAMS UPDATE**

Programs Director Ed Patterson reported that the Judicial Scholarship Fund had received approximately \$83,000 to date. He gave a Leadership Forum update and reported that the mentoring program was going well. He also discussed this year's annual meeting.

**11. GENERAL COUNSEL'S REPORT**

General Counsel Tony McLain reported that proposed rule changes recommended by the Committee on Rules of Disciplinary Conduct and Enforcement would be provided the Commission at its next meeting. He then updated the Commission on the indigent defense overhead litigation case.

**12. RENAMING OF VLP PRO BONO AWARD – ALBERT L. VREELAND PRO BONO AWARD**

Volunteer Lawyer Program Director Linda Lund reported that the Volunteer Lawyer Program Committee recommended the individual pro bono attorney award be named in honor of Albert L. Vreeland. Ms. Lund stated that Mr. Vreeland had passed away in March but had been an integral part of the development of the volunteer lawyers program and pro bono work in Alabama for many years. She stated that the individual attorney award would be an appropriate and fitting to honor Mr. Vreeland and future recipients of the award.

COMMISSIONER BROOME MOVED THE SUSPENSION OF THE RULES TO ALLOW A VOTE ON THE RENAMING OF THE INDIVIDUAL ATTORNEY PRO BONO AWARD. THE MOTION WAS SECONDED AND APPROVED BY THE REQUISITE TWO-THIRDS NECESSARY TO SUSPEND THE RULES.

COMMISSIONER BROOME THEN MOVED THAT THE INDIVIDUAL PRO BONO ATTORNEY AWARD BE NAMED IN MEMORY OF ALBERT L. VREELAND OF TUSCALOOSA. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

**13. ABA HOUSE OF DELEGATES POSITIONS**

President Gale stated that terms of two of the ABA House of Delegates members appointed by the Alabama State Bar had terms that would expire at the conclusion of the ABA Annual Meeting in August. He explained that the first term of Commissioner White who serves as a delegate would expire and that Brannon Buck, who was serving his second term, would also expire. He noted that Mr. Buck serves as the young lawyer delegate for Alabama. President Gale stated that nominations for these positions should be submitted to the Secretary for consideration at the next meeting.

**14. JUDICIAL INQUIRY COMMISSION APPOINTMENTS**

President Gale stated that the term of Mark White of Birmingham whose term on the Judicial Inquiry Commission would end in October. He remarked that Mr. White had indicated his desire not to be reappointed to this position. President Gale noted that it would be appropriate for the Commissioners to take up nominations at its October meeting for this vacancy. This would allow the new commissioners who will be starting

in July to have to participate in this decision so it would be appropriate to defer consideration on filling this vacancy until that time.

**15. AWARD OF MERIT**

President Gale stated that Judge Bill Gordon and Judy Belk had been suggested for receiving the Award of Merit for their co-chairing the Judicial Campaign Oversight Committee for 2006. He also stated that it had been recommended that Federal District Court Judge Harold Murphy who serves in Georgia and presided over the long-standing higher education desegregation case be recognized for his dedication in this seminal case. President Gale said that these nominations would be voted on at the next meeting.

**16. QUALITY OF LIFE COMMITTEE REPORT – ATTORNEY SECURED LEAVE POLICY**

Brannon Buck, Judge Tommy Bryan and Matt White explained the attorney secured leave policy. A subcommittee of the Quality of Life Committee is drafting guidelines to explain the process on how the proposed rule would work. Mr. Buck noted that it would be the subcommittee's intention to get the support of the bar before formally presenting the policy to the state's trial court judges at their annual meeting in July. The subcommittee noted that North Carolina and Georgia have similar policies which have been very favorably received.

**17. RULE III ADMISSIONS**

The Secretary stated that Mark Andrade of the Indiana State Bar and Anthony Larry Steadman of the Massachusetts State Bar had petitioned under Rule III for admission without examination. The Secretary informed the Commission that the applications of both candidates had been thoroughly reviewed and that both candidates had met all requirements including character and fitness to be admitted under Rule III.

COMMISSIONER FAWAL MOVED THE ADMISSION OF MARK ANDRADE AND ANTHONY LARRY STEADMAN UNDER RULE III OF THE RULES GOVERNING ADMISSION TO THE ALABAMA STATE BAR. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

**18. JUDICIAL INQUIRY COMMISSION – CONCLUSION OF THE TERM OF NORMAN WALDROP**

MR. WATSON MOVED THE REAPPOINTMENT OF NORMAN WALDROP OF MOBILE TO THE JUDICIAL INQUIRY COMMISSION. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

**19. REMARKS BY PRESIDENT-ELECT SAM CROSBY**

President-elect Sam Crosby noted that the lawyer members of the Alabama Legislature are crucial to improving the system of justice and encouraged the Commission members whenever possible to encourage and thank them for what they do. He also remarked that should the opportunity ever arise, show them courtesy when scheduling motions, depositions, etc. in cases when they are in session.

**20. REMARKS OF COMMISSIONER HAROLD STEPHENS**

Commissioner Harold Stephens thanked several members of the Commission for their many expressions of kindness and sympathy upon the recent death of his father.

**21. ADJOURNMENT**

President Gale asked if there was any further business to come before the Commission. There being no further business to come before the Commission, a motion was made and duly seconded to adjourn.

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Fournier J. Gale, III President  
Alabama State Bar

ATTEST:

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Keith B. Norman, Secretary  
Alabama State Bar