

MINUTES

ALABAMA STATE BAR BOARD OF BAR COMMISSIONERS MEETING

Azalea Salons C-F
The Grand Hotel
Point Clear, Alabama

Wednesday, July 17, 2013

1. CALL TO ORDER

President McCallum convened this meeting of the Alabama State Bar Board of Commissioners at 4:15 p.m. in Azalea Salons C-F of the Grand Hotel in Point Clear, Alabama. Former Commissioner Billy Bedsole gave the invocation.

2. ROLL CALL

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

Halron W. Turner	Jerry L. Thornton	Christy Crow
Jana Russell Garner	Charles G. Reynolds, Jr.	Terri O. Tompkins
Hays Webb	William H. Broome	Rocky Watson
S. Greg Burge	Barry A. Ragsdale	Robert G. Methvin, Jr.
Augusta S. Dowd	Joseph A. Fawal	Brannon Buck
Derrick A. Mills	William A. (Pete) Short	Henry A. Callaway, III
Walter H. Honeycutt	Clay A. Lanham	Juan Ortega
George R. Parker	Les Pittman	J. Flynn Mozingo
Cole Portis	Lee H. Copeland	Donald Rhea
K. Scott Stapp	Hamp Baxley	John L. Jernigan III
John M. Peek	Harold Stephens	John A. Brinkley, Jr.
Rebecca K. McKinney	John Earl Paluzzi	Daryl Burt
Jerry Wayne Baker, Jr.	Allan Chason	Sam Irby
Robert L. Rumsey	Braxton W. Ashe	Jason P. Knight
J. Milton Coxwell, Jr.	H. Jerome Thompson	John M. Plunk
Alexander M. Smith	Diandra S. Debrosse	Cooper Shattuck
Rebecca G. DePalma	Jeanne Dowdle Rasco	Monet M. Gaines
Ashley Swink Fincher		

The following commissioners were absent:

Phil D. Mitchell	Leslie R. Barineau	Teresa G. Minor
Albert J. Trousdale, II	Thad Yancey, Jr.	Harry V. Satterwhite
James R. Beaird	Jeffery C. Duffey	William Randall May
Julia C. Kimbrough	David A. McDowell	F. Patrick Loftin
Elizabeth Parsons	Robert H. Brogden	Roger W. Pierce
Stephen M. Kennamer	Gregory M. Varner	Meredith S. Peters
Alicia Bennett	LaBarron Boone	

In addition, President-elect Anthony Joseph and Immediate Past President James R. Pratt, III were in attendance. Staff members present included Ed Patterson, Angela Parks, Laura Calloway, Diane Locke, Linda Lund, Brad Carr, Christina Butler, Jeremy McIntire, Mark Moody and Tripp Vickers. Tracy Daniel, the director of the Alabama Law Foundation and Suzi Edwards, legislative counsel were also in attendance.

3. INTRODUCTION OF GUESTS

President McCallum introduced his secretary Christie Archer.

4. INTRODUCTION OF NEW COMMISSIONERS

President McCallum introduced the new commissioners and asked those present to stand:

Halron W. Turner – 1st Judicial Circuit

Charles G. Reynolds, Jr. – 5th Judicial Circuit

Barry A. Ragsdale – 10th Judicial Circuit, Place 3

Clay A. Lanham – 13th Judicial Circuit, Place 3

George R. Parker – 15th Judicial Circuit, Place 1

Rebekah K. McKinney – 23rd Judicial Circuit, Place 3

Daryl Burt – 25th Judicial Circuit

F. Patrick Loftin – 26th Judicial Circuit

Cooper Shattuck – At-Large, Place 2

5. MINUTES OF THE MAY 3, 2013 BOARD OF COMMISSIONERS MEETING

President McCallum stated that the minutes of the May 3, 2013 board meeting had been transcribed and circulated prior to the meeting. He asked if there were corrections, additions or deletions. There were none.

COMMISSIONER FAWAL MOVED TO APPROVE THE MINUTES OF THE MAY 3, 2013 BOARD OF BAR COMMISSIONERS MEETING. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED BY VOICE VOTE.

6. PRESIDENT'S REPORT

President McCallum outlined activities for the annual meeting and in particular those scheduled for that evening. He mentioned the next day's plenary session which would include the unveiling of the PARCA (Public Affairs Research Council of Alabama) study commissioned by the Alabama State Bar and the Alabama Law Foundation regarding court costs. President McCallum also highlighted two ongoing initiatives that would continue into the term of President Anthony Joseph: the work of the task force to improve

the Digital Communications of the bar as well as the court costs study. Finally, the president took a moment to update the commission on General Counsel Tony McLain's condition including his favorable response to treatments and return home from the hospital in Birmingham.

7. PRESIDENT-ELECT REPORT

President-elect Anthony Joseph praised President McCallum for his hard work and energy as president this past year. He stated that during his term as president he would continue to seek an increase in court funding and to emphasize the findings of the PARCA study. In addition, he would work to improve access to justice by helping increase the number of attorneys who participate in the VLPs across the state. President-elect Joseph stated that he would work to ensure veterans who return home from the war are accorded the legal services they need if they can't afford them. Likewise, he discussed concentrating on the bar's digital communications which he stated would help the bar remain relevant. President-elect Joseph concluded by discussing staff transitions due to the retirement of long term staff members and his plan for renewing the excitement among college students for attending law school where law school enrollment has declined because of high debt and lack of jobs. He closed by saying that he looked forward to working with the commission during his year as president.

8. SECRETARY'S REPORT

The secretary informed the commission that the state bar had received expressions of appreciation from the Massachusetts Bar Association, the Honorable Thomas Menino, mayor of Boston and the Boston Athletic Association for the commission's resolution they received following the Boston bombing. The secretary closed by reviewing the third quarter financial report.

9. PROGRAMS UPDATE

Ed Patterson reported that the state bar would be receiving the E. Smythe Gambrill Award at this year's ABA meeting in San Francisco honoring the bar's successful Leadership Forum program.

10. WEBSITE AND DIGITAL INFORMATION TASK FORCE REPORT

President McCallum recognized former commissioner Cleve Poole and former president Alyce Spruell. They discussed the activities of the task force to redesign the state bar website. They explained that the need was to make sure that the website was relevant, offered value and was functional. They mentioned that the work of the task force not only has included the redesign of the website but also has encompassed social media and other communications of the bar. They stated that the work of the task force to readjust the digital information priorities of the bar was needed in order to better serve bar members. They also noted that the cost of this project would be an ongoing one and that funding to accomplish the goals of the task force was essential. Ms. Spruell and Mr. Poole outlined the need to provide ongoing training for the IT staff, hire additional staff to manage the bar's digital communication, and to maintain a cohesive vision and plan so that the bar can both obtain and make available information in a timely fashion to both bar members and the public.

President McCallum asked the commission if there were any concerns about moving forward in developing and enhancing the bar's digital communications. President McCallum stated that Eric Anderson was serving as project manager and was currently working with the task force and the staff to map out the digital communications plan and that they would need the project manager on a more permanent basis to finish this project.

COMMISSIONER STEPHENS MOVED TO RECOMMEND THAT THE EXECUTIVE COUNCIL, IN TANDEM WITH THE FINANCE AND AUDIT COMMITTEE AS WELL AS THE PERSONNEL COMMITTEE HAVE THE AUTHORITY TO EXERCISE OVERSIGHT FOR THE DIGITAL COMMUNICATIONS PROJECT AND TO DEVOTE REASONABLE RESOURCES TO ITS COMPLETION WITH PERIODIC REPORTS AND UPDATES TO THE COMMISSION. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

11. FINANCIAL AND ACCOUNTING STUDY

Commissioner Copeland and Immediate Past President Pratt reported to the commission. They stated that assistance was needed in order to provide some guidance in the area of the bar's financial operations. They explained that the bar has been operating with the same personnel for the past 20 years, yet the bar has more than doubled in size. They stated that an accounting consultant would be able to suggest what type of personnel the bar needs, (additional part-time or full-time personnel), and what type of skill set would be appropriate for the future operational needs of the bar.

12. PRO BONO WEEK REPORT

Royal Dumas and Cassandra Adams updated the commission on the 5th Annual Pro Bono Week Celebration. The celebration will be held October 20-26. The commissioners were provided a folder containing a CD with sample resolutions, newspaper articles, and outlines for CLE ethics programs to take back to their circuits. Mr. Dumas also noted that a fundraiser in cooperation with Books-A-Million would be held to raise money for the VLP programs and that several other initiatives (including JUST stories) were in the works. Concluding their remarks, Ms. Adams and Mr. Dumas, presented a plaque to last year's chair, Commissioner Jeanne Dowdle Rasco on behalf of the VLPs.

13. CONSOLIDATION OF BAR DUES, CLIENT SECURITY FUND ASSESSMENTS, ETC.

President McCallum explained the need for the bar to consider consolidating invoicing operations as well as reporting requirements. He stated that President-elect Joseph would be appointing a task force to study these matters.

AGENDA ITEMS 14-20 UNANIMOUS CONSENT

President McCallum asked the commission if there was further discussion concerning agenda items 14-20. There was no further discussion.

COMMISSIONER JEROME THOMPSON MOVED THAT THE AGENDA ITEMS BE APPROVED BY UNANIMOUS CONSENT. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

14. RULE III APPLICATIONS

The following individuals have applied for admission by motion pursuant to Rule III of the *Rules Governing Admission to the Alabama State Bar*. They are: Michelle Abrams Levin (DC); Jesse Benjamin Mitchell (TX); James Bradley Robertson (IL) and William Van Der Pol (IN). Each of the applicants has complied with all aspects of Rule III including character and fitness requirements.

15. APPROVAL OF THE ALABAMA LAWYERS' HALL OF FAME CLASS FOR 2013

The Alabama Lawyers' Hall of Fame Selection Committee recommends the following deceased attorneys be approved for inclusion in the Alabama Lawyers' Hall of Fame: Massey T. Bedsole (Mobile, 1917-2011); William Dowdell Denson (Birmingham, 1913-1998); Maud McLure Kelly (Talladega, 1887-1973); Honorable Seabourn H. Lynne (Decatur, 1907-2000); and for attorneys who have been deceased more than 100 years, Marion Augustus Baldwin (Montgomery, 1813-1865).

16. REVISION OF RULE 29, ALABAMA RULES OF DISCIPLINARY PROCEDURE

Revisions to this rule specify the process for obtaining a trustee over a lawyer's practice and to provide greater guidance for the trustee regarding his/her responsibilities in closing a lawyer's practice. In addition, the revised rule clarifies the manner in which the trustee is compensated for his/her time by the Client Security Fund and provides for the automatic termination of the trustee's authority unless extended upon a request by the Office of General Counsel. Finally, the revised rule includes a disqualification provision precluding trustees and/or their firms from representing clients in matters arising from the practice over which they had been appointed as trustee.

17. REAPPOINTMENT OF COURT JUDICIARY MEMBER

Retired Circuit Judge John V. Denson of Opelika indicated his willingness to continue to serve as a member of the Court of the Judiciary if approved by the commission.

18. REAPPOINTMENT OF KAREN LANEUX AND AL VANCE AS BAR EXAMINERS COMMENCING WITH THE JULY 2013 BAR EXAMINATION

Karen Laneaux of Montgomery and Al Vance of Birmingham both indicated their willingness to serve another four year term on the Board of Bar Examiners. Their new term would commence with the administration of the July 2013 bar exam.

19. AUTHORIZATION OF THE CREATION OF THE JEANNE MARIE LESLIE AWARD

THE JEANNE MARIE LESLIE SERVICE AWARD CRITERIA

1. The purpose of this award is to honor a state bar member, a volunteer or a committee member, who has shown exemplary dedication to assisting those in need in the area of substance abuse or mental health.
2. This award shall be granted by the Board of Bar Commissioners of the Alabama State Bar upon the report of the Alabama Lawyer Assistance Program Committee. There is no requirement that this award be presented on an annual basis or that it be limited to one recipient a year.
3. The committee shall submit, at least 30 days prior to the annual meeting of the Alabama State Bar where the award is to be presented, to the Board of Bar Commissioners and Executive Committee of the Alabama State Bar, a report setting out the name or names of such person or persons that the committee recommends as a recipient of the award for that year. If the committee does not choose to present the award in a given year, this fact shall also be reported.
4. The presentation of the award shall be made during the annual convention of the Alabama State Bar at the Bench and Bar Awards Luncheon Ceremony.
5. The award shall consist of an appropriate plaque to be presented to each recipient and enrollment of the name of each recipient on a permanent plaque displayed at the Alabama State Bar building.

20. APPROVAL OF ABA ACQUIRING LIST OF ATTORNEYS

Former ABA President Tommy Wells, on behalf of the American Bar Association requested a telephone list of all Alabama attorneys so that they could make telephone calls to encourage Alabama lawyers that are not already members, to join the ABA.

21. MOTION TO ADJOURN TO A DATE CERTAIN

President McCallum stated that there was at least one more item to be considered by the commission and in view of the late hour, he asked the pleasure of the commission.

COMMISSIONER WATSON MOVED THAT WHEN THE COMMISSION ADJOURNED THAT IT ADJOURN TO A DATE CERTAIN SPECIFICALLY JULY 20 FOLLOWING THE ANNUAL BUSINESS MEETING AND GRANDE CONVOCATION. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

22. ADJOURNMENT

President McCallum asked the pleasure of the commission. A motion was made and seconded to adjourn. The motion was approved by voice vote.