

## MINUTES

### ALABAMA STATE BAR BOARD OF BAR COMMISSIONERS MEETING

Ross Bridge Resort  
Birmingham, Alabama

Friday, February 16, 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 Salon A, B and C of the Ross Bridge Resort, Birmingham, Alabama. Commissioner Joseph gave the invocation.

#### 2. ROLL CALL

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

Ronnie E. Keahey	Michael E. Jones	Louis C. Rutland
J. Garrison Thompson	Oliver Kitchens	Cooper Shattuck
Alyce M. Spruell	William H. Broome	W. N. "Rocky" Watson
Anthony A. Joseph	S. Greg Burge	Jack Neal
Phillip W. McCallum	Greg Hawley	Joseph A. Fawal
Robert E. Moorer	Jim Pratt	William A. "Pete" Short
Albert J. Trousdale, II	William M. Cunningham	Billy C. Bedsole
Cecilia J. Collins	Mary Margaret Bailey	James H. Anderson
Thomas J. Methvin	Sim Penton	Lee H. Copeland
K. Scott Stapp	Robert L. Bowers, Jr.	Joseph A. Morris
Everette Price, Jr.	Thomas B. Albritton	Harold Stephens
L. Thomas Ryan, Jr.	Richard J. R. Raleigh, Jr.	Ronald H. Strawbridge, Jr.
Kenneth E. White, III	John C. Gullahorn	Allan Chason
Tut Wynne	Elizabeth Parsons	John M. Kennemer
Roger Bedford, Jr.	Robert T. Meadows, III	Gerald R. Paulk
Wayman Sherrer	Roy W. Williams, Jr.	Deborah Byrd Walker
Merceria Ludgood	Alicia Bennett	Pamela H. Bucy
Kelly T. Lee	Claude E. Hundley, III	

The following Commissioners were absent:

Nicholas B. Roth	Maibeth J. Porter	Richard W. Whittaker
Michael D. Knight	Charles R. Stephens, Sr.	Les Hayes, III
Donald R. Jones, Jr.	F. Michael Haney	John E. Medaris
William H. Atkinson	Robert L. Rumsey	Robert H. Brogden
David T. Hyde, Jr.	Timothy D. Littrell	Jere C. Trent
David F. Law	Walter E. McGowan	Kyra Sparks
Dawn Wiggins Hare		

Also in attendance were President-elect Sam Crosby and Immediate Past President Bobby Segall. Staff members present included Tony McLain, Ed Patterson, and Brad Carr.

3. **APPROVAL OF THE MINUTES OF THE BOARD OF COMMISSIONERS MEETING FOR DECEMBER 8, 2006.**

President Gale stated that the minutes of the Board of Commissioners meeting for December 8, 2006 had been disseminated to the Board. He asked if there were any corrections, additions or deletions. There were none.

COMMISSIONER BEDFORD MOVED TO APPROVE THE MINUTES OF THE BOARD OF BAR COMMISSIONERS FOR DECEMBER 8, 2006. THE MOTION WAS SECONDED AND THE MINUTES WERE APPROVED BY UNANIMOUS VOICE VOTE.

4. **INTRODUCTION OF GUESTS**

Judge Kelli Wise, a member of the Court of Criminal Appeals and Judge Tommy Bryan, a member of the Court of Civil Appeals were introduced. Also, Norman Waldrop and Mark White, members of the Judicial Inquiry Commission were introduced.

5. **PRESIDENT'S REPORT**

President Gale reported on judicial selection and a meeting of the Task Force on Judicial Selection. Following the discussion of this issue, he announced that there would be a breakfast for lawyer legislators on March 8, 2007. He gave the details of the breakfast and informed all Commissioners they were invited to attend.

6. **SECRETARY'S REPORT**

The Secretary reported that the Attorney General had issued an opinion pursuant to a formal request made by the Executive Director concerning the appropriate depository of specific bar funds that had been questioned in the Examiners of Public Accounts report of September 2006. He remarked that the Attorney General's opinion opined that the bar could continue depositing the questioned funds in its associational account instead of its treasury account.

The Secretary then commented on the Commission meeting dates for the 2007-2008 bar year and encouraged Commissioners to reserve the dates for next year's meetings. The Secretary reminded the Commission of the following deadlines for particular nominations: Alabama Lawyer Hall of Fame nominations, March 1; Judicial Award of Merit nominations, March 15; President-elect nominations, March 1. He noted that the deadline for Board of Bar Commissioner openings was April 27. Before reviewing the first quarter financial statement, the Secretary highlighted the 2006 Department Measurements which were distributed to the Commission. Following the discussion of the first quarter financial report, the Secretary asked if there were any questions concerning the report. There were none.

7. **REPORT OF THE JUDICIAL LIAISON COMMITTEES JUDICIAL SCHOLARSHIP SUBCOMMITTEE**

Appearing on behalf of the subcommittee were Tom Warburton and Teresa Minor. Mr. Warburton reported that \$51,000 had been raised to date which was short of the committee's overall goal. He encouraged Commissioners to lend the committee a hand in raising the additional funds needed to implement the scholarship fund. He stated that the scholarship fund drive would conclude at the end of March.

8. **RENEWAL OF ALABAMA STATE BAR/ALABAMA BROADCASTERS ASSOCIATION PARTNERSHIP**

President Gale noted that the Public Relations Committee chair, Scotty Colson, was present to answer any questions concerning the committee's recommendation to continue the partnership between the Alabama Broadcasters Association and the Alabama State Bar. There were none.

COMMISSIONER RALEIGH MOVED TO CONTINUE THE PUBLIC SERVICE PARTNERSHIP BETWEEN THE ALABAMA BROADCASTERS ASSOCIATION AND THE ALABAMA STATE BAR AND TO AUTHORIZE A \$65,000 CONTRIBUTION TO THE ALABAMA BROADCASTERS ASSOCIATION FOR WHICH THE ALABAMA STATE BAR WOULD BE GUARANTEED AT LEAST A FOUR TO ONE MATCH OF RADIO AND TV AIR-TIME. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

9. **SECURITIES COMMISSION NOMINATIONS**

President Gale stated that the following individuals had been nominated for recommendation to the Governor for appointment consideration for two positions on the Securities Commission. They were as follows: Tyrone Means (Montgomery); Harold Kushner (Birmingham); Dag Rowe (Huntsville); John Henry Cooper (Birmingham); Woody Dinning (Demopolis) and Andy Campbell (Birmingham).

President Gale asked for any additional nominations. There were none.

COMMISSIONER BEDSOLE MOVED TO CLOSE NOMINATIONS. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

COMMISSIONER MOORER MOVED THAT THE NAMES OF TYRONE MEANS, HAROLD KUSHNER, DAG ROWE, JOHN HENRY COOPER, WOODY DINNING AND ANY CAMPBELL BE SUBMITTED TO THE GOVERNOR FOR APPOINTMENT CONSIDERATION FOR TWO POSITIONS TO THE ALABAMA SECURITIES COMMISSION. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

10. **RESCINDING TERM LIMITS FOR BAR APPOINTEES TO THE JUDICIAL INQUIRY COMMISSION AND THE COURT OF THE JUDICIARY**

President Gale noted it had been recommended that the policy adopted by the Commission in December of 2004 limiting appointments to the Judicial Inquiry Commission and the Court of the Judiciary to two consecutive terms be rescinded.

The President entertained questions from Commissioners concerning the removal of term limits.

FOLLOWING QUESTIONS, COMMISSIONER MOORER MOVED TO REMOVE TERM LIMITS FOR APPOINTMENTS TO THE JUDICIAL INQUIRY COMMISSION AND THE COURT OF THE JUDICIARY MADE BY THE ALABAMA STATE BAR BOARD OF COMMISSIONERS. THE MOTION WAS SECONDED.

AFTER FURTHER COMMENTS BY SEVERAL COMMISSIONERS, THE QUESTION WAS CALLED. THE MOTION WAS APPROVED.

COMMISSIONER WHITE MOVED TO SUSPEND THE RULES IN ORDER FOR THE COMMISSION TO CONSIDER THE RE-ELECTION OF NORMAN WALDREP TO A SUBSEQUENT TERM ON THE COURT OF THE JUDICIARY. FOLLOWING DISCUSSION BY SEVERAL COMMISSIONERS, COMMISSIONER WHITE WITHDREW HIS MOTION TO SUSPEND THE RULES.

11. **THE COMPLETE LAWYER**

President Gale recognized Director of Communications, Brad Carr to report on a possible new benefit program. Mr. Carr informed the Commissioner that *The Complete Lawyer* was an electronic news magazine that was being disseminated by several bar associations to its members as a member benefit. He stated that it provided timely topics on issues of interest to attorneys including lifestyle and practice management with no cost to the bar. Following his explanation, there were several questions by Commissioners.

FOLLOWING QUESTIONS, COMMISSIONER RYAN MOVED THAT *THE COMPLETE LAWYER* BE OFFERED TO ALABAMA STATE BAR MEMBERS AS A MEMBER BENEFIT WITH NO COST TO EITHER THE BAR OR ITS MEMBERS. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

12. **LEGAL SERVICES ALABAMA BOARD OF DIRECTORS APPOINTMENT**

The Secretary explained that the name of Ms. LaVeeda Morgan Battle, who currently serves as a member of the Legal Services Alabama Board of Directors had been recommended for reappointment. He stated that her name had been inadvertently left off the list of individuals considered at the December meeting. He stated that Ms. Battle had indicated that she was willing to continue to serve if reappointed.

COMMISSIONER BROOME MOVED TO REAPPOINT LAVEEDA MORGAN BATTLE TO THE LEGAL SERVICES ALABAMA BOARD OF DIRECTORS. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

13. **ALABAMA LAWYERS ASSISTANCE FOUNDATION BOARD OF DIRECTORS REAPPOINTMENT**

The President stated that the term of Wade Baxley on the Alabama Lawyers Assistance Foundation Board of Directors had expired. Mr. Baxley, who had been recommended for reappointment, indicated that he would continue to serve if the Commission reappointed him.

COMMISSIONER WATSON MOVED THE RE-ELECTION OF MR. WADE BAXLEY TO THE ALABAMA LAWYERS ASSISTANCE FOUNDATION BOARD OF DIRECTORS. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

**14. 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.

---

Fournier J. Gale, III President  
Alabama State Bar

ATTEST:

---

Keith B. Norman, Secretary  
Alabama State Bar