

## MINUTES

### ALABAMA STATE BAR BOARD OF BAR COMMISSIONERS MEETING

*Due to the COVID-19 pandemic, this in-person meeting of the Board of Bar Commissioners was also available via video teleconference in accordance with the provisions of Section III of the First Supplemental State of Emergency: Coronavirus (COVID-19) issued by Proclamation of the Governor of the State of Alabama on March 18, 2020.*

Friday, March 19, 2021  
Capital City Club  
Montgomery, Alabama

#### 1. CALL TO ORDER

President Bob Methvin convened this meeting of the Alabama State Bar Board of Commissioners at 10:00 a.m. Commissioner Pat Sefton gave the invocation.

#### 2. ROLL CALL

The Acting Secretary took the roll of the commission and the following commissioners were present:

Raymond L. Bell, Jr.	Edgar Black	Mark S. Boardman
Sally Bowers	Jeffrey L. Bowling	John A. Brinkley, Jr.
Robert H. Brogden	William H. Broome, Jr.	Brannon J. Buck
Clay Carr	Bryan E. Comer	Joel Connally
Bradley Cornett	Mark Debro	Diandra S. Debrosse
Deborah Dunsmore	Michael D. Ermert	J. Langford Floyd
Kira Y. Fonteneau	Jana Russell Garner	J. Kirkman Garrett
Dana Grimes	Frederick G. Helmsing, Jr.	Erik S. Heninger
Carmen Howell	Richard M. Kemmer	Brett A. King
Edwin Lamberth	Leigh Anne Landis	Karen Laneaux
David Langston	Felica Long	Donald B. Mansell
M. Clay Martin	Clint L. Maze	LaBella S. McCallum
Rebekah K. McKinney	Bob McMillan	J. Levi Nichols
George R. Parker	Manish H. Patel	J. Lynn Perry
Taylor T. (Tom) Perry, Jr.	Amanda Porter	Chuck Price II
Barry A. Ragsdale	John Rea	James Rebarchak
Chrissy Riddle	Jeanne Dowdle Rizzardi	Freddy Rubio
Holly Sawyer	Pat Sefton	Allison O. Skinner
Elizabeth Smithart	John A. Smyth	John T. Stamps
Andrew D. Stanley	James M. (Jimbo) Terrell	Terri O. Tompkins
Halron W. Turner	C. Gibson Vance	

The following commissioners were absent:

Anne Malatia Glass	Christy W. Graham	Scott B. Holmes
Jason P. Knight	William R. Lancaster	F. Patrick Loftin
David Martin	R. Cliff Mendheim	Tina Moon
Kenneth Moore	Larry W. Morris	Charles C. Tatum, Jr.
Mallory B. Whitley		

Also in attendance was President-elect Taze Shepard and Immediate Past President Christy Crow. Staff members in attendance were: Ellen Brooks, Roman Shaul, Justin Aday, Merinda Hall, Ashley Penhale, Melissa Warnke, Megan Hughes, Margaret Murphy, Michelle Shaw, Linda Lund, Matt Mara, Autumn Caudell, and Suzi Huffaker.

3. **APPROVAL OF THE AGENDA OF THE MARCH 19, 2021 BOARD MEETING**

President Methvin stated that the agenda of the March 19, 2021 Board Meeting had been published prior to the meeting. He asked if there were any corrections, additions or deletions.

COMMISSIONER MANSELL MOVED TO APPROVE THE AGENDA OF THE MARCH 19, 2021 BOARD MEETING. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

4. **INTRODUCTION OF GUESTS**

President Methvin recognized special guests including Associate Justice Will Sellers, Julia Weller, Clerk of the Supreme Court of Alabama, Judge John Carroll, Michael Upchurch, Harlan Prater, James Ward, Randy Helms, Mary Margaret Bailey, Angela Kennedy, and Jacob Fuller.

5. **PRESIDENT'S REPORT**

President Methvin introduced Ellen Brooks as the new Interim Executive Director of the Alabama State Bar. He also recognized Randy Helms, who was recently named the Interim Executive Director of the Alabama Law Foundation.

President Methvin recognized Vice President Gibson Vance as President-elect Designate, being the only candidate to qualify for the office of President-Elect. Mr. Vance will begin his term as President-Elect at the conclusion of the Annual Meeting and serve as Alabama State Bar President during the 2022-2023 bar year.

President Methvin reported that the Lawyer Public Relations Task Force has developed a presentation on improving the image of lawyers in Alabama. The

presentation highlights the importance of the court system and the legal profession in Alabama, and is designed to be presented at civic organizations across the state. Mr. Methvin asked commissioners to contact him or one of the co-chairs of the task force to schedule a presentation in their area.

President Methvin reported that he and Interim Executive Director Brooks attended the District Attorneys' Conference in Florence on April 10, 2021. He reported that the association wants to become more involved with the State Bar and that opportunities are being explored to have the association be a part of the Annual Meeting programming this year.

President Methvin concluded by reminding the Board about the Annual Meeting, which will be held July 14-17, 2021, at The Grand Hotel. He also reminded commissioners that they are invited to a reception with judges, which will be held on July 13, 2021, at the home of Commissioner Helmsing. President Methvin thanked Commissioner Helmsing for his generosity of making his home available for the reception and for assisting with planning and coordinating the event.

#### **6. PRESIDENT-ELECT REPORT**

President-elect Taze Shepard thanked President Methvin and the Executive Council for being accommodating to his schedule during his recent illness and treatments. He reminded the Board that free CLE opportunities are still being promoted and that courses are still being added to the free ProLearn online platform. Mr. Shepard also reported that the Solo & Small Firm Section and the State Bar are partnering to offer 6 free CLEs regarding e-filing in the various state and federal courts in Alabama.

President-elect Shepard reported that the CLE Rules & Revision Task Force has been working to study the future of CLE in Alabama. He thanked his fellow co-chairs on the task force, Commissioner Buck and Commissioner Smithart, for their work in coordinating surveys and listening sessions with several stakeholder groups around the state. Mr. Shepard informed the Board that the task force will present its findings at the next Board meeting.

#### **7. INTERIM EXECUTIVE DIRECTOR REPORT**

Interim Executive Director Ellen Brooks stated that it was an honor to attend her first Board meeting as Interim Executive Director of the bar. Ms. Brooks reported that she has focused her time on dealing with issues resulting from the transition in leadership and the continuing effects of the pandemic, the day-to-day operations of the bar, and assisting the Governance & Internal Operations Task Force on its work.

Ms. Brooks reported that she has met with each department of the bar staff and noticed some common remarks, including the need for team building and clear application of policies. She also reported that she and President Methvin attended the District Attorneys' Conference and that she had had the opportunity to meet with the Supreme

Court. Ms. Brooks informed the Board that she and Greg Butrus will be conducting an ethics training for the staff and that she is reviewing ongoing projects including the database redesign. She also reported that she is working with President Methvin on the creation of an Archives Task Force to review documents and other historical items at the bar so that they may be properly preserved or disposed of.

8. **ALABAMA LAW FOUNDATION REPORT**

Randy Helms, Interim Executive Director of the Alabama Law Foundation, and Mary Margaret Bailey, President of the Board of Trustees of the Alabama Law Foundation, provided an update to the Board on the recent transition in leadership at ALF. Mr. Helms reported that he is learning the inter-workings of ALF funds and the interplay between ALF and the bar. He highlighted the strong relationship between ALF and the VLPs in the state and stated that that relationship deserves to be promoted. Ms. Bailey stated that the ALF Board of Trustees is excited to have Mr. Helms leading the organization and that the Board of Trustees is engaged and moving forward in a great direction.

9. **OFFICE OF GENERAL COUNSEL REPORT**

General Counsel Roman Shaul stated that he had no formal report and would reserve his time for the discussion of amendments to the advertising rules.

10. **ANNUAL MEETING UPDATE**

Director of Programs Ashley Penhale reminded commissioners that they are able to register for the Annual Meeting, which will be held July 14-17, 2021, at The Grand Hotel in Point Clear. She stated that registration will open to all bar members on Monday, March 22, 2021. Ms. Penhale also reported that sponsorship packets have been sent to law firms and she encouraged commissioners to encourage firms in their circuits to consider sponsoring the meeting. She also reminded commissioners about the reception with judges on the Tuesday prior to the meeting and the Commissioners' Reception on the first evening of the meeting. Ms. Penhale concluded by encouraging commissioners to help promote the meeting on social media and by using the Annual Meeting email signature graphic.

11. **MEMBER BENEFITS UPDATE**

Autumn Caudell, Assistant Ethics Counsel and PMAP Coordinator, informed the Board that the Member Benefits Committee has approved new member benefits offered by Digital Age Marketing, Forms Pass, Georgia Aquarium, Simple Law, Soda PDF Anywhere, and Tracers.

**12. APPOINTMENT OF DELEGATES TO ABA HOUSE OF DELEGATES**

President Methvin reported that the terms of Leslie Barineau and Aaron Chastain (Young Lawyers Division representative) on the ABA House of Delegates are set to expire this year. He reported that Ms. Barineau has indicated her willingness to be re-appointed and that the Young Lawyers Section has recommended Brett Holsombeck be appointed as the Young Lawyers Division representative. He stated that nominations may be made and the appointments will be voted on at the next Board meeting.

**13. ALABAMA STATE BAR PRO BONO CHALLENGE**

Hilarie Armstrong reported to the Board that the Pro Bono Committee created a Pro Bono Challenge designed to expand pro bono services in Alabama. The challenge requires completion of one hour of pro bono service (per attorney per firm) through an approved pro bono provider or a \$100 donation (per attorney per firm) to the Alabama Law Foundation *and* adoption of a pro bono policy for the firm. Ms. Armstrong stated certification of completion must be made by October 1, 2021, and those who complete the challenge will be recognized through bar publications and be permitted to use the challenge logo on their website and email signature.

**14. LAW DAY UPDATE**

Commissioner Felicia Long reported that Law Day, themed “Advancing the Rule of Law Now,” will be celebrated this year on April 30, 2021. She encouraged commissioners to volunteer and encourage other attorneys to volunteer, as the Law Day Committee seeks to have a lawyer in every classroom teaching the Law Day theme. Mrs. Long reported that so far 80 teachers have registered and that the registration can be completed on the bar’s website.

**15. ADMINISTRATIVE SECTION BYLAWS CHANGES**

Angela Kennedy, vice chair of the Administrative Law Section, reported to the Board that the Administrative Law Section has approved a minor change to its bylaws and it is seeking Board approval of the change. She explained that the current bylaws allow for attendance at meetings by telephone and that the change would also allow for attendance by videoconference.

**16. EXECUTIVE DIRECTOR SEARCH**

President Methvin presented a list of the members of the Executive Director Search Task Force and thanked each of them for their hard work. He also reported to the Board that the task force is on track to recommend a candidate or candidates for consideration by the Board in April. Mr. Methvin recognized Commissioner Floyd, a member of the task force, to present to the Board on the work that has been done to date by the task force.

Commissioner Floyd informed the Board that his update would be on the process and not specific candidates, so as to balance transparency and confidentiality. He reported that OnBoard Search was engaged to assist in advertising the position, and receiving and organizing the applications received from candidates. Mr. Floyd reported that 80 applications were received and that OnBoard made an initial review of the applications and recommended that 51 of the applications be considered. The task force made an initial review and selected 60 applications for further consideration. The task force was divided into two sub-groups, with each responsible for reviewing 30 applications and then reviewing the 30 applications initially reviewed by the other sub-group. From that review, 20 candidates were selected for interviews and, ultimately, an initial interview of 18 candidates was conducted after two candidates withdrew themselves from consideration. After the initial interviews, the task force met and narrowed the field to 7 finalists for the position, each of which will be invited to interview with the full task force.

Commissioner Skinner inquired as to whether the task force has made a decision about recommending a residency requirement. Commissioner Floyd stated that the task force had discussed residency and had made no decision on recommending a firm residency requirement, but it recognized the Executive Director position is a full time job with an office in Montgomery.

Commissioner Brinkley inquired as to whether candidates for the position have been made aware of the circumstances they would be entering if selected for the position, and whether the task force has considered recommending two candidates for two roles – one for Executive Director and one for Secretary of the Board. President Methvin stated that any candidate or candidates selected by the Task Force would be made aware of the circumstances and that no consideration has been given for recommending candidates for two roles.

**17. LEGISLATIVE UPDATE**

Legislative Counsel Suzi Huffaker reported that the current legislative session is halfway complete and that it has been interesting given the limited access to legislators. She reported that the bar is currently tracking over 300 bills and she encouraged commissioners to review the legislative update that is sent each week. Mrs. Huffaker reported that there are currently eleven bills involving the judiciary. She encouraged commissioners to continue to urge legislators to support legislation that adequately funds the court system and does not infringe on the bar.

**18. DISCIPLINARY PANEL LAYPERSON MEMBER APPOINTMENTS**

President Methvin reported that there is a vacant layperson position on the Disciplinary Panel. He stated that the nomination of Mr. Raymond Roton of Montgomery is the only nomination received to date.

COMMISSIONER FLOYD MOVED TO CLOSE NOMINATIONS FOR APPOINTMENT OF A LAYMEMBER TO THE DISCIPLINARY PANEL. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

COMMISSIONER CONNALLY MOVED TO APPROVE RAYMOND ROTON FOR APPOINTMENT AS A LAYMEMBER ON THE DISCIPLINARY PANEL. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

**19. APPOINTMENT TO ALABAMA BOARD OF COURT REPORTING**

President Methvin reported that the term of Jennifer Egbe on the Alabama Board of Court Reporting has expired. Mr. Methvin reminded the Board that it is responsible for recommending no more than three names to the Lt. Governor and the Lt. Governor makes the appointment of one of those submitted. Mr. Methvin stated that the nominations of Jennifer Egbe and Dylan Marsh have been received to date.

COMMISSIONER FLOYD MOVED TO CLOSE NOMINATIONS FOR NAMES TO BE RECOMMENDED TO THE LT. GOVERNOR FOR AN APPOINTMENT TO THE ALABAMA BOARD OF COURT REPORTING. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

COMMISSIONER MAZE MOVED TO APPROVE JENNIFER EGBE AND DYLAN MARSH FOR RECOMMENDATION TO THE LT. GOVERNOR FOR CONSIDERATION OF APPOINTMENT TO THE ALABAMA BOARD OF COURT REPORTING. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

**20. PROPOSED REVISIONS TO THE RULES GOVERNING ELECTION & SELECTION OF PRESIDENT-ELECT AND MEMBERS OF THE BOARD OF COMMISSIONERS**

President Methvin reminded the Board that proposed revisions to the Rules Governing Election & Selection of President-Elect and Members of the Board of Commissioners were discussed at the prior meeting and included in the meeting materials. He stated that Judge John Carroll, co-chair of the Election Rules & Revision Task Force, is available if any commissioner has a question about the proposed rule changes.

COMMISSIONER TOM PERRY MOVED TO APPROVE PROPOSED REVISIONS TO THE RULES GOVERNING THE ELECTION & SELECTION OF PRESIDENT-ELECT AND MEMBERS OF THE BOARD OF COMMISSIONERS. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

21. **ELECTION, ETHICS & GOVERNMENT RELATIONS LAW SECTION BYLAWS CHANGES**

President Methvin reminded the Board that proposed revisions to the bylaws of the Election, Ethics & Government Relations Section were discussed at the prior meeting and included in the meeting materials. Mr. Methvin also reminded the Board that any section bylaws changes proposed by a section must be approved by the Board.

COMMISSIONER TERRELL MOVED TO APPROVE PROPOSED REVISIONS TO THE BYLAWS OF THE ELECTION, ETHICS & GOVERNMENT RELATIONS SECTION. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

22. **RULE 7 SERIES (ADVERTISING RULES) REVISIONS**

President Methvin recognized Michael Upchurch and Harlan Prater, co-chairs of the Disciplinary Rules and Enforcement Committee to provide any comments regarding the proposed revisions to the advertising rules (Rules 7.1, 7.2 and 7.3 of the Alabama Rules of Professional Conduct). Mr. Upchurch stated that the committee worked hard to propose a set of revisions that are reasonable, practical and constitutionally robust as possible. He also stated that an enormous amount of input from various stakeholders has been carefully considered. Mr. Upchurch also reported that the committee recommends omission of one of the comments to Rule 7.2 from the version of the proposed rules that were previously circulated to the Board. The comment recommended for omission is as follows: "This rule does not apply to a notice intended to find witnesses where the witnesses are sought in a matter the lawyer is handling for an existing client and the lawyer does not represent the witnesses who respond to the notice seeking witnesses or refer them to other counsel and share in the fee."

COMMISSIONER TOM PERRY MOVED TO APPROVE PROPOSED REVISIONS TO RULES 7.1, 7.2 AND 7.3 OF THE ALABAMA RULES OF PROFESSIONAL CONDUCT, INCLUDING OMISSION OF THE RULE 7.2 COMMENT QUOTED ABOVE. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

23. **REDUCTION OF OCCUPATIONAL LICENSE FEE FROM \$325 TO \$300**

President Methvin reminded the Board that at its prior meeting there was discussion of reducing the occupational license fee from \$325 to \$300 for the license year beginning October 1, 2021. He stated that the reduction of the occupational license fee and the corresponding reduction of the special membership fee will result in a reduction of revenues of approximately \$400,000.

COMMISSIONER SMYTH MOVED TO APPROVE A ONE-YEAR REDUCTION OF THE OCCUPATIONAL LICENSE FEE FROM \$325 TO \$300 FOR THE LICENSE YEAR BEGINNING OCTOBER 1, 2021, WITH AN AUTOMATIC

REVERSION OF THE OCCUPATIONAL LICENSE FEE FROM \$300 TO \$325 FOR THE LICENSE YEAR BEGINNING OCTOBER 1, 2022. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

24. **COST OF LIVING ADJUSTMENT (COLA) FOR ASB STAFF EMPLOYED TWO YEARS OR LONGER**

President Methvin recognized Commissioner Rizzardi to speak to her prior recommendation of giving a cost of living adjustment (COLA) to state bar staff employed two years or longer. Mrs. Rizzardi stated that she was grateful for all of the prior discussion and input on the recommendation and that she supported a COLA for all state bar employees that, if approved, would be effective April 1, 2021. President Methvin reminded commissioners that worksheets showing employee salary history and the impact of a COLA were distributed prior to the meeting.

COMMISSIONER RIZZARDI MOVED TO APPROVE A 1% COST OF LIVING ADJUSTMENT EFFECTIVE APRIL 1, 2021, FOR ALL ALABAMA STATE BAR EMPLOYEES. THE MOTION WAS SECONDED. AFTER DISCUSSION, A ROLL CALL VOTE WAS TAKEN AND THE MOTION FAILED, WITH 23 VOTING IN SUPPORT, 30 VOTING IN OPPOSITION, AND 2 ABSTENTIONS.

25. **AUTHORIZATION OF SALARY FOR EXECUTIVE DIRECTOR**

President Methvin stated that there have been prior discussions regarding the salary of the next Executive Director of the Alabama State Bar. He stated that OnBoard Search, which has been engaged to assist with the search process, has recommended a starting base salary of at least \$200,000. President Methvin also reminded the Board that the Personnel Committee recently approved salary ranges for each position at the state bar and that the range for the Executive Director position could be used as guidelines by the Executive Director Search Task Force and Executive Committee.

COMMISSIONER SKINNER MOVED THAT THE EXECUTIVE DIRECTOR SEARCH TASK FORCE AND THE EXECUTIVE COUNCIL BE AUTHORIZED TO ENGAGE IN SALARY DISCUSSIONS WITH EXECUTIVE DIRECTOR CANDIDATES USING THE SALARY RANGES APPROVED BY THE PERSONNEL COMMITTEE AS A GUIDELINE. THE MOTION WAS SECONDED AND UNANIMOUSLY APPROVED.

26. **RESOLUTIONS HONORING PAST PRESIDENT FRED DAVID GRAY**

President Methvin stated that he sent a letter to President Biden urging him to present the Presidential Medal of Freedom to Past President Fred Gray. Mr. Methvin stated that he knew of no one more deserving of the honor than Mr. Gray, and that he feels that such recognition is long overdue. He also stated that the Alabama State Bar is long overdue in recognizing Mr. Gray for his many accomplishments and contributions to the Alabama State Bar.

President Methvin stated that a resolution honoring the legacy and career of Fred Gray had been prepared for consideration by the Board. He asked the Acting Secretary to read the resolution into the record of the meeting, and it is as follows:

**RESOLUTIONS OF  
THE BOARD OF COMMISSIONERS OF  
THE ALABAMA STATE BAR ASSOCIATION**

*Honoring the Legacy and Career of  
Fred David Gray*

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WHEREAS, Fred David Gray was born in Montgomery, Alabama, on December 14, 1930, and he received a Bachelor of Science degree from Alabama State College for Negroes (now Alabama State University) in 1951, and a Bachelor of Laws degree from Case Western Reserve University in 1954; and

WHEREAS, Fred David Gray was admitted to the Alabama State Bar on September 7, 1954, and has practiced law from offices in Montgomery and Tuskegee since that time; and

WHEREAS, Fred David Gray has devoted his life and legal career to ending all forms of racial discrimination and segregation and, to that end, he represented Dr. Martin Luther King, Jr., Rosa Parks, Claudette Colvin, and many others, and was instrumental in civil rights causes including the Montgomery Bus Boycott, public school integration, voting rights for African-Americans, and the Tuskegee syphilis study; and

WHEREAS, Fred David Gray has been recognized for his service as recipient of numerous honors and awards, including the Southern Christian Leadership Conference's Drum Major Award (1980); Case Western Reserve University School of Law Fletcher Reed Andrews Graduate of the Year (1985), Society of Benchers (1986), and Law School Centennial Medal (1993); the American Bar Association's Spirit of Excellence Award (1996); the Minority Caucus of the Association of Trial Lawyers of America Soaring Eagles Award (2003); Harvard University Law School's Charles Hamilton Houston Medallion (2004); the American Bar Association's Thurgood Marshall Award (2004); induction into the Alabama Academy of Honor (2005); the American Association for Justice Leonard E. Weinglass in Defense of Civil Liberties Award (2009); the National Bar Association Vince Monroe Townsend, Jr. Legends Award (2009); and the City of Montgomery Gifts of Giants Award (2013); and

WHEREAS, Fred David Gray served in the Alabama House of Representatives from 1970-1974 as one of the first two African-Americans elected to the Alabama legislature since Reconstruction, and as the 43<sup>rd</sup> President of the National Bar Association from 1985-1986; and

WHEREAS, Fred David Gray was the first African-American elected as president of the Alabama State Bar, and he served honorably as the 127<sup>th</sup> President of the Alabama State Bar from 2002-2003; and

WHEREAS, Fred David Gray, as President of the Alabama State Bar, championed the theme – *Lawyers Render Service* – which he has consistently epitomized for his entire career and which was subsequently adopted as the official motto of the Alabama State Bar.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Alabama State Bar, this day assembled, pays its highest respect and expresses its deepest gratitude to Fred David Gray, a true American hero who stood up for what he believed in despite the potential peril to himself and his family.

BE IT FURTHER RESOLVED that the Board of Commissioners of the Alabama State Bar wishes to permanently honor Fred David Gray, for his steadfast humanity and exceptional service to the Alabama State Bar, with the creation of the Fred David Gray Courtyard adjacent to the Alabama State Bar building.

BE IT FURTHER RESOLVED that Fred David Gray and his family be presented a copy of this resolution and that it be spread upon the permanent minutes of the Alabama State Bar.

DONE this the 19<sup>th</sup> day of March 2021.



Robert G. Methvin, Jr.  
Alabama State Bar President

COMMISSIONER DEBRO MOVED TO APPROVE ADOPTION OF THE RESOLUTION HONORING THE LEGACY AND CAREER OF FRED DAVID GRAY. THE MOTION WAS SECONDED AND APPROVED UNANIMOUSLY.

27. **EXECUTIVE SESSION**

President Methvin recognized Commissioner Boardman to make a motion regarding the Board going into executive session.

COMMISSIONER BOARDMAN ASKED FOR UNANIMOUS CONSENT TO AMEND THE AGENDA AND MOVE INTO EXECUTIVE SESSION. PRESIDENT METHVIN ASKED THE COMMISSION IF THERE WERE ANY OBJECTIONS. HE RECEIVED NONE AND THEN ASKED FOR A MOTION.

COMMISSIONER BOARDMAN MOVED THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS MATTERS COVERED UNDER *ALABAMA CODE SECTION 35-25A-7(a)(3)*, LEGAL RAMIFICATIONS OF LITIGATION AND POTENTIAL LITIGATION. MR. BOARDMAN CERTIFIED TO THE BOARD THAT IT CAN MEET IN EXECUTIVE SESSION TO DISCUSS THE LEGAL RAMIFICATIONS OF AND LEGAL OPTIONS FOR PENDING LITIGATION, CONTROVERSIES NOT YET LITIGATED BUT IMMINENTLY LIKELY TO BE LITIGATED, OR CONTROVERSIES IMMINENTLY LIKELY TO BE LITIGATED IF THE COMMISSION PURSUES A PROPOSED COURSE OF

ACTION. MR. BOARDMAN ALSO CERTIFIED THAT ANY ACTION THE COMMISSION TAKES, HOWEVER, MUST BE DELIBERATED IN PUBLIC. MR. BOARDMAN ESTIMATED THAT THE EXECUTIVE SESSION WOULD LAST 30 MINUTES. THE MOTION WAS SECONDED AND APPROVED UNANIMOUSLY.

At 12:32 p.m., the Board of Bar Commissioners convened in Executive Session and all non-board members were excused from the meeting for the duration of the executive session. The executive session concluded at 1:25 p.m. and the regular session resumed immediately thereafter.

**28. ADJOURNMENT**

President Methvin 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. The motion was unanimously approved and the meeting was adjourned at 1:32 p.m.



Robert G. Methvin, Jr., President  
Alabama State Bar

ATTEST:

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Justin C. Aday, Acting Secretary  
Alabama State Bar