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 Alabama Code § 36-25A-5.1.

MINUTES

ALABAMA STATE BAR
BOARD OF BAR COMMISSIONERS MEETING

RSA Activity Center
201 Dexter Avenue
Montgomery, Alabama 36104

Friday, January 14, 2022

INVOCATION:

Prior to convening the Board of Bar Commissioners meeting, Associate Justice Will Sellers delivered the invocation.

CALL TO ORDER

President Taze Shepard convened this meeting of the Alabama State Bar Board of Commissioners at 10:05 a.m. at the RSE Activity Center, 201 Dexter Avenue, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE AND GUEST SPEAKER

University of Alabama School of Law student Anthony Irwin led the Pledge of Allegiance and Guest Speaker Chief Justice Tom Parker shared remarks regarding court funding and current legislative session.

ROLL CALL

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

- Raymond Bell
- Mark Boardman
- Jeff Bowling
- Bryan Comer
- Mark Debro
- Scott Foster
- Anne Glass
- Fred Helmsing
- Carmen Howell
- Edwin Lamberth
- Leigh Ann Landis
- David Langston
- Edgar Black
- Sally Bowers
- Clay Carr
- Joel Connally
- Lang Floyd
- Kirk Garrett
- Leon Hampton
- Erik Heninger
- Angela Kennedy
- Bill Lancaster
- Karen Laneaux
- Felicia Long
Don Mansell  
Clay Martin  
Clint Maze  
Bob McMillan  
George Parker  
Chuck Price  
Chrissy Riddle  
Holly Sawyer  
Allison Skinner  
John Smyth  
Angeline Sperling  
Andrew Stanley  
Terri Tompkins  
Gibson Vance  
David Martin  
Doug Martinson  
Rebekah McKinney  
Cliff Mendheim  
Tom Perry  
Jim Rebarchak  
Ryan Robichaux  
Jason Simmons  
Elizabeth Smithart  
Kyra Sparks  
John Stamps  
Jimbo Terrell  
Hal Turner  
Leila Watson  

The following commissioners were absent:

Bob Brogden  
Aaron Chastain  
Deborah Dunsmore  
Christy Graham  
Scott Holmes  
Brett King  
Pat Loftin  
Tina Moon  
Larry Morris  
Lynn Perry  
Freddy Rubio  
Charles Tatum  
Will Broome  
Brad Cornett  
Kira Fonteneau  
Dana Grimes  
Mitch Kemmer  
Jason Knight  
LaBella McCallum  
Kenneth Moore  
Manish Patel  
Barry Ragsdale  
Pat Sefton  

**APPROVAL OF AGENDA**

A motion was made to approve the previously prepared agenda, with the addition of Chief Justice Tom Parker’s request to support legislative efforts through a letter of support, and the minutes of the October 29, 2021, board meeting as transcribed, there were no corrections, additions or deletions.

TOM PERRY MADE THE MOTION TO APPROVE THE AMENDED AGENDA AND MINUTES OF THE OCTOBER 29, 2021 BOARD MEETING. THE MOTION WAS SECONDED AND APPROVED BY ROLL CALL VOTE.

**MOMENT OF SILENCE**

President Shepard asked that all Commissioners and guests join with him in a moment of silence in the passing of Mike Ermert, Bar Commissioner, 10th Judicial Circuit.
INTRODUCTION OF GUESTS

President Shepard recognized special guests including Chief Justice Tom Parker, Associate Justice Will Sellers, Associate Justice Sarah Stewart, Alabama Supreme Court Clerk Julia Weller, Ane Debro, Flynn Mozingo, Aylia McKee, Clay Martinson, Professor Yuri Linetsky of University of Alabama School of Law, and UA Law students Callie Cochran, Brenita Softley, Tripp Perry, Ginny Bradley, and Anthony Irwin.

PRESIDENT’S REPORT

President Taze Shepard announced that in the absence of our mid-year meeting, a mid-year review would be electronically transmitted to all Commissioners the following week; he mentioned that Leadership Symposiums had been conducted with the Sections, Committees and Task Forces, and that the same would be conducted with local bar leadership.

GENERAL COUNSEL’S REPORT

The General Counsel gave an annual review of OGC cases. He also thanked the Commissioners that serve on the Disciplinary Commission and the Disciplinary Board.

EXECUTIVE DIRECTOR’S REPORT

The Executive Director highlighted bar activities to include Leadership Forum Class 16, February Bar Exam plans, Task Force on Governance and Internal Operations, Leadership Symposiums, hiring of Karen Laneaux for Admissions Director and Chris Colee for Law Practice Management Coordinator, monthly themes, and the reports on Commissioner Engagement and the Use of Technology for BBC Meetings. She also reminded the Commissioners of upcoming deadlines for award nominations and bar elections. In closing, the Commissioners were reminded of the importance of their work through a video of Commissioner Mike Ermert from the 2021 Annual Meeting.

FINANCE DIRECTOR’S REPORT

The 1st Quarter ASB Checking and Treasury Fund revenues decreased by 6.5% over the previous year, as expected with the dues reduction that went into effect in the current fiscal year, with most of the revenue decrease noted in license fees and special membership dues. Expenses decreased by 6% over the past year, namely in personnel costs, professional services, and supplies. The Carr, Riggs, and Ingram audit firm performed an audit of the FY2021 ASB financial statements, and issued an unmodified opinion again this year.

ASB FOUNDATION REPORT

ASB Foundation revenues were almost identical to revenues reported in the 1st quarter of the previous year. Total spending decreased by 18% over the last year with no legal fee payments this year, and investment balances increased by 12% over the past year. The Warren Averett audit firm performed an audit of the FY2021 ASB Foundation financial
statements, and although they issued an unmodified opinion, they also noted a deficiency in controls that recommended the bar develop a data breach plan.

**DISCUSSION ITEMS:**

**MEMBER BENEFITS COMMITTEE**

Ane Debro and Flynn Mozingo, chairs of the member benefits committee, announced that five new member benefit or discounts had been approved by the committee and that several had been tabled for further considerations related to revenue sharing.

**HUMAN TRAFFICKING REPORT**

President Shepard announced a CLE presentation by Assistant Attorney General Audrey Jordan on January 19th and a second CLE being planned the last week of January by LSA and the MCBA. He announced the Human Trafficking Summit scheduled for February 4, 2022, at the Montgomery Renaissance Hotel.

**LEGISLATIVE REPORT**

Legislative counsel announced that session began on January 11th and was off to a slow start, with only two committee meetings during the week. She mentioned that there may be a special session within the regular session to focus on the distribution of the pandemic relief money. Over 100 bills were filed prior to the session and many more during the first week. Several of the issues involve elections, guns, lotteries, campaign finance, vaccines and student athletes. She briefly responded to the Chief Justice’s request for support from the bar related to funding for interim judges and/or pandemic backlog relief judges.

**REPORT OF THE GOVERNANCE AND INTERNAL OPERATIONS TASK FORCE**

Co-chair Terri Tompkins announced that the sub-committees have completed their work and a draft report is currently circulating with the full task force with a deadline of January 18th to provide final comments. The task force will meet on Jan 28 to finalize the report, with the goal of delivering the report to the Board of Bar Commissioners at its meeting on March 11, 2022.

**MCLE COMMISSION**

President Shepard informed the Commission that it has two appointments to the MCLE Commission and that Jimbo Terrell and Carmen Howell had been nominated by the MCLE Commission and approved by the EC. President Shepard asked that the rules be suspended to make this an action item.

JOEL CONNALLY MOVED THAT THE RULE BE SUSPENDED AND THAT THE COMMISSION MOVE FORWARD WITH THE MCLE COMMISSION APPOINTMENTS AS
AN ACTION ITEM, THE MOTION WAS SECONDED BY JOHN SMYTH, MOTION TO SUSPEND WAS TAKEN BY ROLL CALL AND PASSED.

ALABAMA BOARD OF COURT REPORTING APPOINTMENT

President Shepard announced that the term of Linda Flippo expired on January 1, 2022. We will vote on three appointments that go the Governor where she will choose one. This item was carried over to the commission meeting to be held on March 11, 2022. Nominations may be submitted to the Executive Director at terri.lovell@alabar.org.

ACTION ITEMS

The following action items were taken:

The Board of Bar Commissioner approved nominees Ane Debro and Blake Harper to replace LaVeeda Battle and Nathan Gordon on the Legal Services of Alabama Board of Directors; the nominees to the MCLE Commission Jimbo Terrell and Carmen Howell.

TOM PERRY MADE A MOTION TO TAKE ACTION ON THE LSA APPOINTMENTS AND MCLE APPOINTMENT, THE MOTION WAS SECONDED BY DON MANSELL, AND APPROVED BY PUBLIC VOTE BY ROLL CALL AND MOTION PASSED.

ADJOURNMENT

President Shepard asked if there was any further business to come before the Commission. There being no further business to come before the Board, President Shepard announced the meeting adjourned at 11:21 a.m.

Tazewell T. Shepard, III
President, 2021-2022

ATTEST:

Terri B. Lovell, Secretary
Alabama State Bar