

## MINUTES

### ALABAMA STATE BAR BOARD OF BAR COMMISSIONERS MEETING

The Grand Hotel  
One Grand Boulevard  
Azalea A & B  
Point Clear, Alabama

Wednesday, July 12, 2023

#### CALL TO ORDER

President Gibson Vance convened this meeting of the Alabama State Bar Board of Commissioners at 1:30 p.m. in Azalea A & B of the Grand Hotel, Point Clear, Alabama.

Bar Commissioner and Executive Council Member Felicia Long led the pledge.

#### ROLL CALL

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

Conrad Anderson	Raymond Bell
Edgar Black	Mark Boardman
Sally Bowers	Jeff Bowling
Will Broome	Brannon Buck
Clay Carr	Joel Connally
Brad Cornett	Mark Debro
Lang Floyd	Scott Foster
Jana Garner	Kirk Garrett
Christy Graham	Leon Hampton
Josh Hayes	Fred Helmsing
Scott Holmes	Carmen Howell
Mitch Kemmer	Angela Kennedy
Felicia Long	Clay Martin
David Martin	Doug Martinson
LaBella McCallum	Bob McMillan
Cliff Mendheim	Steve Nicholas
Andrew Nix	Tom Perry
Bobby Poundstone	Chuck Price
John Rea	Jim Rebarchak
Ryan Robichaux	Freddy Rubio
Steven Savarese	Holly Sawyer
Pat Sefton	Jason Simmons
Allison Skinner	Elizabeth Smithart
Kyra Sparks	John Stamps

Brian Strength  
Leila Watson

Jeff Utsey  
Robin Wolfe

The following commissioners were absent:

Bob Brogden  
Deborah Dunsmore  
Kira Fonteneau  
Dana Grimes  
Brett Holsombeck  
Edwin Lamberth  
Leigh Anne Landis  
Jorja Loftin  
Clint Maze  
Kenneth Moore  
Chrissy Riddle  
Andrew Stanley  
Mallory Whitley

Matthew Carter  
Richard Fikes  
Anne Glass  
Erik Heninger  
Brett King  
Bill Lancaster  
David Langston  
Don Mansell  
Tina Moon  
Manish Patel  
John Smyth  
Jimbo Terrell

*QUORUM PRESENT*

Also in attendance were President-elect Brannon Buck, Staff members in attendance were: Roman Shaul, Merinda Hall, Chad Coker, Jeremy Rakes, Michelle Shaw, Melissa Warnke, Olivia Walker, Karen Laneaux, Hilaire Armstrong, Katarina Essenmacher, and Linda Lund.

**APPROVAL OF THE AGENDA**

Parliamentarian Mark Boardman moved to amend the agenda. Vote carried and agenda was amended to reflect that appointments to the Alabama Lawyers Assistance Foundation would be moved to an action item.

**RECOGNITION OF GUESTS**

Past President Sam Irby, Associate Justice Kelli Wise, Associate Justice Tommy Bryan, Associate Justice Sarah Stewart, Associate Justice Greg Cook, and Supreme Court Clerk Megan Rhodebeck.

**APPROVAL OF THE MINUTES OF THE MAY 5, 2023, BOARD MEETING**

President Gibson Vance stated that the minutes of the May 5, 2023, Board Meeting had been transcribed and circulated prior to the meeting. He asked if there were any corrections, additions, or deletions. The May 5, 2023, minutes were approved.

COMMISSIONER ALLISON SKINNER MOVED TO APPROVE THE MINUTES OF THE MAY 5, 2023, BOARD MEETING. THE MOTION WAS SECONDED AND APPROVED BY UNANIMOUS VOICE VOTE.

## **RECOGNITION OF RETIRING COMMISSIONERS**

President Vance recognized those members of the commission who are retiring. They were:

Kira Y. Fonteneau	Anne M. Glass
Christy W. Graham	Brett A. King
Leigh Anne Landis	Terinna S. Moon
Kenneth L. Moore	T. Thomas Perry, Jr.
James Rebarchak	Allison O. Skinner
Mallory B. Whitley	

## **RECOGNITION OF NEW COMMISSIONERS**

Next, President Vance recognized the new members of the commission whose terms commence simultaneously with the presidential bar year. They were:

Kitty Rogers Brown	Ralph E. Holt
Suntrese Williams-Maynard	Pratt Austin Trucks
Lee Knowles	Jeff Sherrer
Hunter Compton, Jr.	Leslie S. Moore
Lynn Perry	Doug Smith
Jerome Thompson	Lisha Graham

## **PRESIDENT'S REPORT**

President Gibson Vance welcomed the board to the annual meeting and thanked them for their support over the bar year. He stated that he had two goals: to visit all 41 circuits and to promote mental health wellness to all members. In addition to completing these two goals, he indicated he had another goal that there would be consensus in the decisions we made and that unifying our leadership was important.

## **EXECUTIVE DIRECTOR'S REPORT**

Executive Director Terri Lovell thanked the leadership, the commissioners, and the court for their tremendous leadership and support over the past year. She directed those in attendance to the annual report and indicated that it should provide a summary of the many activities taking place at the Bar. She also asked the Board to approve the Strategic Plan as a source of vision and guidance for the staff and leadership in the years ahead.

## **GENERAL COUNSEL'S REPORT**

General Counsel Roman Shaul stated that he had two items on the agenda listed as discussion items. He deferred his time to that portion of the meeting and allowed the discussion items to serve as his report.

## **FINANCIAL REPORT**

For the 3rd quarter of the fiscal year, ASB revenues increased slightly higher to 1.7% over last year, with the license, membership fees, and CLE compliance fees being the main contributors to the increase this year. Spending increased nearly 10% over the previous year, as anticipated, due

to rising personnel costs, active travel, and increased supply costs. The ASB investment balances increased by 11% over the fiscal year as the market is showing signs of relief and has now recovered its total loss experienced over the past year.

## **DISCUSSION ITEMS:**

### **PROPOSED CHANGE TO RULE 26, *Ala.R.Disc.P***

General Counsel Roman Shaul advised the Board that the proposed change to Rule 26(h)(2), are needed to clarify situations where lawyers surrender their license in order to avoid discipline or as part of a criminal guilty plea. The clarification would require them to receive Disciplinary commission approval prior to being allowed to work in the legal field.

### **APPOINTMENTS TO THE DISCIPLINARY BOARD**

General Counsel Shaul notified the board of upcoming vacancies in the disciplinary process. Currently there are two spots on the Disciplinary Board without an incumbent member and then four more spots on the Disciplinary Board that have BBC members who desire to be reappointed for their last term. He also reminded the BBC that there are a total of nine lay member spots available on the Disciplinary Board.

### **EXECUTIVE DIRECTOR/GENERAL COUNSEL EVALUATIONS**

President-elect Brannon Buck reported that evaluations had been completed per the performance evaluation policy adopted in 2022. He advised the Board that the evaluations had been made available for review prior to the meeting.

## **ACTION ITEMS:**

### **ABA HOUSE OF DELEGATES APPOINTMENT**

The Board moved to re-appointed Leslie B to the ABA House of Delegates.

COMMISSIONER ALLISON SKINNER MOVED TO APPROVE THE RE-APPOINTMENT OF LESLIE BARINEAU TO THE ABA HOUSE OF DELEGATES. THE MOTION WAS SECONDED BY COMMISSION ANGELA KENNEDY AND APPROVED BY UNANIMOUS VOICE VOTE.

### **APPROVAL OF ALABAMA STATE BAR BYLAWS**

The Board adopted Bylaws recommended by the Bylaws Task Force.

COMMISSIONER TOM PERRY MOVED TO APPROVE THE BY-LAWS AS RECOMMENDED. THE MOTION WAS SECONDED BY COMMISSION CARMEN HOWELL AND APPROVED BY UNANIMOUS VOICE VOTE.

**APPROVAL OF ALABAMA STATE BAR STRATEGIC PLAN 2023-2026**

The Board adopted the 2023-2026 Strategic Plan recommended by the Long-Range Strategic Plan Task Force.

COMMISSIONER TOM PERRY MOVED TO ADOPT THE 2023-2026 STRATEGIC PLAN AS RECOMMENDED. THE MOTION WAS SECONDED BY COMMISSION ALLISON SKINNER AND APPROVED BY UNANIMOUS VOICE VOTE.

**APPROVAL OF ANNUAL LICENSE FEE RENEWAL**

The Board voted to continue annual license fees at the reduced rate of \$300.00 for the 2023-2024 licensing year. Board approval was on a recommendation from the Finance and Audit Committee. The Board approved the continuation of the \$300 annual license fee reduction.

**APPROVAL OF ALABAMA LAWYERS ASSISTANCE FOUNDATION BOAR OF DIRECTORS**

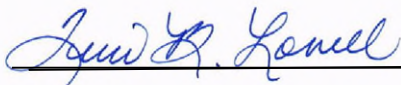
Tom Perry nominated Deborah Dunsmore (2024), Jason Simmons (2025), and Angela Kennedy (2026) to serve as BBC appointees to the Alabama Lawyers Assistance Foundation. No other nominations were made, and nominations were duly closed. Josh Hayes moved to approve. The Board approved the bar commissioners as appointees to the Alabama Lawyers Assistance Foundation board of directors.

The meeting was recessed at 2:41 to begin the Annual Meeting and Grand Convocation.



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Gibson Vance  
Alabama State Bar  
President, 2022-2023

ATTEST:



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Terri B. Lovell, Secretary  
Alabama State Bar