

## **MINUTES**

### **ALABAMA STATE BAR BOARD OF BAR COMMISSIONERS MEETING**

**RSA Activity Center  
201 Dexter Avenue  
Montgomery, Alabama 36104**

**Friday, May 2, 2025**

#### ***ADMINISTRATIVE***

#### **CALL TO ORDER**

President Tom Perry convened this meeting of the Alabama State Bar Board of Bar Commissioners at 9:14 a.m. at the RSA Activity Center, located at 201 Dexter Avenue, Montgomery, Alabama.

#### **PLEDGE**

Commissioner Suntrease Williams-Maynard led the members in the Pledge of Allegiance.

#### **ROLL CALL**

The Secretary/Executive Director took the roll of the Board of Bar Commission, and the following Commissioners were present:

Pratt Austin-Trucks  
Raymond Bell  
Edgar Black  
Mark Boardman  
Sally Bowers  
Jeff Bowling  
Randy Bozeman  
Clay Carr  
Matthew Carter  
Hunter Compton  
Joel Connally  
Lisa Cooper  
Brad Cornett  
Mark Debro  
Ryan Duplechin  
Lang Floyd

Jana Garner  
Leon Hampton  
Josh Hayes  
Tom Heflin\*  
David Holt  
Ralph Holt  
Lee Knowles  
Aigner Kolom\*  
Will Lee  
Felicia Long  
Bob McMillan  
Wallace Mills  
Tamara Neeley  
Steve Nicholas  
Andrew Nix  
Tom Perry

Gregory Price  
Brandy Robertson  
Ryan Robichaux  
Pat Sefton  
Julius Shanks  
Jeff Sherrer  
Doug Smith  
John Stamps  
Stephen Still  
Brian Strength  
Jerome Thompson  
Jeff Utsey  
Al Vance  
Leila Watson  
Suntrease Williams-  
Maynard

The following Commissioners were absent:

Conrad Anderson	Edwin Lamberth	Steven Savarese
Will Broome	Bill Lancaster	Holly Sawyer
Kitty Rogers Brown	David Langston	Mitch Shelly
Brannon Buck	Jorja Loftin	Tyler Sims
Deborah Dunsmore	Doug Martinson	Elizabeth Smithart
Richard Fikes	Leslie Moore	Kyra Sparks
Kirk Garrett	Manish Patel	Andrew Stanley
Lisha Graham	Ashley Peinhardt	Ron Strawbridge
Fred Helmsing	Lynn Perry	Jimbo Terrell
Scott Holmes	Bobby Poundstone	Halron Turner*
Carmen Howell	John Rea	Robin Wolfe
Mitch Kemmer	Chrissy Riddle	
Angela Kennedy	Freddy Rubio	

\*Executive Council Members

### *QUORUM PRESENT*

Staff members in attendance included: Roman Shaul, Chad Coker, Merinda Hall, Melissa Warnke, Autumn Caudell, Stacey Moseley, Jill Evans, Hilaire Armstrong, Shannon Knight, Cathy Sue McCurry, April Allen, Robyn Bernier, Amy Fawcett, and Olivia Walker.

### **APPROVAL OF AGENDA**

President Perry asked for approval of the agenda.

COMMISSIONER PRATT AUSTIN-TRUCKS MOVED TO APROVE THE AGENDA, SECONDED BY SUNTREASE WILLIAMS-MAYNARD, AND APPROVED BY UNANIMOUS VOICE VOTE.

### **RECOGNITION OF GUESTS**

President Perry recognized all guests in attendance which included: Chief Justice Sarah Stewart, Supreme Court Clerk Megan Rhodebeck; Nick Cavender, Jones School of Law Student, Camille Coker, 7<sup>th</sup> Grade Student at Muscle Shoals Middle School; Sam Rumore, ASB Past President.

### **APPROVAL OF MINUTES FROM MARCH 21, 2025, MEETING**

President Perry stated that the minutes of the March 21, 2025, Board Meeting had been transcribed and circulated prior to the meeting. He asked if there were any corrections, additions, or deletions. No changes were made.

COMMISSIONER BOB MCMILLAN MADE MOTION TO APPROVE MINUTES FROM MARCH 21, 2025, SECONDED BY RALPH HOLT, AND APPROVED BY UNANIMOUS VOICE VOTE.

## RECOGNITION OF RETIRING COMMISSIONERS

William Lancaster, 13<sup>th</sup> Circuit, Place 3, Mobile County Commissioner, and Andrew Stanley, 37<sup>th</sup> Circuit, Place 1, Lee County Commissioner, were recognized for their nine years of service to the Alabama State Bar Board of Bar Commission and presented a retiring commissioner medallion.

## PUBLIC REPRIMANDS

Birmingham, Alabama attorney **Mark Anderson Pickens** was issued a Public Reprimand with General Publication by the Disciplinary Commission of the Alabama State Bar on May 2, 2025 for violating Rules 1.4 [Communication], 1.7 [Conflict of Interest: Prohibited Transactions], and 8.4 (g) [Misconduct], *Alabama Rules of Professional Conduct*. In May 2017, Stephanie Muhammad and her husband, purchased a parcel of property at a tax sale. In the fall of 2020, an individual filed suit against Muhammad claiming an ownership interest in the property and his right to redeem the property. In August 2020, Muhammad retained Pickens to represent her in the matter and paid an initial retainer of \$2,500. According to Muhammad, after several months, Pickens told her that her only option was to purchase the property from the individual for \$13,000. Muhammad explained to Pickens that she did not have the funds to purchase the property. Pickens subsequently presented Muhammad paperwork for the purchase of the property and the payment of his legal fees. The purchase of the property and the payment of Pickens's legal fees were to be funded from a loan by Hallmark Mortgage, Inc. in the amount of \$21,448.47 at an annual interest rate of 15%. At the time, Pickens claimed Muhammad owed him another \$8,797.58 in legal fees. Hallmark Mortgage would pay both the purchase price of the property and Pickens's legal fees in exchange for a mortgage on the property to be paid off at \$475 a month. Muhammad agreed to the proposal believing that she had no other option. Muhammad stated that she was unaware at the time that Pickens owned and operated Hallmark Mortgage, Inc. Pickens maintained that he verbally disclosed to Muhammad his ownership of Hallmark Mortgage prior to the transaction. Pickens claimed Muhammad signed an acknowledgement form during the transaction. However, the acknowledgement form only advised Muhammad that Pickens was acting as the attorney for Hallmark Mortgage, Inc. Pickens failed to disclose his ownership of Hallmark Mortgage in writing to Muhammad as required by Rule 1.8(a). Pickens included his legal fees in the original loan to be repaid at an interest rate of 15%. Pickens had a conflict of interest exist under Rule 1.7(b), in having his legal fee paid by Muhammad in the loan. The inclusion of these fees into the mortgage was not in the best interest of Muhammad. Pickens should have disclosed the conflict to Muhammad in writing and advised her to seek other counsel before continuing with the representation and the transaction. In 2023, after the death of her husband, Muhammad attempted to sell the property in order to satisfy the mortgage. However, Muhammad learned that her prior purchase of the property did not give her good title to the property. Muhammad contacted Pickens about the issue and he took action to quiet title and assisted her in the sale of the property. During closing, Pickens had the closing company use the proceeds of the sale to satisfy the Hallmark Mortgage, Inc. mortgage and his new legal fees of

\$7,335.34 in quieting title. Of the \$43,000 purchase price, Pickens received \$24,996 while Muhammad received a little over a \$1,000.

## ***OFFICER/STAFF REPORTS***

### **PRESIDENT'S REPORT**

Tom Perry highlighted visits to local bars and law schools to discuss the Harvesting Hope platform. Perry informed the board that he was the keynote speaker for the Jones School of Law graduation luncheon, and presented to the Madison County Bar and the St. Clair County Bar. Perry also shared that he and Tom Heflin met with Lieutenant Governor Will Ainsworth about the need to recruit lawyers to rural Alabama and the potential partnership with other professionals related to workforce development. Perry highlighted the Fred Gray Sculpture unveiling and thanked the Fred Gray Courtyard Committee and the staff for their work on the project. He closed by sharing about a recent trip to Oxford, Mississippi to meet with the incoming Mississippi Bar President and Executive Director who hopes to replicate the success of the Harvesting Hope initiative in their state.

### **EXECUTIVE DIRECTOR'S REPORT**

Secretary/Executive Director Terri Lovell welcomed Al Vance as a new commissioner, having been appointed to fill the vacancy created when Chuck Price took office as Jefferson County Circuit Judge. Lovell provided an overview of the February Bar Exam statistics. She thanked Jill Evans, Melissa Warnke, and Olivia Walker, and the BBC members who helped make our annual Lawyers in the Classroom (Law Day) event a great success. She also thanked Cassandra Adams for leading the Fred Gray Courtyard Committee and shared highlights from the project. Lovell introduced April Allen as the new Alabama Lawyers Assistance Program case manager and shared a picture from Doris McDaniel's recent retirement party with the staff. She closed by encouraging all board members to register for the Annual Meeting and attend the Alabama Lawyers Hall of Fame Ceremony following the meeting.

### **GENERAL COUNSEL'S REPORT**

General Counsel Roman Shaul stated his office had been busy with their second trial of the year. Shaul announced a planning meeting for a fall OGC Summit was held in April. Shaul stated the following areas would be a focus of his office for 2025: updating of UPL procedures; development of protocols in answering questions from judges and clerks; working with local grievance committee on policies; and looking to update formal opinions of the OGC on the bar's website. Shaul provided an update on the Rule 7 Lawyers Advertising work with the Supreme Court and indicated the work is near completion.

### **FINANCE DIRECTOR'S REPORT**

Director of Finance Merinda Hall report the ASB revenue totals for the 2<sup>nd</sup> quarter increased above the average rate at 3.4% over the last year. The surge in license fees, special membership dues, and several other revenue categories resulted in higher revenues this year. Spending decreased

close to 7% this year, primarily in personnel costs, having fewer staff members on board this year than last. The investment balances decreased slightly, less than one percent, over the year despite the unstableness in the stock market. With increased revenues and reduced spending, a larger surplus is expected for the current operating year.

COMMISSIONER PRATT AUSTIN TRUCKS MOVED TO ACCEPT THE 2<sup>ND</sup> QUARTER FINANCIAL REPORT, AND THE MOTION WAS SECONDED BY LEON HAMPTON, AND APPROVED BY UNANIMOUS VOICE VOTE.

## **LEGISLATIVE UPDATE**

Legislative Counsel Suzi Huffaker provided an overview of the legislative session and stated there are only three days remaining. Huffaker shared over 620 bills had been filed in the House and 347 in the Senate, with 11 bills related to court costs. She indicated there had been an increased focus on licensing agencies with an increased scrutiny on spending and board operations. She highlighted the productive meeting with Lieutenant Governor Will Ainsworth mentioned by President Tom Perry. She concluded her report by acknowledging the work of Chief Justice Sarah Stewart and the passage of the Accountability Court Bill and the creation of a Court Cost Commission.

## **EXECUTIVE COUNCIL REPORT**

Young Lawyers President Ryan Duplechin provided the Executive Council report and discussed the work of the Executive Council since the last meeting to include selection of At-Large Commissioners, award nominees, and work related to the bar exam. Duplechin also highlighted the activity of the YLS over the past year, their growth, the annual minority pre-law conferences, and the upcoming YLS Annual Meeting at Perdido Beach.

## **HARVESTING HOPE TASK FORCE REPORT**

Tom Heflin provided an overview of the work that had been completed the past year around the Harvesting Hope platform including, but not limited to: 1) educational process, 2) creation of the task force, 3) creation of a mentor program, and 4) work of Law Practice Management Program to create a framework for providing resources to support lawyers beginning their practice.

## ***DISCUSSION ITEMS***

ANNUAL LICENSING DUES – President Perry announced based upon financial projections, a proposal will be made at the annual meeting to continue licensing dues at the reduced rate of \$300 per year.

BOARD OF BAR EXAMINERS – Approval of the members of the Board of Bar Examiners will be voted on at the Annual Meeting.

CHARACTER AND FITNESS COMMITTEE - Approval of the members of the Character and Fitness Committee will be voted on at the Annual Meeting.

MCLE COMMISSION – Two vacancies on the MCLE Commission will be filled at the Annual Meeting. Nominations should be sent to [terri.lovell@alabar.org](mailto:terri.lovell@alabar.org)

CREATION OF THE JESSE P. EVANS SOLO AND SMALL FIRM AWARD – President Perry indicated that the Solo and Small Firm Section has requested approval from the board for the creation of the Jesses P. Evan Award to be awarded annually for an outstanding member of their section. The creation of the award and the first-year selection will be voted on at the Annual Meeting.

### ***ACTION ITEMS***

#### **CLIENT SECURITY FUND ONE-YEAR WAIVER OF \$25 FEE**

Pursuant to Client Security Fund Rule VIII (H), the Committee shall review the annual assessments and report to the Board of Bar Commissioners the sufficiency of the annual assessment in relation to the financial stability, strength, and integrity of the Fund. A letter recommending a waiver for FY 2026 is included in the meeting materials.

MOTION TO APPROVE ONE-YEAR WAIVER OF \$25 ANNUAL ASSESSMENT TO THE CLIENT SECURITY FUND MADE BY JOSH HAYES, SECONDED BY RANDY BOZEMAN, AND APPROVED BY UNANIMOUS VOICE VOTE.

#### **ALABAMA STATE BAR HOLIDAY SCHEDULE**

The Executive Committee and Personnel Committee recommends changing the Optional Holiday Schedule to the State of Alabama Holiday Schedule.

MOTION TO APPROVE ALABAMA STATE BAR HOLIDAY SCHEDULE MADE BY TAMARA NEELEY, SECONDED BY PRATT AUSTIN-TRUCKS, AND APPROVED BY UNANIMOUS VOICE VOTE.

#### **DISCIPLINARY BOARD (TWO APPOINTMENTS)**

Panel members serve two consecutive 3-year terms. The first terms of Joel Connally and Jeff Bowling expire August 2025. Connally and Bowling are seeking reappointment. No other nominations received, the nomination were closed.

MOTION TO REAPPOINT JOEL CONNALLY AND JEFF BOWLING TO THE DISCIPLINARY BOARD MADE BY JOSH HAYES, SECONDED BY PRATT AUSTIN-TRUCKS, AND APPROVED BY UNANIMOUS VOICE VOTE.

#### **DISCIPLINARY BOARD LAY MEMBER (ONE APPOINTMENT)**

Lay members serve 2-year terms. The number of consecutive terms of lay members is unlimited. The term of Raymond Roton will expire July 2025. Roton is seeking reappointment. No other nominations received, the nominations were closed.

MOTION TO REAPPOINT RAYMOND ROTON AS A LAY MEMBER TO THE DISCIPLINARY BOARD MADE BY JEFF BOWLING, SECONDED BY GREG PRICE, AND APPROVED BY UNANIMOUS VOICE VOTE.

**DISCIPLINARY BOARD HEARING OFFICER APPOINTMENT (TWO APPOINTMENTS)**

Hearing officers serve for 2-year terms and can serve two consecutive full terms. The first term of Al Vance and Gina Coggin expired January 2025. Vance and Coggin are both seeking reappointment. No other nominations received the nominations were closed.

MOTION TO REAPPOINT AL VANCE AND GINA COGGIN TO THE DISCIPLINARY BOARD MADE BY PRATT AUSTIN-TRUCKS, SECONDED BY JOSH HAYES, AND APPROVED BY UNANIMOUS VOICE VOTE.

**DISCIPLINARY COMMISSION APPOINTMENTS (ONE APPOINTMENT AND ONE VACANCY)**

Members serve 3-year terms, unless they are filling a vacancy, and cannot serve more than two successive terms. The chairman serves a 5-year term and can be reappointed for an additional term. The first term of Leila Watson expires June 2025. Watson is seeking reappointment. No other nominations received the nominations were closed.

MOTION TO REAPPOINT LEILA WATSON TO THE DISCIPLINARY COMMISSION MADE BY STEVE NICHOLAS, SECONDED BY MARK DEBRO, AND APPROVED BY UNANIMOUS VOICE VOTE.

The term of Chuck Price expires January 2026, and was vacated when Judge Price took office as a Circuit Judge January 2025. Nomination received for Brandy Robertson, Freddie Rubio, Greg Price, Wallace Mills, Suntrease Williams-Maynard, and Brian White. No other nominations received nominations were closed.

VOTE TAKEN AND SUNTREASE WILLIAMS-MAYNARD WAS ELECTED TO THE DISCIPLINARY COMMISSION.

**CLIENT SECURITY FUND APPOINTMENTS (THREE LAWYER APPOINTMENTS, ONE LAWYER REAPPOINTMENT AND TWO LAY APPOINTMENTS)**

Members are appointed for 3-year terms just as members of the Disciplinary Board are appointed under Rule 4, ARDP. Lay members serve 1-year terms. The first 3-year term of Lance Gould will expire July 2025. Gould is seeking reappointment. No other nominations received the nominations were closed.

MOTION TO REAPPOINT LANCE GOULD TO THE CLIENT SECURITY FUND MADE BY PRATT AUSTIN-TRUCKS, SECONDED BY JOSH HAYES, AND APPROVED BY UNANIMOUS VOICE VOTE.

The first 3-year term of Gilda Williams will expire July 2025. Williams is not seeking reappointment & vacancy will need to be filled. Kaasha Griffith has been nominated. No other nominations received the nominations were closed.

**MOTION TO APPOINT KAASHA GRIFFIN TO THE CLIENT SECURITY FUND MADE BY PRATT AUSTIN-TRUCKS, SECONDED BY RALPH HOLT, AND APPROVED BY UNANIMOUS VOICE VOTE.**

The final terms of Gerald Paulk and Timothy Donahue expire July 2025. Vacancies will need to be filled. Pratt Austin-Trucks and Joel Caldwell have been nominated. No other nominations received the nominations were closed.

**MOTION TO APPOINT PRATT AUSTIN-TRUCKS AND JOEL CALDWELL TO THE CLIENT SECURITY FUND MADE BY FELICIA LONG, SECONDED BY BRAD CORNETT, AND APPROVED BY UNANIMOUS VOICE VOTE.**

Lay members David Loe and Lee Boles 1-year terms expire July 2025. Loe and Boles are seeking reappointment. No other nominations received the nominations were closed.

**MOTION TO REAPPOINT DAVID LOE AND LEE BOLES TO THE CLIENT SECURITY FUND MADE BY WILL LEE, SECONDED BY CLAY CARR, AND APPROVED BY UNANIMOUS VOICE VOTE.**

### **ALABAMA BOARD OF COURT REPORTING (THREE NOMINEE MEMBERS)**

Pursuant to §34-8B-4, the BBC shall submit a separate list of three names for the Governor and Lieutenant Governor to each make one appointment to the Board of Court Reporting. The term of Jennifer Egbe expires December 2025. Three attorneys for the position will need to be nominated. Egbe is eligible for reappointment from the list of nominees. Jennifer Egbe is seeking reappointment. Lang Floyd and Randy Bozeman were nominated from the floor. No other nominations received, nominations were closed.

**MOTION TO NOMINATE JENNIFER EGBE, LANG FLOYD, AND RANDY BOZEMAN AS THE THREE NOMINEES TO THE ALABAMA COURT REPORTING BOARD MADE BY RALPH HOLT, SECONDED BY HUNTER COMPTON, AND APPROVED BY UNANIMOUS VOICE VOTE.**

### **COURT OF JUDICIARY (ONE APPOINTMENT)**

Two lawyers are appointed by the ASB to serve staggered 6-year terms on the COJ. No term limit per statute. The term of Jana Garner will expire July 2025. Garner is seeking reappointment. No other nominations received nominations were closed.

**MOTION TO APPOINT JANA GARNER TO THE COURT OF JUDICIARY MADE BY MARK DEBRO, SECONDED BY PRATT AUSTIN-TRUCKS, AND APPROVED BY UNANIMOUS VOICE VOTE.**



### **ALABAMA LAW FOUNDATION BOARD APPOINTMENT (ONE APPOINTMENT)**

The BBC appoints six members. ALF board members can serve two consecutive 3-year terms. The first term of Jim Rebarchak will expire June 2025. Rebarchak has been nominated by ALF to serve a second term.

MOTION TO APPOINT JIM REBARCHAK TO THE ALABAMA LAW FOUNDATION MADE BY LANG FLOYD, SECONDED BY RALPH HOLT, AND APPROVED BY UNANIMOUS VOICE VOTE.

### **ALABAMA LAWYERS ASSISTANCE FOUNDATION APPOINTMENTS (ONE APPOINTMENT)**

The BBC appoints three commissioners to serve on the ALAF in staggered 3-year terms. The term of Deborah Dunsmore expires June 2025. Vacancy needs to be filled. Brandy Robertson has been nominated. No other nominations received, nominations were closed.

MOTION TO APPOINT BRANDY ROBERTSON TO THE ALABAMA LAWYERS ASSISTANCE FOUNDATION MADE BY JOSH HAYES, SECONDED BY MARK DEBRO, AND APPROVED BY UNANIMOUS VOICE VOTE.

### **AT-LARGE COMMISSIONER ELECTIONS**

Upon consideration of all applicants for the At-Large positions, the Executive Council recommends the reappointment of the following for At-Large Commissioners:

Place 2: Raymond Bell

Place 8: Mitch Kemmer

MOTION TO REAPPOINT RAYMOND BELL AS AT-LARGE, PLACE 2 AND MITCH KEMMER AS AT-LARGE, PLACE 8 MADE BY JOSH HAYES, SECONDED BY PRATT AUSTIN-TRUCKS, AND APPROVED BY UNANIMOUS VOICE VOTE.

Upon consideration of all applicants for the At-Large positions, the Executive Council recommends the appointment of the following for At-Large Commissioner:

Place 5: Sebie Sellers

MOTION TO APPOINT SEBIE SELLERS AS AT-LARGE, PLACE 5, MADE BY HUNTER COMPTON, SECONDED BY JANA GARNER, AND APPROVED BY UNANIMOUS VOICE VOTE.

### **APPROVAL OF ASB AWARDS**

The Executive Council serves the dual role of Awards Committee and recommends the Bill Scruggs and Tony McLain award recipients:

Bill Scruggs Service to the Bar Award: D. Marcel Black  
Tony McLain Professionalism Award: Sharon Stuart

The Judicial Conference Committee of Alabama recommends the Judicial Award of Merit recipient:

Judicial Award of Merit: St. Clair County District Judge Robert Minor

The Alabama State Bar President recommends the Michael Ermert and Commissioners Award recipients:

Michael D. Ermert Award of Merit: Tom Heflin  
Commissioners Award: Jerome Thompson

MOTION TO APPROVE ASB AWARD NOMINEES MADE BY MARK DEBRO, SECONDED BY DAVID HOLT, AND APPROVED BY UNANIMOUS VOICE VOTE.

### **WOMENS SECTION AWARDS**

The Women's Section recommends the Maud McLure Kelly and the Susan B. Livingston award recipients:

Maud McLure Kelly Award: Circuit Judge Tamara Harris Johnson

Susan B. Livingston Award: Sherrie Phillips

MOTION TO APPROVE WOMENS SECTION AWARD NOMINEES MADE BY FELICIA LONG, SECONDED BY TAMARA NEELEY, AND APPROVED BY UNANIMOUS VOICE VOTE

### **APPROVAL OF PRO BONO AWARDS**

Albert L. Vreeland Award: Michael W. Jackson

Law Student Award: Savannah G. Nelson

Mediator Award: Charles L. Denaburg

Law Firm/Group Award: Jefferson County District Court Mediation Program

MOTION TO APPROVE PRO BONO AWARD NOMINEES MADE BY FELICIA LONG, SECONDED BY TAMARA NEELEY, AND APPROVED BY UNANIMOUS VOICE VOTE

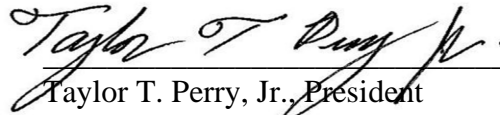
### **ANNUAL MEETING TRAVEL**

The Finance and Audit Committee recommends the approval of Actual Lodging for the Board during the 2025 Annual Meeting.

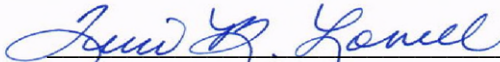
MOTION TO APPROVE THE PAYMENT OF ACTUAL LODGING FOR BOARD MEMBERS AT THE 2025 ANNUAL MEETING MADE BY PRATT AUSTIN-TRUCKS, SECONDED BY EDGAR BLACK, AND APPROVED BY UNANIMOUS VOICE VOTE

**ADJOURNMENT**

President Perry asked if there was any further business to come before the commission. There being no further business, he announced that the meeting was adjourned at 10:46 a.m.

  
Taylor T. Perry, Jr., President  
Alabama State Bar

ATTEST:

  
Terri B. Lovell, Secretary  
Alabama State Bar