

MINUTES

ALABAMA STATE BAR BOARD OF BAR COMMISSIONERS MEETING

Due to the COVID-19 pandemic, this meeting of the Board of Bar Commissioners was held 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.

Wednesday, June 24, 2020

1. CALL TO ORDER

President Christy Crow convened this meeting of the Alabama State Bar Board of Commissioners at 10:00 a.m. via video teleconference. Commissioner Terri Topmkins gave the invocation.

2. ROLL CALL

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

Emily L. Baggett	Raymond L. Bell, Jr.	Mark S. Boardman
Sally Bowers	Jeffrey L. Bowling	John A. Brinkley, Jr.
Robert H. Brogden	William H. Broome, Jr.	Brannon J. Buck
Bryan E. Comer	Joel Connally	Bradley Cornett
Latisha R. Davis	Diandra S. Debrosse	Jeffery C. Duffey
Deborah Dunsmore	Michael D. Ermert	J. Langford Floyd
Kira Y. Fonteneau	Erskine R. Funderburg, Jr.	Jana Russell Garner
J. Kirkman Garrett	Anne Malatia Glass	Dana Grimes
H. Thomas Heflin, Jr.	Frederick G. Helmsing, Jr.	Erik Stephen Heninger
Scott B. Holmes	Ralph E. Holt	Carmen Howell
Richard M. Kemmer	Brett A. King	Jason P. Knight
William R. Lancaster	Karen Laneaux	David Martin
M. Clay Martin	William Randall May	Clint L. Maze
LaBella S. McCallum	Rebekah K. McKinney	R. Cliff Mendheim
Charles Zackery Moore	Kenneth Moore	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	James Rebarchak	Chrissy Riddle
Jeanne Dowdle Rizzardi	Freddy Rubio	Pat Sefton
Tazewell T. Shepard III	Allison O. Skinner	Elizabeth Smithart
John A. Smyth	John T. Stamps	Andrew D. Stanley
James Michael Terrell	Terri O. Tompkins	Halron W. Turner
C. Gibson Vance	Gregory M. Varner	

The following commissioners were absent:

Robert L. Bowers, Jr.	Christy Williams Graham	F. Patrick Loftin
Donald B. Mansell	Larry W. Morris	Charles C. Tatum, Jr.

Also in attendance was President-elect Bob Methvin. Staff members in attendance were: Roman Shaul, Justin Aday, Merinda Hall, Ashley Penhale, Melissa Warnke, Megan Hughes, Autumn Caudell, Hunter Harris, Linda Lunda and Suzi Huffaker.

3. **INTRODUCTION OF GUESTS**

President Crow recognized special guests including Past President Cole Portis and Dean John Carroll. President Crow also recognized newly elected bar commissioners in attendance, including Edwin Lamberth, Leigh Anne Landis, Mallory Bullard, Clay Carr, Mark Debro, Bob McMillan, Felicia Long and Tina Moon.

4. **PRESIDENT'S REPORT**

President Crow informed the Board that a number of meetings and presentations have been offered online since the last virtual meeting of the Board. She reported to the Board that the July bar exam is continuing as scheduled and that plans are underway to take necessary precautions during the exam.

President Crow reported that the association health insurance program has been executed and is expected to be available to members on August 1, 2020. She informed the Board that the third party administrator of the program will hold a Q&A session before the program is launched.

President Crow reported that the Legal Food Frenzy, which was conducted entirely online this year, was a success and raised over \$32,000 for the benefit of the food banks in Alabama. She also reported that the Lawyers Render Service, Inc. has made application to the IRS to receive status as a non-profit charity.

President Crow updated the Board on the proposed changes to the lawyer advertising rules. She reported that the proposed changes were published bar-wide for review and comment and that many responses and good feedback was received. She reported that the committee has reviewed the feedback and made some adjustments to the proposals and that she expects the proposed changes will be a discussion item at the next Board meeting.

President Crow concluded her report by reminding the Board that the Annual Meeting would be held virtually on June 25 and that the Grand Convocation would be held from the Supreme Court Courtroom and streamed live on June 26. She thanked the commissioners and bar staff for their support during her year as president.

5. **PRESIDENT-ELECT REPORT**

President-elect Bob Methvin thanked President Crow for everything she's done over the past year and for her superb leadership. He also recognized the members of the bar staff for their hard work.

He also outlined three main initiatives for the upcoming bar year: unity and diversity; helping lawyers adjust to a new normal; and lawyer-public relations. Mr. Methvin said that he intends to appoint various task forces that will review the election rules, develop programs to provide legal services for healthcare workers, address human trafficking issues, and continue to provide guidance for lawyers and judges navigating through the COVID-19 pandemic.

6. **SECRETARY / EXECUTIVE DIRECTOR'S REPORT**

Secretary/Executive Director McCallum thanked President Crow for her leadership over the past year and said that he looks forward to working with President-elect Methvin and President-elect designate Shepard. He also reported that the bar staff is doing well and continues to work hard through the pandemic.

Mr. McCallum reported that Fastcase has been launched as a member benefit and that Autumn Caudell is the primary staff person assigned to the program. He recognized Mrs. Caudell to give an update on the launch. Mrs. Caudell reported that members are able to access Fastcase from the bar website and that she has been immersing herself in the software, working with Fastcase to offer CLEs to bar members and assisting bar members who have questions about the software.

7. **OFFICE OF GENERAL COUNSEL REPORT**

General Counsel Roman Shaul informed the Board he has conducted several virtual training sessions for new local grievance committee members and provided a number of online ethics CLEs. He also said that he is looking forward to the addition of new members to the Disciplinary Board.

8. **LEGISLATIVE UPDATE**

Legislative Counsel Suzi Huffaker reported to the Board that, at this time, there is no certainty about a special session for later this year. She recognized Commissioner Lang Floyd for the work he has been doing through the Administrative Office of Courts, in finding ways to keep the courts open and cases moving during the pandemic.

9. **ELECTION SUPERVISION UPDATE**

President Crow recognized Cole Portis, chair of the Election Supervision Committee and Dean John Carroll, who was retained as the bar's counsel during the recent contest of election results. Dean Carroll reviewed the circumstances surrounding the election contest and said that the bar owes a debt of gratitude to Mr. Portis and the Election Supervision Committee. He reviewed the findings of the committee, which included a rules violation by a bar member, and the committee's recommendation that the Board impose sanctions for the violation. Dean Carroll informed the Board that, based on his research of the issue, it did not have the authority to sanction the member for violations of the election rules.

10. SECTION EVALUATION & COORDINATION TASK FORCE UPDATE

Commissioner Elizabeth Smithart, co-chair of the Section Evaluation & Coordination Task Force, informed the Board that the task force found that there appeared to be a number of sections without leadership. She said that the task force contacted those sections and found that some of them, in fact, did not have leadership. Mrs. Smithart reported that the task force recommends that the Board consider suspending section dues for those sections until such time that leadership is in place. She also reported that the task force continues to review section bylaws to ensure that any bylaws changes have been approved by the Board.

11. EXPANSION OF DEMOGRAPHIC DATA COLLECTED BY ALABAMA STATE BAR

President Crow presented for approval the expansion of demographic data collected by the bar, as recommended by Diversity and Inclusion in the Profession Committee. If approved, the race categories on the bar application and in the bar database would be expanded to include the following: African-American/Black; Asian; Native Hawaiian/Pacific Islander; White/Caucasian; Hispanic Latino(a); Native American; Two or more races; and Other.

COMMISSIONER BUCK MOVED TO APPROVE THE EXPANSION OF DEMOGRAPHIC DATA COLLECTED BY THE ALABAMA STATE BAR. THE MOTION WAS SECONDED.

AFTER DISCUSSION OF THE PROPOSAL, THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL VOTE AND IT WAS APPROVED TO EXPAND THE DEMOGRAPHIC DATA COLLECTED BY THE ALABAMA STATE BAR.

12. APPROVAL OF ESTABLISHING THE JUDICIAL SECTION OF THE ALABAMA STATE BAR

President Crow presented for approval the establishment of the Judicial Section of the Alabama State Bar, as presented for discussion at the prior Board meeting.

COMMISSIONER MAY MOVED TO APPROVE ESTABLISHMENT OF THE JUDICIAL SECTION OF THE ALABAMA STATE BAR. THE MOTION WAS SECONDED.

AFTER DISCUSSION OF THE PROPOSAL, THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL VOTE AND IT WAS APPROVED TO ESTABLISH THE JUDICIAL SECTION OF THE ALABAMA STATE BAR.

13. APPOINTMENTS TO THE LEGAL SPECIALIZATION BOARD

President Crow informed the Board that there is a need to fill all twelve positions on the Legal Specialization Board. She reported that the following nominations were received: Bryan Comer, Greg Denny, Andrew Faulk, Kira Fonteneau, Brent Irby, Walter McGowan, David Nomberg, Freddy Rubio, Dan Sparks, Sharon Stuart, Jennifer Tompkins, and Jason Yearout.

COMMISSIONER MENDHEIM MOVED TO CLOSE NOMINATIONS FOR APPOINTMENTS TO THE LEGAL SPECIALIZATION BOARD. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND NOMINATIONS WERE CLOSED.

COMMISSIONER MAZE MOVED TO APPROVE THE APPOINTMENTS TO THE LEGAL SPECIALIZATION BOARD. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND BRYAN COMER, GREG DENNY, ANDREW FAULK, KIRA FONTENEAU, BRENT IRBY, WALTER MCGOWAN, DAVID NOMBERG, FREDDY RUBIO, DAN SPARKS, SHARON STUART, JENNIFER TOMPKINS, AND JASON YEAROUT WERE APPOINTED TO THE LEGAL SPECIALIZATION BOARD.

President Crow informed the Board that the Legal Specialization Rules provide for staggered terms of members on the Legal Specialization Board and for the Board of Bar Commissioners to designate a chair of the Legal Specialization Board. She suggested that the Board consider delegating authority to the Legal Specialization Board to select its own chair and to provide for the staggered terms of its members.

COMMISSIONER BOARDMAN MOVED TO DELEGATE AUTHORITY TO THE LEGAL SPECIALIZATION BOARD TO SELECT ITS OWN CHAIR AND TO PROVIDE FOR STAGGERED TERMS OF ITS MEMBERS. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND IT WAS APPROVED TO DELEGATE AUTHORITY OF THE LEGAL SPECIALIZATION BOARD TO SELECT ITS OWN CHAIR AND TO PROVIDE FOR STAGGERED TERMS OF ITS MEMBERS.

14. APPOINTMENTS TO THE DISCIPLINARY BOARD

President Crow informed the Board that there is a need to fill six positions on the Disciplinary Board. She reported that the following nominations were received: Raymond Bell, Robert Brogden, Brannon Buck, Joel Connally, Dana Grimes, Mitch Kemmer, John Stamps and Andrew Stanley.

COMMISSIONER MENDHEIM MOVED TO CLOSE NOMINATIONS FOR APPOINTMENTS TO THE DISCIPLINARY BOARD. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND NOMINATIONS WERE CLOSED.

AFTER DISCUSSION OF EACH NOMINEE, THE COMMISSION VOTED ON EACH NOMINEE AND PRESIDENT CROW ANNOUNCED THAT RAYMOND BELL, ROBERT BROGDEN, DANA GRIMES, MITCH KEMMER, JOHN STAMPS, AND ANDREW STANLEY WERE ELECTED TO SERVE ON THE DISCIPLINARY BOARD.

15. APPOINTMENTS OF DISCIPLINARY BOARD HEARING OFFICERS

President Crow informed the Board that there is a need to fill three hearing officer positions on the Disciplinary Board. She reported that the current hearing officers are Diandra Debrosse, Bill Gamble and George Parker, and that each has been nominated for reappointment.

COMMISSIONER MCKINNEY MOVED TO CLOSE NOMINATIONS FOR APPOINTMENTS DISCIPLINARY BOARD HEARING OFFICERS. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND NOMINATIONS WERE CLOSED.

COMMISSIONER SMITHART MOVED TO APPROVE THE APPOINTMENTS OF DISCIPLINARY BOARD HEARING OFFICERS. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND DIANDRA DEBROSSE, BILL GAMBLE, AND GEORGE PARKER WERE ELECTED TO SERVE AS DISCIPLINARY BOARD HEARING OFFICERS.

16. APPOINTMENTS TO THE ALABAMA LAW FOUNDATION BOARD OF TRUSTEES

President Crow informed the Board that there is a need to fill two positions on the Alabama Law Foundation Board of Trustees. She reported that the following nominations were received: Tom Heflin and Jeanne Rasco Rizzardi.

COMMISSIONER SKINNER MOVED TO CLOSE NOMINATIONS FOR APPOINTMENTS TO THE ALABAMA LAW FOUNDATION BOARD OF TRUSTEES. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND NOMINATIONS WERE CLOSED.

COMMISSIONER MENDHEIM MOVED TO APPROVE THE APPOINTMENTS TO THE ALABAMA LAW FOUNDATION BOARD OF TRUSTEES. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND TOM HEFLIN AND JEANNE RASCO RIZZARDI WERE APPOINTED TO THE ALABAMA LAW FOUNDATION BOARD OF TRUSTEES.

17. APPOINTMENTS TO THE MANDATORY CONTINUING LEGAL EDUCATION (MCLE) COMMISSION

President Crow informed the Board that there is a need to fill two positions on the MCLE Commission. She reported that the following nominations were received: Mitch Kemmer and Chrissy Riddle.

COMMISSIONER MAY MOVED TO CLOSE NOMINATIONS FOR APPOINTMENTS TO THE MCLE COMMISSION. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND NOMINATIONS WERE CLOSED.

COMMISSIONER MENDHEIM MOVED TO APPROVE THE APPOINTMENTS TO THE MCLE COMMISSION. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND MITCH KEMMER AND CHRISSEY RIDDLE WERE APPOINTED TO THE MCLE COMMISSION.

18. NOMINATING COMMITTEE REPORT

President Crow recognized Commissioner McKinney, chair of the Nominating Committee, for the report of the Nominating Committee. Commissioner McKinney reported the following nominations:

1. Nominations for Officers and Executive Council

President:	Bob Methvin
President-elect:	Taze Shepard
Vice President:	Gibson Vance
Secretary:	Phillip W. McCallum
Executive Council:	Jeff Bowling
	Diandra Debrosse

Cliff Mendheim
Immediate Past President: Christy Crow
Ex-Officio (YLS President): Evan Allen
Ex-Officio (ALA President): Leon Hampton

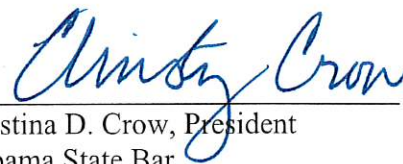
2. Alabama Lawyer Assistance Foundation

John Brinkley

FOLLOWING THE REPORT OF THE NOMINATING COMMITTEE, COMMISSIONER MAY MOVED TO CLOSE NOMINATIONS. THE MOTION WAS SECONDED. THE MEMBERS OF THE BOARD OF BAR COMMISSIONERS VOTED BY ROLL CALL AND THE REPORT OF THE NOMINATING COMMITTEE WAS APPROVED.

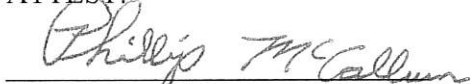
19. ADJOURNMENT

President Crow 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 approved by roll call vote and the meeting was adjourned at 11:30 a.m.



Christina D. Crow, President
Alabama State Bar

ATTEST:



Phillip W. McCallum, Secretary
Alabama State Bar