

MINUTES

ALABAMA STATE BAR BOARD OF BAR COMMISSIONERS MEETING

State Bar Building
Montgomery, Alabama

Friday, May 16, 2008

1. CALL TO ORDER

President Sam Crosby convened this meeting of the Alabama State Bar Board of Commissioners at 10:00 a.m. in the Board Room of the Alabama State Bar building in Montgomery, Alabama. Commissioner Wynne gave the invocation.

2. INTRODUCTION OF GUESTS AND NEW STAFF MEMBER

President Crosby indicated that there were several guests present. Commissioner Ryan introduced Frank Ward of Huntsville. Commissioner Ryan stated that Mr. Ward had played an important role in the Wills for Heroes program in Huntsville. Commissioner Short introduced his wife Mary Ann. President Crosby then introduced his sister Martha who was visiting. Finally, Brad Carr introduced Willie Murphy, the bar's new Web site administrator.

3. ROLL CALL

The Secretary called the roll of the Commission and the following Commissioners were present:

Ronnie E. Keahey	Michael E. Jones	Randall S. Haynes
Cooper Shattuck	Alyce M. Spruell	John M. Gruenewald
Anthony A. Joseph	Jack Neal	Phillip W. McCallum
Greg Hawley	Maibeth J. Porter	Jim Pratt
William A. (Pete) Short	Billy C. Bedsole	Juan Ortega
Mary Margaret Bailey	James R. Beaird	James H. Anderson
Cole Portis	Sim Penton	Lee H. Copeland
K. Scott Stapp	John E. Medaris	Everette A. Price, Jr.
Thomas B. Albritton	L. Thomas Ryan, Jr.	Richard J.R. Raleigh, Jr.
R. Wyatt Howell	Kenneth E. White, III	Allan Chason
Tut Wynne	Elizabeth Parsons	Roger Bedford, Jr.
Gerald R. Paulk	Wayman Sherrer	Walter E. McGowan
Pamela H. Bucy	Kesa Johnston	Kelly T. Lee

The following Commissioners were absent:

Christy Crow	J. Garrison Thompson	Nicholas B. Roth
W. N. (Rocky) Watson	S. Greg Burge	Joseph A. Fawal
Robert E. Moorer	Albert J. Trousdale, II	Richard W. Whittaker
Michael D. Knight	William M. Cunningham	Les Hayes, III
Donald R. Jones, Jr.	F. Michael Haney	Robert L. Bowers, Jr.
Joseph A. Morris	Harold Stephens	Ronald H. Strawbridge, Jr.
John C. Gullahorn	Robert L. Rumsey	John M. Kennemer
Jason P. Knight	Robert H. Brogden	David T. Hyde, Jr.
Timothy D. Littrell	Robert T. Meadows, III	David F. Law
Claude E. Hundley, III	Deborah Byrd Walker	Merceria Ludgood
Alicia F. Bennett	Kyra Sparks	

Also in attendance were President-elect Mark White and President-elect Designate Tom Methvin. Staff members present included Tony McLain, Ed Patterson, Anita Hamlett, Linda Lund, Kristi Skipper, Willie Murphy and Brad Carr. Tracy Daniel of the Alabama Law Foundation was attending as well.

4. APPROVAL OF THE MINUTES OF THE BOARD OF COMMISSIONERS MEETING FOR APRIL 11, 2008

President Crosby stated that the minutes of the Board of Commissioners meeting for April 11, 2008 had been disseminated to the board. He asked if there were any corrections, additions or deletions. There were none.

COMMISSIONER SPRUELL MOVED TO APPROVE THE MINUTES OF THE BOARD OF COMMISSIONERS MEETING FOR APRIL 11, 2008. THE MOTION WAS SECONDED AND THE MINUTES WERE APPROVED BY UNANIMOUS VOICE VOTE.

5. PRESIDENT'S REPORT

President Crosby reported that he traveled to Washington, D.C. in April to meet with Alabama's Congressional Delegation seeking increased funding for Legal Services Corporation. He was joined by Tracy Daniel and Tommy Wells of Alabama. He also reported on the Law Day Breakfast hosted jointly by the Alabama Association of Justice and the Alabama State Bar and on the success of this year's poster and essay contests sponsored by the state bar. President Crosby mentioned that the admission ceremony was held earlier in the week and he discussed that a DVD of state bar president interviews was being made and disseminated to local bar presidents as well as board members. He thanked Brad Carr for his work on this project to preserve the oral history of the state bar. President Crosby closed with a recap of the year's activities and projects.

Next, President Crosby announced the Nominating Committee for 2008. The committee members are Commissioners Pratt, Bennett and Bedsole. President Crosby concluded by recognizing the retiring commissioners:

Nicholas B. Roth – 8th Judicial Circuit
 Michael D. Knight – 13th Judicial Circuit, Place Number 1
 John E. Medaris – 18th Judicial Circuit
 Robert L. Bowers – 19th Judicial Circuit
 Everette A. Price, Jr. – 21st Judicial Circuit
 Thomas B. Albritton – 22nd Judicial Circuit
 Robert H. Brogden – 33rd Judicial Circuit
 Roger H. Bedford, Jr. – 34th Judicial Circuit
 David T. Hyde, Jr. – 35th Judicial Circuit
 Timothy D. Littrell – 36th Judicial Circuit
 Wayman G. Sherrer – 41st Judicial Circuit
 Kyra Sparks – At Large, Place #6

President Crosby thanked the retiring commissioners who received a round of applause from the other Commissioners.

6. SECRETARY'S REPORT

The Secretary reviewed the second quarter financial report and highlighted the bar exam statistics for the February 2008 exam. He also reported that he had received a resolution from the Mobile Bar Association in memory of Alvin Floyd Harris, Sr. and a resolution from the Alabama Probate Judges Association in memory of Patricia Y. Fuhrmesiter.

COMMISSIONER BEDSOLE MOVED THAT THE RESOLUTION FROM THE MOBILE BAR ASSOCIATION IN MEMORY OF ALVIN FLOYD HARRIS, SR. AND THE RESOLUTION FROM THE ALABAMA PROBATE JUDGES ASSOCIATION IN MEMORY OF PATRICIA Y. FUHRMESITER BE PLACED IN THE ALABAMA STATE BAR BOOK OF MEMORIAL RESOLUTIONS. THE MOTION WAS SECONDED AND APPROVED BY UNANIMOUS VOICE VOTE.

7. RECOGNITION OF LEADERSHIP FORUM CLASS IV

President Crosby called on Commissioner Spruell to read aloud the names of the graduates of Leadership Forum Class IV. Commissioner Spruell read the names of Class IV:

Margaret Holladay Alves
 Mark Hampton Baxley
 Anna Kelly Brennan
 Russell Crandle Buffkin
 Valerie Kisor Chittom
 Jequette Harris Clancy
 Bradley Williams Cornett
 Jonathan Samuel Cross
 Anne Lamkin Durward
 John Henry England, III
 Sandra Eubank Gregory
 Erik Stephen Heninger
 Dana Bolden Hill
 Adrian Daniel Johnson

Samuel David Knight
Kent Michael Lauderdale
Robert Carter Lockwood
Jonathan Blake Lowe
James David Martin
James Flynn Mozingo
James Bruce Perrine
Cynthia Ransburg-Brown
Clayton Michael Ryan
Christopher Nathan Smith
Chad Edward Stewart
Ashley Elizabeth Swink
James Michael Terrell
Reed Thomas Warburton
John Cox Webb, V
Tari DeVon Williams

8. LEGISLATIVE REPORT

President Crosby recognized Commissioner Bedford for a report on the status of several bills of interest to the commission. Commissioner Bedford reported that the mediator confidentiality bill had passed both houses and was ready for a signature by the Governor and that the judicial qualification bill was poised for possible passage on the last day of the session. President Crosby thanked Commissioner Bedford for his service to the bar as well as for his service in the state senate.

9. MENTORING UPDATE

Commissioner Bucy reported that several changes had been made to the mentoring program since last year. She stated that the kick off for this year's pilot program would be this fall with 128 mentees. She reported that 56 individuals had been asked to serve as mentors including nine commission members. She further reported that two components had been added to the pilot program including a listserv and CLE.

10. RULE III APPLICATION APPROVALS

The President stated that applications for admission under Rule III have been received from Howard Steven Bleichfield (District of Columbia); Daniel Brent Cochran (Georgia); and Mary Ann Thilmay (Illinois). He stated the applications met all rule requirements including character and fitness for admission pursuant to Rule III.

COMMISSIONER RALEIGH MOVED THE ADMISSION OF HOWARD STEVEN BLEICHFIELD, DANIEL BRENT COCHRAN, AND MARY ANN THILMAY PURSUANT TO RULE III OF THE ALABAMA STATE BAR RULES GOVERNING ADMISSION. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

11. ELECTION OF STATE BAR DELEGATES TO THE ABA HOUSE OF DELEGATES

The President stated that the terms of Wade Baxley and Billy Coplin would expire at the conclusion of this year's ABA annual meeting in August. He reported that they had asked to be considered for reappointments. Their new terms would begin with the 2009 midyear meeting in February.

COMMISSIONER WHITE MOVED THE RE-ELECTION OF WADE BAXLEY AND BILLY COPLIN TO THE ABA HOUSE OF DELEGATES AS ALABAMA STATE BAR DELEGATES. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

12. APPOINTMENT OF SUSAN KENNEDY AS BAR EXAMINER

President Crosby noted that at the last meeting the commission had reappointed David Hymer as an examiner. The President stated that Mr. Hymer had asked that his reappointment be withdrawn because he had expressed his willingness to be considered for appointment as chair of the Board of Bar Examiners at the conclusion of current chair Anne Sumblin's term.

COMMISSIONER HAYNES MOVED TO WITHDRAW THE APPOINTMENT OF DAVID HYMER AS EXAMINER AND TO APPOINT SUSAN KENNEDY INSTEAD AS EXAMINER WITH HER FOUR YEAR TERM BEGINNING WITH THE JULY 2008 BAR EXAMINATION. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

13. AMENDMENT TO ALABAMA STATE BAR INVESTMENT POLICY

President Crosby stated that the bar's investment advisors, Regions Bank, recommended three changes to the investment policy. He stated that they were as follows:

1. a new account benchmark (§I.A.3)
2. delete the language that limits a single equity index fund to 5% of the account value (§II.B.1)
3. delete the language that limits certain classes of bonds to a specific percent of the portfolio value (§II.B.2.a. i, ii and iii.)

President Crosby stated that the last change would allow investment advisors to invest in Intermediate Term A-Rated Bond funds that would add diversification to our fixed income portfolio.

Discussion concerning the amendments to the investment policy ensued.

FOLLOWING THE DISCUSSION, COMMISSIONER SPRUELL MOVED AMENDMENT OF THE ALABAMA STATE BAR INVESTMENT POLICY TO INCLUDE: DELETING THE LANGUAGE THAT LIMITS A SINGLE EQUITY INDEX FUND TO 5% OF THE ACCOUNT VALUE (§II.B.1) AND DELETING THE LANGUAGE THAT LIMITS CERTAIN CLASSES OF BONDS TO A SPECIFIC PERCENT OF THE PORTFOLIO VALUE (§II.B.2.a. i, ii and iii.), BUT NOT

SETTING A NEW ACCOUNT BENCHMARK. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

14. ELECTION OF AT-LARGE COMMISSIONERS

President Crosby called on President-elect White to report on the recommendations of the Executive Committee. President-elect White reported that the Executive Committee as required by the election rules was recommending names from the applications submitted. The names of the at-large nominees were: LaBarron N. Boone (Montgomery), Dennis Steverson (Tuscaloosa), Brenda Stedham (Anniston), Kelly T. Lee (Elmore) and Deborah Byrd Walker (Birmingham). President-elect White then explained the voting process for electing three at-large commission members which was that commissioners could cast votes for only three nominees.

President Crosby asked if there were any more nominations.

COMMISSIONER HAWLEY MOVED THAT THE SLATE OF NOMINEES AS RECOMMENDED BY THE EXECUTIVE COMMITTEE BE ACCEPTED AND THAT NOMINATIONS BE CLOSED. THE MOTION WAS SECONDED AND APPROVED BY VOICE VOTE.

President Crosby then asked nominees present to leave the room prior to the discussion and voting.

Discussion of the various nominees ensued.

THE QUESTION WAS CALLED AND BY SHOW OF HANDS THE FOLLOWING NOMINEES WERE ELECTED: LABARRON N. BOONE, KELLY T. LEE AND DEBORAH BYRD WALKER.

President Crosby thanked the commission.

15. ADJOURNMENT

President Crosby 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.

Samuel N. Crosby, President
Alabama State Bar

ATTEST:

Keith B. Norman, Secretary
Alabama State Bar

