MINUTES

ALABAMA STATE BAR

BOARD OF BAR COMMISSIONERS MEETING

Renaissance Ross Bridge
4000 Grand Avenue
Birmingham, AL 35226

Friday, September 5, 2025, at 9:00 a.m.

CALL TO ORDER

President Fred Helmsing convened this meeting of the Alabama State Bar Board of Commissioners at 9:05 a.m. in the ballroom of the Renaissance Ross Bridge in Birmingham, Alabama. Commissioner Josh Hayes led the members in the Pledge of Allegiance.

ROLL CALL

The secretary took the roll of the Commission with the following commissioners answering as present and thus establishing a quorum:

Conrad Anderson
Pratt Austin-Trucks
Edgar Black
Mark Boardman
Sally Bowers
Jeff Bowling
Randy Bozeman
Christen Butler
Devan Byrd
Clay Carr
Matthew Carter
Hunter Compton
Joel Connally
Lisa Cooper
Mark Debro
Lang Floyd
Lisha Graham
Leon Hampton
Josh Hayes
Fred Helmsing
Scott Holmes
Ralph Holt
Kesa Johnston
Angela Kennedy
Lee Knowles
David Langston
Will Lee
Felicia Long
Bob McMillan
Wallace Mills
Leslie Moore
Tamara Neeley
Steve Nicholas
George Parker
Tom Perry
Greg Price
John Rea
Robert Richardson
Brandy Roberston
Ryan Robichaux
Freddy Rubio
Pat Sefton
Sebie Sellers
Julius Shanks
Mitchell Shelly
Jeff Sherrer
Elizabeth Smithart
John Stamps
Stephen Still
Jimbo Terrell
Jerome Thompson
Al Vance
Leila Watson
Suntrease Williams-Maynard
Robin Wolfe

The following commissioners were absent:

Raymond Bell
Will Broome, Jr.
Kitty Brown
Brad Cornett
Kelly Davidson
Deb Dunsmore
Jana Garner
Kirk Garrett
David Holt
Carmen Howell
Mitch Kemmer
Edwin Lamberth
Jorja Loftin
Doug Martinson
Andrew Nix
Evan Parrott
Manish Patel
Ashley Peinhardt
Lynn Perry
Bobby Poundstone
Chrissy Riddle
Steven Savarese
Holly Sawyer
Tyler Sims
Doug Smith
Kyra Sparks
Ron Strawbridge
Jeff Utsey
Artie Vaughn

APPROVAL OF AGENDA

President Helmsing asked for approval of the agenda.

Commissioner Josh Hayes moved to approve the agenda, seconded by Hunter Compton, and approved by unanimous voice vote.

INTRODUCTION OF GUESTS

President Helmsing recognized Past-President Spud Seale and Christy Crow who were in attendance along with former commissioner John Smyth.

APPROVAL OF MINUTES FROM JULY 16, 2025, AND JULY 19, 2025

President Helmsing stated the minutes from the July 16th and July 19th Board of Bar Commissioners meeting and Grand Convocation had been distributed prior to the meeting.

Commissioner Mark Debro moved to approve the minutes as submitted, seconded by Pratt Austin-Trucks, and approved by unanimous voice vote.

PUBLIC REPRIMANDS

Birmingham, Alabama attorney James Vercell Seal, was issued a Public Reprimand with General Publication by the Disciplinary Commission of the Alabama State Bar on September 5, 2025, for violating Rules 1.15 [Safekeeping Property], 8.1(a) [Bar Admission and Disciplinary Matters], and 8.4(c) and (g) [Misconduct], *Alabama Rules of Professional Conduct*. On May 7, 2024, the Office of General Counsel (OGC) received an insufficient funds notice regarding Seal's IOLTA account. The notice stated that Seal overdrew his trust account by $218.15 after using the account to pay a cash advance loan company. This was the seventh insufficient funds notice concerning Seal's IOLTA

account that the OGC received since January 2024. In prior responses to the insufficient funds notice, Seal stated that he took out two unsecured loans in December 2024 and inadvertently provided his IOLTA account for repayment. Seal assured the OGC he had resolved the issue. Seal further informed the OGC that he had not held any client funds since 2021 when he closed his private practice to work as in-house counsel. Seal provided his monthly trust account statements in September 2024. However, Seal did not produce a general ledger, records of deposit, or copies of canceled checks as required by Rule 1.15(e). The monthly statements showed that Seal had been placing personal funds into his trust account since at least January 2023. In November 2023, Seal began placing funds from payday loan companies into his IOLTA account. While this matter was pending, a client filed a bar complaint against Seal alleging that he failed to file a bankruptcy petition on the client's behalf. On December 15, 2023, the client paid Seal $2,000 to file the petition. Seal failed to place the unearned funds into his trust account as required by Rule 1.15. In February 2024, the client's wife joined the bankruptcy petition, and the client paid Seal an additional $1,000. Seal also failed to place those funds into trust. During the same time frame that Seal was working on the bankruptcy petition for the client, Seal was representing to the OGC that he had not engaged in the private practice of law or held client funds since 2021. Seal's averments were material misrepresentations of fact in violation of Rules 8.1(a), and 8.4(c) and (g).

PRESIDENT'S REPORT

President Helmsing began his remarks by thanking those commissioners in attendance and expressing what an honor it is to him personally to serve as the 150th President of the Alabama State Bar. Since assuming the office, Helmsing has spoken at the Judge's Conference and attended the National Conference of Bar Presidents Meeting, along with President-Elect Jana Garner in Toronto, Canada. He provided an update on the Executive Council retreat held August 20-22, 2025, in Tuscaloosa. Helmsing further spoke of the success of the Milestone Celebration, held on September 4th, which he believes to be the crown jewel of bar events as former friends and classmates interact and renew previous friendships. Finally, President Helmsing thanked the Birmingham Bar Executive Committee for assisting in hosting a networking reception for the BBC the previous night.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Terri Lovell began her remarks commenting on the successful Milestone luncheon attended by 200 honorees and guests. Since the annual meeting in July, a large bar exam was successfully administered. Various boards, commissions, and task force appointments have been finalized and end of bar year activities have been wrapped up by bar staff. Lovell announced her goals for the coming year would be the following: clarifying the agency status of the Alabama State Bar with legislation;

strengthening leadership development among staff while increasing involvement with voluntary bars; fully implementing the current database system of the bar; and setting up a task force to explore the creation of a legal summit and expo for bar membership. Director Lovell further stated the bar would continue to focus on planning for the implementation of the NextGen bar exam and would soon begin regional outreach visits.

GENERAL COUNSEL REPORT

General Counsel Roman Shaul spoke regarding the recent uptick in Unauthorized Practice of Law cases being filed with his office. Shaul stated his office participated in over 95 continuing legal education programs last year and announced an OGC legal summit would be held on December 3, 2025, in Montgomery. He announced his two goals for the upcoming bar year would be to overhaul the opinions contained within the ethics database and to create a probation docket for more intensive supervision of attorneys involved with his office.

EXECUTIVE COUNCIL REPORT

Vice-President Jeff Bowling provided an overview of the role of the Executive Council within the Alabama State Bar. Bowling reported the Executive Council had met once since the annual meeting in Tuscaloosa, Alabama and made two recommendations for the BBC to consider regarding staff compensation and an Alabama Law Foundation appointment.

LOCAL BAR REPORT

Commissioner Hunter Compton provided a local bar report for the 17th Judicial Circuit. On September 16th, his circuit will be hosting a reception for the Alabama Supreme Court in Demopolis, Alabama. The Court will be holding oral arguments on September 17th at the University of West Alabama. An invitation was extended for all board members to attend.

BAR EXAM REPORT

Admissions Director Karen Laneaux provided an overview of the recent bar exam wherein 552 individuals participated. Ninety-nine examinees received special accommodations for a variety of reasons. She announced the February 2026, exam would be held in Montgomery at the Embassy Suites Hotel and anticipates returning to the BJCC in Birmingham for July 2026. Laneaux stated the Board of Bar Examiners continues their work for the development and implementation of a state component test to accompany the July 2028 exam.

DISCUSSION ITEMS

PROPOSED FISCAL YEAR 2027 BUDGET

Finance Director Merinda Hall presented the proposed FY2027 budget for discussion at $7.19 million, which represents a 1.75% increase compared to the FY2026 state budget approved last year.

Among the significant changes in the budget are an anticipated 2% increase in employee wages, an adjustment to the in-state travel line to account for rising fuel and mileage expenses, and an increase in the professional services line to cover necessary services in preparation of the NexGen Bar Exam.

Conversely, the budget for supplies and materials is projected to decline due to a reduction in the printing allocation for the Alabama Lawyer, although there will be an increase attributed to rising credit card fee expenses, leading to an overall net decrease.

The FY2027 budget is based on the $325 dues rate and will undergo re-evaluation prior to the commencement of the fiscal year.

The BBC is set to approve the FY2027 state budget proposal at the October BBC meeting, ahead of the November 3rd due date.

APPOINTMENT TO LEGAL SERVICES OF ALABAMA BOARD

President Helmsing stated Lucy Tufts has resigned her position on said board and that a nomination for Kristy Waldron of Mobile, Alabama, has been submitted by Legal Services of Alabama. Nominations would remain open until the next board meeting in October and Helmsing encouraged anyone that might be interested to apply.

APPOINTMENT TO THE BOARD OF BAR EXAMINERS (GOVERNANCE VACANCY)

Member Robert Lockwood has recently resigned his position on the board. President Helmsing encouraged anyone interested in serving in this capacity should contact Admissions Director Laneaux or Executive Director Lovell.

ARGA RULE III “PRIMARY PRACTICE OF LAW”

President Helmsing provided a brief overview of Rule 3 of the Alabama Rules Governing Admission. The Supreme Court has requested the BBC review this rule regarding the requirement the attorney seeking admission designate 75% of his practice will occur in

Alabama or that he/she will maintain a brick-and-mortar location within the state. Helmsing called on former commissioner John Smyth to speak in support of a rule change. Smyth believes relaxing the requirement would be a benefit to consumers of legal services and beneficial to Alabama attorneys and firms. He further noted the financial benefit to the bar in the payment of membership dues. Smyth believes more lawyers practicing in Alabama will be beneficial to access to justice efforts.

Helmsing called on immediate past-president Tom Perry to provide his insights as to why the current rule should be maintained. Perry recounted the issue had been voted down on multiple occasions during the past twenty years by the Board of Bar Commissioners. Perry expressed a concern that relaxation of the rule would be detrimental to our rural areas as these lawyers would not become invested in the community and their presence could have a detrimental impact on the income of solo and small firm practitioners.

Commissioners Bozeman, Johnston, Neeley, Stamps, Compton, Butler, and Sellers each offered up their varying assessment of the impact of this rule on their practice and communities.

President Helmsing advised all commissioners that he would make any memorandum or additional submission of Smyth or Perry available to the commission prior to the next meeting.

ACTION ITEMS

ABA HOUSE OF DELEGATE APPOINTMENT

President Helmsing advised the board that Commissioner Ralph Holt had expressed an interest in serving as one of the state bar's appointees to the ABA House of Delegates.

Commissioner Mark Debro made a motion to appoint Ralph Holt as an ABA Delegate, seconded by Jerome Thompson, and approved by unanimous voice vote.

ALABAMA LAW FOUNDATION APPOINTMENT

President Helmsing stated Tom Heflin has resigned his position on the Alabama Law Foundation Board and a vacancy exists to fill the remainder of this term which ends July 2026. Helmsing further stated the Executive Council had nominated Commissioner Josh Hayes for said appointment.

Commissioner Hunter Compton made a motion to appoint Josh Hayes as an Alabama State Bar appointee to the Alabama Law Foundation Board. A second to that motion was made by Scott Holmes and the motion was approved by a unanimous voice vote. Bar Commissioner Josh Hayes recused from the vote.

NATIONAL GUARD TASK FORCE RECOMMENDATIONS

Commissioner Lang Floyd reported on the National Guard Task Force. After a meeting there was near unanimous agreement to convert the task force and military law committee into the Military Law Section.

Commissioner Pratt Austin-Trucks moved to create a Military Law Section, seconded by Suntrease Williams-Maynard, and approved by unanimous voice vote.

EXECUTIVE DIRECTOR AND GENERAL COUNSEL PERFORMANCE EVALUATIONS

Prior to any discussion beginning, Commissioner Randy Bozeman announced his recusal from any discussion regarding performance evaluations or salary compensation recommendations of the Executive Director or General Counsel.

President Helmsing informed the board evaluations of both the Executive Director and General Counsel had been conducted, reviewed by the Executive Committee, and made available for inspection by the board prior to the meeting.

A motion to accept the recommendation of the Executive Committee to approve the evaluations of both the Executive Director and General Counsel was made by Joel Connally, seconded by Jimbo Terrell, and approved by unanimous voice vote.

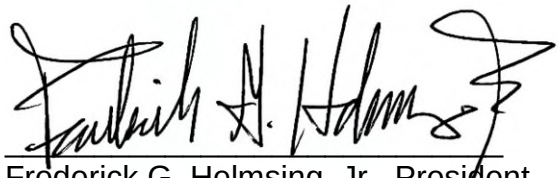
STAFF COMPENSATION RECOMMENDATION

President Helmsing discussed the recommendation of the Executive Committee regarding staff compensation for fiscal year 2026. The recommendation consisted of a one percent (1%) salary increase for all employees of the bar and further authorized the Executive Director and General Counsel to provide additional compensation to high performing employees, contingent on such compensation not exceeding a total cost of one percent of the budget salary line item.

A motion to approve the recommendation of the Executive Committee was made by Joel Connally, seconded by Lisa Cooper, and approved by unanimous voice vote.

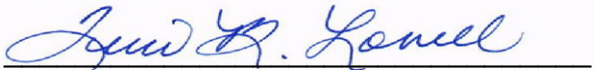
ADJOURNMENT

There being no further old or new business, a motion to adjourn the meeting was made by Commissioner Lang Floyd, seconded by Bob McMillian, and approved by unanimous voice vote at 11:03 a.m.



Frederick G. Helmsing, Jr., President
Alabama State Bar

ATTEST:



Terri B. Lovell, Secretary
Alabama State Bar