MINUTES

ALABAMA STATE BAR

BOARD OF BAR COMMISSIONERS MEETING

Alabama State Bar

415 Dexter Avenue

Montgomery, AL 36104

Friday, October 24, 2025, at 10:00 a.m.

CALL TO ORDER

President Fred Helmsing convened this meeting of the Board of Bar Commissioners at 10:02 a.m. in the boardroom of the Alabama State Bar in Montgomery, Alabama. Commissioner Joel Connally 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:

Pratt Austin-Trucks
Raymond Bell
Edgar Black
Mark Boardman
Sally Bowers
Jeff Bowling
Randy Bozeman
Will Broome
Clay Carr
Matthew Carter
Hunter Compton
Joel Connally
Lisa Cooper
Kelly Gallops Davidson
Mark Debro
Jana Garner
Lisha Graham
Leon Hampton
Josh Hayes
Fred Helmsing
Scott Holmes
David Holt
Carmen Howell
Kesa Johnston
Mitch Kemmer
Angela Kennedy
Lee Knowles
Edwin Lamberth
David Langston
Will Lee
Jorja Loftin
Felicia Long
Doug Martinson
Bob McMillan
Wallace Mills
Tamara Neeley
Andrew Nix
Evan Parrott
Manish Patel
Ashley Peinhardt
Tom Perry
Bobby Poundstone
Gregory Price
John Rea
Robert Richardson
Chrissy Riddle
Brandy Robertson
Ryan Robichaux
Freddy Rubio
Holly Sawyer
Pat Sefton
Julius Shanks
Mitch Shelly
Jeff Sherrer

Doug Smith
Elizabeth Smithart
John Stamps
Suntrease Williams-Maynard
Stephen Still
Jerome Thompson
Jeff Utsey
Al Vance
Artie Vaughn
Leila Watson

The following commissioners were absent:

Conrad Anderson
Christen Butler
Devan Byrd
Brad Cornett
Deborah Dunsmore
Lang Floyd
Kirk Garrett
Ralph Holt
Leslie Moore
Steve Nicholas
Lynn Perry
Steven Savarese
Sebie Sellers
Tyler Sims
Kyra Sparks
Ron Strawbridge
Jimbo Terrell
Robin Wolfe

APPROVAL OF AGENDA

President Helmsing asked for approval of the agenda.

Commissioner Leon Hampton moved to approve the agenda, seconded by Mark Debro, and approved by unanimous voice vote.

INTRODUCTION OF GUESTS

President Helmsing welcomed special guests in attendance and recognized Associate Justice Will Sellers and Past President Spud Seale. Helmsing also noted the attendance of Andrew Trippeer, a new admittee to the Alabama State Bar.

PRO BONO RECOGNITION

Vice President Jeff Bowling provided an update regarding pro bono activities for the month and noted the upcoming year would be the 35th anniversary of the Volunteer Lawyers Program. Special guests in attendance for Pro Bono month were as follows: Birmingham School of Law Dean Scott Garrett and students Bridget Moore and Callie Silva; Samford University's Cumberland School of Law Director of Clinics, Externships and Public Interest Rachel Martin and students Maya Shah and Mackenzie Zusi; and the University of Alabama School of Law students Paisley Flagg and Riley Cornelius.

APPROVAL OF MINUTES FROM SEPTEMBER 5, 2025

President Helmsing stated the minutes from the September 5, 2025, Board of Bar Commissioners meeting had been distributed prior to the meeting.

Commissioner Josh Hayes moved to approve the minutes as submitted, seconded by Scott Holmes, and said motion was approved by unanimous voice vote.

PUBLIC REPRIMANDS

Tuscaloosa, Alabama attorney **Benjamin Thomas Larkin**, was issued a Public Reprimand without General Publication by the Disciplinary Commission of the Alabama State Bar on October 24, 2025 for violating Rules 1.1 [Competence], 1.3 [Diligence], 1.4 [Communication], and 8.4(c), (d) and (g) [Misconduct], Alabama Rules of Professional Conduct. In September 2014, a client paid a $1,500 fee to Larkin to expunge an arrest from 2013. In November 2014, Larkin informed the client that because the criminal charge arising from her arrest was dismissed "without prejudice," the charge could not be expunged for two years. However, Larkin indicated that he would speak with the DA about agreeing to have the judge amend the order to a "dismissal with prejudice" so they could seek an immediate expungement. In March 2016, the client reached back out to Larkin, via email, about filing the expungement. Larkin responded that he would prepare the necessary paperwork and that the client needed to provide him with an original set of her fingerprints. The client promptly provided Larkin a copy of her fingerprints and signed the necessary paperwork for the expungement. In February 2017, the client emailed Larkin requesting an update on the expungement. Larkin responded that he would check on the matter. In April 2017, Larkin informed the client that the expungement had been filed but that the state had failed to remove the listing. Larkin stated that he would follow-up and also asked for the original file to be sealed. At this time, the client believed the matter had been finalized. In June 2021, the client applied for a job and learned from her potential employer that the arrest was still appearing in her criminal background check. The client contacted the County Clerk's Office and learned that an expungement had never been filed. The client then emailed Larkin and asked him to provide her with copies of the original filing or anything that would indicate the expungement had been filed. Larkin promised to do so. In July 2021, Larkin informed the client that he could not locate her file and would refile the expungement at his own cost. In December 2021, the client contacted Larkin and asked if the expungement had been filed. Larkin replied that he would file the expungement later that month. The client followed up with Larkin in February 2022 asking him to please get the expungement filed. Larkin informed the client that she would need to obtain a new set of fingerprint cards. The client provided the fingerprints to Larkin in March 2022 and signed all of the necessary paperwork. In early July 2022, the client emailed Larkin asking for a status update. Larkin did not respond. In August 2024, the client contacted the County Clerk's Office and learned that the expungement was never filed. In September 2024, Larkin responded to the client and promised to get it "straightened out asap." After not hearing from Larkin, the client emailed him requesting a copy of the expungement he filed because she had already lost two opportunities for employment as a result of the arrest appearing on her criminal

background check. After Larkin failed to respond, the client filed a complaint against him. In response to the complaint, Larkin admitted to failing to file the expungement on the client's behalf. Larkin further issued a $1,500 refund to the client.

Prattville, Alabama attorney **Jim Tom Norman, III**, was issued a Public Reprimand without General Publication by the Disciplinary Commission of the Alabama State Bar on October 24, 2025 for violating Rule 8.4(g) [Misconduct], *Alabama Rules of Professional Conduct*. Norman represented a client in a divorce/custody matter from 2019 to 2023. Norman withdrew from the matter because he disagreed with the client's request that he file a motion to recuse the judge. The client was subsequently represented by other counsel. On November 13, 2024, Norman was informed by office staff that the client had called his office and called Norman "a piece of shit." That same day, Norman contacted the client to set up a meeting. The entire meeting was captured by a security camera. The video showed that Norman was the aggressor and instigated a physical altercation with the client while he was still sitting down. When the client stood up, Norman shoved him to the ground, and a fight ensued.

PRESIDENT'S REPORT

President Fred Helmsing thanked the Bradley firm and Executive Council member George Parker for hosting the previous night's reception at their offices overlooking Dexter Avenue and the State Capitol. Helmsing recapped the Admission Ceremony, noting the more than three hundred new admittees whose hands he personally greeted as he presented their certificates.

President Helmsing thanked Vice President Jeff Bowling for representing him at the Opening of Courts ceremony while he attended the Southern Conference of Bar Presidents in Charleston, commending him for doing an excellent job with his remarks.

He also summarized this year's Southern Conference of Bar Presidents meeting in Charleston, noting that Alabama will host the event next year. He shared with the Board the video shown at the conference, which highlighted Alabama and the host hotel, the Grand Hotel in Point Clear.

Finally, Helmsing recognized Commissioners Shelly, Holt, and Utsey, as each had a child participating in the admission ceremony the day prior.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Terri Lovell noted that October is a busy time at the Alabama State Bar as the licensing renewal season concludes. With the new admittees from Thursday's Admission Ceremony, the bar now has more than 20,000 members.

She reported that Bar staff would participate in an active shooter training course the following week and that building maintenance projects, including pressure washing and ongoing HVAC repairs, were underway.

Director Lovell highlighted the recent Bench and Bar networking event and CLE held with Faulkner Law students earlier this month and previewed a similar event would soon be scheduled at the University of Alabama. She also noted the success of the first-ever Solo and Small Firm Seminar, which was moved from the State Bar building to the Supreme Court's mezzanine classroom due to high registration numbers. The seminar featured several speakers, including judges and a nationally recognized expert on artificial intelligence. The seminar was a partnership between the Alabama State Bar and the Alabama Law Foundation.

She concluded by thanking bar staff for their hard work during this busy season and the Commissioners for their continued support.

GENERAL COUNSEL REPORT

General Counsel Roman Shaul introduced newly hired Assistant General Counsel Justin Jones. Jones previously served in the Tuscaloosa and Montgomery District Attorney's Offices as well as the U.S. Attorney's Office. He is a graduate of the University of Alabama School of Law.

Shaul then previewed the bar's forthcoming Artificial Intelligence (AI) policy for staff. The proposed policy permits the use of AI tools for most tasks but prohibits their use in legal writing. It further emphasizes the importance of human judgment, verification, and accuracy when using such tools. In response to questions, he cautioned that platforms like ChatGPT Pro operate through OpenAI and should not be used to upload or process confidential information, as privacy cannot be guaranteed. Shaul added that law firms without their own AI policies should follow the American Bar Association's guidance on responsible AI use and his office would begin working on a best practices document regarding AI use in the legal profession.

Shaul noted a vacancy now exists on the Disciplinary Board due to Justin Jones' employment within OGC. He invited board members to submit nominations for consideration ahead of the January BBC meeting vote to fill this unexpired term.

He concluded by inviting members to attend the Office of General Counsel Disciplinary Summit on December 3 at the bar building and provided an overview of recent speaking engagements by OGC staff. Shaul encouraged members to reach out if they would like him to speak to their local bar associations or civic groups.

LOCAL BAR REPORT

No local bar reports were given.

FINANCE DIRECTOR'S REPORT

Finance Director Merinda Hall reported revenues had increased approximately 3% and spending was down approximately 4%. Hall stated monies received from license fees were coming in quicker than normal and thus revenues were higher. She reported total revenue for FY2025 being $6,757,062.69, with total expenses amounting to $6,043,121.55.

Commissioner Jeff Bowling moved to approve the financial report, seconded by Pratt Austin-Trucks. The motion was approved by unanimous voice vote.

EXECUTIVE COUNCIL REPORT

Vice President Jeff Bowling reported the Executive Council had been briefed on recent staffing changes, continued progress towards transitioning to the NextGen Bar Exam with the development of Alabama-specific questions, as well as the legislative measure to clarify the bar's financial status.

He also provided a recap of the Opening of Courts ceremony, at which he delivered the memorial address on behalf of President Helmsing. He encouraged Board members to attend a future ceremony, noting how meaningful and moving the event was for the families of the attorneys honored.

Vice President Bowling then asked the Board to consider moving two discussion items to action items: (1) the election of a new commissioner to fill the vacant 10th Judicial Circuit seat, and (2) the proposed staff AI policy.

Commissioner Hunter Compton made a motion to move the items to action items on the agenda. Commissioner Jerome Thompson seconded, and the motion was approved by unanimous voice vote.

LEGISLATIVE COUNSEL REPORT

Legislative Counsel Suzi Huffaker reported that the 2026 Regular Session will begin on January 13, 2026, earlier than usual, since it is the final year of the quadrennium. She outlined the bar's bill for this session, noting that the bar is working with all branches of state government, in conjunction with the Office of the Examiners of Public Accounts, to clarify the state bar's agency status.

She also asked commissioners to be on the lookout for any local bills that might be filed and to contact her if they have any questions or concerns.

DISCUSSION ITEMS

APPOINTMENT TO DISCIPLINARY BOARD

General Counsel Shaul reminded the Board of the vacancy existing on the Disciplinary Board. He invited Board members to submit nominations by January 9 for consideration ahead of the January 24 BBC meeting.

PROPOSED ARGA CHANGES FOR NEXTGEN ADOPTION

Admissions Director Karen Laneaux reported that, with the launch of the NextGen Bar Exam in 2028, the Alabama State Bar will need to amend its Rules Governing Admission to reflect the new exam components. Under the proposed changes, the Alabama-specific essay portion would replace the current required course on Alabama law.

She noted that the Court is considering what the new passing score for Alabama should be, particularly since some jurisdictions will implement the NextGen exam before July 2028. A vote on the proposed rule changes is scheduled for the January 24, 2026, meeting.

ACTION ITEMS

ARTIFICIAL INTELLIGENCE (AI) POLICY FOR STAFF

During the prior staff reports, General Counsel Roman Shaul previewed the bar's forthcoming Artificial Intelligence (AI) policy for employees. The proposed policy permits the use of AI tools for most tasks but prohibits their use in legal writing. It also emphasizes the importance of human judgment, verification, and accuracy when using such tools. In response to questions, Shaul cautioned that platforms such as ChatGPT Pro operate through OpenAI and should not be used to upload or process confidential information, as privacy cannot be guaranteed. He added that law firms without established AI policies should follow the American Bar Association's guidance on responsible AI use.

Following the discussion, a question was raised regarding the policy's effective date. Shaul stated that it would take effect immediately.

Commissioner Jerome Thompson made a motion to approve the policy, which was seconded by Commissioner Ashley Peinhardt. The motion was approved by unanimous voice vote.

VACANCY FOR 10TH JUDICIAL CIRCUIT, PLACE 7

Due to the resignation of Commissioner Katherine Brown, a vacancy was created for the 10th Circuit, Place 7 position with the term ending June 30, 2026. President Helmsing announced that he directed the bar to reach out to the Birmingham Bar Executive Committee regarding this vacancy to solicit recommendations.

The Birmingham Bar Association submitted four nominees for consideration:

- **Sharon Stuart**, Christian & Small – Immediate Past President of the BBA and current member of the BBA Executive Board
- **Anna Carroll**, Heninger Garrison Davis, LLC – BBA Executive Committee At-Large Member
- **Julie McMakin**, Jefferson County District Attorney's Office – BBA Executive Committee At-Large Member
- **Jennifer Tombrello Cohn**, Tombrello Law Firm – BBA Executive Committee At-Large Member

The Executive Council recommended filling the vacancy with one of the nominees provided by the Birmingham Bar. Following a vote, **Sharon Stuart** received a majority of votes.

Commissioner Mark Debro made a motion to appoint Sharon Stuart, seconded by Commissioner Ryan Robichaux, and said motion was approved by unanimous voice vote.

APPROVAL OF THE PROPOSED FY 2027 BUDGET

Finance Director Merinda Hall presented the proposed FY2027 budget, which had been discussed at the previous meeting and was brought forward for a vote. The proposed budget totals $7.19 million, representing a 1.75% increase over the FY2026 state budget approved last year.

Key adjustments include an anticipated 2% increase in employee wages, an upward adjustment to the in-state travel line to account for higher fuel and mileage costs, and an increase in professional services expenses related to preparations for the NextGen Bar Exam. The budget for supplies and materials is projected to decline due to a reduction in printing costs for *The Alabama Lawyer*, though that decrease is partially

offset by higher credit card processing fees, resulting in an overall net decrease for that category.

The FY2027 budget is based on a $325 dues rate and will be re-evaluated prior to the start of the fiscal year.

Commissioner David Holt made a motion to approve the budget, which was seconded by Commissioner Brandy Robertson. Prior to any vote, Commissioner Randy Bozeman recused himself from the vote.

The motion was approved by unanimous voice vote and the approved budget will be submitted to the state ahead of the November 3 deadline.

ARGA RULE III "PRIMARY PRACTICE OF LAW"

President Helmsing provided an overview of Rule III of the Alabama Rules Governing Admission. The Supreme Court has requested that the Board of Bar Commissioners survey its districts to determine whether to recommend changes to the rule, which currently requires that attorneys seeking admission designate at least 75% of their practice will occur in Alabama or that they maintain a physical office within the state.

Several Commissioners shared their perspectives on how this rule affects their practices and local communities, including Commissioners Manish Patel, David Holt, Hunter Compton, Carmen Howell, Jorja Loftin, and Past Presidents Perry and Seale.

President Helmsing reminded Commissioners the vote would not determine the outcome of the rule change but would reflect the bar's position on the issue. Executive Director Lovell distributed ballot slips for Commissioners to record their votes, and those not in attendance will be asked to submit their votes by email. All votes will be compiled, and the results will be submitted to the Supreme Court.

APPOINTMENT TO LSA BOARD

Lucy Tufts has resigned from her position on the Legal Services Alabama (LSA) Board. Legal Services Alabama submitted a nomination for Kristy Waldron of Burr & Forman LLP in Mobile, Alabama, to fill the vacancy.

Commissioner Josh Hayes made a motion to nominate Kristy Waldron, which was seconded by Commissioner Leon Hampton, and approved by unanimous voice vote.

APPOINTMENT TO THE BOARD OF BAR EXAMINERS

Board of Bar Examiner Robert Lockwood has recently resigned his position on the governance committee. Board of Bar Examiner Akeisha Anderson resigned her position on the grading committee.

The following attorneys were nominated for consideration for the **governance** position by the Board of Bar Examiners:

- Christopher Lockwood (2009); University of Georgia School of Law, Womble Bond
- M. Leigh Tyson, (1999); Univ. of Mississippi School of Law, Asst. Attorney General
- Jeremy Smith (2006); Univ. Alabama School of Law, Lanier Ford
- Tom Warburton (2002); Univ. Virginia School of Law, Bradley Arant

Nominated for the open **grader** position by the Board of Bar Examiners was Laura Decker (1996); Duke University School of Law, The Woodcrest Group.

Commissioner Bob McMillan made a motion to nominate Christopher Lockwood for the governance position and Laura Decker, for the grader position. The motion was seconded by Commissioner Angela Kennedy 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 Joel Connally, seconded by Pat Sefton, and approved by unanimous voice vote at 12:02 p.m.

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

ATTEST:

Terri B. Lovell, Secretary
Alabama State Bar