



**Georgia Defense  
Lawyers Association**  
Advancing the Civil Defense Bar®

## **GEORGIA DEFENSE LAWYERS ASSOCIATION Board of Directors Winter Meeting**

**February 7, 2014  
State Bar Headquarters  
Atlanta, Georgia**

### **MINUTES**

#### **Call to Order**

GDLA President Ted Freeman called the Board's 2014 GDLA Winter Meeting to order, promptly at 8:30 a.m. Present at the meeting were:

**Executive Committee:** President Theodore Freeman, Freeman Mathis & Gary, Atlanta; Secretary-Treasurer Matthew G. Moffett, Gray Rust St. Amand Moffett & Brieske, Atlanta; Past President Edward M. (Bubba) Hughes, Callaway Braun Riddle & Hughes, Savannah; Past President W. Melvin Haas, III, Constangy Brooks & Smith, Macon. **Vice Presidents:** Sarah B. (Sally) Akins, Ellis Painter Ratterree & Adams, Savannah; Craig Avery, Cowsert & Avery, Athens; Hall F. McKinley III, Drew Eckl & Farnham, Atlanta; and Peter D. Muller, Goodman McGuffey Lindsey & Johnson, Savannah. **Directors:** Jason C. Logan, Constangy Brooks & Smith, Macon; James D. (Dart) Meadows, Balch & Bingham, Atlanta; Wayne S. Melnick, Freeman Mathis & Gary, Atlanta; Brian T. Moore, Drew Eckl & Farnham, Atlanta; Christopher E. Parker, Miller & Martin, Atlanta; James W. Purcell, Fulcher Hagler, Augusta; Jeffrey S. Ward, Drew Eckl & Farnham, Brunswick. **Past Presidents:** Walter B. McClelland, Mabry & McClelland, Atlanta; Robert M. Travis, Bryan Cave, Atlanta; Warner S. Fox, Hawkins Parnell Thackston Young, Atlanta; Johnny Foster, Forbes Foster & Pool, Savannah; James E. Singer, Bovis Kyle Burch & Medlin, Atlanta. **Guests:** DRI Executive Director John Kouris, Chicago; Trial Academy Chair Douglas Burrell, Drew Eckl & Farnham, Atlanta; and Education Committee member Ashley Rice, Waldon Adelman Castilla Hiestand & Prout, Atlanta. **Executive Director** Jennifer M. Davis.

#### **Thanks to Jennifer for a great GDLA judge's reception last night!**

Ted Freeman thanked Jennifer for planning our annual judge's reception, along with the positive feedback of our attending judges. This event has continued to draw larger numbers through Jennifer's efforts and those of our Board.

### **Approval of Minutes**

Ted Freeman moved for approval of the 2013 fall meeting minutes, and the Board voted to approve them.

### **Membership Report**

Jennifer reported that the GDLA currently has 713 members. Membership Chair Warner Fox reported that 38 attorneys have applied for membership with the GDLA, with the Board thereafter reporting to approve them into membership. The Board denied one candidate (Kimberly Sheridan).

Membership of attorneys representing a federal/state entity (state of GA, county and city employees)

Ted Freeman discussed the issue of making these lawyers eligible for full membership in the GDLA. Ted invited all opinions on the issue and stated the issue would be discussed further and voted upon at the annual meeting in June.

### **DRI Report**

Bubba Hughes, our DRI state representative, reported on DRI meetings/developments. Bubba, Ted, and Executive Vice President Kirby Mason attended the recent DRI meeting, featuring Sarah Sladek, author of *The End of Membership*. Ted advised that Sladek discussed generational differences as to Boomers and GYs, as to membership, relevant to legal organizations like the GDLA.

John Kouris, executive director of DRI, was invited to attend the meeting. He discussed DRI wanting a greater presence in DC as to issues of concern to defense lawyers. He discussed amicus efforts, strategic planning with the assistance of a consultant and other DRI issues.

John also discussed with the group how times are changing and so is the practice of law. He mentioned the Axiom law firm – a cube farm promoting a better, cheaper and more efficient way to provide legal services. He informed us that DRI is focused on looking at the issue of how lawyers can succeed today in the practice of law with a good quality of living. From captive counsel, to continuing negotiation regarding fees and hourly rates, all lawyers are faced with changing times and resulting challenges. Membership has levelled off in DRI, and John described this as a major membership problem. John mentioned that DRI SLDO leadership will be invited and paid to attend national and regional meetings of DRI.

John also discussed DRI's National Foundation for Judicial Excellence, which holds an annual conference to train state appellate judges.

### **Membership Committee**

Dart Meadows and Chris Parker reported that membership has increased significantly. The membership committee has expanded and now has over a dozen members with more diversity, but the committee is looking for younger members (under the age of 36).

Dart discussed that the committee is exploring other state organizations succeeding in growing their membership.

### **Education Committee**

Wayne Melnick reported on CLE programs upcoming. February 20 is the next CLE program – Skits and Suds - Chopped. The Appellate CLE, which was snowed out on January 29<sup>th</sup> will be rescheduled; we're working with the judges now on a new date.

We also have a luncheon CLE upcoming on Women and the Law, a Defending Product Liability Fire Litigation Claims seminar and a webinar on trial preparation.

Dart Meadows mentioned a new program sponsored by the Alliance Theatre where actors work with lawyers on presentation skills; the Education Committee is working with them to produce a CLE for us.

Ted Freeman talked with the Board about all of us encouraging attendance at our seminars/events. Board members are encouraged to attend and to recruit other lawyers in member firms.

### **Meetings**

Jennifer reported that the scheduled meetings are:

- Spring Meeting, April 25-27, 2014, Royal Sonesta Hotel, Hilton Head, SC (Peter Muller mentioned the Savannah Bar Boat Ride – open to all lawyers, Friday, 9am)
- Annual Meeting, June 12-15, 2014, Ponte Vedra Inn & Club, Ponte Vedra, FL
- Fall Meeting, October 17-19, 2014, Barnsley Gardens, Adairsville, GA

Board approved meetings that have not yet been scheduled are:

- 2015 Spring Meeting – Bermuda
- 2015 Annual Meeting – Disney (June 12-15 or 19-21 are the options)
- 2017 – 50<sup>th</sup> Anniversary of GDLA – The Breakers

The Board is considering the following for the 2016 Annual Meeting: Hammock Beach and Ponte Vedra. Jennifer reported she and Staten will do a site visit to Hammock Beach before April.

### **Judicial Relations Committee**

Then-judicial relations committee chair Andy Holliday reported by e-mail to Ted Freeman who read the report as to the latest judicial appointments under consideration.

### **Substantive Law Committees**

Brian Moore reported that SLCs remain strong, contributing journal articles and newsletter articles. The Product Liability SLC has an upcoming meeting/seminar on February 12.

Jimmy Singer mentioned that one judge at our reception thanked the GDLA for sending to him our newsletter with substantive law articles.

### **Law Journal**

Hall McKinley reported on the status of the law journal and the authors now involved. Everything is on schedule for timely publication.

### **Newsletter**

Sally Akins reported on the newsletter and its overall success.

### **Trial & Mediation Academy**

Trial & Mediation Academy Chair Douglas Burrell reported on the success of the 2014 conference. He mentioned that more experienced lawyers attended this year, and based upon feedback we should consider marketing/expanding our academy for all lawyers, regardless of experience.

Douglas is also a vice president with the DRI Board of Directors and thanked the GDLA for its continuing efforts to market to and develop younger lawyers.

### **Sponsorships**

Craig Avery reported that sponsorship is strong, but it is less than last year. Craig encouraged the Board to continue to thank our sponsors, and remind them that we use them because they support the GDLA.

Jennifer Davis discussed sponsors who had renewed at a higher level or dropped a level, as well as those who had not renewed.

### **Website/Logo**

Ted Freeman reported for committee chairperson David Nelson on a proposed expert database. Paula Frederick of the State Bar of GA advised David that client consent may be necessary for future publication of an expert's deposition from a given case. The Board discussed having the GDLA ask the contributing attorney (providing the expert deposition) to certify that the client has given permission or that the arguably confidential or protected information has been redacted. The Board voted not to move forward with an expert deposition repository, at this time.

Ted thanked everyone for their input during the process resulting in a new logo, and encouraged those who had not visited the new website – which launched simultaneously with the logo – to take time to update their membership profiles. He reported we added a number of new fields that will be searchable in the members' only "Find a Defense Lawyer" area, to include counties of practice, law school, etc.

### **Amicus Committee**

Jeff Ward advised as to our latest two requests for amicus briefing. The GDLA accepted one of these requests for amicus briefing, with that request coming from DRI, regarding the offer of settlement statute and how it impacts a contingent fee contract.

The Board discussed the requirement that only a GDLA member may author an amicus brief to be submitted by the GDLA. The Board also discussed whether the GDLA will consider amicus briefing on a legal matter/issue proffered by a non-GDLA member, noting that a GDLA member would still be required to draft/submit the brief on our behalf. DRI does consider issues/matters proffered by non-members if the issue is of interest to the organization.

### **Diversity Committee**

The GDLA joined the Multi-Bar Leadership Council (MBLC), which was created by the Atlanta Bar Association. Jennifer Davis discussed the various programs of this group, and how the GDLA can participate further.

### **Younger Lawyers**

Jason Logan discussed the upcoming networking lunch in Atlanta for younger lawyers on March 20, with lottery seating for participants to encourage people to get to know new faces. The Board discussed a separate publication from the GDLA for younger lawyers; the YLs will consider their needs and report back.

### **Treasurer's Report**

The year 2013 was an even better financially than 2012 (which was a positive financial year). The GDLA had positive net income in 2013, four times the net income ending year 2012. Total liabilities and equities increased by 25% in 2013 from the prior year 2012.

### **Conflict of Interest**

The GDLA has a conflict of interest policy for the Board of directors, which was adopted at the 2013 Fall Meeting. We have been advised by our CPA that we need not have Board member sign it; rather we need only note in the minutes that it was adopted.

### **Insurance**

Premiums have increased, but the GDLA has renewed and, as such, still has all necessary insurance.

### **LinkedIn**

The Board discussed having social media strategy, including LinkedIn, which will be discussed further as part of the long range planning process.

### **President-elect Bylaw Amendment**

The Board discussed a proposed bylaw change whereby our executive vice president's title would be changed to president-elect. Essentially, the president elect would ascend to the office of the president unless he/she becomes ineligible or the nominating committee decides otherwise. After discussion, the Board approved this bylaw which will be presented at the annual meeting.

### **Long Range Planning**

The Board discussed long range planning. DRI has a long range planning guide for SLDOs. Ted Freeman discussed the formation of a long range planning committee and

potential members. DRI has a committee of seven. After further discussion, the Board decided to continue the discussion at the next meeting and move forward with the formation of a long range planning committee.

Ted Freeman moved that an initial retreat occur, with LRP members attending (with expenses being paid by the GDLA) as part of the overall long range planning. A DRI representative could attend to facilitate the process, as DRI has active committees and plans.

The Executive Committee will name a long range planning committee with an organizational meeting to follow.

### **Speaker Lunch Series**

The last luncheon was a great success, featuring Judge Tripp Self and an impromptu panel of Court of Appeals judges!

### **Adjournment**

The Board adjourned for subsequent executive session. A separate addendum summarizes that session, which addressed executive director compensation for 2014.