

TENNESSEE BAR ASSOCIATION
HOUSE OF DELEGATES MEETING
FRIDAY, APRIL 3, 2020 AT 10:00 A.M. CDT
VIA ZOOM MEETING

I. Call to Order:

The House of Delegates (HOD) of the Tennessee Bar Association (TBA) convened its regular meeting on Friday, April 3, 2020 electronically via Zoom due to the COVID-19 pandemic restrictions. Speaker Jim Cartiglia opened the meeting at 10:00 A.M. CDT.

Secretary Charlotte Knight Griffin called the roll. The following members were present via Zoom conference call:

Rick Bearfield	Bryce McKenzie
Shauna Billingsley	Marcia McMurray
Rebecca Blair	Timothy Mickel
Robert Bratcher	Steve Ogle
Jim Cartiglia	Jane Powers
Aaron Chapman	Peggy Pulley
Doug Collins	Mark Raines
Steve Conley	Andy Roskind
Lisa Cothron	Walt Schuler
Jamie Durrett	Ewing Sellers
Spencer Fair	Ross Smith
Hank Fincher	Theresa-Vay Smith
Will Gibbons	Jonathan Steen
David Goudie	Graham Swafford
Charlotte Knight Griffin	Tim Takacs
Charlie High	Ed Townsend
John Holt	Charlie Trotter
Debra House	Pat Vital
Meredith Humbert	Andy Wampler
Paul Hutcherson	Bridget Willhite
Thomas Hutto	Matt Willis
Melanie Lane	Randy Womack
Darlene Marsh	Debbie Zimmerle
Jerry Martin	
Weber McCraw	
Harrison McIver	

TOTAL: 49 members, constituting a quorum.

Also present were: President Sarah Sheppard, Executive Director Joycelyn Stevenson, Director of Public Policy & Government Affairs Berkley Schwarz, and Executive Assistant Karen Belcher.

II. Minutes of the January 31, 2020 HOD Meeting:

The minutes of the January 31, 2020 HOD meeting were presented and approved without opposition upon motion without reading.

III. Speaker's Report

Speaker Jim Cartiglia reported that a copy of the February Board of Governors meeting minutes were included in Tab 2 of the Agenda packet. He provided a summary of the February meeting of the Board. One major topic was consideration of a dues increase. However, based upon discussion in a series of meetings this week, that probably will not happen.

He reported that the HOD nominating committee has nominated Meredith Humbert for Speaker, Charlotte Knight Griffin for Deputy Speaker and Shauna Billingsley for Secretary. Additional nominations from HOD members may be emailed to the Speaker or Joycelyn Stevenson. A committee consisting of the Speaker, Jonathan Steen, Meredith Humbert, Ewing Sellers, and Andy Roskind will be reviewing the HOD rules. Their goal is to forward proposals for possible revisions to HOD members by May 1, 2020.

IV. TBA President's Report

President Sarah Sheppard reported on the impact COVID -19 has had on various events this year. The Mock Trial competition had to be cancelled. The Tennessee Supreme Court issued its first order on March 13, 2020 and it has been modified several times. It included the suspension of the distance learning limit for CLE. A few of the things done by the TBA include convincing the governor to declare legal services as essential services and urging the Tennessee Supreme Court to speed up indigent representation payments. The TBA Executive Committee voted to file a petition to permit interim billing and they are hopeful it will be well received. She reported that the U.S. District Court in the Eastern District has entered an order permitting interim billing and similar orders are under consideration in the Western and Middle Districts. Many filing deadlines have been extended but lawyers need to check carefully to ensure extensions apply to particular situations. They are also considering an order dealing with Rule 7 in the event the bar exam cannot proceed in July.

V. Executive Director's Report

Executive Director Joycelyn Stevenson reported that the TBA office has been closed until further notice. Staff are working remotely. Between 8 a.m. and 5 p.m. the phone numbers are “twinned” to their home numbers. The receptionist is also working from home. The TBA made a quick pivot from live CLE to online and they have seen a great uptick in use of online classes.

She shared a screen showing how to find HOD materials on the website, described the HOD e-community page which is accessible only to the HOD and will include the bylaws and calendar.

They are still considering what will happen with the TBA Convention this June.

VI. Governmental Affairs Report

Director of Public Policy & Government Affairs Berkley Schwarz provided an overview of the materials attached as Tab 3. The Tennessee General Assembly recessed until June 1, 2020. Before leaving, they passed a temporary budget which included in excess of \$400 Million in reductions to the Governor’s budget proposal. Those reductions include the professional privilege tax cut and an increase to indigent representation fees among many other items. They extended the franchise and excise tax deadlines until July. Before the recess the TBA business law legislative initiative and the adoption law legislation were signed into law.

She reported that they had a great meeting with the task force considering notarization issues yesterday. They need a solution for wills and estates for the in-person witness requirement. She will continue to update the HOD about this issue.

Jerry Martin made a motion for the TBA to withdraw its professional privilege tax legislation which was seconded by Bridget Willhite. The motion failed 42 to 5 on a roll call vote.

Harrison McIver suggested consideration of small business issues and putting that information on the TBA website where it could be easily accessed. The Executive Director indicated they are actively working on that now and have also provided a number of programs on COVID-related issues.

VII. Report from Ad Hoc Committee on Pro Se Divorce Forms

Committee Chair Jonathan Steen provided an update on the activities of the Ad Hoc Committee on Pro Se Divorce Forms. The AOC report, which is a work in progress, was attached as Tab 4. The Committee met on March 9, 2020 to discuss the report which included survey responses from thirty-one judges. The results from a survey of the General Sessions judges with domestic jurisdiction will be added.

There was much discussion about the need for additional information. The Committee is working on a survey the AOC will send to the private bar. Matt Willis is working on the questions for that survey and asked the HOD to email suggestions to him.

VIII. Announcements

Speaker Cartiglia reviewed the list of upcoming meetings of the HOD included in the Agenda.

IX. Adjournment

After the work of the HOD was completed for this meeting, upon motion made with no opposition, the HOD was adjourned.

Respectfully Submitted,

Charlotte Knight Griffin
Secretary