

TENNESSEE BAR ASSOCIATION
HOUSE OF DELEGATES MEETING
WEDNESDAY, JUNE 17, 2020 AT 2:00 P.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 Wednesday, June 17, 2020 electronically via Zoom due to the COVID-19 pandemic restrictions. Speaker Jim Cartiglia opened the meeting at 2:00 P.M. CDT.

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

Rick Bearfield	Weber McCraw
Shauna Billingsley	Harrison McIver
Rebecca Blair	Bryce McKenzie
Robert Bratcher	Timothy Mickel
Karen Burns	Jennifer Noe
Jim Cartiglia	Steve Ogle
Eve Charlesworth	Peggy Pulley
Steve Conley	Mark Raines
Lisa Cothron	Andy Roskind
Jamie Durrett	Walt Schuler
Spencer Fair	Ewing Sellers
Will Gibbons	Ross Smith
David Goudie	Theresa-Vay Smith
Charlotte Knight Griffin	Jonathan Steen
Charlie High	Graham Swafford
John Holt	Tim Takacs
Debra House	Ed Townsend
Meredith Humbert	Charlie Trotter
Melanie Lane	Pat Vital
Darlene Marsh	Andy Wampler
Jerry Martin	Randy Womack

TOTAL: 42 members, constituting a quorum.

Also present were: President Sarah Sheppard, President Elect Michelle Greenway Sellers, Assistant Executive Director Barry Kolar, Director of Public Policy & Government Affairs Berkley Schwarz, Legislative Counsel Brad Lampley, and Executive Assistant Karen Belcher.

II. Minutes of the April 3, 2020 HOD Meeting:

The minutes of the April 3, 2020 HOD meeting were presented and approved without opposition upon motion without reading.

III. TBA President's Report

President Sarah Sheppard reported on the impact COVID -19 has had on various events this year and this annual meeting. The luncheon tomorrow will be virtual. The Chief Justice will give a "fire side" talk. Cancellations this year included Leadership Law and Mock Trial. She commended the TBA Staff for doing an incredible job turning in-person events into virtual CLE and creating a virtual convention with over 800 registrants.

The decision to go virtual for the convention was not just perfunctory compliance with the TBA's requirement for an annual meeting. Leadership and staff felt there was such a need to connect that registration should be free and include good CLE opportunities. So, a total of 8 hours of CLE are available and will be recorded and posted on the TBA website through the end of June for anyone who registers for the event. Combined with the 3 hours of CLE members get with their membership, that will be a total of 11 hours of free CLE available to members this year. The meeting also includes virtual roundtables and two virtual musical entertainment opportunities on Thursday evening. President Sheppard expressed her gratitude to the Board for their support and to the TBA Staff who made this possible.

President Sheppard also noted several things planned and noted in prior Board minutes that will not be happening, including a TBA dues increase and indigent representation reform. As previously reported, the TBA filed a petition with the Tennessee Supreme Court to permit interim billing which has been docketed. The biggest issue is the money. The Supreme Court requested additional funding in the 2020 budget, but it does not appear likely the request will be granted. The Court plans to renew their request for 2021 and she reminded the HOD that the Legislature passes the budget, not the Court or the Governor, and they will need to hear from many voices. She also reported that the project considering the future of the TBA headquarters is "on pause" due to COVID.

Speaker Jim Cartiglia complimented President Sheppard on the work she and the Board have done this year and offered his thanks.

IV. Social Justice

President Sheppard and HOD member Harrison McIver discussed recent events, recited the names of individuals killed by law enforcement and noted recent polls indicating 70% of people

in the United States now think we have a racial problem in this country. They noted that a Lawyers Unity March will take place in Memphis next Wednesday. President Elect Sellers reported the TBA YLD will be involved in the Unity March. She has appointed Mary Beard as the first Chief Diversity Officer for the TBA. Ms. Beard, who is with HCA Healthcare, was the first Diversity Chair for the TBA.

V. Speaker's Report

Speaker Cartiglia reviewed the proposed Amendment to the Rules of the HOD, included as Tab 2. Jonathan Steen moved to approve, and Andy Roskind seconded the motion. Following discussion, the motion passed without opposition.

He reviewed the minutes of the February meeting of the Board of Governors (also attached in Tab 2). He noted that the first Claudia Jack Award will be given to Henry Martin who is with the Public Defender's Office in Davidson County.

He reviewed committee nominations for HOD officers: Meredith Humbert for Speaker, Charlotte Knight Griffin for Deputy Speaker and Shauna Billingsley for Secretary. No additional nominations were made, and the nominations were approved without opposition.

VI. Executive Director's Report

Assistant Executive Director Barry Kolar reported that the TBA office is still closed and staff are working remotely. They have tentative plans to reopen on August 3, 2020 on a partial basis, alternating with some in office and some still remote.

VII. Governmental Affairs Report

Director of Public Policy & Government Affairs Berkley Schwarz and Legislative Counsel Brad Lampley provided an overview of the materials attached as Tab 3. The Tennessee General Assembly reconvened after recessing in March and is still in session. Brad reported the House passed a budget today which differs from the budget passed by the Senate so it will go to the Conference Committee to resolve the differences. The primary difference is that the Senate considered only COVID issues and the House took up a lot of other things.

Berkley reminded the HOD that the TBA moved its business law and adoption bills early in the session. Unfortunately, the real estate bill was scheduled just as the Legislature recessed. She also noted the progress made on the professional privilege tax and indigent defense representation funding prior to the recess. Neither were included in the bare bones budget passed before the recess, but she and Brad believe there is a real resolve to do something about this post-recovery.

VIII. Installation of New Speaker

Speaker Cartiglia's final agenda item was the installation of Meredith Humbert as Speaker of the House and the virtual passing of the gavel. Meredith expressed thanks on behalf of the HOD to Jim for his work as Speaker.

IX. Announcements

Speaker Humbert reviewed the list of upcoming meetings of the HOD included in the Agenda and expressed cautious optimism that the next HOD meeting on September 18, 2020 will be in person. No dates have been set yet for the winter meetings.

X. 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