

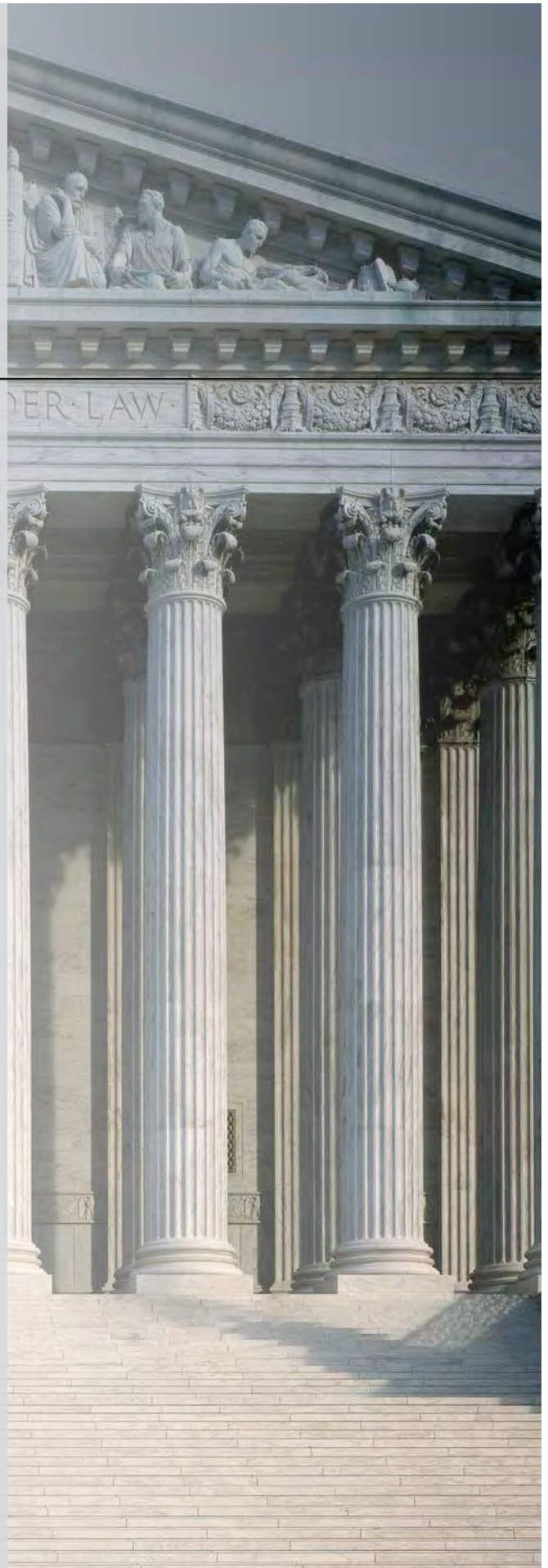


Mandatory State Bar Associations

Managing Keller

The following information regarding mandatory bars and how they manage Keller related activities was compiled by State Bar of Michigan between February 2014 and May 2014. This was a significant research initiative to support the Michigan Supreme Court Task Force on the Role of the State Bar of Michigan. As information was gathered, executive directors from several state bars expressed an interest in receiving this compilation of material. We are pleased to share this information with those who find it useful. Please note that the State Bar of Michigan does not update this compilation as policies and statutes change in various states. Users are encouraged to check with the state bars directly to learn of any relevant changes.

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History of the Bar

In 1883, a small group of lawyers established the Georgia Bar Association. This new professional organization proved beneficial to its members but, since membership was not required of all Georgia lawyers, it lacked power. "Because of its nature as a voluntary association not comprised of all the lawyers in this state," explained 1946 Georgia Bar President Charles Gowen, "the Georgia Bar Association was unable to address significant needs including uniform discipline throughout the state and the passage of important legislation."

By 1925, a trend toward unification became evident in state bars across the country, including the Georgia Bar Association, which would struggle for conversion over the next 40 years, enlisting the aid and support of many of Georgia's most prominent legal minds. The bill to create an integrated bar was finally passed by the Georgia House and Senate in 1963, a move motivated primarily by the concept of regulated self-discipline. "The capstone of the State Bar," said 1964-65 Bar President Hugh M. Dorsey, Jr., "is the power of self-discipline, which has been sought so long and is needed so badly. For the first time, all of us can and will be held to answer to the public for the conduct and character of our profession, and here we must not, and cannot, fail."

Today, the State Bar of Georgia Rules and Regulations, found in the Handbook, serve as a guide for bar members, officers and staff. According to the Handbook, the State Bar exists "to foster among the members of the Bar of this State the principles of duty and service to the public; to improve the administration of justice; and to advance the science of law." All persons authorized to practice law in this state are required to be members. The State Bar of Georgia has strict codes of ethics and discipline that are enforced by the Supreme Court of Georgia through the State Bar's Office of the General Counsel. Through membership dues and other contributions, the State Bar of Georgia is able to maintain programs that mutually benefit its members and the general public.



Rule 1-103. Purposes

Organization of the State Bar & Admissions / Part I - Creation & Organization / CHAPTER 1 CREATION AND ORGANIZATION / Rule 1-103. Purposes

The purposes of the State Bar of Georgia shall be:

- a. to foster among the members of the bar of this State the principles of duty and service to the public;
- b. to improve the administration of justice; and
- c. to advance the science of law.

GO TO [Rule 1-102. Powers](#)

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State Bar Legislative Policy

The State Bar of Georgia regularly takes positions on legislative proposals that are germane to its legitimate purposes and while the Bar's legislative program is supported by voluntary contributions it has historically elected to operate in the manner described in Standing Board Policy 100 (Policy). The entire Policy can be found [here](#).

In order to comply with these self-imposed benchmarks the Policy provides for initial consideration and recommendation by the Advisory Committee on Legislation (ACL) after which the matter receives a second consideration by the Board of Governors (Board). Because neither the ACL nor the Board meets while the legislature is in session, the Policy further provides that during that period of time the Executive Committee (Committee) shall address legislative issues.

The Policy prescribes a three-step process to be followed by the Committee. It must determine by majority vote that the issue is germane to the legitimate purposes of the State Bar. Next it must determine by majority vote that the legislation could not reasonably have been submitted to the Board. If the first two votes are in the affirmative the Committee must then decide by a two-thirds majority vote to support or oppose the legislation in question.

In this particular matter the issue is germane to the legitimate purposes of the Bar and was presented at a time when Board consideration was not possible. Thus the issue fell to the Executive Committee. After hearing from supporters and opponents the Committee undertook the three-step process. All three votes were unanimous and resulted in the Report on SB 331.

It should be noted that the Committee's action in no way diminishes the right of every member to express, in his or her individual capacity, support or opposition to SB 133.



Standing Board Policy 100 (Legislative Policy and Procedure)

Organization of the State Bar & Admissions / Standing Board Policy 100 (Legislative Policy and Procedure)

LEGISLATIVE POLICY AND PROCEDURE**ADOPTED BY BOARD OF GOVERNORS JUNE 14, 1986,****AMENDED JUNE 20, 1992, JUNE 18, 1994****1.01. General Legislative Policy.**

- a. The Bylaws set forth the restrictions on establishing a legislative policy. Article 11, Section 6 of the Bylaws provides that:

No legislation shall be recommended, supported or opposed by the State Bar unless:

1. such action has been initiated by an appropriate committee or section, or by any ten members of the Board of Governors; and
2. the text of the legislation is furnished to the President, the President-elect and the Advisory Committee on Legislation at least thirty days prior to its submission for support or opposition as set forth below; and
3. provided further:
 - i. that such legislative position receives a majority vote of the members of the State Bar present at a meeting; or
 - ii. that such legislative position receives a two-thirds vote of the members of the Board of Governors present and voting; or
 - iii. when the Board of Governors is not in session, such legislative position receives a two-thirds vote of the members of the Executive Committee voting.

In addition to and in aid of these legislative powers, the Board shall have the power to adopt, by a vote of two-thirds of the members of the Board present and voting, a Standing Board Policy regarding legislation. Such Standing Board Policy shall be binding from session to session unless suspended, modified or rescinded pursuant to a two-thirds vote of the members of the Board present and voting.

No committee or section of the State Bar shall recommend, support or oppose any legislation except in the manner herein provided.

- b. No legislative position shall be taken by the State Bar or any committee, section or other organizational element thereof except as provided for in this policy. Committees, sections or other organizational elements of the Bar are encouraged to debate and discuss legislation relating to their areas of expertise and to let the Advisory Committee on Legislation know of their positions. The ultimate position of the State Bar, however, will be determined pursuant to this Policy.
- c. A legislative position, once adopted, shall remain an official position of the State Bar during the full biennial session of the General Assembly in which it was adopted unless rescinded or modified.
- d. Failure to receive a necessary two thirds vote to favor or oppose legislation shall not be considered adoption of the contrary position.
- e. All legislative positions adopted by the State Bar shall be reduced to writing and communicated to the General Assembly as the organizational positions of the State Bar.
- f. The Advisory Committee on Legislation, the Board, or the Executive Committee may allow any interested person to appear before it in person and in writing in support of or in opposition to any legislative proposal being considered subject to reasonable limitations on available time.
- g. The Board and Executive Committee shall have authority to take reasonable action necessary to communicate and advocate legislative positions adopted pursuant to the Bylaws and this policy.
- h. The Board or the Executive Committee shall have the authority to designate persons to promote State Bar legislative positions. Persons so designated shall be authorized to agree to and to support amendments and substitute legislation which are consistent with legislative positions previously adopted pursuant to the Bylaws and this Policy. No section, committee or other Bar-related organization shall hire or designate any persons or entities to promote State Bar or their own legislative positions nor shall such sections, committees or Bar-related organization expend any funds of the section, committee or organization in the support of or opposition to any legislative positions unless expressly approved by the Board of Governors or the Executive Committee. Should the Board of Governors or the Executive Committee approve such expenditures, the funds of the section, committee or Bar-related organization shall be paid into the Legislative Advocacy Fund.
- i. Nothing in this policy shall be construed to prevent members of the State Bar from presenting their own personal views concerning any legislative matter and members are encouraged to do so while making clear that they are speaking only in their personal capacity.

1.02. Board of Governors.

- a. Consideration of any legislative proposal by the Board shall proceed in the following order:
 1. A written proposal shall be presented by an appropriate committee or section or by any 10 members of the Board to the Advisory Committee on Legislation, the President, the President-elect, and each member of the Executive Committee at least 30 days prior to a meeting of the Board. Such proposal shall, as a minimum, include the following:
 - i. the specific legislation, if any, which is pending or proposed;
 - ii. if no specific legislation is pending or proposed, a statement of the issues to be addressed by the legislation;
 - iii. a summary of the existing law;

- iv. principal known proponents or opponents of the legislation and, if possible, a brief statement of the reasons for opposition or support by the other interests;
 - v. a listing of any other committees or sections which may have an interest in the legislation and a certification that any such committees have been provided a copy of the proposal simultaneous to its transmission to the Advisory Committee on Legislation; and
 - vi. the position which the committee, section or group recommends be adopted by the State Bar.
2. The Advisory Committee on Legislation, after consideration of the legislative proposal in accordance with Rule 1.04 of this policy, shall make a written recommendation concerning the proposal to the Board at its next meeting. A copy of the written recommendation shall be furnished to each member of the Executive Committee at least ten (10) days prior to the Board meeting.
 3. The Board shall determine specifically by a majority vote of members present and voting whether the proposed legislative action is germane to the legitimate purposes of the State Bar.
 4. If the determination in section (3) above is affirmative, then at least two thirds of the members of the Board present and voting must vote to recommend, to support, or to oppose the legislative proposal.
- b. Legislative positions may be considered and adopted by the Board at any special or regular meeting.

1.03. Executive Committee.

- a. Consideration of any legislative proposal by the Executive Committee shall proceed in the following order:
 1. a proposal adopted by the Advisory Committee on Legislation or from a member of the Executive Committee shall be presented;
 2. the Executive Committee shall specifically determine by a majority of members voting whether the proposed legislative action is germane to the legitimate purposes of the State Bar;
 3. if the determination in subsection (2) above is affirmative, then the Executive Committee shall then determine by a majority vote of those voting either that (i) the requested legislative action could not reasonably have been submitted for consideration by the Board of Governors in accordance with existing policies, or: (ii) that a significant material change in circumstances since the last Board of Governors has made the Executive Committee action necessary;
 4. if either determination in subsection (3) above is affirmative, at least two thirds of the members of the Executive Committee voting must vote to recommend, to support, or to oppose the legislative proposal.
- b. The Executive Committee shall take no action inconsistent with previous action of the Board on substantially identical legislation unless there has been a significant material change in circumstances since the last meeting of the Board of Governors. The failure to receive the required two thirds vote of the Board of Governors shall not be considered "previous action" by the Board.
- c. If any emergency exists and is not feasible for the Executive Committee to act, then the president, upon consultation with and agreement by any two from among the president-elect, the immediate past president and the chairman of the Advisory Committee on Legislation may act upon pending or proposed legislation.
- d. Any action taken by the Executive Committee or president shall be reported to the Board at its next meeting.

1.04. Advisory Committee on Legislation.

- a. Structure--The Advisory Committee shall be composed of at least nine members, at least six of whom shall be members of the Board at the time of their appointment and the Immediate Past President.
- b. Initial Terms--The nine members of the Advisory Committee appointed to serve effective July 1, 1986, shall be appointed for initially staggered terms as set out below:
 1. three members, including two members of the Board, shall be appointed by the immediate past president for one-year terms.
 2. three members, including two members of the Board, shall be appointed by the president for two-year terms.
 3. three members, including two members of the Board, shall be appointed by the president-elect for three year terms.
 4. the chairman shall be appointed by the president.
- c. Terms--Commencing July 1, 1987, the president-elect shall appoint three members, at least two of whom shall be members of the Board at the time of their appointment, to three-year terms and shall name a chairman-elect. The chairman-elect shall become chairman when the president-elect becomes president. The President, upon consultation with and agreement by the President-elect shall have the power to appoint additional voting members to the Advisory Committee who shall serve during the one-year term of his presidency. However, in any event at least two-thirds of this Committee will be members of the Board at the time of their appointment.
- d. The Advisory Committee will meet for the purpose of developing its recommendations to the Board and Executive Committee with regard to requests to adopt a legislative position.
- e. In each case involving a proposed legislative position, the Advisory Committee shall make a recommendation to the Board or the Executive Committee on the following:
 1. whether the proposed legislative action is germane to the legitimate purposes of the State Bar; and
 2. the legislative position which the Board or Executive Committee should adopt.
- f. In addition to the above, the Advisory Committee shall also have the authority to draft and submit to the Board or the Executive Committee, legislative concepts which may or should be the subject of legislation and recommend positions with respect thereto.

- g. When the General Assembly is in session, appropriate committees and sections of the State Bar may submit legislative proposals to the Advisory Committee for approval by the Executive Committee. All such proposals, however, shall be in writing and satisfy the format requirements set forth in subsection (a)(1) of Rule 1.02 of this policy.
- h. The Advisory Committee shall review all legislation filed in the State Legislature which would require an amendment to the State Constitution. The Advisory Committee shall determine whether the State Bar should take a position pursuant to this policy regarding the proposed constitutional amendment.
- i. All matters concerning contract and finance shall be submitted to the Executive Committee for approval.

1.05. Legislative Drafting and Consulting Services.

- a. The State Bar, at the sole discretion of the Executive Committee, may provide legislative drafting, legal research and other similar services to the Office of the Governor and members of the Georgia General Assembly. THE DECISION BY THE STATE BAR TO PROVIDE SUCH SERVICES DOES NOT CONSTITUTE AN ENDORSEMENT BY THE STATE BAR OF ANY LEGISLATION REVIEWED OR DRAFTED.
 - 1. All requests for legislative drafting or consulting services should be directed to the President of the State Bar who shall immediately place the request on the agenda of the next Executive Committee Meeting.
 - 2. Consideration of any legislative drafting or consulting request by the Executive Committee shall proceed in the following order:
 - i. the president shall present the request for legislative drafting or consulting services to the Executive Committee;
 - ii. the Executive Committee shall specifically determine by a majority of members voting that the drafting, research or review of the proposed legislation would not be adverse to the interests of the State Bar;
 - iii. if the determination in subsection (ii) above is affirmative, then the Executive Committee shall determine by majority vote whether or not to provide such services;
 - iv. if the determination in subsection (iii) above is affirmative, the Executive Committee shall refer the matter to the Legislative Research Committee, or other appropriate State Bar committee or section.
 - 3. Should any emergency exist and it is not feasible for the Executive Committee to act, then the President, upon consultation with and agreement by any two from among the President-elect, the immediate past President, the Chair of the Advisory Committee on Legislation or the Chair of the Legislative Research Committee, may act upon the pending request for legislative drafting or consulting services.
 - 4. The final copy of any proposed legislation drafted by any member or members of the State Bar under this provision shall contain the following disclaimer at the head of the first page, unless the proposed legislation has been considered under the provisions of section 1.01 through 1.04 above: "The State Bar of Georgia has drafted the following proposed legislation as a service to the Georgia General Assembly and the Office of the Governor. The State Bar takes no position either for or against the enactment of such legislation unless the legislation is approved under the provisions of the State Bar of Georgia's Standing Board Policy 100."
- b. Whenever the Executive Committee grants a request to provide legislative drafting or consulting services under this rule, the President, or his or her designee, shall report to the next meeting of the Board of Governors the nature of the referral and current status.

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Standing Board Policy 200 (Annual Statement of Revenue and Expenditures)

Organization of the State Bar & Admissions / Standing Board Policy 200 (Annual Statement of Revenue and Expenditures)

- a. Publication of Expenditures. The Bar shall publish at least annually a statement of its revenues and expenditures by category. The purpose of this publication shall be to allow the membership to make a determination as to the nature of the expenditures or categories.
- b. Objections. Any active or inactive member of the State Bar of Georgia may, within forty-five (45) days of the date of said publication, file with the Executive Director a written objection to a particular expenditure on the grounds that it is nongermane to the legitimate purposes of the State Bar of Georgia. The objection need not state its grounds. Failure to object within this time period shall constitute a waiver of any right to object to the particular expenditure
1. After a written objection has been received, the Executive Director shall determine the *pro rata* amount of the objecting member's mandatory dues at issue, and such amount shall be placed in escrow pending determination of the merits of the objection.
 2. The Executive Committee shall, within sixty (60) days from the last day for receipt of written objections, determine whether to give a *pro rata* refund to the objecting member(s) or to refer the action(s) to arbitration.
- c. Composition of Arbitration Panel. If the matter is referred to arbitration, it shall be considered by a panel of arbitrators. The arbitration panel shall be composed of three (3) active members of the State Bar of Georgia. The objecting member(s) shall select one member of the arbitration panel, the Bar shall choose the second panel member, and the two members shall choose the third member. The objecting party and the State Bar of Georgia shall select their arbitrators within fifteen (15) days of the date on which the matter is referred to arbitration, and the third arbitrator shall be chosen by the two selected within thirty (30) days of said referral. In the event the two members are unable to agree, the Chief Judge of the Court of Appeals of the State of Georgia shall appoint the third member.
- d. Procedures for Arbitration Panel. Within thirty (30) days after the arbitration panel is constituted, the objecting member shall file with the General Counsel of the State Bar of Georgia a supplemental written objection stating in complete detail the grounds of the objection. The State Bar of Georgia shall, within thirty (30) days of receipt of the supplemental objection, prepare a written response and serve a copy on the objecting member(s). Such response, objection, and supplemental objection shall be forwarded to the arbitration panel. The panel shall schedule a hearing at the headquarters of the State Bar of Georgia within forty-five (45) days of the date on which the objection, supplemental objection, and response are forwarded to the panel. At said hearing, the objecting member and the Bar may appear in person or be represented by counsel. The arbitration panel shall thereafter confer and decide by majority vote whether the particular expenditure is nongermane to the legitimate purposes of the State Bar of Georgia.
1. The scope of the arbitration review shall be to determine solely whether the expenditure at issue is constitutionally appropriate for funding from mandatory dues and whether the *pro rata* amount was correctly computed.
 2. The proceeding of arbitration shall be informal in nature and shall not be bound by the rules of evidence. Any briefs filed by either party shall be limited to fifteen (15) pages. Oral argument shall be limited to twenty (20) minutes per side. The decision of the arbitrators shall be binding as to the objecting member(s) and the State Bar of Georgia. If the arbitrators conclude that the expenditure at issue is appropriately funded by mandatory dues, there shall be no refund, and the State Bar of Georgia shall be free to expend the objecting member's *pro rata* amount of mandatory dues held in escrow. If the arbitrators determine that the expenditure is inappropriately funded from mandatory dues, the arbitrators shall order a refund of the *pro rata* amount of mandatory dues to the objecting member.
 3. The arbitrators shall render a final written report to the objecting member and the Executive Committee within fifteen (15) days of the conclusion of the hearing.
 4. In the event the arbitrators order a refund, the State Bar of Georgia shall provide such refund within thirty (30) days of the date of the arbitration report, together with interest calculated at the judgment rate provided by law, from the date on which the objecting member(s) mandatory dues payment was received.

[GO TO Standing Board Policy 100 \(Legislative Policy and Procedure\)](#)

[GO TO Standing Board Policy 300 \(Board Attendance Policy\)](#)

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After the winter weather kept them out most of last week, the General Assembly returned this week for a very busy five-day legislative week. They will return next Monday through Wednesday for Days 27-29 and then adjourn until Monday, March 3, which will be Day 30 – Crossover Day.

On Tuesday of this week, HB 889, the bill that allows for damages for those harmed by the unauthorized practice of law, passed out of the House Judiciary Committee. It currently sits in the House Rules Committee, and we hope that it will come to the House floor sometime next week.

On Wednesday, HB 674, the bill that dedicates funding for public defenders and prosecutors in juvenile court, passed out of the House Juvenile Justice Committee. It now sits in the House Rules Committee awaiting a floor vote. Also on Wednesday, the Judicial Subcommittee of the Senate Appropriations Committee passed the judicial budget out and on to the full committee. The budget includes the Bar's request for increased funding for legal services for victims of domestic violence. We will continue to work with the Senate appropriators to attempt to ensure that this important funding remains intact. Finally, Wednesday also saw a Senate Judiciary Non-Civil Committee hearing on SB 364 and SB 365, the bills that contain the third phase of the Governor's criminal justice reform initiatives. The Committee passed those bills unanimously and they now sit in the Senate Rules Committee awaiting a floor vote.

On Thursday, HB 504, the bill that allows evidence of failure to wear a seatbelt, and HB 643, the E-Discovery Bill, passed out of the House Judiciary Committee. Both of those bills now sit in House Rules.

If you have any questions related to the Bar's legislative agenda, please contact Thomas Worthy, the State Bar of Georgia's Director of Governmental Affairs, at thomasw@gabar.org.

[View the weekly video update.](#)

Legislative Update, Week 5 (02.14.14)

Severe winter weather turned what was supposed to be a four-day work week for the General Assembly into a two-day work week. Both chambers were forced to adopt an adjournment resolution on Tuesday to ensure the safety of members and staff. They will return Monday, Feb. 17, for Day 22.

On Monday, HB 643, the E-Discovery Bill was passed out of the Lindsey special subcommittee. It will be taken up by the full House Judiciary Committee Tuesday, Feb. 18, at 2 p.m. The House Judiciary Committee will also take up HB 889, the State Bar's Unauthorized Practice of Law Bill at that same hearing.

HB 674, the State Bar's bill that dedicates funding for prosecutors and defense attorneys in juvenile court passed out of the Atwood subcommittee on Monday and will be taken up by the House Juvenile Justice Committee on Wednesday, Feb. 19, at 3 p.m.

On Monday, Feb. 17, the FY15 Budget will be on the House floor. The budget currently includes the State Bar's budget requests for the Georgia Appellate Resource Center and increased funding for legal services for victims of domestic violence. The State Bar's legislative team will work closely with Senate appropriators to try to keep these items in the budget once it crosses over after passage.

If you have any questions related to the Bar's legislative agenda, please contact Thomas Worthy, the State Bar of Georgia's Director of Governmental Affairs, at thomasw@gabar.org.

[View the weekly video update.](#)

Legislative Update, Week 4 (02.07.14)

On Monday morning, Rep. Lindsey's special subcommittee held a hearing on HB 643, the E-Discovery bill. At the hearing, the subcommittee received testimony from lawyers on both sides of the issue. A committee substitute reflecting changes to the language spurred by that testimony is currently being drafted. It will be heard in the same subcommittee on Monday, Feb. 10, at 8 a.m.

The State Bar's Testamentary Guardianship bill, HB 654 was passed out of the House Judiciary Committee on Tuesday afternoon and taken up by the House this morning. It passed the House unanimously and now heads to the Senate. HB 889, the State Bar's bill that provides damages for those harmed by the unauthorized practice of law was passed out of Rep. Jacob's subcommittee this afternoon and now heads to the full House Judiciary Committee for a hearing sometime next week.

HB 674, the bill that dedicates a funding source for prosecutors and defense attorneys in juvenile court will be heard in Rep. Atwood's subcommittee of Juvenile Justice on Monday at 9 a.m.

After the Senate passed the 2014 Supplementary Budget this morning, focus now turns to the 2015 Budget. The Public Safety Subcommittee of the House Appropriations Committee held a hearing on Thursday afternoon. At that hearing, the Bar's legislative team testified on the need for an increase in funding for legal services for domestic violence victims. We will continue to monitor that request throughout the budgetary process and work hard to ensure that the funding is restored to pre-recession levels.

If you have any questions related to the Bar's legislative agenda, please contact Thomas Worthy, the State Bar of Georgia's Director of Governmental Affairs at thomasw@gabar.org.

[View the weekly video update.](#)

Legislative Update, Week 3 (01.31.14)

On Monday morning, Rep. Lindsey's special subcommittee held a hearing on HB 643, the E-Discovery bill. During this meeting, Rep. Willard presented the bill but the subcommittee did not receive any testimony. The subcommittee will hold another hearing at 8 a.m. on Monday, Feb. 3. The subcommittee will receive testimony from the public at this time.

On Monday afternoon, Rep. Fleming's subcommittee held a markup on HB 654, the Testamentary Guardianship bill. After making some slight changes to the burden of proof requirement, it was voted out by the subcommittee and will be heard by the full House Judiciary Committee on Tuesday, Feb. 4, at 2 p.m.

Inclement weather forced the House and the Senate to suspend business for Wednesday and Thursday, but because an adjournment resolution for the week had already been adopted, those two days counted as legislative days. As a result, today marks the end of Day 14.

Today, Rep. Weldon introduced HB 889, which provides a civil cause of action for persons damaged by someone practicing law without a license. We expect that bill to move quickly and hope that it will be heard in a House Judiciary subcommittee sometime next week.

If you have any questions related to the Bar's legislative agenda, please contact Thomas Worthy, the State Bar of Georgia's Director of Governmental Affairs at thomasw@gabar.org.

[View the weekly video update.](#)

Legislative Update, Week 2 (01.24.14)

After taking Monday off for Dr. Martin Luther King, Jr. Day, lawmakers returned to the Capitol on Tuesday. This is the first time in recent memory that the General Assembly has worked on Week 2 instead of taking the week off for budget hearings. Also on Tuesday, Gov. Deal signed HB 310 into law, aligning the state and local election calendar with the federal calendar mandated by Judge Steve Jones' order last year. Party primaries will now officially occur on May 20, 2014, instead of in July. As I mentioned last week, this abbreviated election schedule will help ensure a speedy 2014 Regular Session.

The House Appropriations Committee worked this week to finalize the 2014 Supplementary Budget and the House passed it this morning. It now heads across the Rotunda to Senate Appropriations, which will begin work on it next week. This milestone demonstrates how fast lawmakers are working, as the House passed the amended budget over a month earlier this year than it did last year.

In State Bar legislative news, the Fleming Subcommittee of House Judiciary held a hearing yesterday afternoon on HB 654, the Testamentary Guardianship bill. After hearing testimony from probate judges and family lawyers, the subcommittee requested that a new committee substitute be drafted to reflect the issues discussed by the witnesses, and the subcommittee could vote to send that new substitute to the full committee as early as Monday afternoon. The new committee substitute for HB 1, the Civil Forfeiture Reform bill, was heard by the Jacobs Subcommittee of House Judiciary this afternoon. At the hearing, Chairman Wendell Willard presented the bill and discussed the consensus building that has taken place since last year. The subcommittee heard testimony from many stakeholders but took no vote. We expect it to be sent to the full committee as early as next week. The Lindsey Special Subcommittee of House Judiciary will hold a hearing on the E-Discovery bill (HB 643) Monday morning at 8:30.

If you have any questions related to the Bar's legislative agenda, please contact Thomas Worthy, the State Bar of Georgia's Director of Governmental Affairs, at thomasw@gabar.org.

[View the weekly video update.](#)

Legislative Update, Week 1 (01.17.14)

This week marked the beginning of the 2014 Regular Session of the Georgia General Assembly, and lawmakers began work almost immediately.

On Tuesday, the Senate passed HB 310 by a vote of 38-15. The bill moves the party primaries from July to May 20. Primary runoffs, if necessary, would take place on July 22. The 2014 general election will still be held on November 4, but any runoffs arising from the general election would be put back from December to January 6, 2015. The legislation stems from a federal court order requiring Georgia election officials to wait at least 45 days between the primary and general elections and any subsequent runoffs to allow Georgians overseas time to mail in absentee ballots.

On Wednesday, Governor Deal delivered the State of the State address and released his budget recommendations to the General Assembly. In his address, the Governor rolled out his plan for expanded K-12 and technical college funding as well as highlighting this year's criminal justice reform efforts. Those efforts, which he discussed in depth at the Bar's Midyear Meeting last week, will focus on reducing recidivism and strengthening the prisoner reentry system throughout the state. It is designed to complement the bipartisan adult sentencing reforms of 2012 and the juvenile justice reforms of 2013, both of which were approved unanimously. At first glance, the budget looks favorable for both the legal profession and the judiciary and the Bar's legislative team will continue to monitor it as it moves through the appropriations committees of each chamber.

The House took up and passed HB 310 by a vote of 159-1 today. We expect it to be immediately transmitted to the Governor and signed by him upon arrival. Because of the accelerated election schedule created by the bill, we anticipate a quick legislative session so lawmakers can return to their districts in time to raise money and campaign.

In related State Bar news, the House Judiciary Committee introduced a committee substitute to HB 643, the E-Discovery bill, yesterday. Chairman Willard established a special subcommittee for the purpose of hearings on this new substitute. That subcommittee will be chaired by Rep. Edward Lindsey and members will include Rep. Stacey Evans, Rep. Mary Margaret Oliver, Rep. B.J. Pak and Rep. Andy Welch. We expect to see a committee substitute to HB 1, the Civil Forfeiture Reform bill, introduced by the House Judiciary Committee next week.

If you have any questions related to the Bar's legislative agenda, please contact Thomas Worthy, the State Bar of Georgia's Director of Governmental Affairs at thomasw@gabar.org.

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BASICS

Bar Association Support to Improve Correctional Services (BASICS) is an offender rehabilitation program sponsored by the BASICS Committee of the State Bar of Georgia. [Read More](#)

Committee to Promote Inclusion in the Profession

This Committee to Promote Inclusion in the Profession shall facilitate, analyze and present for consideration initiatives and programs which increases participation, retention and representation of diverse attorneys in the legal profession in Georgia that accurately reflects the makeup of our state. [Read More](#)

Consumer Assistance Program (CAP)

The function of the Consumer Assistance Program (CAP) of the State Bar of Georgia is to serve the public and members of the Bar. [Read More](#)

Continuing Legal Education (CLE)

This program operates under the Commission on Continuing Lawyer Competency and assists attorneys with keeping track of their CLE hours. [Read More](#)

Fee Arbitration

The Fee Arbitration program is a service to the general public and lawyers of Georgia. It provides a convenient mechanism for the resolution of fee disputes between attorneys and clients. [Read More](#)

Georgia Diversity Program

The State Bar of Georgia Diversity Program promotes inclusion of all members of the State Bar of Georgia regardless of race, nationality, sex, religion, sexual preference or disability. [Read More](#)

Judicial District Professionalism Program (JDPP)

The purpose of the Judicial District Professionalism Program (JDPP) is to promote professionalism within the legal profession through increased communication, education and the informal use of local peer influence. [Read More](#)

Law-Related Education (LRE)

The Law-Related Education (LRE) Program offers K-12 teachers a wide variety of strategies for including LRE in their social science education curriculum, as well as suggestions for relating LRE to English, science and math curricula. [Read More](#)

Law Practice Management Program

The Law Practice Management Program is a member service to help all Georgia lawyers and their employees pull together the pieces of the office management puzzle. [Read More](#)

Lawyer Assistance Program (LAP)

The Lawyer Assistance Program (LAP) is a confidential service provided by the State Bar to help its members with life's difficulties. [Read More](#)

Legislative Program

The Advisory Committee on Legislation shall prepare for legislative action such matters requiring legislation as may have received the approval of the State Bar's Board of Governors. [Read More](#)

Military Legal Assistance Program

This program assists service members and veterans by connecting them to State Bar members who are willing to provide free or reduced-fee legal services. [Read More](#)

Pro Bono Project

Co-sponsored by the Georgia Legal Services Program and the Georgia State Bar, the Pro Bono Project is headquartered at the Bar and involves private attorneys in representation of the poor in civil matters. [Read More](#)

SOLACE Program

A program of the State Bar of Georgia designed to assist any member of the legal community (lawyers, judges, law office and court staff, law students and their families) in Georgia who suffer serious loss to a sudden catastrophic event, injury or illness. [Read More](#)

Transition Into Law Practice Program (TILPP)

To assist beginning lawyers in their transition from student to professional, the Supreme Court of Georgia, on Feb. 2, 2005, authorized the State Bar of Georgia to proceed with the creation of the Transition Into Law Practice Program (TILPP). [Read More](#)

Unlicensed Practice of Law (UPL)

The Unlicensed Practice of Law (UPL) program addresses the investigation and prosecution of UPL in Georgia. [Read More](#)