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Signature
Professionalism CLE



2023 ANNUAL MEETING

Savannah, Georgia | June 8-11

Signature Professionalism CLE

The Chief Justice's Commission on Professionalism sponsored a Signature Professionalism CLE on Feb. 22 at the State Bar of Georgia headquarters in Atlanta.

BY KARLISE Y. GRIER

Sarah B. "Sally" Akins, in her first *Georgia Bar Journal* article as Bar president, wrote: "I am committed to focusing on the core values of our profession and our ongoing mission to serve the public and the justice system. This includes a renewed commitment to professionalism among the members of the State Bar of Georgia."¹ As part of that commitment, Akins envisioned an in-person continuing legal education program that would revisit the history of the professionalism movement in Georgia and discuss the relevance of professionalism in today's legal practice.

In partnership with the Chief Justice's Commission on Professionalism, Akins and the Commission held a hybrid Signature Professionalism CLE program on Feb. 22 at the State Bar of Georgia headquarters in Atlanta.² The program was attended in person by 139 lawyers and virtually by 249 lawyers.

Chief Justice Michael P. Boggs opened the program with remarks on professionalism. He reminded the audience that with our privilege to practice law comes great responsibility. "It is my hope," he said, "that professionalism will be the cornerstone of your lives and your careers and that you will indeed hold up the highest levels of professionalism in

your practices." Akins also made opening remarks. She said one of the goals of the program was to thank the people who helped start the professionalism movement in Georgia and then to look ahead to see what professionalism looks like as we move forward.

Remembering the 1988 Convocation on Professionalism

Moderator

- Justice Andrew A. Pinson, Supreme Court of Georgia

Panelists

- Ronald Edward "Ron" Daniels, managing attorney, Daniels Taylor Law; YLD president
- Associate Dean A. James Elliott, Emory University School of Law
- Lester B. Johnson III, managing attorney, Lester B. Johnson, III, P.C.
- Hon. Connie L. Williford, Macon Judicial Circuit Superior Court

The CLE program began with a panel that discussed a Convocation on Professionalism and the Practice of Law that was held

on March 31, 1988, at Emory University.³ Former State Bar President and former Commission member Associate Dean A. James Elliott opened the panel, which was moderated by Commission Advisor Justice Andrew A. Pinson. Elliott recalled receiving a call inviting him to a meeting with Emory President James T. Laney, Justice Thomas Marshall (who was chief justice of the Supreme Court of Georgia at the time), Justice Harold Clarke and Justice Charles Weltner. These three justices, along with Laney, had decided to hold a convocation that would gather lawyers from around the state of Georgia to discuss professionalism and asked Elliott to assist. Elliott, of course, agreed to help and noted that Justice Weltner and Dr. Michael L. Goldberg had provided much of the thought leadership in organizing the 1988 Convocation. During the 1988 Convocation, Chief Justice Marshall asked attorneys to address three main topics, and the panel recalled the remarks of the 1988 speakers.

Hon. Connie L. Williford, Macon Judicial Circuit Superior Court, discussed comments made by former State Bar President (1974-75) and Macon attorney Cubbedge Snow Jr. Williford shared Snow's thoughts on lawyers' relationships to the courts, and the responsibilities of

(Left to right) Chief Justice Michael P. Boggs, Supreme Court of Georgia, and Sarah B. “Sally” Akins opened the Signature Professionalism CLE on Feb. 22 at the State Bar of Georgia headquarters in Atlanta.

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lawyers and judges to ensure that the litigation process was both efficient and fair. Snow, she observed, spoke at length about the role of judges in ensuring that the litigation process was free from abuse. In addition, Williford said Snow told lawyers, “From the beginning of a lawyer’s career, let him [or her] above all things cultivate truth, simplicity and candor. They are the cardinal virtues of a lawyer.” She also noted Snow’s comment that the effort for professionalism requires constant striving.

Savannah attorney Lester B. Johnson III recalled the remarks of Hon. G. Conley Ingram, retired Cobb County Superior Court judge and former justice of the Supreme Court of Georgia. At the 1988 Convocation, Ingram discussed the lawyers’ relationship to clients. Ingram emphasized that the traditional attorney client relationship was based on the integrity, advice and counsel that a lawyer provided to the client—or as Ingram phrased it, pure professionalism versus consumer commercialism. Johnson said Ingram’s belief was that when an attorney took an oath, he should feel that he had been entrusted with the legal profession. Johnson also discussed Felker Ward’s comments regarding the dearth of diversity in the legal profession. Ward believed, said Johnson, that lawyers had a responsibility

to enhance society given a lawyer’s membership in a special profession at the pinnacle of society. Ward said that as part of professionalism, lawyers should become more influential in deciding the direction of society by active participation in causes like the Civil Rights Movement.

Finally, YLD President Ron Daniels recalled remarks made by former State Bar President and Rome attorney Robert “Bob” Brinson regarding lawyers’ relationships with other lawyers. Daniels said the overarching theme of Brinson’s remarks was participation and what lawyers should be doing both individually and as a group for the profession. He said lawyers needed to get involved with bar associations and professional associations. Daniels noted that Brinson said the profession belongs to each lawyer, and thus each lawyer had a burden to self-regulate the profession by leading by example and participating in professional organizations to ensure that all lawyers learned the values of the profession. Brinson also shared an eight-point pledge that included, in part: 1) My word is my bond; 2) Opposing counsel is entitled to an initial presumption of being a good person; and 3) I will be courteous, remembering that courtesy is not a weakness.

In addition to these topics, the panel discussed other issues raised by attorneys during the 1988 Convocation, including Susan Cahoon’s observations on discovery problems, and mentoring of young attorneys as highlighted by several attorneys. Elliott recalled that one thing that became clear as a result of the 1988 Convocation was that those gathered at the event wanted professionalism in Georgia institutionalized in a formal manner. Elliott also recognized the Commission’s first Executive Director Hullett H. “Bucky” Askew, who attended the CLE program.

Honesty and the First Convocation on Professionalism

Moderator

- Hon. T. Russell McClelland III, State Court of Forsyth County

Panelists

- Alyssa Baskam, principal, Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.
- Hon. William S. Duffey Jr., U.S. district judge (retired), U.S. District Court for the Northern District of Georgia



(Left to right) Lester B. Johnson III, managing attorney, Lester B. Johnson, III, P.C.; A. James Elliott, associate dean, Emory University School of Law; Ron Daniels, managing attorney, Daniels Taylor Law LLC, and YLD president; Chief Justice Michael P. Boggs, Supreme Court of Georgia.



(Left to right) Karlise Y. Grier, executive director, Chief Justice's Commission on Professionalism; Rebecca Grist, chair, Chief Justice's Commission on Professionalism CLE Planning Committee; and Sarah B. "Sally" Akins, president, State Bar of Georgia.

- Sara Hamilton, associate general counsel, United Parcel Services, Inc.
- Hon. Harold D. Melton, partner, Troutman Pepper Hamilton Sanders LLP

The second panel, moderated by Commission member Hon. T. Russell McClelland III, focused on the Inaugural Georgia Convocation on Professionalism that was convened in Macon, Georgia, on Oct. 14, 1988.⁴ The topic of the Convocation was “The Practice of Law—Is There Anything More to It Than Making Money?”

Hon. William S. Duffey Jr. opened the panel by sharing memories of one of his mentors, Hon. Griffin Bell. Duffey said that Bell believed that if you had strong values and character, then good conduct, civility, charity, goodwill, wise counsel to clients and contributions to our community would be a natural byproduct of that kind of professionalism. Duffey observed: “Professional values are different from the values of the marketplace. They are more service-oriented, more self-sacrificing and more noble.” Then he emphasized, “And they have to be taught.”

Duffey also discussed Bell’s closing remarks at the 1988 Convocation regarding honesty and the attorney oath of admission. As a result of Bell’s closing remarks at the 1988 Convocation, the Supreme Court of Georgia adopted a new oath of admission for attorneys that incorporated the word “honesty” into the oath, and that was first administered to the attorneys who attend the Inaugural Georgia Convocation on Professionalism in October 1988. Duffey said we need to teach attorneys that we as a legal profession expect each attorney to abide by the promises they make in the oath.

Alyssa Baskam followed Duffey—no pressure there, she claimed—and said what matters with respect to the professionalism aspirations is how we practice law each day. “When other people see us practice with honesty and professional-

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ism,” she said, “it can remind others of their obligations as lawyers.”

The panel also discussed some of the circumstances that challenge lawyers to hold true to the oath’s promise of honesty. Sara Hamilton shared research from the *Harvard Business Review* that provided reasons why people said that they sometimes lied. She explained she hoped that understanding some of the reasons people lied would help attorneys examine their actions and help the legal profession get to a point of being more honest; when we as attorneys fall short of the oath, to act honestly.

Finally, the panel considered the relevance of professionalism in the present. Former Chief Justice Harold Melton shared why he included a professionalism paragraph in all but the first Statewide Judicial Emergency Order during the COVID-19 pandemic. Melton said the Supreme Court could not enter an order to cover every scenario, so the professionalism paragraph encouraged attorneys and judges to work things out that were not covered by the order. In addition, Melton said watching judges and lawyers from all areas of the profession work together to keep the legal system operating during the pandemic was one of the highlights of his career. Melton further commended McClelland for the role he played in that work as a member of the Supreme Court’s COVID-19 Judicial Task Force.

In conclusion, the panel said that it was encouraged by the professionalism of Georgia’s bar and hoped that a continued focus on professionalism would promote future professionalism by the members of the State Bar of Georgia.

A Lawyer’s Creed and the Aspirational Statement on Professionalism: History, Creation and Relevance Today

Moderator

- Justice Carla Wong McMillian, Supreme Court of Georgia

Panelists

- Professor Patrick Longan, William Augustus Bootle Chair in Professionalism and Ethics, Mercer University Walter F. George School of Law
- John C. Sammon, past president, State Bar of Georgia (1993-94)
- Thomas G. “Tom” Sampson Sr., managing partner, Thomas Kennedy Sampson & Thompson LLP

The next group of presenters focused the audience’s attention on the creation and current relevance of A Lawyer’s Creed and the Aspirational Statement on Professionalism.⁵ Justice Carla Wong McMillian reminded everyone that the Supreme Court formed the Commission in February 1989. Thereafter, the Court asked the Commission, as one of its first tasks, to draft a creed on professionalism.

Thomas G. “Tom” Sampson Sr., who was a charter member of the first Commission, chaired the committee responsible for drafting the creed. Sampson shared that the principal drafter of the Creed and Aspirational Statement was retired Mercer Professor Jack L. Sammons Jr.

Sampson also discussed some of the considerations that the committee and the Commission contemplated when crafting the document. For example, State Bar Past President John C. Sammon—no relation to Mercer Professor Jack Sammons—reflected on why the committee, the Commission and ultimately the Supreme Court included language in the Creed and Aspirational Statement that encouraged lawyers “[t]o avoid all forms of wrongful discrimination[.]” Sammon said that in the mid-’80s it was becoming increasingly clear that Bar leadership did not reflect the public it served or younger members who were joining the Bar. He said there was a real interest at that time in diversifying the leadership of the Bar, and it may have been one of the impetuses for including the anti-discrimination language in the Creed and Aspirational Statement.

Sampson also offered his thoughts on the topic and said that while he acknowledged that the State Bar of Georgia still has challenges, he commended the Bar for its long-standing commitment to diversity. Sampson recalled, for example, that fellow panelist John Sammon appointed him to the Board of Governors.

Sampson also shared that Jim Elliott, who was a speaker on the first panel, hired Sampson’s former law partner John L. Kennedy as one of the first two African American attorneys at his large downtown Atlanta law firm.

Professor Patrick E. Longan confirmed that he had read most, if not all, of the creeds that had been developed nationally regarding professionalism at the time, and in his opinion, Georgia stood alone in including its anti-discrimination aspiration. Longan also discussed how Justice Harold Clarke addressed the skeptics who attacked Georgia’s professionalism movement in its earliest years in an article he wrote called “Repaying the Debt.”⁶

Justice McMillian concluded the panel by sharing that she felt it is always necessary to have a goal to work toward. She believes the Creed and Aspirational Statement gives her—and all Georgia lawyers—that goal. “That is why professionalism remains important to this day.”

Professionalism, Community Service and Pro Bono

Moderator

- Molly Barrett Gillis, partner, The Gillis Law Firm, LLC

Panelists

- Hon. William “Bill” Adams, of counsel, Adams Law Firm
- Justice Verda M. Colvin, Supreme Court of Georgia; chair, Standing Access to Justice Committee, Judicial Council of Georgia

- Hon. John A. “Trea” Pipkin III, judge, Court of Appeals of Georgia
- J. Henry Walker IV, chair and chief executive officer, Kilpatrick Townsend & Stockton LLP

The final panel of the day discussed professionalism, community service and pro bono. Commission member and Marietta attorney Molly L. Gillis moderated the panel.

Justice Verda Colvin opened the session by discussing the work of the Judicial Council of Georgia’s Standing Committee on Access to Justice. She shared that the committee looked at ways to provide access to justice for people with low incomes or who were in rural areas that had few or no lawyers. Justice Colvin also remarked, “If the least of us don’t have access to justice, then justice doesn’t exist.”

Hon. William “Bill” Adams of Macon gave the audience an overview of Middle Georgia Justice (MGJ), an organization that helps Middle Georgians with access to legal assistance when they cannot afford to pay for it. Adams shared how MGJ involves the entire Macon community—not just the legal community—in financially supporting MGJ’s work.

Next, J. Henry Walker IV spoke about pro bono from a private law firm perspective. He said that pro bono is part of Kilpatrick’s identity and explained that approximately 25 years ago, the firm became the first large downtown Atlanta law firm to hire a pro bono partner. Kilpatrick Townsend wanted to work more effectively as a force for good for clients and for the community, he said. Walker also noted that the firm was a microcosm of society. As a result, he shared there might not always be agreement on particular projects, but there is agreement on core values of access to justice, fair-

ness and equality. Walker concluded by noting the tremendous tangible benefits that accrue to lawyers and to law firms beyond just the benefit of doing good work for the community by engaging in pro bono work.

The panel also discussed public service. Hon. John A. “Trea” Pipkin III talked about public service. He said only 20% of the lawmakers who are in the Georgia General Assembly are lawyers. He said we need more lawyers to run for elected office. If that is not your interest, he said, then lawyers should, at a minimum, find ways to engage in citizen service. “All of us can do more.”

The panel’s final topic was community service. Justice Colvin began the discussion by observing that our core mission as a profession is service. “If service is beneath you, then leadership is beyond you,” she said. Service is the stuff beyond what you are paid for, she noted.

Thereafter, the panel members shared their involvement in various kinds of service. Walker recalled his involvement “as a fly on the wall” in the establishment of the community service awards now hosted by the Commission. He said the State Bar started the awards to recognize the good work lawyers are doing in the community. In addition, he explained that the awards were eventually renamed in honor of Justice Robert Benham because of his dedication to community service.

Gillis, who leads a three-attorney law firm, said she, along with other Marietta moms, raised money for nine Ukrainian families in need. One member of a family who was helped sent a thank you note that read, “Thanks to you, we started to believe in kindness again.” She emphasized that lawyers from all backgrounds could find a way to give back to the community.

Closing Remarks

Hon. Steven D. Grimberg, U.S. District Court for the Northern District of Georgia, gave closing remarks on behalf of the Commission. Grimberg said that so much of engaging in professionalism is about relationships and getting to know your colleagues and opposing counsel. He encouraged attendees to foster positive relationships on the front end of cases to help avoid confrontation during litigation.

The CLE was the result of the hard work of many people, and the Commission would like to acknowledge the following individuals: Commission Chair Chief Justice Michael P. Boggs, for his leadership and guidance in all of the Commission’s endeavors; Commission advisor Justice Andrew A. Pinson, for his advice regarding the Commission’s work; State Bar of Georgia President Sarah B. “Sally” Akins, for her vision in spearheading this program and for making professionalism one of the hallmarks of her platform during her presidency.

The event was planned by members of the Commission’s CLE Committee: Chair Rebecca Holmes Liles Grist, Molly Barrett Gillis, Professor Patrick Longan, Hon. T. Russell McClelland and Adwoa Ghartey-Tagoe Seymour.

Finally, the Commission would like to thank the Commission advisor Jennifer Davis Ward and Commission liaison Dee Dee Worley for providing additional staff support at the Signature Professionalism CLE program. ●



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