

**STATEMENT
FROM
THE CGJA
PRESIDENT
TO THE
MEMBERSHIP**



Grand Jurors' Journal

A Settlement Agreement was reached in mediation on February 24, 2009 in the case # CV 160915 filed in the County of Santa Cruz as Earl Heal v. California Grand Jurors' Association & Judith Lazenby And Cross Action. Items within the agreement to be noted are:

1. CGJA acknowledges that it made errors during July 2007 regarding the requests for corporation assets related to providing information to the membership on a ballot measure.
2. Former director Earl Heal, (Heal) acknowledges that his handout of the Ad Hoc Bylaws Review Committee and its distribution during the annual conference in October 2007 was performed by Mr. Heal on the mistaken assumption that the handout had inadvertently been omitted from the Annual Conference handbook, when, in fact, the Board did not intend to publish Ad Hoc Committee reports.
3. All parties will execute a release and dismissal with prejudice of his/her/its action without admitting to any legal liability.

President's Message

By Tony Noce

Once again it is indeed a pleasure to report to the membership. Your officers, directors, committee chairs and members have been very active in fulfilling their accepted responsibilities to the membership.

Honorary CGJA member Arnold Schwarzenegger, Governor of the State of California, did proclaim February 2009 as "California Grand Jury Awareness Month" thus so supporting and acknowledging, "The hard work done by our grand juries has a great impact throughout our communities and have helped to make California a better place. These accomplishments can only be made through the outstanding dedication of those who volunteer to become grand jurors, and I thank them for their fantastic efforts."



Public Awareness ceremonies were held and proclamations were issued in counties and cities throughout the state from San Diego to Shasta in an effort to support and encourage grand juror recruiting.

In February the board met in Sacramento for a Retreat meeting. A retreat meeting is different from a regular board meeting in that no official business is conducted. The chance to meet face to face results in a much easier and freer exchange of ideas. Operating in an environment free of parliamentary procedures is more conducive to productive discussion.

Following the morning retreat meeting the board held its regular February meeting in the afternoon. The agenda and minutes can be reviewed by the membership by going to the CGJA website home page and clicking on "Board Information". A summary of these actions may be found elsewhere in this issue. Attendance (88%) at the meetings was financed by board members' personal expense. No association funds were used. A teleconference phone line was available for those who could not attend the meeting in person. As president I want to acknowledge the board and committee chairs who attended for their dedication, sacrifices and willingness in their show of support of the CGJA.

The CGJA leadership is presently actively involved in updating our membership records in anticipation of membership renewals. Please let us know if your contact information is incorrect or if you did not receive any recent past Journals.

We are in the process of seeking *Excellence in Reporting* award candidates as stated in your previous Journal issue. We are presently seeking candidates for Directors, as stated elsewhere in this issue of the Journal. In February the 2009 Annual Conference committee had a productive meeting with the new Sacramento Chapter. We are also in the process of accepting county applications to host the 2010 CGJA Annual Conference. The Training committee also met in Sacramento for a two-day "Train the Trainers" session in preparation for their 2009 training seminars to be held throughout the state this summer.

continued on page 2

**MEET DIRECTOR
Karin Hern**



A native Californian, Karin received her B.A. at the University of California, Berkeley and J.D. at the University of Davis.

She has practiced as the General Counsel/Senior Vice President for several healthcare companies in the United States, Europe, and the Middle East for 30 years.

As Foreperson of the 2006-2007 Marin County Grand Jury, and a holdover on the 2007-08 jury, she served as an investigative committee Chair, lead author, contributing author and editor, and is active in legal and continuity issues. Karin has served on the CGJA Special Investing Subcommittee.

Karin brings an abundance of energy and intense commitment to the principles of the grand jury and a focus on enhancing effectiveness and membership through direct, concise, consistent communication.

Presidents' Message continued from page 1

The following are a few suggestions that you as members can do to help us in our efforts to ensure we meet our mission and purpose.

- a. Renew your membership. Financial support is critical. You must be a member in good standing by July 31, 2009, to receive a ballot to vote.
- b. Consider a monetary donation to the CGJA.
- c. Volunteer your time and talents to one of our many CGJA functions.
- d. Consider running for a Director position this coming election or recommend someone who you feel will be an asset to the CGJA.
- e. Seek out friends or business associates to join the CGJA as an Associate Member. This is a good way to "educate the public".
- f. Share your thoughts by contributing a "Letter to the Editor" in the Journal.
- g. Visit your CGJA website often to become better informed as to what is happening in the CGJA. It is your informational resource tool. Use it.

Submit a "Final Report" that "made a difference" to the CGJA as a candidate for a Excellence in Reporting award or a Grand Jury Achievement report.

All of us working together can make our dreams become reality.

2009 Nominations-Elections Committee By Karin J. Hern, Chair

Calling all potential candidates for CGJA Director!

The election season is almost here. Consider running for Director and joining the CGJA Board to do the important work of the organization. Discuss and vote on compelling issues affecting the membership. Board members are responsible for the direction of the organization.

Directors' responsibilities are covered in the CGJA Bylaws, Article 6, Section 4: "Duties". In addition, it is expected that Directors are active on at least one of the four standing committees and will attend regularly scheduled monthly Board meetings (by teleconference). Proficiency with some form of electronic communication, preferably email, is desirable. Directors have an obligation to avoid personal agendas in order to serve the best interests of the organization.



2009 Annual Conference

We are pleased to announce the dates for the 2009 CGJA Annual Conference are October 29th and 30th. The location is the Doubletree Inn,, 2001 Point West Way, Sacramento (near the California State Fairgrounds)

The room rate is \$84.00 per night, single or double occupancy

Registration fee has not been established but should be similar to previous years (about \$60.00)

Please watch our website for further details and registration information

We are planning a program that will take advantage of the proximity of state government officials

Continued from page 2

Two (2) Directors will be elected from each of three (3) regions (North, Central and South) for a total of six (6) Directors. The two-year term begins at the Annual Conference in late October, 2009. Currently, several incumbents have indicated their intent to seek reelection: in the North region, Sherry Chesny and Ray Hoffman; in the Central region, Judi Lazenby and Catherine McKown; and in the South region, Dianne Hoffman, Tony Noce and John Sitton.

Important dates:

June 1: Due date for applicants to notify the Nominations-Elections Committee of their interest in seeking election.

July 1: Due date for Intent to Run statement (send to Nominations-Elections Committee at: nominations@cgja.org).

July 31: Candidate must be a member in good standing as of this date.

July 31: Due date for candidate's statement (up to 200 words).

The members of the committee are:

North

Marsha Caranci and Keith North

Central

Owen Haxton and Karin Hern

South

Mary Johnston and John Mainland

Interested CGJA members, please contact the committee at nominations@cgja.org with your name, region and county of residence. As a follow up, you will be contacted by a committee member and more detailed information will be provided. Or you may contact any member of the committee, or mail your information to Karin Hern, Chair, Nominations-Election Committee, 2338 Mar East Street, Tiburon, CA 94920

CGJA Chapter News

San Mateo County Chapter

By Joann Landi

At its March 16, 2009 meeting, the Chapter awarded its second annual \$300 scholarship to Miss Brenda Day, a Senior at Hillsdale High School. Miss Day's essay entitled *Protecting You From Injustice*, based on the Chapter's website, was chosen from many submitted to the Hillsdale Scholarship Committee headed by Ms. Sue Merport. In addition to Chapter members and Ms. Merport, Brenda's proud parents attended the meeting to witness the presentation.

Winning Essay

Protecting You from Injustice

By Brenda Day, Senior,
Hillsdale High School, San Mateo County

When visiting the San Mateo County Association of Grand Jurors website there is an abundance of information available to the public on the Grand Jury. The website presents an overview of information but also offers links to different websites to get a better understanding of the Grand Jury.

The great aspect of the website is that it offers a wide variety of information on the Grand Jury. There is a link for middle school unit of study that relates the student body council jobs to the jobs of the County Civil Grand Jury. The site offers great insight and interesting facts, like the jury is composed of 19 grand jurors who are mostly volunteers. Every year there are about 1,102 grand jurors that serve in the system to help citizens with local government and school district misconduct. The website is an educational learning because it offers information on other court systems, such as Criminal Grand Juries, Civil Grand Juries, Federal Grand

Juries, and Petit Courts. The San Mateo County Association of Grand Jurors website offers a look into the qualifications of becoming a juror, the importance of becoming a juror and plenty of other material on the SMCAGJ. The San Mateo County Association of Grand Jurors website was an educational benefit because it showed there are people out there willing to give up their days to listen to citizens and help their county improve.

BIRTH OF A CHAPTER

By Marian Mosley, President, Fresno County Chapter

Ed. Note: This is another of a series of reports featuring one of our chapters. Congratulations to the Fresno Chapter for "making a difference."

Our labor began with an organizing group in 2006. The chapter was born on July 1, 2006 with a board of seven members. Joan Gray was the president. The first year we learned to walk by recruiting members and holding meetings.

We are now a robust two-year old. We have 50 members, led by a very active nine-member board. Each board member chairs at least one committee.

Program: We have three membership meetings each year. The attendance has been growing. In February, there were over 50, our goal is 100. Our annual luncheon is held in June.

Membership: Letters of invitation to join were sent to the jurors from the previous five years. The results were good, but 2010 will be the Year of Membership. This Year of Publicity was partly designed to convince jurors that we are a hearty organization.

Publicity: The Grand Jury in Fresno has been a "secret society". The general public had many misconcep-

Continued from page 3

tions and was unaware of the process of application. Things have changed!! The media blitz began in December, exploded in January and February with the Board of Supervisors and the City Council issuing proclamations announcing February as "GRAND JURY AWARENESS MONTH". Governor Schwarzenegger also sent a proclamation.

A one-page flyer was sent to local community organizations. A news release and feature story was sent to 14 county weeklies. Three ran op-ed articles. The *Fresno Bee* did an in-depth story, an editorial and letters to the Editor.

From December 20th to January 24th, *Headline News* on cable ran five-minute comments by a judge and a former Foreman every ½ hour during the day. Public radio and three other stations had ½ hour presentations. Judge Oliver and various members appeared on local radio talk shows. Promotional notices were posted on the community calendars of all local television and appropriate radio stations.

The result – many phone calls and inquiries for applications. Fresno is now AWARE of the GJ!! In 2005, twenty-six (26) applications were received. We didn't even meet the legal requirement of 30. This year, to date, there have been 129 inquiries and 97 applications. Publicity works!!!

Speakers Bureau: To date, six appearances have been made at Kiwanis and Rotary Clubs. Requests are pouring in. This committee is also working with Fresno State University to set up an Osher program featuring the Grand Jury.

Brochures: A three-fold glossy brochure was produced and widely distributed.

Finance: A grant proposal has been

presented, requesting \$10,000 for an educational and professional DVD describing the activities of the GJ and the Association.

Report Responses Review: The past three years of GJ responses are being reviewed for the purpose of pin-pointing the areas in which responses were in agreement with the proposed recommendations. The committee is making contact with them to determine if in fact they have accomplished these goals and if not, why not. They are also compiling a list of the successful recommendations.

Archives: Our accomplishments are being preserved in an archival book which is available at our membership meetings and for research purposes.

We are alive and well and expecting growth in all areas. Our enthusiasm is high and our goal is to maintain our energy to promote the purpose of the Grand Jury.

Announcements

Membership List

We have had some difficulty in maintaining our membership list to the extent that some of you may not have received recent Journals. If you have not received the Dec 2008 or Feb 2009 Journals, please let us know. You have the option of viewing these issues on our website or we will mail you a replacement copy.

We apologize for the inconvenience, but letting us know will help.

And should you move, please let us know so that future issues of the Journal and other association mail can find you without delay. For example, this summer we will be mailing you a ballot for election of directors and we wouldn't that to not find you.

Board Actions

By Joann Landi



2/22/09 Meeting

Approved change of name of GRIP Workgroup to the Daye

Index to honor Les Daye, whose devotion to this effort is one of his legacies.

Approved including telephone numbers in the Journal and on the website for those Directors who have agreed to be listed.

Granted President authority to sign on behalf of the Corporation when mediation results in an agreement. If conditions stipulated in mediation are not agreed to, President will convene a Special Board Meeting.

2/25/09 Meeting

Accepted the settlement agreement as negotiated and recommended by the Litigation Committee.

3/24/09 Meeting

Approved 2009 proposed budget.

Approved additional language to Expense Reimbursement Policy.

Approved Settlement Agreement article to be published in the Journal.

Make additions to Directors' Calendar of Critical Dates.

Using Digital Projection for Editing Grand Jury Reports *By Barbara Sommer, Yolo County Grand Juror, 2008-9*

An editing committee of nineteen can be a nightmare. The beast lives in Grand Jury procedure. I don't know how general the procedure is, but Yolo County's guidelines require that

- "Each grand jury member should read the report carefully and provide comments, corrections, or objections before or during the general meeting review. At that session, the grand jury decides what action to take on the report."

"If changes are required, the editing committee makes the appropriate revisions. Unless the jury has agreed to accept the report with agreed upon revisions, the report is then resubmitted to the grand jury for approval." (Yolo County Grand Jurors' Manual, 2009)

In practice that translates to a session in which each of the 19 jurors may suggest modifications to the report. The modifications range from discovering typos and conflicts over syntax to major revisions. In any case the report must be approved by a super majority (CGJA training manual, Final Report Writing, pg. 8).

The editing committee's review, which in our case involves six members, can be difficult. Although in theory the entire body could agree to abide by the committee's editing, that has not been the case. And rightly so. Despite our best efforts, there are inconsistencies and ambiguities noted by the larger body. A flawless report is the goal. Once in print, our words are there to show the public whether we have spent the year doing quality work or sloppy research.

The guidelines suggest that each juror could submit corrections or revisions. These could then be incorporated into the report by the editing committee, and final approval would easily follow. In fact this is not the case for several reasons. One is that jurors may be remiss with regard to doing their homework. Secondly, the suggestions and revisions received from various people may be contradictory. Thus, there doesn't seem to be any substitute for the entire jury's going over the report line by line.

We have discovered a way to facilitate the editing process at both the committee and full jury level. It requires a laptop computer, projector, and a report in Microsoft Word.

To prepare for the editing session,

1. Using Microsoft Word, protect the document -- from the top menu, select **Tools > Protect Document**. A window with a password option will appear -- no need to protect with a password.
2. Select the **Tracked Changes** radio button, and click **OK**.
3. Use the projector to project the document on to a screen or blank wall.
4. It is best to project the report in Normal View mode -- top menu, **View > Normal**). (The alternative, Page Layout, is not as clear in showing the edits.)

Delete or add material in the usual way. All modifications will be shown in color and can be modified as much as desired. There are default colors for deletions and additions. These can be changed using Preferences (top menu **Word > Preferences > Track Changes**).

When all the additions and revisions have been made to the jurors' satisfaction, the report is ready to be put in final form.

1. Unprotect the document -- top menu, **Tools > Unprotect Document**.
2. Select **Tools > Track Changes > Accept or Reject Changes**. A window will appear
3. Assuming that your report is in its final form (at least for this stage) you can ignore the information on the menu and simply click the **Accept All** button on the menu.

Another window will appear asking you if you want to accept the remaining changes without review. Click **Yes**.

You now have a clean version of the editing report. Save it and give it a modified name (so as not to confuse it later with the original).

If you wish to do further editing, repeat the above process.



Humility Always Trumps Hubris

By Serena Bardell, Director, San Francisco

Open Letter to the Board of Directors

I first joined CGJA in 1997, not wanting my love affair with the grand jury to end with my term. I was elected to the board in 2003. At that time, there was a dispute between a longtime, extremely active member and the board, which ultimately ended up in the hands of lawyers and cost CGJA a lot of money, as well as requiring the board to admit errors.

Not too long afterward, another longtime active member twice had to resort to hiring a lawyer in order to halt brewing disputes with the board.

Now, CGJA's board once again has spent significant amounts of money, time, and energy defending itself against charges brought by yet a third very active member, resulting in its having, as part of a settlement, to admit to lapses.

In all this time—and I've been on the board throughout—I have never seen any attempt by the officers or directors to engage in introspection, any effort to determine what they might be doing or not doing to cause repeated actions against them. There has instead been a hunkering down and virtually total denial of any need to examine the attitudes and behaviors that might be contributing to such extreme recourse on the part of colleagues who have felt ill-treated or even slandered.

In the real world, hardly ever is one side of a conflict completely right, the other completely blameless; more often, it's a case of "might makes right."

CGJA's greatest accomplishment is the training program for new ju-

rors, in which, presumably, instructors help students understand the importance of putting aside personal agendas or prejudices, learning to listen with an open mind to fellow jurors, and investigating without bias and with as objective an approach as possible.

Both former board members and I lobbied passionately for training in "boardsmanship" but were repeatedly told there was no money in the budget (and, implicitly, no need). It's possible that relatively small expenditure might have saved many thousands.

Instead of putting aside all business and dealing with better understanding directors' points of view and ideas for implementing organizational goals, plus developing better communication and empathy among members, CGJA Retreats are, in effect, simply pre-board meetings, out of which agenda items arise.

Several defenders of the status quo appeared to believe that cutting the number of directors by half would "get rid of the 'troublemakers'"; but unanimity belongs in dictatorships, not democracies! Enlightened leaders always welcome criticism and divergent perspectives. No one person can think of everything or be expert in every aspect of organizational operation.

It is past time for all directors to engage in honest self-examination and to dedicate the necessary time and money to developing better skills to fulfill their responsibilities to CGJA's members. A trained professional is essential to accomplishing this urgent need.

Editor's Response

By Jerry Lewi, Journal Editor

As past president who presided over some of the incidents described in Bardell's letter, I would like to point out that there have been significant improvements in Board operations since those times. Meetings that took over three hours with a great deal of contentious discussion are a thing of the past and we are now able to devote our energies to the real business of the association. Minutes and agendas of these meetings are now posted on our website in a timely fashion as well as our Journal. We have increased the number of active chapters, many of which are making major contributions to promoting the grand jury system throughout the state.

I share President Tony Noce's optimism that we are moving forward in a most productive manner.

Announcements

Annual Financial Report

The date for notifying our membership of our previous year's financial status is approaching. Please watch our website for this information that will consist of a Financial Report for 2008, comparing actual results with our budget and a balance sheet as of December 31, 2008

Training Committee

The 2009 schedule of Regional Training Seminars is set and may be found on our website along with hotel information. If you do not have access to this, please contact Training Committee Chair, Lew Avera.

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Our website is a great informational resource for grand juries to use. Our "links" and "local Grand Jury information" pages will take you to websites that can assist in research and information
 Visit us at www.cgja.org



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in this issue

President's Message	Page 1
2009 Elections	Page 2
Birth of a Chapter	Page 4
Editing Grand Jury Reports	Page 5
Open Letter	Page 6

The Mission of the California Grand Jurors' Association

is

To promote government accountability by improving the training and resources available to California's 58 regular grand juries and educating the public about the substantial local government oversight and reporting powers these grand juries have

Format for submitting letters and articles to the Grand Jurors' Journal

Articles should be e-mailed to Jerry Lewi, Editor
cgjaprguy@roadrunner.com

Articles submitted by e-mail should be saved in Rich Text Format and transmitted as an attachment to the e-mail message.

If e-mail is not available, articles should be faxed to Jerry at 805-241-7912

Letters to the editor are limited to 200 words. (One hundred words for "Kudos" thank-you letters).

The Journal will highlight opinion articles written by readers, experts, and issues advocates. They may be 500 to 600 words in length.

We are especially interested in articles on Grand Jury issues or solutions to improving public education of the grand jury system in California.

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