

California Grand Jurors' Association
Board of Directors Regular Meeting – February 26, 2008
M I N U T E S

Call to Order & Roll Call:

The roll was taken at 7:01 and the meeting was called to order at 7:02 P.M.

Present: Avera, Bardell, Chesny, Colbie, Heal, D. Hoffman, Johnston, Landi,
Lazenby(7:40), Lewi, Masini, McKown, Noce, Sitton, Thomas, Wylie
Absent: Hern(ex), R. Hoffman(ex), W. Hofmann(ex)
Also: Parliamentarian Lynberg

Agenda Approval:

Director Colbie made a motion to approve the agenda with the addition of the Treasurer's 2007 report under the Action Agenda. The motion was seconded by Director Chesny and unanimously passed by voice vote.

Member Comment(s):

No member contacted the President or Secretary requesting to be heard.

Director Bardell commented that not all Committee Chairs have been issuing their agendas to the entire Board. Reminder to Committee Chairs: agendas and minutes are to be distributed to the full board.

Director McKown advised that the Marin Chapter of the League of Women Voters is no longer overseeing elections. She asked that any Director with a possible source send the information to her.

Consent Items

- C-1 Approval of Minutes of January 22, 2008 Board Meeting: Landi
- C-2 Receive and file approved Executive Committee Minutes of September 18, 2007: Landi
- C-3 Errata Sheet to reflect Bylaws amendment changing pages 3 & 4: Landi

A motion was made by Director McKown, seconded by Director Colbie and unanimously passed by voice vote to approve the Consent Items.

Action Agenda

D-1 Unfinished Business from prior meetings
None

D-1a Receive Treasurer's 2007 report
Treasurer Thomas

Recommended Action: Receive Treasurer's report to the Board for fiscal year 2007 as required by the CGJA Bylaws. This report is intended to be a first draft of the financial report that will be sent to the membership on or before May 1, 2008. It will be reviewed in Finance on March 3, 2008 as a draft membership report and a second draft will be submitted for Board comment on the final Membership report on March 25th for approval to print in the April Journal.

Director Thomas said that the Bylaw requirements are that this draft be circulated to the Board prior to March 1st for comment. He agrees that this is short notice but was requested by the President. There was a question regarding retained earnings, use of the term restricted vs.
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reserved funds, etc. Director Chesny explained that the Training reserve fund is set aside to cover substantial expenses incurred prior to the receipt of registration fees. After discussion, Director Thomas said that that he would circulate the uncollapsed version of the report via email which provides much more detail.

D-2 Approve restated Policies of Public Relations Committee approved by the PR Committee and Executive Committee

Director Lewi, Chair PR Committee

Recommended Action: Executive Committee recommends approval of the Policies as restated.

Director Lewi said that the Committee has some cleanup to do on the procedures. He added that the restated policies reflect the new and prior/traditional responsibilities. The motion was unanimously approved by voice vote.

D-3 Approve proposed Bylaw amendment to properly define Executive Committee Responsibilities

President Lazenby

Recommended Action: The Executive Committee recommends approving the amendment of Bylaws Article 9, Committees; Section 1. Executive Committee, to provide as follows: The duty of the Executive Committee is to thoroughly review issues affecting the organization, in particular multiple committees. This committee will provide the Board of Directors a work group to conduct committee work on those issues to make recommendations to the Board of Directors.

Director Lewi was unable to attend the Executive Committee meeting and raised the question: if a Chair is not a Director, is it proposed that he/she be a voting member of this redefined Executive Committee? Director Landi said that was discussed and she believes that it was decided that the Executive Committee is a working committee of the Board to review and make recommendations and that a non-Director Chair could participate in those discussions. The Executive Committee would not be taking action but rather would make recommendations to the Board. The Parliamentarian said that the term Executive Committee means just that—and no one else; they may participate by invitation only. Director Thomas suggested that we are digressing from the specific recommended action. In response to a question, Director Landi said that the recommended action only replaces one sentence in the current language. It was suggested that when the Executive Committee recommends a change, they provide the complete section rather than just the change. Director Lewi made a motion that this item be returned to the Executive Committee for clarification. The motion was seconded by Director Colbie and unanimously passed by voice vote.

D-4 Legal Affairs Committee to be renamed Legislative Affairs Committee

Director Wylie, Chair Legal Affairs Committee

Recommended Action: Change the name of the Legal Affairs Committee to the Legislative Affairs Committee in order to accurately reflect its responsibilities. Make all necessary changes in Bylaws and Policies to reflect this change.

Director Wylie explained that Legislative Affairs was the original name of the Committee. This implies that we give legal advice; we do not. Director Lewi understands what the Committee is trying to do; however, he suggested calling it the Law Committee. They deal with issues about the law, about pending changes to the law and they are the source for people who train in grand jury law. Director Heal said that Jack Zepp has expressed concern about the use of the word legislative as it relates to our 501(c)3 status. Director Thomas said that we are not prohibited from legislative affairs. The IRS allows approximately 30% of our funds on legislative affairs and still be approved as an educational charitable organization—there are caveats. The Parliamentarian offered her opinion re using the name “law” committee. Director Wylie said she is willing to pull this item and bring it back to Committee for further discussion. The

Parliamentarian said that sending this item back to Committee requires a motion. A motion was made by Director Bardell, seconded by Director D. Hoffman and passed unanimously by voice vote.

(President Lazenby joined the meeting; however VP Wylie continued as Chair.)

D-5 Operations Committee appointments to AC Committee

Operations Committee

Recommended Action: Appointment of Tony Noce, Chair and Leone Harrison, Joann Landi, John Maitland (starting 7/1), and Larry Walker members of the 2008 Annual Conference Committee.

Director Bardell said that this is a formality. The Ops Committee felt that in order to keep the precedent of fulfilling its obligation to appoint the AC Committee Chair and members and for consistency, we should go through the motions of approving the Committee even though it has already been approved by the Board. President Lazenby said she is not aware of any policy that the Ops Committee appoint the AC Committee members. Perhaps, the lines have become a little blurred since the 2007 AC Committee was chaired by the Ops Committee Chair. The Board approved the 2007 AC Committee and budget at its' February '07 meeting and the 2008 AC Committee and budget at its' January '08 meeting. She added that appointment of AC Committee members by the Ops Committee is beyond its authority. Director Bardell acknowledged there is a difference of opinion as to what the Ops Committee duties are in regarding to the AC Committee. Her observation is that this is something that the Ops Committee has done; perhaps documentation was not specific/consistent. Director Lewi agrees that the responsibility for the conference has been under Operations; whether or not that committee needs to approve membership of the AC Committee is rather optional. Director D. Hoffman read from an excerpt from the old Ops Policies regarding AC appointment. It was pointed out that the newly restated Ops Policy calls for oversight. For clarification, the President said this matter came before the Board in January because the AC Committee had already completed a great deal of work and had not received any ratification from the Ops Committee. Director D. Hoffman believes the motion is in order and the Board action should not have preceded Ops Committee action. Director Thomas expressed his opinion that the lesson to be learned by this is that the Board needs to be telling the Committee it needs to have goals and deadlines and be looking ahead 15 months; in other words, provide oversight. The President said the Annual Conference Committee has never been ratified by any entity as a subcommittee of the Ops Committee. There has never been a parent/subcommittee relationship established. Director Bardell said that the AC Chair has always made status reports to the Ops Committee at its monthly meeting. Director Heal said that it may not be clear because we have rewritten policies but not the procedures. Appointing the AC Committee would be a procedure. He added that in his experience, the 2007 conference is the only one he is aware of where the Board was actively involved.

The motion failed by the following roll call vote:

Ayes: Avera, Bardell, Heal, D. Hoffman, Lewi,
Noes: Chesny, Colbie, Johnston, Lazenby, Masini, McKown, Sitton, Thomas
Abstained: Landi, Noce

D-6 Ad hoc Publications Study Proposal

Director Masini, Chair Publications Ad Hoc Committee

Recommended Action: ■Merchandise: Do we continue to sell merchandise? Can be worthwhile if done right. Should be left up to the permanent committee to do "market research" and establish tracking of sales per item process within the accounting system.
■On Line Sales: Should we sell on line? Yes, both merchandise and documents except for the Compendium, which has limited sales and must be ordered by mail. A reliable

and secure on line order process is already in place. ■Free Copies: When do we give copies of documents free? Defer to Publications Committee. At the present time, we have no idea what we have given away as there are no inventory records of transactions. The committee will have to track what is requested and what they give away so that we have knowledge of what impact it has on revenue. ■Inventory control/financial accounting procedures: Daily reconciliation of sales/cash at Training Seminars is recommended. Online sales should be reconciled monthly. ■Where should Publications/Merchandise reside? The Publications function should reside with a permanent working group consisting of representatives of every standing committee, not necessarily the current members of the ad hoc committee.

Director Lewi seconded the motion. Director Masini said that some recommendations have been made and approved but some items remained. Resolution of those items is stated above in the recommended action. In response to a question, Director Masini said that a final inventory needs to be done; reconcile what is left vs. what we had on hand at the beginning of the year. Director Thomas said we don't know the cash value of what is left; he would like to correct that. Director Heal commented that the grand jurors manual (replaced syllabus) should be free to any jury and in a form that can be tailored and reproduced. Director Thomas said that the Ad Hoc Committee was not charged with determining what would be given away free; it is recommended that decision be made by the permanent group. The Board took action last fall making the manual available on CD.

The motion passed unanimously by voice vote.

D-7 Proposed response to Pilot Program proposed by Marin Chapter
Director Colbie, Chair MRC

Recommended Action: Respond affirmatively to request, apply conditions to provision of CGJA membership data to Marin Chapter.

Director Lewi asked if the MRC has taken an official opinion on the 12 month membership vs. 7/1-6/30 membership year? They have taken no official opinion as yet. The letter proposed to be sent to the Marin Chapter simply puts all the possibilities out on the table.

The motion was unanimously approved by voice vote.

Committee Reports submitted directly by Committee Chairs

E-1 Finance Committee minutes: 3/2/08

E-2 Legal Affairs Committee minutes: 2/20/08

The Committee is looking for a free source to Westlaw to update the Compendium.

E-3 Membership Committee minutes: 1/7/08

E-4 Operations Committee minute: 1/14/08

E-5 Training Committee minutes: 1/21/08

E-6 Public Relations Committee minutes: 12/19/07

Have gotten good feedback on activities celebrating Grand Jury Awareness Month.

He is requesting articles covering these events for the next issue of the Journal.

E-7 Nominations-Elections Committee minutes:

They have held their first meeting last night; Barbara Carolan has been added representing the North.

E-8 Kern County AC Committee status report: 1/22/08

The President read a letter from the Governor's office in response to an invitation to speak at the 2008 conference; he is unable to commit at this time. Director Noce said there has been good local support.

E-9 Ad Hoc Publications-Merchandise Study Committee: 2/6/08

New Business:

Face-to-face meeting

Director Lewi posed the question, should we have a face-to-face meeting on May 17th in Sacramento following the Training Committee Workshop as we did last year? Two previous mid year face-to-face meetings have been productive. Following is a showing of who would be able/unable to participate.

Yes: Avera, Chesny, Heal, Hoffman-D, Landi, Lazenby, Lewi, Masini, McKown, Noce, Sitton, Thomas, Wylie
No: Colbie, Hofmann-W
Unsure: Bardell, Johnston
Absent: Hern, Hoffman-R

Director Chesny suggested we contact the Residence Inn Natomas since they have only one meeting room. The room rate is \$139 per night. Amenities: kitchenettes and airport transportation. Director Thomas will prepare a budget for the March meeting.

Information Items Submitted Directly by Sponsor

H-1 Critical Legislative dates to monitor: Zepp
H-2 Q&A Grand Jury jurisdiction of school districts: Wylie
H-3 Question from Santa Barbara juror seeking information on Grand Jury office locations: Lazenby
H-4 Q&A on whether there is a State Grand Jury: Wylie
H-5 San Francisco special celebration for Grand Jury Awareness Month: San Francisco Chapter
H-6 Monterey comments on January Training Program: Fuentez
H-7 Article in San Luis Obispo newspaper on grand jury: J. Ragan
H-8 San Mateo Chapter's latest programs: Carmassi
H-9 SLO FGJA Newsletter Grand Jury awareness article: J. Ragan

Director Thomas complimented the PR Committee on the quality of the last Journal.

Adjournment

The meeting was adjourned at 8:31 P.M. The next meeting is March 25, 2008.

Submitted by
Joann Landi