

California Grand Jurors' Association
Board of Directors Regular Meeting – June 24, 2008
MINUTES

Call to Order & Roll Call:

The roll was taken at 7:04 and the meeting was called to order at 7:05 P.M.

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

The President thanked everyone for attending and read comments from Jack Zepp's wife Meredith. President Lazenby then read the Mission Statement of CGJA.

The President mentioned that some mistakes were made in the agenda vs. contents of packet. Items C-2 and C-3 were not listed on the agenda as distributed and posted on the website, but the packet did contain the supplemental information. President Lazenby will continue item C-2 to the August meeting; however C-3 is a matter that requires immediate attention. So the President will exercise her authority to reappoint the special committee, have them meet and reassess the situation. A special meeting will be called on or before July 2nd to hear the special committee's recommended response. The President's action to reactivate the special committee can be approved or disapproved at the special meeting which will be noticed shortly. Director Hern asked if the reactivated committee still retains the authority to appoint additional members; the President said it does which is especially important in light of the July 2nd deadline.

Director Lewi asked if item D-6 will include discussion about location. Director Thomas said the agenda item deals more with process but he wouldn't object if location comes up during the discussion.

Agenda Approval:

A motion was made by Director Colbie to approve the agenda as posted on the website. The motion was seconded by Director D. Hoffman and approved by voice vote.

Member Comment(s):

Member Baker was present but did not want to make any comments.

Consent Item

C-1 Approval of Minutes of May 27, 2008 Board Meeting: Landi

A motion was made by Director Hern, seconded by Director Wylie and passed by voice vote to approve the consent item.

Action Agenda

- D-1 Proposed Bylaw amendment regarding Executive Committee: Review the authority of this body as it is defined in CGJA Bylaws
President Lazenby

The maker continued this to unfinished business at a subsequent meeting.

- D-2 Approve proposed General Policies (formerly 1.000 through 3.000 P&P 2nd Edition "Red Book") Board voted May 27, 2008 to move this item to this agenda
President Lazenby & Secretary Landi

Recommended Action: Approve the revised policies as submitted and insert these in the "New Policy Manual" currently housed under TAB 2 of the Director's Handbook.

NOTE: Policies 2.003 and 2.011 that have already been approved (and are at Tab 2 Director's Handbook) will be merged into these policies in number order.

These were presented at the last meeting and have gone through some corrections. Director Thomas thinks that the meeting rules behind tab 6 should be fully typed under 2.003 rather than being kept as a separate document. The President said it is intended that they will be placed there. Director Thomas also wants to be sure that 2.002 d & e are not in conflict with the meeting rules; he volunteered to review. Director D. Hoffman said that the grammar corrections were per Parliamentarian Lynberg's suggestions regarding shall/may/must/should. Comments were made regarding making sure that the language does not preclude introducing emergency items. D-2 was passed by voice vote. An errata sheet will be issued in August.

- D-3 Approve Survey Project to collect information about juries
Director Chesny

Recommended Action: President to appoint an Ad Hoc Committee to explore the feasibility and methodology of conducting a series of short surveys with each on a different GJ aspect such as: Advertising, Juror Screening and Selection Process; Organizing the New GJ; How to Get Started and Topic Selection, etc. on through the typical GJ year. The Ad Hoc Committee should include representatives from Publications, Chapters, Training and PR and will report their conclusions to the Board. An errata form will be submitted for next meeting.

The motion was seconded by Director W. Hofmann. Director Chesny thinks it is self explanatory; it is to appoint an ad hoc committee to explore how this could be done. This would provide information that we don't have at this time and could be used as individual publications. There is no set time to begin this--perhaps after the training seminars. The surveys would be sent to the 58 sitting grand juries and would be kept short. The frequency of the surveys would be up to the ad hoc committee. Director W. Hofmann suggested we approve this in principal and let the ad hoc committee figure out the details. A massive survey was conducted in 2004 by Director Heal and PR did a survey on recruiting practices a couple years ago. Approved in concept by voice vote.

- D-4 Approve Resignation/Continuity Policy
Director McKown

Recommended Action: Design a letter of resignation that all appointed committee chairs and committee members sign on an annual basis. This would

be due approximately 6 weeks prior to the annual conference; this letter would be sent to the President and the Board. Develop a brief descriptive policy which states (for example):

Letter of Resignation

To assist the President in making appointments, each committee chair and all committee members shall send in a letter of resignation by September 1 annually, indicating their availability and interest in serving in the same or other positions.

Send out a notice in June with the letter of resignation form to all committee chairs and committee members to be due September 1. The resignation date would become effective at the end of the annual conference.

The motion was seconded by Director Hern. Director McKown said that many organizations have such a policy and she proposes that this Board develop a policy; a sample was attached to the submittal. She believes this would be helpful to a President. Every year each committee chair and committee members would tender their resignation and then the President would make appointments or reappointments. Director Bardell said that currently committee chairs appoint their members or they volunteer to serve. Existing policy states that the President appoints all members of the Finance Committee only. President Lazenby mentioned that this sort of policy might curtail any prejudices. Director McKown thinks it is a helpful way to find out if people want to continue serving and it does serve as notice that their service is a year-to-year commitment. She personally feels that the President has the right at any time to remove a committee chair or member if something is not working out or they are not performing. Director Avera has no objection to the resignation of the chairs each year but opposes it for committee members; it would put the training committee in turmoil. Director Lewi opposes the motion on the basis that it isn't necessary but the idea does have merit. He added that we could reaffirm the idea that at a minimum of every 2 years, the President has the right to recruit and appoint committee chairs. President Lazenby said that perhaps the maker of the motion would accept an amendment to apply this to committee chairs; Director McKown indicated she is agreeable to whatever will work. Director Thomas believes this is a good idea and may stimulate people to look more closely at their committee goals and realize that their reaffirmation is based on their execution and performance of the stated goals. Director Sitton suggested calling this a letter of interest. Director McKown was amenable to changing the name of the form and that it apply to committee chairs not committee members.

Director Bardell said a chair can drop members for non participation or failure to attend meetings. The President thinks this opens the door to communication.

Director Lewi said that when Board retreats were held before conferences there was more focus on goals; the post conference Board retreats seem to be geared toward indoctrinating new directors.

Director W. Hofmann said that his experience has been that when a new administration comes on board, there are changes. He agrees with Director McKown's intent but suggested she withdraw the motion.

Director Hern asked if the President has the authority to remove a chair who is not performing. The President said that since the president appoints the committee chair, that appointment can be undone. She added that speaking as a President, this would be helpful at least on an every 2 year basis at the beginning of an administration. Director McKown amended her motion that the policy apply to committee chairs only

and that the submittal be called a letter of interest not a letter of resignation. Director Hern agreed to the changes. The letter of interest could include information about the committee's success in meeting its stated goals. Directors McKown and Hern will develop a letter of interest which will come back for Board approval in August. The following roll call vote was taken:

Ayes: Chesny, Hern, W. Hofmann, Landi, McKown, Noce, Sitton, Thomas
Noes: Avera, Bardell, Colbie D. Hoffman, R. Hoffman, Lewi, Masini, Wylie
Absent: Heal, Johnston

The President voted in the affirmative thereby breaking the tie vote. The motion passed.

D-5 Approve Grand Jury Achievement Publication

Director Lewi, Chair, PR Committee

Recommended Action: 1. Approve the attached report for printing and sale at This year's Training Seminars and Annual Conference. 2. Approve spending \$250 for the printing of 50 copies with the expectation that the money will be recovered by the sale of the report.

Director Lewi hopes the submittal was self explanatory. He is expecting a few more reports to be validated. There were some suggestions about the spacing and formatting. However, time is of the essence since we would like to be able to offer the publication at the training seminars. Those changes will be considered in the future. Director Lewi expects that this endeavor will be revenue neutral. Director Thomas said that at \$4.50 per copy it's worth doing.

President Lazenby referred to a recent GRIP document from Les Daye. It does not have searchable topics, just a table of contents, and she wonders how much time it would take to make this document topical. Director Lewi said that we used the exact titles from the reports which the reader needs to find that report. The real goal is to stimulate people to submit reports. Director Lewi said as the volume of reports increases, the idea of a topical index could be explored. Director Chesny suggested that more information be required from the submitter--recommendations, responses, implementation date, etc. Director Thomas said this may stimulate interest among individuals or chapters to form implementation review committees. The motion passed by voice vote. Publications will establish the per copy cost.

D-6 Enjoin Operations Committee efforts to solicit host for 2009 Annual Conference until there is a formal Request for Proposal

Director Thomas

Recommended Action: Provide direction to the Operations Committee regarding appropriate board directives for recruitment of Annual Conference sites. This agenda item is intended to provide the following directives to the Operations Committee as to the process of communicating with chapters and associations as to their interest in hosting an annual conference, and to instruct the Operations Committee to stop all activities of locating a site for the 2009 conference until the terms are met:

The Operations Committee shall,

1. Develop a standardized Request for Proposal (RFP) that details the responsibilities of the host of the Annual Conference and the benefits to the local host for their participation.
2. Circulate a board approved RFP for an annual conference broadly without respect to a location or as to the "Region" it is located in or whether the hosting county had acted as host for a CGJA conference in prior years.
3. Provide responses to the Board approved RFP to the Board accompanied by accurate data as to the CGJA Region of the host, historical data as to hosting locations and regions by year for board selection of the best site for the conference for the year in question.

The Operations Committee shall not,

1. Provide or manufacture any other criteria to act as host of an annual conference other than a board approved RFP.
2. Under any circumstances, disclose to any possible host what other hosts they may be competing against.
3. Under any circumstances, communicate with the potential host any thinking or discussions by the board as to host preference prior to board selection of the location of the annual conference.

The motion was seconded by Director Colbie. Director Thomas said this is consistent with what we have been doing for the last 18 months; setting standards for our successors. He thinks we need to simplify and make things more efficient (not micromanage); it would help the process of meeting the 1½ year timeline. Director Sitton agrees that we need to establish criteria that can be used year after year. Director Bardell finds this motion offensive. She added that she sent out requests to all northern county Directors and chapter chairs which were more formal than used in previous years. When the only northern region county offering to host the 2009 conference withdrew, Director Bardell pursued other options with no success. Director Thomas doesn't believe that any region should be preferred over another. Requests should be sent out to every chapter and then evaluated by the Board prior to making their decision public or disclosing to chapters what other chapters may be competing to host the conference. Director Thomas thinks this is a very standard business way of recruiting bids. Director Noce supports the motion. Director Lewi said he doesn't think it's feasible for anyone to comply with the details of this recommendation in time to find a location for 2009. He suggested Sacramento for 2009 with the Board or Operations Committee organizing the conference with help from local people. Director Masini said that when the Nevada County Chapter was considering hosting in 2009, she spoke to Director Noce and found what he has been doing in Kern County for 2008 was very helpful. Perhaps we could use what he has done as the groundwork. Director D. Hoffman thinks this proposal could be positive going forward but she agrees with Director Lewi that this could not be implemented for the 2009 conference. She also objected to some of the language in the proposal but agrees that we need something that will help the next Ops Chair. Director Bardell said she provided Director Noce with thousands of pages and she has been working over the last few months on detailed procedures for the annual conference. The document lays out how Ops thinks a conference should be planned, organized, etc. Director Thomas said that perhaps the Ops document can be summarized for the RFP. Director Bardell said there has been an understanding that the conference rotates among the 3 regions. Director Thomas believes that establishing the guidelines for the RFP process up front will avoid

establishing bad relationships. Director Chesny favors an RFP process and the questions posed by the Marin Chapter show that interested chapters should have all the information they need to make a bid; Director Colbie concurred. Director Thomas favors the Board or Ops keeping the region rotation in mind but send the request out to all chapters. He agrees that using the Marin questions and Director Bardell's material, we should be able to have a document ready by August. We may want to pursue the RFP process and Sacramento simultaneously. Director Bardell disagrees with too much formality; just provide preliminary information and then when someone expresses interest, provide more detail. Director W. Hofmann said the intent of this motion is to standardize the procedure and level the playing field; we may have to improvise for 2009. Director Landi agreed with Director Hofmann.

Director Lewi amended the motion that this be referred to Operations to comply with the intent of the request but that separately, the Ops Committee should be searching for a site for the 2009 conference without the benefit of this detailed RFP. The amendment to the motion was seconded by Director D. Hoffman. The amendment failed by the following roll call vote:

Ayes: Avera, Bardell, D. Hoffman, Lewi
Noes: Chesny, Colbie, Hern, W. Hofmann, Landi, Masini, McKown, Noce, Sitton, Thomas
Absent: Heal, R. Hoffman, Johnston, Wylie

The original motion passed with 3 no votes; Directors Bardell, D. Hoffman and Lewi. The President asked Director Thomas to come up with a format for an RFP.

D-7 Request for authority to change budget line item

Director Thomas, Treasurer

Recommended Action: Clarify procedure regarding committee budget authorization for line items within the Board approved committee budget authorizations by opting for one of the two following options:

1. Allow the Treasurer to make budget transfers within line items of a committee budget upon a vote of the committee to request transferring from one expense authorization to another provided that the committee does not exceed its total expense allowances.

2. Require that a committee submit a consent or action directly to the Board for authorization to transfer budget authority from a line item expense to another line item expense within their own budget to provide direction to the Treasurer as to the appropriateness of such a budget transfer.

Director Thomas recommends the Board accept option number 1. The Board concurred and passed the motion unanimously by voice vote.

New Business

Committee Reports submitted directly by Committee Chairs

- E-1 Finance Committee minutes
- E-2 Legal Affairs Committee minutes
- E-3 Membership Committee minutes: 4/8/08 & 6/2/08

- E-4 Operations Committee minute: 5/1/08
- E-5 Training Committee minutes: 4/21
- E-6 Public Relations Committee minutes:
- E-7 Nominations-Elections Committee minutes:
- E-8 Kern County AC Committee status report: 5/31/08
- E-9 Publications Workgroup

Information Items Submitted Directly by Sponsor

- H-1 Privilege as Defense to Responding to Final Report?
- H-2 Question re eligibility of Criminal GJ for CGJA Membership
- H-3 Scope of GJ to Investigate Non Profits Funded by the State
- H-4 Question on Married Grand Jurors
- H-5 Director's second demand – claim letter
- H-6 Grip annual report: Will the report go back to listing by topics? Director Bardell doesn't believe so. Per Les the information is available on the internet and there will not be a listing as was last done in 2001. There was discussion about what was done in the past.

Adjournment

A motion was made by Director Landi to adjourn the meeting in memory of Jack Zepp. The motion was seconded by Director Lewi and the meeting was adjourned at 9:07 P.M. The next regular meeting is August 26, 2008.

Submitted by Joann Landi