

**California Grand Jurors' Association**  
**Board of Directors Meeting – September 28, 2010**  
**MINUTES**

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**Call to Order & Roll Call:**

The roll was taken and the meeting began at 7:03 P.M.

Present: Caranci, Haxton, Hern, D. Hoffman, W. Hofmann, Landi, Lazenby, Lewi, North, Noce, Small  
Absent: Wylie  
Chairs: Mufson, Trautman(ex), Avera(absent) Simpson, Sitton, Lavery, McKown  
Members: None

**Agenda and Comments:**

B-1 Agenda Approval: Noce

Consent C-4 was pulled and will be handled at the end of the Action Agenda. Director Landi asked that item D-9 be moved to the end of the Action Agenda and handled in Executive Session. The President said that was not necessary.

A motion was made by Director Lazenby, seconded by Director D. Hoffman and unanimously passed by voice vote to approve the Agenda as amended.

B-2 Member Comment (maximum 10 minutes total)

None

**Consent Item**

C-1 Approval of 8/24/10 Board Meeting Minutes: Landi

C-2 Acknowledge approved Committee Minutes and reports in 9/28/10 packet: Noce

C-3 Approve President's recommendation to dissolve the CGJA History Ad Hoc Committee: Noce

A motion was made by Director Haxton, seconded by Director North and passed by voice vote to approve the Consent Agenda.

**Officer and Committee Chair Reports:** Any minutes submitted by a committee were in the meeting packet.

D-1 Legislative Affairs Committee (8/23/10 Gonzales inquiry; Gonzales response; 8/20/10 Solano request; 9/1/10 Solano response; Moger comments, El Dorado 8/10; 9/6/10 El Dorado response; 8/16/10 SF request; 9/1/10 SF response; 8/26/10 Siskiyou response; 8/27/10 Whitman teleconference; Santa Clara request/response; request from Tuolumne County; response to Tuolumne County; Davenport response; 9/12/10 minutes) – Trautman: No report.

D-2 Public Relations Committee (6/10/10 minutes) – Lewi: •Director Lewi said that the Committee approved Action Item E-7 but that he would defer comment at this time. •We have received a request from a member of the Sacramento Chapter indicating that he would like to purchase 100 copies of the Grand Jury System Book. The request came one day after the Committee met but they were polled via email and have agreed to offer a 20% discount (\$8 per copy). We do save on shipping 100 individual copies. Printing costs are \$4.50 per book. The Sacramento Chapter indicated they will use the books as a recruiting tool and give copies to jurors and prospective jurors. •The Journal is at the printer and should be received in about a week. It will include articles about the training seminars and the Conference. •The Committee has decided to update the website and the service for design and maintenance will have to be outsourced. Have talked to one firm and have two others to speak with. This will be part of the 2011 PR budget request.

D-3 Membership Relations Committee (9/12/10 minutes & Regional Chapter meeting) – Mufson: Deferred comments to his action item E-6.

D-4 Training Committee (6/21/10 minutes; 2010 training attendance totals; 8/16/10 minutes) – Avera: No report.

D-5 Finance Committee (2011 budget worksheet)– Caranci: The financial reports were sent out under item D-24; questions were deferred to the Treasurer. Director Caranci asked for guidance regarding the 2011 budget process. She recommends that we begin since she believes that the process will take 90 days for all the back and forth involved and in consideration of the fact that the Committees and Board only meet once a month. One member of the Finance Committee prefers that this process be deferred until new officers and committee chairs are elected/appointed. Director Landi thinks it is a good idea for committees and officers to prepare preliminary numbers. It can be helpful for new incoming officers and committee chairs. Director Caranci provided some clarification about her vision of the process. The President agreed that we should start the planning process. Director Hern just doesn't want new people to think they must abide by any preliminary proposals from their predecessors. It was pointed out that the full Board will approve the budget.

D-6 Nominations-Election Committee – D. Hoffman: The ballot count is scheduled for October 1<sup>st</sup> and will be observed by Joe Moreland (Orange County Association), Lew Avera and Director D. Hoffman. The Committee will meet the evening of October 1<sup>st</sup> to develop a slate of officers.

D-7 2010 Annual Conference Ad Hoc Work Group (8/24/10 tentative Conference Schedule; 8/18/10 conference update) – Avery: The numbers are as follows: 72 room nights confirmed, 72-73 registrants, 7 spouses purchasing meals and 4 comped meals. She would like to add coffee service for the first morning @\$375. Since the printing and program costs have been donated, perhaps the \$375 can be offset by those cost savings. Director Lazenby thinks that the \$53 meal package includes coffee for the first morning. Meredith will check with the hotel because it is her understanding that the Thursday AM coffee service would be an addition. Director W. Hofmann said the Committee has worked very smoothly. Director Lewi will speak to Meredith regarding the sound system off line.

D-8 Publications Work Group (June & August sales reports) – Sitton: Chairman Sitton asked that anyone holding publications left over from the various training seminars bring them to the Conference.

D-9 Review Committee – McKown: The Review Committee has been activated to deal with 2 complaints received by a Director regarding a fellow Director. The Committee is conducting an inquiry and will report to the President as to their findings.

D-10 Angelo Rolando Ad Hoc Committee – Mattea: No report.

D-11 Daye Index Work Group – Baker: No report.

D-12 Archive Work Group – vacant: No report.

D-13 Bylaws Review Ad Hoc Committee – Hern: No report.

D-14 Excellence in Reporting Work Group (EIR 2010 report) – Simpson: Chair Simpson reported that the submittals were excellent and it was difficult to make a selection. Director Lewi said that the Grand Jury Achievement Report (GJAR) has been updated with a number of the submittals. Next year he would like to see a more formal working arrangement between the EIR Work Group and the PR Committee for the purpose of updating the GJAR. The EIR Work Group is going to suggest that reports be submitted electronically to keep printing costs at a minimum.

D-15 Central Information Ad Hoc Committee – North: The process has begun. Director North is anticipating a lot of material from the History Ad Hoc Committee. It is his understanding that it will be brought to San Diego and then the scanning will begin. Director North thinks that flash drive is the way to go for storage.

D-16 Executive Committee – Noce: No report.

D-17 Steering Committee (8/18/10 draft minutes) – Noce: No report.

D-18 Awards Committee (2010 final report) – Mattea: No report.

D-19 Grant Writing Ad Hoc Committee – O’Neill: No report.

D-20 CGJA History Ad Hoc Committee – Lynberg: No report.

D-21 CGJA President (letter of interest & response-Trautman; letter of interest & response – Caranci; letter of interest & response – Mufson; 2010 MRC goals accomplished; letter of interest & response – Lewi; letter of interest & response – Mattea; letter of interest & response - Avera) – Noce: There are probably only two chairmanships that will need to be filled. President Noce believes this is a good thing since holdover chairs provide continuity. He will turn over all the documents to the new President.

D-22 CGJA Vice President (DimDim account information, 8/30/10) – North: Mentioned have paid and are officially on the DimDim system. The Secretary will check with Unlimited Teleconferencing regarding terminating that service.

D-23 CGJA Secretary – Landi: Reminded the Board that if they are attending the October 22<sup>nd</sup> Retreat that they need to submit their registration form and payment. She explained that the Board will need to approve a banking resolution so that the newly elected President, Treasurer and Secretary can go to a Bank of America on October 22<sup>nd</sup> to sign new signature cards. She will provide the resolution to the President to be included in the Retreat meeting package.

D-24 Treasurer (8/31/10 bookkeeping invoice; 2010 IRS subordinate report; 9/14/10 budget vs. actuals; 9/15/10 balance sheet)– Lazenby: The Profit & Loss Statement and the Balance Sheet were included in the meeting packet. There is one item that requires some guidance from the Board. The EIR Work Group has submitted an expense reimbursement form for \$43.57. However, only \$30 was budgeted. The Treasurer cannot make a payment which exceeds the budgeted amount. The Secretary suggested transferring the needed amount from the Secretary's annual \$200 budget. The Treasurer said that there is \$200 allotted for awards (acct. 4002) but she doesn't know what their needs will be. Director Small generously offered to personally cover the \$13.57 shortfall.

D-25 Database Manager – Kenk: No report.

D-26 Finance Review Committee – Johnston: No report.

D-27 2010 Grand Jury Survey Work Group – Sommer: No report.

D-28 2010 Teller Committee – Kenk: No report.

D-29 2011 Annual Conference – Noce: See E-1 below.

### **Action Agenda**

E-1 Approve 2011 Annual Conference Host Chapter  
*President Noce*

**Recommended Action:** Approve 2011 annual Conference Host Chapter

Director Lewi said there is no doubt in his mind that either Chapter can put on a conference. Both Chapters are well staffed; Marin has a history of hosting a Conference and Napa has the energy and talent. Either would be an excellent hosting chapter. He is concerned about the hotel room rates of \$129 for both of the Embassy Suites. It does include breakfast which is a consideration. The alternate Marin site, the Sheraton Four Points Hotel, is more reasonable and in line with what we have done for previous conferences. He wonders if the Embassy Suites is going to be a problem for the general membership. The President said he is very pleased with the submittals and that other organizations in the north were contacted. By the following roll call vote, the Marin County Chapter was chosen to host the 2011 Conference:

Marin: Haxton, Hern, W. Hofmann, Lazenby, Lewi, Small  
Napa: Caranci, D. Hoffman, Landi, North

E-2 Approve funding request  
*Director Lewi*

**Recommended Action:** Establish a separate restricted fund for the Zepp Bequest of \$5,000. Restriction is only that the use of the funds must be approved by the Board of Directors for a specific project or use.

There are no restrictions on the type of project but as Director Lewi stated at the February meeting, he believes the Board should approve whatever the funds are used for. The motion was seconded by Director Caranci and unanimously passed by voice vote.

E-3 Approve Angelo Rolando Memorial Award Nomination  
Betty Mattea, Chair

**Recommended Action:** Approve the Angelo Rolando Ad Hoc Committee recommendation for the CGJA 2010 recipient selection for the Angelo Rolando Memorial Award to be presented to the membership at the 2010 CGJA Annual Conference.

Director Haxton made motion that we approve the Committee's recommendation for the 2010 recipient. The motion was seconded by Director Small and unanimously passed by voice vote. The President will notify the recipient so that, if possible, he/she can attend the Conference where the award will be presented.

E-4 Approve 2009-2010 EIR Award Recipients  
Sara Simpson, Chair

**Recommended Action:** Approve the winner of the 2010 Excellence in Reporting Award "Defenseless at Arraignment" submitted by Marin County. And the winner of the 2010 News Media Award, the San Francisco Chronicle for the voice given to the City and County of San Francisco's Grand Jury report "Pensions, Beyond our Ability to Pay" for this years awards to be presented at the 2010 Annual Conference in San Diego.

A motion was made by Director Hern, seconded by Director W. Hofmann and unanimously passed by voice vote to approve the EIR Work Group recommendations for the 2009-2010 EIR Awards.

E-5 Approve recommended Bylaw changes  
Director Hern, Chair

**Recommended Action:** Approve Bylaws recommendations proposed by Ad Hoc Bylaws Review Committee with steering Committee additions.

Director Hern explained what the Committee was charged with doing with regard to the Bylaws. She asked for any concerns or objections. Director Lewi said that he is concerned with the issue of allowing for the annual meeting to be a membership meeting at which action can be taken. Many of his concerns have been taken care of but he is not convinced that the Code requires us to do that; however, he is willing to back off on that concern. He is also concerned with reducing the quorum to 15% vs. the CCC 33% requirement. Because the annual meeting requires time and money to attend, reducing the quorum is unfair. In response to his question, do

you envision that we still have the option of conducting ballots by mail, Director Hern said yes. Director Hern said the reduction for the quorum for the annual member meeting gives the Corporation the right to avoid conflicts that could arise at a membership meeting. Part of the thinking of the Ad Hoc Committee was to try to get a reduction in the quorum which could stimulate more attendance at the membership meeting. Director Lewi agrees with that thinking but believes that 15% is too low. Director W. Hofmann said that we need to get a message out to the membership that the new Board is going to be more friendly toward members. Director D. Hoffman said she belongs to other associations who have membership meetings so that members can participate. Director Haxton said that there is an agenda for the membership meeting and the only things addressed are those items that have been properly agendaized. Director Lewi said there seems to be a misconception that we don't allow members to make comments at the membership meeting. His other concern is the requirement that to be a voting member of CGJA you must have completed a year of grand jury service. Will we have a statement on the registration form stating you must have completed a full term? Director Hern said the Steering Committee decided to leave the language in the Bylaws and then have the MRC manage the process. The Ad Hoc Committee also recommends that a subsequent Bylaw Review Ad Hoc Committee look at this language. The proposed Bylaw changes were adopted by the following roll call vote:

Ayes: Caranci, Haxton, Hern, D. Hoffman, W. Hofmann, Landi, Lazenby, Lewi, North, Noce, Small  
Noes: None  
Absent: Wylie

E-6 MRC agenda item continued from September meeting  
Dan Mufson, MRC Chair

**Recommended Action:** It is moved that the CGJA Board of Directors, in accordance with Article 4. (Members); Section 1. of the Bylaws, modify the requirements for “introductory” member. An introductory member is an individual who has been offered and accepted a complimentary membership valid during their term of Regular Grand Jury service, who has complied with the requirements for such complimentary membership as set forth by the Board of Directors and who is currently serving or been selected as an alternate on an impaneled Regular Grand Jury for the first time in any of the 58 counties. A current voting member of CGJA is not eligible for IM status. An IM has no vote in CGJA matters but does have voice at CGJA functions when recognized by the President or Chairperson.

The recommended language is self explanatory. A motion was made by Director Hern, seconded by Director W. Hofmann and passed unanimously by voice vote to approve the recommended action.

E-7 Authorization to distribute recruitment DVD  
Director Lewi, PR Chair & Keath North, Director and Committee member

**Recommended Action:** Move authorization to distribute the DVD: FREE – offer link to YouTube hosted video to all appropriate websites via email contact. PURCHASE – ONE licensed, professionally packaged DVD (generic) - \$45; additional copies - \$20 each. The DVD and its packaging can be customized to display County-specific contact information: ONE licensed, professionally packaged DVD (custom) - \$95; additional copies - \$25 each.

Further move that Humboldt County Chapter receive ½ of net revenue until Chapter recoups its \$1,000 out-of-pocket costs, AND that CGJA's net revenue be earmarked for website development and/or future multimedia content to build public awareness.

The intent is to make the DVD available to the courts, especially those who do not have their own video. We are also trying to recover some of the costs of the Humboldt Chapter. Also included is a Purchase Agreement which importantly, says what may NOT be done with the video. The premier of the video will be at the Annual Conference and at the same time, the GJAR and the recently approved Daye Index will be posted on line. Director Lewi and Di Masini are working out a plan to have the home page of the CGJA website reflect these additions on or about the day of the start of the Conference. We are going to produce about 50 copies of the DVD in-house to be available at the Conference. There is no budgetary impact for this proposal.

Director North said the Humboldt Chapter has an ulterior motive to recover their costs. They would like to develop a series of PSAs to continue the effort to raise public awareness. He said that the PSAs will be generic and could be used by other chapters.

Pricing of the DVDs has two options, one of which is to tailor it to a specific county. It is anticipated that the price will include the sales tax. Director Lewi said that if we decide we want to make a wider distribution, like for every law library, we would buy the video at the established price so that the Humboldt Chapter would still receive their reimbursement. The Finance Director asked if this will be a line item in the PR Committee budget or if it will go into Publications. PR has a production costs line item; however, Director Lewi doesn't feel strongly one way or the other about which Committee handles the video sales. Director North reminded everyone that the motion includes earmarking the profits from this for website development and future multimedia content. The motion unanimously passed by voice vote.

C-4 Approve President's recommendation to dissolve the CGJA Bylaws Review Ad Hoc Committee: Noce

A motion was made by Director Hern, seconded by Director W. Hofmann and unanimously passed by voice to dissolve the CGJA Bylaws Review Ad Hoc Committee.

#### **Directors Comments**

- Director W. Hofmann said since this is his last meeting he wanted to thank everyone.
- Director Lazenby thanked President Noce for his two years of service to CGJA.
- Director Lewi congratulated the Ad Hoc Bylaw Review Committee and is happy this work is behind us.
- Director Small commented that he was favorably impressed with the work of the LAC. It's quite impressive to see that we are able to offer help to chapters and grand jurors.
- Director Caranci agrees with Director W. Hofmann that CGJA will move forward in a positive fashion. She added that we have done well during the last two years and she has enjoyed serving with everyone.
- Director Haxton, on behalf of the Marin Chapter, expressed appreciation for the confidence shown and said that the Chapter will strive to live up to the expectations for the 2011 Conference.

#### **Adjournment**

A motion was made by Director Hern, seconded by Director Lazenby and passed to adjourn the meeting at 8:25 P.M. The next meeting is October 21, 2010 and will be a brief Special Meeting.

**Information Items Submitted Directly by Sponsor**

- H-1 Committee Roster: Kenk
- H-2 CGJA Critical Dates Reminder: Noce
- H-3 Requests for membership information: Landi

Submitted by

Joann Landi