

TCDLA Board Meeting
Minutes
Saturday, June 28, 2008, 11:45 am
Henry B. Gonzalez Convention Center, San Antonio, Texas

Introduction

Craig Jett, President, calls the meeting to order.

Present: Craig Jett, Rick Hagen, Stan Schneider, Bill Harris, Lydia Clay-Jackson, Susan Anderson, Robert Barrera, Paul Conner, John Convery, Kenda Culpepper, Mike Gross, Bobby Mims, John Niland, Kelly Pace, Tom Pappas, Bill Price, Bill Ray, Grant Scheiner, Mark Snodgrass, Shel Weisfeld, Russell Wilson, John Young, Warren Wolf, Clay Conrad, Darlina Crowder, George Scharmen, Danny Easterling, Keith Hampton, Constance Luedicke, Doug Murphy, Harold Danford, Kerri Anderson-Donica, Reagan Wynn, Lynn Ingalsbe, Sam Lock, James Makin, Sam Bassett, John Carroll, Jim Darnell, John Heath, Jr.,

Past Presidents: Richard Anderson, Ron Goranson, Bobby Lerma, Scrappy Holmes, David Botsford, Charlie Butts, Mark Daniel, Tim Evans, Gerry Goldstein, Mike Heiskell, Bob Hinton, Dan Hurley, Ed Mallett, Gerry Morris, Randy Wilson, Bill Wischkaemper

Staff: Joseph Martinez, Cynthia Hampton, Tiffany Martin, Melissa Schank, Philip Wischkaemper, Cristina Abascal, Denise Garza

Excused: Fred Stangl, Dan Cogdell, Mick Mickelson

Absent: Jim Marcus, Stephen Baer, Jim Granberry, Mike P. Gibson, Jason Butscher, Tom Hirsch, Larry Moore

Minutes from March 2008, Board Meeting in New Orleans are approved.

Fallen Heroes Hal Jackson, Weldon Holcomb, Larry Elms, and Dick Alexander are recognized. (Correction: Lucien Campbell is not deceased.)

Executive Director's Report, *Joseph Martinez*

We expect in excess of \$200,000 profit from Rusty. We raised \$650 last night at the party for the building fund. Bobby Mims has raised a \$5000 challenge for building fund.

Capital Assistance Report. *Philip Wischkaemper & John Niland*

(John Niland will give report during committee reports)

We have produced a new cross-exam cheat sheet and updated sex offender. Work is being done to put excerpts of the Gov't and Water Codes into our annotated code books. Trial Notebook has been updated and an evidence chapter added by Jerry Howeth.

Philip is on a committee to update the Judicial Capital Bench Book (not a TCDLA pub)

The next capital seminar is S. Padre on Nov. 8, 2008. Forensics is also looming.

Craig commends Philip for Blair and announces the award he received yesterday at the Capital Luncheon.

By-law Amendment: Bill Harris

The proposed amendment would establish one member from each district and officers as the Nominations Committee. Past-presidents would be ex-officio non-voting members.

- Motion to adopt by-law change
 - Motion carries
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CDLP Seminars Grant Scheiner

Grant reports so far we have had 31 seminars, 270.25 hrs CLE/24.75 ethics

Capital CLE 48.75 hrs/3.0 ethics; 279 capital lawyers trained.

Total lawyers trained: 2900

Discussion of ways we have cut expenses. We are now venturing into webinars.

Bobby Lerma and Mark Snodgrass are 2008-09 co-chairs.

Budget Committee

Keith Hampton reports. (See Executive Committee minutes)

Membership Committee

Keith Hampton reports we currently have 2713 members. We are looking at providing members with automatic renewals with a credit card.

Seminar Committee

Joseph reports we have about 800 paid attendees.

4161 educated this year, not including Rusty, with \$240,000 net profit projected.

Craig recognizes Gerry and Bill for an outstanding Rusty. It is the best attended Rusty ever with over 800. We even have 46 judges.

Publication Report: Mike Gross

Mike commends Philip and Cynthia for their work on publications.

We want to get a position for a full time staff attorney to help with updates.

Salary: \$45-50,000/yr (we will vote in Sept.)

Voice: Emmett Harris

Voice is healthy, thanks to Craig Hattersley for the great art and layout.

Emmett briefly reports on Ellison and encourages people to write articles.

Criminal Specialization: Craig Jett

Committee met yesterday and recommended no changes be made to the standards. We will vote on the recommendation in Sept.

Retreat/Board Orientation: Rick reports

Committee Reports

Amicus: Keith reports a brief was filed in support of Jimenez, who got a pro se cert petition granted and is now represented by an east coast law firm.

Budget & Finance – see above

Corrections: Kelly Pace reports TDCJ is getting new phone contracts. First time parolees are going back to electronic monitoring.

CPS: Pat Metze reports the committee met yesterday and will probably be renamed the “CPS Task

Force.” They will work with legislative committee to work on legislation. We will put civil forms on the website and seek to educate and “infiltrate” civil bar.

Death Penalty: John Niland reports there are 175 DP cases on the row. Eight cases so far this year: 6 have gone to death verdicts, 2 for life. The number of cases is shrinking. We have 11 programs planned, most at CAIL. Other capital programs are discussed. The West Texas Capital Defender has hired more lawyers. The CCA has enacted a “48-hr rule” for all last minute motions in DP cases. Craig commends John for all his work, and announces John Wright’s “Lifeline Award.”

DWI: Larry Boyd thanks Keith and Allen for all their work regarding the pending ALR sunset legislation. New SOAH rules will be our shortly.

Equal Access to Courthouses – none

Expunction – none

Federal – none

Hall of Fame: Gerry reports induction of Roy Barrera and Anthony Nicholas. Roy Barrera is present and expresses his thanks.

Indigent Defense: Bill Harris reports. He asks for cases in which judges have seriously damaged the defense by cutting expenses. Dallas PD’s office problems discussed. TCDLA will write a letter to the commissioners re: unrealistic quotas on PD caseloads.

Innocence: none

Lawyers Assistance: Kelly Pace reports new committee was appointed. Major depression is the most common affliction of lawyers today.

Legislative: Keith reports briefly on upcoming session.

Professional Responsibility – none

PD Committee: Susan Anderson reports on firing of Dallas PD and the quotas on assistant PDs.

Long Range Planning – none

Strike Force: Sam Bassett reports Danalynn Recer has been threatened with contempt for failing to bring an expert top trial. There is also a situation developing in Tyler.

Craig Jett reports that we will ask for a grant from the State Bar to pay someone to edit our “Legends” videos.

Awards

Comments by Craig Jett

Election of Officers and Board Members

- Motion to elect slate of officers
- Motion carries

- Motion to elect slate of candidates for TCDLA Board
- Motion carries

Craig Jett receives past-president lapel pin from Sue Benner

Swearing in of 2008-09 TCDLA President

Rick Hagen is sworn in by Craig Jett

Remarks by Rick Hagen

Swearing-in of Officers and Board Members by Rick Hagen

Adjourn: 1:12 pm

Respectfully submitted,
Cynthia L. Hampton
TCDLA Assistant Executive Director/General Counsel