



## TCDLA Board of Directors Meeting Minutes

Saturday, September 15, 2012  
San Luis Hotel  
San Antonio, Texas

### Introduction

Lydia Clay-Jackson, President calls the meeting to order at 10:15 am. A quorum was present.

### Roll Call:

#### Officers

P Lydia Clay-Jackson,  
President  
P Bobby Mims, Pres-Elect  
P Emmett Harris, 1st VP  
P Sam Bassett, 2nd VP  
P John Convery, Treasurer  
P David Moore, Secretary  
E Greg Westfall, *Voice*  
Editor

#### Directors

A John Ackerman  
P Susan Anderson  
P Heather Barbieri  
A Rick Berry  
P Lawrence Boyd  
E Fred C. Brigman, III  
P F. Clinton Broden  
P Jaime Carrillo  
E Jason Cassel  
E Harold Danford  
P James Darnell  
P Nicole DeBorde  
E Emily Detoto Munoz

P Danny Easterling  
A Steven Gordon  
P Deandra Grant  
P Michael Gross  
P Melissa Hannah  
E Theodore Hargrove,  
III  
A Jo Ann Jacinto  
P Jeanette Kinard  
P Adam Kobs  
E Jani Maselli  
P Reynaldo Merino  
P Patrick Metze  
P David O'Neil  
P Anthony Odiorne  
P Shawn Paschall  
P Stephanie Patten  
A Bruce Ponder  
A Carole Powell  
P Bennie Ray  
P Ray Rodriguez, Jr.  
P Sarah Roland  
P Clay Steadman  
P George Taylor  
P Gary Alan Udashen

E William Vitz  
P Charles Coby Waddill  
A James Whalen

#### Associate Directors

P Marjorie Bachman  
P Sharon Curtis  
P Robert Fickman  
P Donald Flanary, III  
P Steve Keathley  
P Laurie Key  
P Michael McCrum  
P Michael McDougal  
P George Milner, III  
E Angela Moore  
A Oscar Pena  
P John Hunter Smith  
P Edward Stapleton, III  
P John Stickels  
A Oscar Vega

Key: P = Present; E = Excused Absence; A = Unexcused Absence

**Past Presidents in Attendance:** Mark Daniel, Tim Evans, William Harris, Scrappy Holmes, Craig Jett, Robert Lerma, Edward Mallett, Stanley Schneider

**Guests:** Brandon Wynn, Michelle Latray, Brent Cahill

**Staff:** Joseph Martinez, Melissa Schank, Rick Wardroup, Mari Flores

**Oath of Office for New Board Members, *Lydia Clay-Jackson***

Board members not present at Annual Board meeting in June were sworn in.

**Recognition of Robb Fickman and David Moore for the Declaration Readings Project, *Lydia Clay-Jackson***

A round of applause was given by the Board for gratitude of state and national organization. Robb Fickman thanked Gary Trichter for starting this and thanked Joseph and Melissa for support. Acknowledgement was also given to local coordinators. Emmitt commented how it is truly a moving experience; please organize one in your county for next year!

**Recognition of Staff, *Lydia Clay-Jackson***

Lydia gave recognition of all staff and gave appreciation and stressed they are one plus! Board applause for all staff present and those not present.

**MOTION: Polk County Criminal Defense Lawyers Association Affiliation**

Motion to approve Polk County Criminal Defense Lawyers Association as a TCDLA affiliate. Motion made by Craig Jett, seconded by Bobby Mims – motion carries.

**TCDLA Board Conflict of Interest Policy**

Policy included in board packet to be discussed at December board meeting in Houston.

**MOTION: Minutes, June 9, 2012**

Motion to approve minutes from June 9, 2012, TCDLA Annual Board Meeting in San Antonio. Motion made by Larry Boyd, seconded by Nicole DeBorde – motion carries.

**Recognition of Fallen Heroes and Heroines, *Lydia Clay-Jackson***

Susan Anderson and George Milner, III gave tribute for Melissa DuBose in Dallas County. Ed Stapleton gave honor to Moises Salas (Ed Stapleton). Robb Fickman gave praise to Claude Hippard.

**President's Comments, *Lydia Clay-Jackson***

TCDLA has had some outstanding seminars this week in Galveston - Drug, Appellate and Juvenile, very well received by attendees, Lydia is very proud of the course directors: Kameron Johnson, Bobby Lerma and Brian Wice, over 150 in attendance. An overview of the meeting with Judge Hervey regarding budget cuts and request for terminology for public defender stipends to be expended.

**Executive Director's Report, *Joseph Martinez***

- **Staff Anniversaries** - Amanda Martinez started 8/18/10 celebrates two years fulltime.
- **Top CLE providers** – Joseph reported on State Bar Report of top CLE providers, TCDLA ranks as #3 with 37,000 hours, 3.3% of total cle. Round of applause was given to all.

**MOTION: Staff Gift Policy**

Motion to add Staff Gift Policy to personnel manual regarding gifts given to staff to be disclosed. Motion made by John Convery, seconded by Jim Darnell – motion carries.

**Financial Reports, *Mari Flores***

An update was given on current financials. Financials are sent monthly please review.

**Membership Report, *Melissa Schank***

Current membership is 3,245; membership has continued to increase the past five years. We need help retaining new members, retention rate is 50%. Please contact expired members on your monthly list from your area. Each board member has three board complimentary memberships – keep in touch with them, we will email you when they are up for renewal. We have implemented a new birthday coupon where members receive 15% off a publication order for the birthday month; we have received 6 the first month. We are also calling non renewing members 2 months after they have expired we have picked up 22. We will implement a new email to touch base with new member six months out and researching some new member benefits.

Danny Easterling sent an email copying Lydia, she in return endorsed the request for members to renew. Bring concerns to Joseph if any members were upset and didn't want to renew in order to improve service.

**Seminar Report, *Melissa Schank***

TCDLA Stats for this fiscal year 2012: 9/1/11 to 8/31/12

- 14 seminars
- trained 2,136 (total trained CDLP and TCDLA non-duplicated is 3,880 – 2,178 are members) at TCDLA seminars, cle: 164.25 including 13.75 ethics hours
- 37 course directors, 179 speakers

Please encourage your colleagues to attend a seminar.

**Membership Directory, *Melissa Schank***

50 printed directories ordered, still available for \$20. Directories have been mailed; the pdf link has been emailed to members twice. The most current version is the electronic directory located on TCDLA website – members only section.

**Publication Report, *Rick Wardroup***

All publications are updated. A new clerk will start Monday to start updating future publications. Goal is to update all publications from last year and be ready for sale before September 1<sup>st</sup>. Suggestions are welcomed for new publications. Rick requested board members to assistance to update sections of code books. Lydia also suggested speakers promote publications.

**Capital Assistance Report, *Rick Wardroup***

Capital Case Litigator Initiative is scheduled October 4-6, 2012 was designed as a bring you own case funded by the Department of Justice. We are now accepting individual registration. October

11-12, 2012 is the Forensics seminar in Dallas; program will have science and practical use for court. Update on expert list approval process.

**Listserve, *Pat Metze***

Discussion regarding comments about professionals on the listserve. Suggestion regarding responding offline for various responses. A request was made to have an attorney who works regarding the listserve issues to review current procedures and TCDLA liabilities.

**Budget Committee Report, *John Convery***

**TCDLA FY 2012 Budget**

John gave an overview the current financials, overall TCDLA is doing great. John thanked budget committee and staff for assistance, applause given.

**MOTION: TCDLA FY 2013 Budget**

Motion to approve the TCDLA FY 2013 Budget. Motion made by John Convery, seconded by William Harris - motion carries.

**MOTION: Procedures of Transferring Funds**

The budget committee and Executive committee recommend that TCDLA staff send an email to the TCDLA Budget committee for approval to transfer funds. Once approved the TCDLA Budget committee will notify the Executive committee and TCDLA Board. Motion to accept motion made by John Convery, seconded by Nicole DeBorde – motion carries.

**Nominating Committee, *Bobby Mims***

Nominating Committee will meet December 8, 2012, committee members have committed to attend. Application is available online and will be sent to board members to distribute. Limited spots are available on the Board of Directors.

**Update Supreme Court's Ethics Committee Opinion 611, *Tim Evans, Betty Blackwell, David Botsford***

Tim reported there is nothing new to report at this time.

**TCDLA Web/App, Database, Website Update, *Grant Scheiner***

All up to date – will use updated codebooks from Rick to have app up to date sooner than last year. Website will be updated by March 2013 staff will work with Grant Scheiner. Suggestions are welcomed.

**Voice for the Defense, *Lydia Clay-Jackson***

Please submit a Voice article, board members are asked to submit two a year.

**26th Annual Rusty Duncan Advanced Criminal Law Course, *Betty Blackwell, Kerri Donica Brent Cahill, Leslie Barrows, Ray Rodriguez, and Warren Wolf***

Brent reported Rusty planning is on target. All speakers have been confirmed except two.

**TCDLA Members Trip, Cruise, *Lydia Clay-Jackson***

Join President Lydia Clay-Jackson, a five-day Caribbean Cruise – February 16-21, 2013. Departs from Galveston with two ports – Progresso and Cozumel, Mexico, no passport needed. Six hours of CLE.

**Indigent Defense Taskforce (*Knox Fitzpatrick and Tony Odiorne*)**

Tony reported getting ready for the next legislative session; the board is focusing on increasing funding.

**Bylaws, *Adam Kobs and Coby Waddill***

Bylaws committee has been busy, Coby thanked Pat Metze. A new proposal will be sent out please give constructive criticism to Adam and Coby. The committee would like to have final presentation at March board meeting, then once approved would like to present in June to membership. Changes to bylaws are: quorum number, changing the appointment vacancy terms, board qualifications, internet voting and procedures.

**CDLP, *Sarah Roland***

CDLP committee is in good shape. Abilene was the most recent event with new speakers which all did excellent. Next event is September 21, 2012 in Georgetown, we will have this event!

**CDLP Course Directors**

- 7/12-13/12 – Winning Trial Tactics – S. Padre Island - Jeanette Kinard, Bobby Lerma, Mark Snodgrass, Sheldon Weisfeld
- 7/14/12 – Trainer for Trainers – S. Padre Island – Sarah Roland, Lydia Clay-Jackson
- 8/2-3/12 – Innocence Work for the Real Lawyer – Austin – Jeff Blackburn, Sarah Roland, Gary Udashen
- 8/10/12 – Primer for Court Appointments – Austin – Betty Black, Judge Herb Evans
- 8/10/12 – Seminar on Assaultive and Homicide Offenses co-sponsored with San Antonio Criminal Defense Lawyers Association – San Antonio – Jorge Aristotelidis

CDLP Stats for this fiscal year 2012 9/1/11 to 8/31/12

- 31 seminars
- trained 3,255 at CDLP seminars, cle: 278.75 including 28 ethics hours
- 61 course directors
- 293 speakers
- capital attorneys trained 140, cle: 29 including .75 ethics hours

**Legislative Committee, *Mark Daniel***

Mark reported committee consisted of Mark Daniel, Susan Johnston and Robert Lerma and legislative lobbying team is Allen Place, David Gonzalez and Kristin Etter. Three months out some platforms are: Trim time for non-disclosure for felonies, expunction issues, and public intoxication statutes.

**DWI Committee, *Deandra Grant***

Deandra and Chris Hoover have created a DWI listserve and also putting together a list of DWI experts.

**Lawyer of the Year Committee, *Pat Metze and Tony Odiorne***

Send suggestions to Pat or Tony.

**Pardons & Parole, *David O'Neil***

Statistics have increased by 48% for sexual offender rate. 4 month waiting time for education program. Parole board is getting the message. Visitation with biological children is being addressed.

**Membership Benefits, *Danny Easterling***

Researching corporate benefits other than that membership is great.

**Prosecutor Misconduct, *Michael McDougal***

Discussed current issues including lobbying. Committee will meet and address. Contact Michael with any grievances.

**Strike Force, *Lydia Clay-Jackson***

Strike Force had two trainings. Richard Anderson, Gary Udashen and Regan Wynn did an excellent job.

**Veterans Assistance, *Michael Gross***

Putting together resources and listserv. Let committee know if you have a veteran's court in your county.

**Old and New Business**

**MOTION: Ratify Executive Committee Motions**

Motion to ratify the following Executive Committee motions made by Craig Jett, seconded by Bobby Mims – motion carries.

- Executive Committee vote to give a donation of \$1,000 to George Forman Youth Group in tribute of George Foreman's presentation at Rusty Duncan.
- The Executive committee voted to pay half of the expenses for the TCDLA/Goldstein Pachanga \$7,000 plus.

**MOTION: Robert Rules of Order**

Motion to use Robert Rules of Order at board meetings made by Craig Jett, seconded William Harris. Discussion given. Motion to table made by Gary Trichter seconded by Pat Metze - one opposed – motion carries.

**MOTION – Adjourn meeting**

Motion to adjourn at 12:22 pm made by Marjorie Bachman seconded by Nicole DeBorde – motion carries.

Respectfully submitted,  
David Moore

TCDLA Secretary