



TCDLA Board of Directors Meeting Minutes

Saturday, December 8, 2012
Crowne Plaza Hotel
Houston, Texas

Introduction

Lydia Clay-Jackson, President calls the meeting to order at 10:30 am. A quorum was present.

Roll Call:

Officers

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| <u>P</u> Lydia Clay-Jackson, President | <u>P</u> Danny Easterling | <u>E</u> William Vitz |
| <u>P</u> Bobby Mims, Pres-Elect | <u>A</u> Steven Gordon | <u>P</u> Charles Coby Waddill |
| <u>P</u> Emmett Harris, 1st VP | <u>P</u> Deandra Grant | <u>A</u> James Whalen |
| <u>P</u> Sam Bassett, 2nd VP | <u>P</u> Michael Gross | |
| <u>P</u> John Convery, Treasurer | <u>P</u> Melissa Hannah | Associate Directors |
| <u>P</u> David Moore, Secretary | <u>E</u> Theodore Hargrove, III | <u>P</u> Marjorie Bachman |
| <u>E</u> Greg Westfall, <i>Voice</i> Editor | <u>A</u> Jo Ann Jacinto | <u>P</u> Sharon Curtis |
| | <u>P</u> Jeanette Kinard | <u>P</u> Robert Fickman |
| | <u>P</u> Adam Kobs | <u>P</u> Donald Flanary, III |
| | <u>E</u> Jani Maselli | <u>P</u> Steve Keathley |
| | <u>P</u> Reynaldo Merino | <u>P</u> Laurie Key |
| | <u>P</u> Patrick Metze | <u>P</u> Michael McCrum |
| | <u>P</u> David O'Neil | <u>P</u> Michael McDougal |
| | <u>P</u> Anthony Odiorne | <u>P</u> George Milner, III |
| | <u>P</u> Shawn Paschall | <u>E</u> Angela Moore |
| | <u>P</u> Stephanie Patten | <u>A</u> Oscar Pena |
| | <u>A</u> Bruce Ponder | <u>P</u> John Hunter Smith |
| | <u>P</u> Carole Powell | <u>P</u> Edward Stapleton, III |
| | <u>P</u> Bennie Ray | <u>P</u> John Stickels |
| | <u>P</u> Ray Rodriguez, Jr. | <u>A</u> Oscar Vega |
| | <u>P</u> Sarah Roland | |
| | <u>P</u> Clay Steadman | |
| | <u>P</u> George Taylor | |
| | <u>P</u> Gary Alan Udashen | |

Directors

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

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

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

President's Comments, *Lydia Clay-Jackson*

When you attend a board meeting bring a new attorney with you. Lydia recognized Stanley Schneider as course director for Defending those Accused of Sexual Assault seminar. The seminar had excellent speakers, was well attended, and will be profitable for TCDLA. Lydia stressed the importance and the need of Voice articles from Board members – board members are required to write two a year.

MOTION: Minutes, September 15, 2012

Motion to approve minutes from September 15, 2012, TCDLA Board Meeting in Galveston.

Motion made by Ray Rodriguez, seconded by Carole Powell – motion carries.

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

William Harris recognized Robert Ford from Fort Worth, Cynthia Orr and Adam Kobs commended Jimmy Parks from San Antonio, Rob Fickman praised Jim Lindeman from Houston and Jim Pape from San Marcos, Mark Daniel honored William “Bill” Magnussen from Fort Worth.

Executive Director's Report, *Joseph Martinez*

Thanked the TCDLA Board for taking time and serving as an example and dedication. Lydia recognized Joseph for serving 11 years. Joseph recognized Melissa Schank for Audit Findings for FY11 and Rick Wardroup for CCLI programs and for Sexual Assault Cheat Sheet along with Susan Johnston for review and Lydia's ideas.

- **Staff Anniversaries** – The following staff celebrate their anniversaries: Joseph Martinez – 11 years, Cristine Abascal – 5 years, Craig Hattersley – 5 years, Jamie Pulaski-Williams - 3 years, Josh Teneyuca - 1 year.
- **Personnel Manual** – TCDLA staff will review and update to present to the Board.

Financial Reports, *John Convery*

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

Reserves

Discussion not to do anything with rent set aside to reserve account (\$42,000 total). It will remain in reserves at this time.

MOTION: Online Payments

Motion to approve making online payments. Motion made by John Convery, seconded by Susan Anderson - motion carries.

MOTION: New Account – Building Expense

Motion to approve new account in TCDLA Budget for Building Expenses. Motion made by John Convery, seconded by David Moore - motion carries.

Legislative Report, *Mark Daniel*

Legislative team in place. Mark gave an overview of legislative platform. Any questions, thoughts or concerns send to Mark.

Membership Report, *Melissa Schank*

Current membership is 3,210; last year at this time 3,196. Need assistance with board complimentary retention. November/December higher non-renewal rate – contact members in your area and encourage them to renew. Please contact expired members on your monthly list from your area.

Seminar Report, *Melissa Schank*

Assist with promoting seminars in your local area. TCDLEI is providing scholarships for all TCDLA events. Encourage a new lawyer to attend Rusty Duncan. Early bird rate available.

TCDLA Stats for this fiscal year 2013: 9/1/12 to 11/15/12

- 4 seminars
- trained 270 at TCDLA seminars, cle: 31.75 including 2.75 ethics hours
- 9 course directors
- 30 speakers

Publication Report, *Rick Wardroup*

Rick gave a schedule for updating the publications for the next legislative session.

Capital Assistance Report, *Rick Wardroup*

Rick Wardroup reviewed plans for the second CCLI seminar set for San Antonio February 4-6 which will be followed on February 7-8 by a capital trial skills program. Rick also reported on the “Cell Tower Mike” conflict in the Rickey Cummings case and the prosecutor’s investigation of the RDPO and threat to indict one of the offices attorneys.

Nominating Committee, *Bobby Mims*

Nominating Committee will meet December 8, 2012, 21 committee members have committed to attend.

MOTION: Suspend Bylaws Rules Regarding Associate Director Terms

Motion made to suspend rules of bylaws to allow two associate directors to expand their terms from two terms to a third term. Motion made by David Moore, seconded by Jani Masseli – motion carries with 4 opposed.

MOTION: Go into Executive Session

Motion to go into executive session made by Cynthia Orr seconded by Jani Masseli – motion carries.

MOTION: End Executive Session

Motion to end executive session made by Cynthia Orr seconded by Jani Masseli – motion carries.

26th Annual Rusty Duncan Advanced Criminal Law Course, *Betty Blackwell, Kerri Donica Brent Cahill, Leslie Barrows, Ray Rodriquez, and Warren Wolf*
Brent reported everything is taken care of.

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

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

CDLP, *Michael Gross*

CDLP Stats for this fiscal year 2013: 9/1/12 to 11/15/12

- 9 seminars
 - trained 438 at CDLP seminars, cle: 47.5 including 3.5 ethics hours
 - 22 course directors
 - 76 speakers
 - capital attorneys trained 69, cle: 23.75 including 1.0 ethics hours
- Spread word looking for new speakers

Lydia recognized Sarah Roland and board applause.

Amicus Brief, *Jani Maselli*

Jani gave an update on current activities.

Affiliate, *Susan Anderson*

Has been approached by several groups interested in becoming an affiliate. Information needs to be more accessible on website.

Bylaws, *Adam Kobs and Coby Waddill*

An overview of bylaw amendments were given.

Motion: Approve and Recommend all amendments except Robert Rules to Membership

Motion to approve and recommend all amendments except Robert Rules to membership in June. Motion made by Craig Jett, seconded by Carole Powell - 2 opposed – motion carries.

Motion: Approve and Recommend Robert Rules of Order to Membership

Motion to approve and recommend Robert Rules of Order to membership in June. Motion made by Craig Jett, seconded by John Ackerman – 6 opposed – motion carries.

Psychodrama, *John Ackerman*

John promoted the Psychodrama Program January 9-13, 2013 in Round Top this is a money back guarantee program. Josh Karton will be presenting. John urges everyone to come.

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

Committee has had a phone conference meeting. Each district is represented on the committee. Will have a recommendation for the March board meeting.

Rural Practice, *Tip Hargrove*

Working on projects.

MOTION: Approve the following TCDLA Members for 2013 TCDLA Hall of Fame: David Evans, George Luquette, Richard Anderson, Roy Minton.

Motion to approve the following TCDLA Members for 2013 TCDLA Hall of Fame: David Evans, George Luquette, Richard Anderson, Roy Minton. Motion made by David Moore, seconded by Susan Anderson – motion carries.

New Lawyer, *Josh Zientek*

New lawyer listserv to have items that will assist with their practice along with other new to old for new lawyers.

Old and New Business

MOTION: TCDLA to write a letter to the Office of Court Administration

Motion for TCDLA to write a letter to the Office of Court Administration addressing the underpayment of CGA lawyers. John Convery, as our CGA liaison, can help write the letter. Motion made by Cynthia Orr, seconded by John Convery - motion carries.

MOTION – Adjourn meeting

Motion to adjourn at 12:41 pm made by Lydia Clay-Jackson seconded by - Adam Kobs – motion carries.

Respectfully submitted,
David Moore
TCDLA Secretary