



TCDLA Board of Directors Meeting Minutes

Saturday, June 24, 2017
Hyatt Regency - Ballroom
San Antonio, Texas

Introduction

John Convery, President calls the meeting to order at 12:25 pm. A quorum was present.

Roll Call:

Officers

P John Convery, President
P David Moore, President-Elect
P Mark Snodgrass, 1st VP
P Kerri Anderson-Donica, 2nd VP
P Grant Scheiner, Treasurer
P Michael Gross, Secretary
P Sarah Roland, *Voice* Editor
E Sam Bassett, Immed. Past President

Directors

E Susan Anderson
P Marjorie Bachman
A Roberto Balli
P Heather Barbieri
E Robert Barrera
P Curtis Barton
A Rick Berry
A Fred C. Brigman, III
A Clinton Broden

P Jim Darnell
P Donald Flanary
A Stephen Gordon
A Keith Hampton
A Melissa Hannah
A Michael Head
P Steve Keathley
E Susan Kelly
P Laurie Key
A Adam Kobs
A Bradley Lollar
A Louis Lopez
P Jani Maselli Wood
P Hiram McBeth
A George Milner, III
P Angela Moore
P Audrey Moorehead
E Anthony Odiorne
E Stephanie Patten
P Oscar Pena
A Bennie Ray
E Ray Rodriguez, Jr.
P Jeremy Rosenthal
P David Ryan
P Frank Sellers

P John Hunter Smith
P Monique Sparks
E Courtney Stamper
A Ed Stapleton
A Mark Thiessen
A Oscar Vega

Associate Directors

P Chris Abel
E Jorge Aristotelidis
P Kristin Brown
P Anne Burnham
P Danny Easterling
P Casie Gotro
P Russell Gunter, II
P Thuy Le
A Nathan Miller
A Patrick O'Fiel
P Michelle Ochoa
P Scott Pawgan
P Carmen Roe
E Jessica Skinner
P Gregory Waldron
A Russell Wilson, II

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

Past Presidents in Attendance: David Botsford, Mark Daniel, Tim Evans, Gerry Goldstein, Ron Goranson, Rick Hagen, Emmitt Harris, William Harris, Robert Hinton, Dan Hurley, Robert Lerma, Bobby Mims, E. G. "Gerry" Morris, Cynthia Orr, Stanley Schneider, Gary Trichter, Bill Wischkaemper

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

President's Comments: John Convery welcomed everyone to the board meeting and recognized all the past presidents, guests and new board members. He expressed his sincerest appreciation to everyone for making his year successful.

Announcement, Jay Brandon

Jay made an announcement regarding his election for the Court of Criminal Appeals.

Recognitions, John Convery

John gave a moment of silence for recognition of fallen heroes: Richard “Racehorse” Haynes, Melvin Bruder and Thomas Ross.

MOTION: Minutes – April 1, 2017

Motion to adopt the minutes from the TCDLA Board Meeting on April 1, 2017, in El Paso made by Emmitt Harris, seconded by Mark Snodgrass - motion carries.

MOTION: Board Electronic Votes

Motion to approve electronic votes for recipients of the Hall of Fame: Betty Blackwell, E. G. “Gerry” Morris and Katherine Scardino made by David Moore, seconded by Kerri Anderson—motion carries.

Legislative Update, Allen Place

Allen gave a favorable report on the 85th Legislative Session, this is his 10th session with TCDLA. He thanked David Gonzales and Shae place for all their hard work. John introduced Shae Place and commended her for her dedication.

Executive Director’s Report, Joseph Martinez

Joseph welcomed everyone and asked for a big round of applause for John. He thanked the board members who volunteered and our members. He thanked everyone for their continued support with his family. He looks forward to an extraordinary year to come. Joseph introduced the British interns working for Rick Wardroup who also assisted with Rusty Duncan.

- **Staff Anniversaries** - Joseph recognized TCDLA staff anniversaries: Amanda Martinez completing two years, Tracy Casares celebrating six years— a round of applause was given.
- **Declaration Readings** – We had over 122 counties represented. Joseph congratulated Robb Fickman and Chuck Lanehart for their dedication and organization.
- **2018 Rusty Course Directors** – Joseph announced next year’s course directors: Nicole DeBorde, Gerry Goldstein, John Hunter Smith, and Mark Thiessen – we will start preparing for next year.
- **Annual Report** – Joseph went over the annual report included in board packets

Seminars, Melissa Schank

Melissa thanked John for a great year under his leadership. We had a successful Rusty Duncan at our new location and with a new format. This would not be possible without the hard work and dedication of our course directors Bobby Lerma, Audrey Moorehead, Cynthia Orr and Frank Sellers. Rusty Duncan had 768 attendees, we did not meet projections, and we were down by 40. We continue to face challenges with the oversaturation of DWI seminars and competing organizations. We continue looking at new topics and different formats and venues working with the Nexus Committee.

Membership, Melissa Schank

Membership is up by 14 at this same time last year. We are not doing well on retaining second year members. The rate is below 10% retention. We emailed 36 members who gave out a total of 75 memberships, of those 2 have renewed. Please contact those on the non-renewal lists from your area you

receive each month, we will be sending specific lists to board members and report back with results. We are focusing on retaining our new members and working with Membership chairs, Monique Sparks and Nathan Miller. We have three new member benefits to add and will continue exploring new ones.

Capital Assistance Report, *Rick Wardroup*

Rick reported that since we are attempting to change the schedule for Capital training at the beginning of the coming fiscal year such that the November training, which is usually on South Padre Island will be moved to February 2018 and that we replace that training with a program in Houston in November. He further reported that we were investigating moving the Forensics program from October to December in hopes that we will have the grant funds to put the training on this fiscal year but that there was a chance that we would have to wait until fiscal 2019 to have the program. He reported that he had participated in capital training in Tarrant County and that there was a possibility that similar training would be scheduled for the panhandle because there wasn't a single first-chair qualified attorney in the 7th or 9th Administrative regions. He reported that Julian Kingsley, recently retired from the Birmingham City University School of Law, was assisting in the update of the Losch Capital Trial Manual.

Publications, *Rick Wardroup*

Rick reported that, with the legislative session ending, he had secured the assistance of members around the state to update the publications. Specifically, Cynthia Orr has agreed to update the Code Books, Kristi Ward has accepted employment to update the Publications Manual, Allison Clayton has agreed to update the Appellate Handbook, that Philip Wischkaemper will assist Rick in updating the Trial Manual, that Kelly Pace has agreed to assist Rick in updating the Search and Seizure Manual, that David Strange and Zelda Howell have agreed to update the Immigration Manual, that Steven Hamilton has agreed to update the ALR/Occupational License Manual and that other members of the association have agreed to update Cheat Sheets.

Budget and Finance Committee, *Grant Scheiner*

Grant gave a recap through April 30th financials, balances in checking and savings. He stated we have started preliminary work on FY18 budget which currently is \$40,000 short. A balanced budget will be presented at the September board meeting for approval. He gave an update on the cash flow status of CDLP funds.

MOTION – CDLP Cash Flow

Motion to approve up to \$125,000 from reserves to be drawn down as needed to cover cash flow for CDLP programs until funds are received made by Cynthia Orr, seconded by Laurie Key – motion carries.

Voice for the Defense, *Sarah Roland*

Sarah requested board members keep sending articles. She also thanked the board for this tremendous opportunity to serve as the *Voice* Editor.

2017 Rusty Duncan Course Directors, *John Convery*

John applauded our course directors for a successful conference this legislative year. He asked for a round of applause for Bobby Lerma, Audrey Moorehead, Cynthia Orr and Frank Sellers for their hard work.

Invite to Events, *John Convery*

Members' Retreat – South Padre

John invited everyone to come together to South Padre Island for Trainer of Trainers, CLE and Members' Retreat! It is going to be a great time.

- Wednesday, July 11-15, 2017 – Members' Retreat with David Moore
- Wednesday, July 12, 2017 – Trainer of Trainers
- Thursday/Friday, July 13-14, 2017 – Beating the Drum
- Saturday, July 15, 2017 – TCDLA/TCDLEI/CDLP Orientation

President's Trip – Napa Valley, David Moore

Mark your calendars – February 14-18, 2018. More information to come.

Texas Forensics Science Commission, Mark Daniel

Mark gave an update with the License Advisory Committee. He is ensuring the new procedures are publicly vetted.

Affiliate Committee, Laurie Key

MOTION: Ellis County Criminal Defense Lawyers Association Affiliate

Motion to have Ellis County Criminal Defense Lawyers Association approved as a TCDLA Affiliate made by Kerri Anderson-Donica, seconded by David Moore – motion passes.

MOTION: Hill County Criminal Defense Lawyers Association Affiliate

Motion to have Hill County Criminal Defense Lawyers Association approved as a TCDLA Affiliate made by Michael Gross, seconded by Mark Snodgrass – motion passes.

Contact Affiliate Committee if your association is interested in becoming an affiliate of TCDLA.

Criminal Defense Lawyers Project, John Hunter Smith

John thanked John Convery and the executive committee for their support this year. He gave special recognition to Heather Barbieri and David Ryan and staff for an awesome year. John welcomed Heather as the new CDLP chair. He reported CDLP Stats for this fiscal year 2015: 9/1/16 to 5/15/17

- 36 seminars
- Trained 2,648 at CDLP seminars, CLE: 288.0, including 31.0 ethics hours
- 62 course directors
- 285 speakers
- Capital attorneys trained 118, CLE: 19.75, including 0 ethics hours

Prosecutorial Misconduct, John Hunter Smith

No complaints have been filed. April 4, 2017, we were given notice SBOT did not find in favor of the Lubbock grievance. Lubbock members thanked John and his committee for their efforts.

Veteran, John Hunter Smith

CDLP will be putting on another Veterans seminar February 2018. The committee received a lot of positive feedback. He thanked Teri Zimmerman and SBOT Veterans section for their co-sponsorship and work.

Nexus, David Moore

Nexus Committee continues to meet to work on DWI seminars and looking at all topics and venues. Mark Snodgrass will be the chair of the committee next year. Call if you would like to be on the committee.

Ethics, Brent Mayr

Ethics committee continues to be very active. The committee is returning all calls within 24 hours. They have a new number 888.Ethics4. We will start advertising the new number and promote this as a member benefit.

DWI, Mark Thiessen

Mark commended John and David for all their work to reunify all the DWI lawyers with TCDLA. Mark stressed the importance of attending and supporting TCDLA DWI seminars. He encouraged everyone to attend Top Gun DWI in Houston, August 18, 2017.

Young Lawyers & Law School Students, Michael Gross

Michael is working on an intro to clinic members at St. Mary's. He is focusing on targeting second year law students and exposing them to criminal procedures.

Old and New Business

No old or new business at this time.

Awards/Recognitions

David presented John with a presidential departing gift from the officers. David presented Julie Hasdorff with a dozen long stem roses. John Convery presented Pamela Moore with a dozen long stem roses. John presented David Moore with the presidential gavel.

Nominations Committee Recommendations, John Convery

MOTION: Slate of 2017-2018 Officers

Motion to approve the slate of nominations for 2017-2018 officers below made by Rusty Gunter, seconded by John Hunter Smith – motion carries.

Slate of Officers:

David Moore, President

Mark Snodgrass, President-Elect

Kerri Anderson-Donica, 1st Vice President

Grant Scheiner, 2nd Vice President

Michael Gross, Treasurer

Heather Barbieri, Secretary

Swearing in of 2017-2018 President, John Convery

John swore in the incoming President David Moore. A round of applause was given by the board!

Swearing in of 2017-2018 Officers, David Moore

David swore in the incoming officers.

MOTION: Board Directors and Associate Directors

Motion to approve new and renewing directors and associate directors made by Laurie Key, seconded by Sarah Roland – motion carries.

Swearing in of 2017-2018 Directors and Associate Directors, *David Moore*

David swore in the incoming board members and looks forward to working with each of them.

Pinning of Past President

John was pinned with past president ribbon by Julie Hasdorff. John thanked Don Flanary for his painting he received at the President's dinner. John thanked his colleagues, executive committee for being great advisors and working with all the board members – stating it has been a pleasure.

Comments by Incoming President, *David Moore*

David recognized his wife, Pamela Moore and two sons, Jacob and Mike for all of their support and dedication throughout the years. David stressed the importance of members supporting and mentoring new members. We must continue to have loyalty to TCDLA. He welcomed any ideas or thoughts any member had, he is easily accessible. He is excited for the upcoming year.

MOTION to adjourn at 1:28 pm. Made by Bill Harris, seconded by Mark Thiessen – motion carries.

Respectfully submitted,
Michael Gross
TCDLA Secretary