

**Texas Criminal Defense Lawyers Association
Board Motions**

- 9/16/17 **MOTION: Adjourn**
Motion to adjourn the meeting at 1:28 pm made by Frank Sellers, seconded by Kristin Brown – motion carries.
- 9/16/17 **MOTION: FY18 TCDLA Budget**
Motion to approve the FY18 TCDLA Budget made by Russell Gunter, seconded by Roberto Balli – motion carries.
- 9/16/17 **Motion to adopt the minutes from the TCDLA Annual Board Meeting on June 23, 2017, in San Antonio made by David Botsford, seconded by Michael Gross - motion carries.**
- 6/24/17 **MOTION to adjourn at 1:28 pm. Made by Bill Harris, seconded by Mark Thiessen motion carries**
- 6/24/17 **MOTION: Board Directors and Associate Directors**
Motion to approve new and renewing directors and associate directors made by Lau Key, seconded by Sarah Roland – motion carries.
- 6/24/17 **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.
- 6/24/17 **MOTION: Hill County Criminal Defense Lawyers Association Affiliate**
Motion to have Ellis County Criminal Defense Lawyers Association approved as a TCDLA Affiliate made by Michael Gross, seconded by Mark Snodgrass – motion passes.
- 6/24/17 **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,
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Texas Criminal Defense Lawyers Association Board Motions

seconded by Laurie Key – motion carries.

- 6/24/17 **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.
- 6/24/17 **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.
- 4/1/17 **MOTION: Adjourn Meeting**
Motion to adjourn meeting at 12:11 pm made by Kelly Pace, seconded by Steve Keathley - motion carries.
- 4/1/17 **Motion: Money Transfer**
Motion to transfer \$65,000 from reserves into TCDLA Operating account as Executive and Budget Committee have approved. Motion made by John Hunter Smith, seconded by Rusty Gunter.
- 4/1/17 **Motion made by Mark Snodgrass, seconded by David Moore – motion carries.**
- 4/1/17 **MOTION to approve Personnel Manual changes –**
Comp Time add: Once submission of resignation is submitted from that day forward the use of comp time is not available.
- 4/1/17 **MOTION: TCDLA opposes the expansion of Pretrial Detention expansion in Texas, ma**
by David Moore, seconded by Adam Kobs – motion carries. Information will be sent out
members to keep them up to date
- 4/1/17 **MOTION: Approve 1/3/17 Board Electronic Vote for Amicus Briefs (\$400) – 1)**
Waldrip/Tharp, 2) Ramirez/Tamayo made by David Ryan, seconded by Jim
Darnell – motion carries.
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Texas Criminal Defense Lawyers Association Board Motions

- 4/1/17 **MOTION: Approve 12/28/16 Board Electronic Vote for Amicus Brief– Case of Matthew Clendennen: 8-0 made by David Ryan, seconded by Sarah Roland – motion carries.**
- 4/1/17 **MOTION: Minutes – December 3, 2016
Motion to adopt the minutes from the TCDLA Board Meeting on December 3, 2016, in Dallas, made by Michael Gross, seconded by Laurie Key - motion carries.**
- 12/3/16 **MOTION: Adjourn Meeting
Motion to adjourn meeting at 12:29 am made by Susan Anderson, seconded by David Ryan - motion carries.**
- 12/3/16 **MOTION: Capital Habeas Unit(s) 5th Circuit Letter of Support
Motion to have a letter of support for TCDLA made by Roberto Balli, seconded by Kerri Anderson-Donica – motion carries.**
- 12/3/16 **MOTION: Rename TCTC to Tim Evans Texas Criminal Trial College
CDLP and Executive Committee recommend to the board the renaming of the Texas Criminal Trial College to the Tim Evans Texas Criminal Trial College made by Kerri Anderson-Donica, seconded by Kristin Brown – motion carries.**
- 12/3/16 **MOTION: Comal County Criminal Defense Lawyers Association, Montgomery County Criminal Defense Lawyers Association and San Antonio Criminal Defense Lawyers Association to become TCDLA Affiliate Bars
Motion for the Board to approve Comal County Criminal Defense Lawyers Association, Montgomery County Criminal Defense Lawyers Association and San Antonio Criminal Defense Lawyers Association to become TCDLA Affiliate Bars made by Susan Anderson seconded by Grant Scheiner – motion carries.**
- 12/3/16 **MOTION: Approve 11/15/16 Board Electronic Vote for Amicus Case of Steve Herbert Speckman made by Kerri Anderson-Donica, seconded by Kristin Brown – motion carries.**
- 12/3/16 **MOTION: Minutes – September 10, 2016
Motion to adopt the minutes from the TCDLA Board Meeting on September 10, 2016, in Dallas, made by Michael Gross, seconded by Susan Anderson - motion carries.**
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Texas Criminal Defense Lawyers Association Board Motions

- 9/10/16 **MOTION: Adjourn Meeting**
Motion to adjourn meeting at 11:54 am made by Kerri Anderson-Donica, seconded by Carmen Roe - motion carries.
- 9/10/16 **MOTION: Table \$5000 Waco Line Item**
Motion to table \$5000 Waco Line Item made by Grant Scheiner, seconded by David Ryan (5 opposed, 2 abstain) – motion carries.
- 9/10/16 **MOTION: \$5000 Waco Line Item**
Motion for the Board to budget \$5000 for the Waco Biker Taskforce – if necessary in conjunction with Executive Committee made by Keith Hampton, seconded by Craig Jett
- 9/10/16 **MOTION: FY2017 Budget**
Motion to approve FY2017 Budget as recommended by Budget and Executive Committee made by Craig Jett, seconded by David Moore – motion carries.
- 9/10/16 **MOTION: Minutes – June 18, 2016**
Motion to adopt the minutes from the TCDLA Board Meeting on June 18, 2016, in San Antonio, made by Nicole DeBorde, seconded by David Ryan - motion carries.
- 6/18/16 **MOTION: to adjourn at 12:45 pm. Made by John Convery, seconded by Sam Bassett – motion carries.**
- 6/18/16 **MOTION: 2016-2017 Board Members – Associate Directors and Directors**
Motion to approve the slate of nominations for 2016-2017 Associate Directors and Directors made by Sam Bassett, seconded by Bobby Mims – motion carries.
- 6/18/*16 **MOTION: Slate of 2016-2017 Officers**
Motion to approve the slate of nominations for 2016-2017 officers below and the new and renewing directors and associate directors made by Ron Goranson, seconded by Gerry Morris – motion carries.
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Slate of Officers:

**John Convery, President
David Moore, President-Elect
Mark Snodgrass, 1st Vice President
Kerri Anderson-Donica, 2nd Vice President
Grant Scheiner, Treasurer
Michael Gross, Secretary**

6/18/16

MOTION: Long Range Plan

Motion to adopt the Long Rang Plan printed in June Voice and in board packet made by John Convery, seconded by Dan Hurley – motion carries.

6/18/16

MOTION: ARTICLE VII - BOARD OF DIRECTORS

ARTICLE VII - BOARD OF DIRECTORS

a) The business and affairs of the Association shall be managed by a Board of Directors. The Board of Directors shall consist of the elected officers of the Association, the past presidents of the Association, the editor of the VOICE for the Defense, forty-two (42) directors, and sixteen (16) associate directors. Each past president of the Association is a member of the Board of Directors, provided said past president is a member in good standing. Directors shall be elected for terms of three (3) years. Associate directors shall be elected for terms of one (1) year.

(b) No director may be elected to serve for more than two (2) full consecutive terms, not to include any term or terms served as an associate director provided this restriction shall not prevent officers and the editor of the VOICE for the Defense who are directors by virtue of office from serving on the Board of Directors. Any director who is ineligible to be reelected to the Board is also ineligible for election as associate director. No associate director may be elected for more than two (2) consecutive terms, except as deemed necessary by the nominations committee and approved by the Board, associate directors terms may be extended by one year. The executive committee shall have the responsibility for establishing rules to ensure the orderly election of the board of directors.

(c) Each membership area designated in Section 11 of Article III shall be represented by a director from that area. The nominations committee shall have responsibility for establishing rules for elections which will achieve this objective.

Motion made by Adam Kobs, seconded by Ron Goranson – motion carries.

6/18/16

MOTION: Dallas Bar Affiliate

Motion to have the Dallas Bar as a TCDLA Affiliate made by Susan Anderson,

Texas Criminal Defense Lawyers Association Board Motions

seconded by Ron Goranson – motion passes.

- 6/18/16 **MOTION: Board Electronic Votes**
Motion to approve electronic votes for recipients of:
- Hall of Fame: Edward Mallett, William Habern and Shirley Baccus-Lobel made by Ron Goranson, seconded by Bill Harris – motion carries.
 - Percy Foreman Lawyer of the Year: Richard Gladden and Brian Wice made by David Ryan, seconded by Keith Hampton – motion carries.
- 6/18/16 **MOTION: Minutes – February 13, 2016**
Motion to adopt the minutes from the TCDLA Board Meeting on February 13, 2016, in New Orleans, Louisiana made by Nicole DeBorde, seconded by David Ryan - motion carries.
- 2/13/16 **MOTION to adjourn meeting at 12:42 pm. Made by David Ryan, seconded by Susan Anderson – motion carries.**
- 2/13/16 **MOTION: Table previous motion, made by Grant Scheiner, seconded by Susan Anderson – motion to table carries.**
- 2/13/16 **MOTION: Allow Associate Directors to continue to serve if there term is up and there are no more positions available as a Director with Board approval made by Roberto Balli.**
- 2/13/16 **MOTION: To approve Andrea Keilen for the General Counsel position made by Ada Kobs, seconded by Lance Evans – motion carries unanimously**
- 2/13/16 **MOTION: December 5, 2015, Minutes**
Motion to adopt the minutes from the TCDLA Board Meeting on December 5, 2015, in Austin made by Mark Snodgrass, seconded by Kerri Anderson - motion carries.
- 12/12/15 **MOTION to adjourn meeting at 12:22 pm. Made by David Ryan, seconded by Susan Anderson – motion carries.**
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Texas Criminal Defense Lawyers Association Board Motions

- 12/12/15 **MOTION: Voting Privileges of Past Presidents**
A motion was made to leave bylaws as is, in which all past presidents retain voting privileges. Motion made by John Convery, seconded by Laurie Key – 1 abstained – motion carries.
- 12/12/15 **MOTION: Allow Corrections Committee to get the word out and work with board to get training in place made by Dave O’Neil, seconded by Craig Jett – motion carries.**
- 12/12/15 **MOTION: TCDLA DWI Trial Lawyers Certificate**
Anyone who attends five TCDLA sponsored within two years will receive a TCDLA DWI Trial Lawyer certificate. Motion made by Mark Thiessen, seconded by Keith Hampton – motion carries.
- 12/12/15 **MOTION: September 12, 2015, Minutes**
Motion to adopt the minutes from the TCDLA Board Meeting on September 12, 2015, in Dallas made by Mark Snodgrass, seconded by Susan Anderson - motion carries.
- 9/12/15 **MOTION: Adjourn**
Motion to adjourn at 12:20 pm. Made by David Ryan, seconded by Susan Anderson – motion carries.
- 9/12/15 **MOTION: SABA Resolution for Jimmy Ellison**
Motion to create a resolution for recognition of Jimmy Ellison, Executive Director of San Antonio Bar Association made by Michael Gross, seconded by George Milner – motion carries.
- 9/12/15 **MOTION: Check Signers – TCDLA Officers**
Motion to approve TCDLA Officers to be check signers: Sam Bassett, John Convery, Mark Snodgrass, David Moore, Kerri Anderson-Donica and Grant Scheiner made by David Ryan, seconded by Nicole DeBorde – motion carries.
- 9/12/15 **MOTION: FY 2015-16 TCDLA Budget**
Motion to approve FY 2015-16 TCDLA Budget made by Roberto Balli, seconded by Susan Anderson – motion carries.
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- 9/12/15 **MOTION: 401K**
Motion to increase TCDLA 401k contribution for employees from 8% to 9.5% made by Susan Anderson, seconded by Bob Hinton – motion carries.
- 9/12/15 **MOTION: Minutes – June 20, 2015**
Motion to adopt the minutes from the TCDLA Board Meeting on June 20, 2015, in San Antonio made by Michael Gross, seconded by Susan Anderson - motion carries.
- 6/20/15 **MOTION to adjourn at 12:20 pm. Made by Sam Bassett, seconded by Emmett Harris – motion carries.**
- 6/20/15 **MOTION: Bylaws Sec. 2. Nominations Committee.**
Prior to January 31st of each year, the President-Elect shall appoint a Nominations Committee consisting of one member from each of the Association’s membership areas and all officers. Each member shall be an attorney who is a current member of TCDLA and has a minimum of five years of practice in criminal law. Past-presidents may be appointed to the committee but shall be non-voting members. The chair of the Nominations Committee shall be designated by the President. The Nominations Committee shall meet, and the members present shall select its nominee(s) for those positions in the Association which are open for election or reelection. The chair of the Nominations Committee shall report in writing on or before 90 days prior to the next annual meeting all said nominee(s) for each such position to the President, the Board of Directors, the Executive Director, and the editor of the Voice for the Defense magazine. Association members shall be given notice in writing of the nominee(s) for each such elective position on or before 75 days prior to the next annual meeting. Such notice may be by publication in Voice for the Defense and shall also advise the membership that any qualified member in good standing may seek election for the position as an officer, other than President, director, or associate director of the Association by following requisites of Article IX Section 3(b) of the Bylaws. Any disputed questions regarding an election shall be resolved by those members in good standing who are present and voting at the annual meeting.
- Made by Susan Anderson, seconded by Carole Powell – motion carries.
- 6/20/15 **MOTION: Board Electronic Votes**
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Texas Criminal Defense Lawyers Association Board Motions

Motion to approve electronic votes for recipients of:

- **Hall of Fame: Michael Heiskell, Michael Gibson and Jeff Kearney**
- **Percy Foreman Lawyer of the Year: Daniel Hurley and Heather Barbieri**
- **Charlie Butts Pro Bono Lawyer of the Year: Cynthia Orr and Mark Bennett**

Made by Ron Goranson, seconded by Frank Sellers.

6/20/15

MOTION: Minutes – March 7, 2015

Motion to adopt the minutes from the TCDLA Board Meeting on March 7, 2015, in Houston made by Ray Rodriguez, seconded by Stephanie Patten - motion carries.

3/6/15

MOTION to adjourn at 12:44 pm. Made by John Convery, seconded by Sarah Roland – motion carries.

3/6/15

MOTION: To add to September agenda for further study regarding Past President voting privileges made by Roberto Balli, seconded by William Harris – motion carries.

3/6/15

MOTION: To keep and allow the last three years TCDLA Past Presidents to hold board positions and vote made by Roberto Balli – motion withdrawn.

3/6/15

MOTION: Sec. 2. Nominations Committee.

If someone desired to serve as an officer, that person could only run for the office of secretary, rather than for any officer's position. Specifically, "any qualified member in good standing may seek election for the position as ~~an officer, other than President Secretary,~~ director, or associate director of the Association by following requisites of Article IX Section 3(b) of the Bylaws.

Made by Adam Kobs, seconded Jim Darnell – motion withdrawn.

3/6/15

MOTION: Sec. 2. Nominations Committee.

Prior to January 31st of each year, the President-Elect shall appoint a Nominations Committee consisting of one member from each of the Association's membership areas and all officers. Each member shall be an attorney who is a current member of TCDLA and has a minimum of five years of practice in criminal law. Past-presidents may be appointed to the committee but shall be non-voting members. The chair of the Nominations Committee shall be designated by the President. The

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Nominations Committee shall meet, and the members present shall select its nominee(s) for those positions in the Association which are open for election or reelection. The chair of the Nominations Committee shall report in writing on or before 90 days prior to the next annual meeting all said nominee(s) for each such position to the President, the Board of Directors, the Executive Director, and the editor of the Voice for the Defense magazine. Association members shall be given notice in writing of the nominee(s) for each such elective position on or before 75 days prior to the next annual meeting. Such notice may be by publication in Voice for the Defense and shall also advise the membership that any qualified member in good standing may seek election for the position as an officer, other than President, director, or associate director of the Association by following requisites of Article IX Section 3(b) of the Bylaws. Any disputed questions regarding an election shall be resolved by those members in good standing who are present and voting at the annual meeting.

Made by Susan Anderson, seconded by Sam Bassett – motion carries.

- 3/6/15 **MOTION: To take funds out of technology line for transcript project on website made by John Convery, seconded by Mark Thiessen – motion carries.**
- 3/6/15 **MOTION: To increase dues for new members to \$100 for the first year, \$100 for second year then third year renewal they will become a regular member at \$180 motion made by Sarah Roland, seconded by Susan Anderson – 1 oppose – motion carries.**
- 3/6/15 **MOTION: To approve and adopt findings and procedures made by Jim Darnell, seconded by John Hunter Smith - Jim withdraws the motion – motion fails.**
- 3/6/15 **MOTION to nominate and accept Dan Hurley and Heather Barbieri as Lawyer of the Year made by Susan Anderson, seconded by David Moore – motion carries.**
- 3/6/15 **MOTION: to approve the TCDLA audit report made by Mark Snodgrass, seconded by Sam Bassett – motion passes unanimously.**
- 3/6/15 **MOTION: Jim Darnell asked for a roll call vote, no second – motion fails.**
- 3/6/15 **MOTION: Follow procedure as outlined by executive committee, filing of Amicus and**
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Texas Criminal Defense Lawyers Association Board Motions

authorize up to \$2000.00 for expenses. Motion made by John Convery, seconded by David Ryan – motion unanimously approved.

- 3/6/15 **MOTION: Minutes – December 6, 2014**
Motion to adopt the minutes from the TCDLA Board Meeting on December 6, 2014, in Fort Worth made by Stan Schneider, seconded by Jim Darnell - motion carries.
- 12/06/14 **MOTION to adjourn at 12:10 pm. Made by Craig Jett, seconded by Sam Bassett – motion carries.**
- 12/06/14 **MOTION: PROPOSED RESOLUTION FOR TCDLA TO SUPPORT AN INDEPENDENT STATE COUNSEL FOR OFFENDERS ESTABLISHED PURSUANT TO ABA made by John Convery seconded by Nicole DeBorde – Motion Carries.**
- 12/06/14 **MOTION: Cease Discussion**
Motion to cease discussion on the floor made by Jim Darnell seconded by Coby Waddill – 4 oppose – motion carries
- 12/06/14 **MOTION: Minutes – September 13, 2014**
Motion to adopt the minutes from the TCDLA Board Meeting on September 13, 2014 in Dallas made by Mark Snodgrass, seconded by Susan Anderson - motion carries.
- 9/13/14 **MOTION to adjourn at 12:50 pm. Made by Emmett Harris, seconded by Sam Bassett – motion carries.**
- 9/13/14 **MOTION: Board Resolution Recognizing the Honorable Herbert Evans, Justice of the Peace, Precinct 5, Travis County for his work with TCDLA made by Sam Bassett seconded by Kerri Anderson-Donica – motion carries.**
- 9/13/14 **MOTION: Board Resolution Recognizing the Honorable Herbert Evans, Justice of the Peace, Precinct 5, Travis County for his work with TCDLA made by Sam Bassett seconded by Kerri Anderson-Donica – motion carries.**
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- 9/13/14 **MOTION: Board Resolution Recognizing Lubbock Criminal Defense Lawyers Association Celebrating 35 Years of Service made by David Moore seconded by John Convery – motion carries.**
- 9/13/14 **MOTION: Approval to request a voluntary contribution for our legislative efforts on membership application and seminar registration forms made by John Convery seconded by Jeremy Rosenthal – motion carries.**
- 9/13/14 **MOTION: Conflict of Interest
Motion to follow the conflict of interest policy and give them due process, approaching the association to see if there is a potential conflict, made by Mark Snodgrass seconded by John Convery - motion carries.**
- 9/13/14 **MOTION: FY 15 Budget and Staff Bonuses
Motion to approve the FY15 Budget as included in packets and to accept Executive Committee recommendations for staff bonuses from FY14 budget made by Craig Jett, seconded from Susan Anderson – motion carries.**
- 9/13/14 **MOTION: Minutes – June 13, 2014
motion to adopt the minutes from the TCDLA Board Meeting on June 13, 2014 in San Antonio made by Kerri Anderson-Donica, seconded by John Convery - motion carries.**
- 6/14/14 **MOTION to adjourn at 1:12 pm. Made by Emmett Harris, seconded by Bobby Mims – motion carries.**
- 6/14/14 **MOTION to accept new and renewing directors and associate directors made by Sam Bassett, seconded by David Moore – motion carries.**
- 6/14/14 **MOTION to approve the slate of nominations for 2014-2015 officers:
Emmett Harris, President
Sam Bassett, Vice President
John Convery, 1st Vice President
David Moore, 2nd Vice President
Mark Snodgrass, Treasurer
Kerri Anderson-Donica, Secretary**
- MOTION made by Ron Goranson, seconded by Deandra Grant – motion carries.**
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Texas Criminal Defense Lawyers Association Board Motions

- 6/14/14 **MOTION: to approve electronic votes**
- **Electronic Vote, Hall of Fame recipients: Ron Goranson, Stan Schneider, David Botsford**
 - **Electronic Vote, Percy Foreman Lawyer of the Year recipients: Keith Hampton, Michael Ware**
 - **Electronic Vote, Charles Butts Pro Bono Lawyer of the Year recipients: Angela Moore, Cassie Gotro, Mark Stevens**
- Motion made by Carole Powell, seconded by Sarah Roland – motion carries.**
- 6/14/14 **MOTION: Minutes – March 8, 2014**
Motion to adopt the minutes from the TCDLA Board Meeting on March 8, 2014 in Houston made by Rick Berry, seconded by Heather Barbieri - motion carries.
- 6/14/14 **MOTION: Motion to increase dues effective 8/1/2014 by:**
- Regular Members from \$150 to \$180 (\$30 increase)**
Sustaining Members from \$200 to \$230 (\$30 increase)
Voluntary Sustaining Members from \$300 to \$330 (\$30 increase)
Students Members no increase remain at \$20
Past Presidents Members from \$50 to \$100 (\$50 increase)
Texas/Federal Public Defenders Members from \$50 to \$60 (\$10 increase)
Paralegal, Affiliates, Investigators, Experts Members from \$50 to \$80 (\$30 increase)
Distinguished Members from \$50 to \$80 (\$30 increase)
New Members no increase remain at \$75
- Motion made by Joe Connors, seconded by Nicole DeBorde: 1– against, motion carries.**
- 3/8/14 **MOTION to adjourn at 12:58 pm. Made by Bobby Mims, seconded by Mark Snodgrass – motion carries.**
- 3/8/14 **MOTION: To have a joint panel, appoint four members TCDLA and members NCDD negotiate MSE and have a decision made by March 31, 2014 made by Grant Scheiner, seconded by Susan Anderson. – 2 for, motion fails.**
- 3/8/14 **MOTION: To remove the Lone Star DWI: Blood 101 scheduled for Austin, from the July date and that program be added as a second day to Advanced DWI Stuart**
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**TCDLA
Board
Meeting
Date**

Texas Criminal Defense Lawyers Association Board Motions

Kinard. Also have leadership appoint four members TCDLA and four members NCDD negotiate MSE made by Grant Scheiner, seconded by Bennie Ray – 3 for, motion fails.

- 3/8/14 **MOTION: To approve the 2014 Percy Foreman Lawyer of the Year inductees, Keith Hampton and Michael Ware made by Robb Fickman, second Susan Anderson – motion carries.**
- 3/8/14 **MOTION: Motion to authorize the President to request an opinion from the CCA on whether an association can file a complaint against a prosecutor made by Stan Schneider – motion fails due to lack of second.**
- 3/8/14 **MOTION: Motion to approve the FY 2013 Audit report presented by Archie Montemayor made by David Moore, seconded by John Convery – motion carries.**
- 3/8/14 **MOTION: Approve minutes from January 11, 2014 TCDLA Board Meeting in Lubbock. Motion made by Michael Gross, seconded by Sarah Roland – motion carries.**
- 1/11/14 **MOTION to adjourn at 10:58 am. Made by Michael Heiskell, seconded by Adam Kobs– motion carries.**
- 1/11/14 **MOTION: Resolution of Texas Criminal Defense Lawyers Association Board of Directors in Support of the Harris County Criminal Lawyers Association Call for Judicial Reform Related the Granting of Pre Trial Release Bonds and Personal Recognizance Bonds. Presented by Robb Fickman.**
- Motion made by David O’Neil, seconded by Carole Powell – motion carries.**
- 1/11/14 **MOTION: to approve Coastal Bend Criminal Defense Lawyers Association as a TCDLA Affiliate Bar made by Mark Snodgrass, seconded by Bill Harris – motion carries.**
- 1/11/14 **MOTION: Asking that TCDLA join the TCDLA Judicial Conduct Committee’s recommendation to file a grievance against Judge Elizabeth Coker, 258th Judicial**
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Texas Criminal Defense Lawyers Association Board Motions

District and Judge Kaycee Jones, 411th Judicial District.

Discussion: There has already been a grievance filed by Laura Prigmore (Coldspring).

Motion made by Troy McKinney, seconded by Tony Vitz – unanimous decision, none opposed - motion carries.

Motion made by Jason Cassell, seconded by John Hunter-Smith – motion carries.

1/11/14 **MOTION: To Approve Electronic Vote October 18, 2013;** To add to official Minutes the following motion in advertently left off the March 9, 2013 board meeting minutes the board approved at the September 28, 2013 board meeting held in Dallas.

1/11/14 **MOTION: Minutes, September 28, 2013**
Approve minutes from September 28, 2013, TCDLA Board Meeting in Arlington. Motion made by Michael Gross, seconded by Sam Bassett – motion carries

9/28/13 **MOTION to adjourn** at 12:17 pm. Made by Jason Cassel, seconded by Sarah Roland– motion carries.

9/28/13 **MOTION: TCDLA Resolution Calling for the Legislature to Enact Critical Legislation to Correct Deficiencies in the Texas Death Penalty Law**
Motion to adopt the resolve send a copy to every legislator in house and senate and governor's office, motion made by Mark Daniel seconded by Mark Snodgrass – motion carries.

9/28/13 **MOTION: Resolution for Louise and George Gilkerson, Dan Hurley**
Whereas George Gilkerson, a charter member and the 4th president (1974-75) of the Texas Criminal Defense Lawyers Association, has shown his absolute commitment to service in the pursuit of justice and professional excellence he has willingly shared with this Association in its basic mission, Be it therefore resolved that the Association would like to honor our beloved
on the occasion of their 70th wedding anniversary.

Motion made by Dan Hurley, seconded by Tim Evans – motion carries unanimously.

9/28/13 **MOTION: Hire New Position - Governmental Relations Director**
IT IS MOVED that the Board of Directors form a special sub-committee of the President, Bobby Mims; the TCDLA Legislative Committee Chair, Mark Daniel; the Executive Director, Joseph Martinez, and TCDLA Legislative Advisor, Allen Place. This sub-committee shall solicit for and recommend the employment of a qualified individual to serve as a Governmental Relations Director for TCDLA. The position will be posted for

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public notice in accordance with the rules and by-laws of the association and applicable state and federal laws. The salary and benefits shall be commensurate with the experience and qualifications of the candidate.

IT IS FURTHER MOVED THAT the Board of Directors delegate the final decision to employ such individual as may be recommended by the subcommittee to the TCDLA Executive Committee as it is constituted as of September 27, 2013.

Motion made by San Bassett, seconded by Marjorie Bachman – motion carries.

9/28/13

MOTION: FY14 Budget

Motion to approve the FY14 Budget made by Richard Anderson, seconded by Robert Hinton – motion carries.

9/28/13

MOTION: FY13 Staff Bonuses

It is moved to approve \$43,400 allocated for FY13 staff bonuses made by Bill Harris, seconded by John Convery – motion carries.

9/28/13

MOTION: Executive Session

It is moved to go into executive session made by Bobby Mims, seconded by Mark Snodgrass – motion carries.

9/28/13

MOTION: \$54,296 to deposit into the reserve account

It is recommended by the budget committee that the Board move \$54,296 from FY13 revenue to be transferred into the reserve account Motion made by Scrappy Holmes, seconded by Emmett Harris – motion carries.

9/28/13

MOTION: Resolution Implementation of the Fair Defense Act and a Call for Transparency in Appointment of Indigent Counsel.

Motion made by John Convery, seconded by Mark Snodgrass – motion carries.

9/28/13

MOTION: Minutes, June 15, 2013

Approve minutes from June 15, 2013, TCDLA Board Meeting in San Antonio. Motion made by Bob Hinton, seconded by Sam Bassett – motion carries.

6/15/13

MOTION to adjourn at 12:40 pm. Made by Bobby Mims – motion carries

6/15/13

MOTION: Voice for the Defense Magazine Editor and Assistant Editor

A motion was made to have Michael Gross as the editor and Grant Scheiner as assistant editor. Motion made by Bobby Mims, seconded by Danny Easterling – motion carries.

6/15/13

MOTION to approve the 2013-2014 officers, new and reappointed Board Members.

Motion made by Coby Waddill seconded by Gerry Goldstein – motion carries.

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- 6/15/13 **MOTION: By-Law Changes**
Adopt proposed challenges as published to the general membership listed below. Motion made by Adam Kobs, seconded by Gary Trichter – 2 opposed - motion carries.
- 6/15/13 **MOTION: Minutes**
Approve minutes from March 9, 2013, TCDLA Board Meeting in Dallas. Motion made by Mark Snodgrass, seconded by Sam Bassett – motion carries.
- 3/9/13 **MOTION – Adjourn meeting**
Motion to adjourn at 12:05 pm made by Bobby Mims, seconded by Coby Waddill – motion carries.
- 3/9/13 **MOTION: Jani Maselli for Charles Butt Pro Bono Award**
Motion made by Tony Vitz, seconded by Emmett Harris - motion carries.
- 3/9/13 **MOTION: Modify the proposed amendments to the by-laws approved at the last board meeting and will put a new version regarding vacancies whoever replaces someone will serve a term ending.** Motion made by Coby Waddill seconded by Emmett Harris - motion carries.
- 3/9/13 **MOTION: Allow Executive Board to look at revised resolution**
Include Brady Resolution and remove a specific person’s name and instead include the leadership of TDS.
Motion made by Mark Daniel, seconded by Carol Powell – motion carries
- 3/9/13 **MOTION: Add Brady Reform and Revise wording regarding TDS to Resolution just passed by board.**
Motion made by Mark Daniel, seconded by Lance Evans – motion carries
- 3/9/13 **MOTION: Pass Resolution presented by Legislative Committee and Discuss**
Motion made by Mark Daniel, seconded by Bill Harris - motion carries.
- 3/9/13 **MOTION: Do Not allow Counter cash withdrawals with Wells Fargo checking account.**
Motion made by John Convery, seconded by Bobby Mims - motion carries
- 3/9/13 **MOTION: Minutes, December 8, 2012**
-

Texas Criminal Defense Lawyers Association Board Motions

Motion to approve minutes from December 8, 2012, TCDLA Board Meeting in Houston.
Motion made by Michael McDougal, seconded by Sarah Roland – motion carries.

12/8/12 **MOTION – Adjourn meeting**

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

12/8/12 **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.

12/8/12 **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.

12/8/12 **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.

12/8/12 **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.

12/8/12 **MOTION: End Executive Session**

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

12/8/12 **MOTION: Go into Executive Session**

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

12/8/12 **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.

12/8/12 **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.

12/8/12 **MOTION: Online Payments**

Texas Criminal Defense Lawyers Association Board Motions

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

12/8/12 **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.

9/15/12 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.

9/15/12 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.

9/15/12 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.

9/15/12 TCDLA FY 2013 Budget

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

9/15/12 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.

9/15/12 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.
-

Texas Criminal Defense Lawyers Association Board Motions

- 9/15/12 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.
- 9/15/12 Adjourn meeting
- Motion to adjourn at 12:22 pm made by Marjorie Bachman seconded by Nicole DeBorde – motion carries.
- 6/9/12 Minutes
- Approve minutes from March 10, 2012, TCDLA Board Meeting in New Orleans. Motion made by Gary Trichter, seconded by Sam Bassett – motion carries.
- 6/9/12 Old and New Business
DIVO Resolution, Rick Wardroup
- Resolution to support Capital Murder cases. Motion made by Sam Bassett, seconded by Lydia Clay-Jackson. Motion carries.
- 6/9/12 Approve the 2012-2013 officers, new and reappointed Board Members.
- Motion made by Emmett Harris, seconded by Sam Bassett – motion carries.
- 6/9/12 Adjourn at 2:20 pm.
- Made by Sam Bassett – motion carries.
- 3/10/12 Minutes December 3, 2011
- Approve minutes from December 3, 2011 TCDLA Board Meeting in Austin. Motion made by Gary Trichter, seconded by William Harris. Motion carries.
- 3/10/12 Membership Directory
- Motion to keep directory the same plan as is, was made by Bill Harris, seconded by Warren Wolf. Motion passes.
- 3/10/12 Change 401(k) by Lowering Age Coverage to 18 Years
- Motion made by John Convery seconded by David Moore. Motion carries.
- 3/10/12 Hall of Fame 2012 Recipients Charles McDonald and Roland Dahlin, III
- Motion made by Richard Anderson, seconded by David Moore. Motion carries unanimously.
- 3/10/12 John Raley, TCDLA Honorary Member
- The Executive Committee voted to approve John Raley as a TCDLA Honorary Member. Board was asked if anyone opposes, no oppositions.
-

Texas Criminal Defense Lawyers Association Board Motions

- 3/10/12 Adjourn at 12:50 pm.
Motion made by Gary Trichter. Motion carries.
- 12/3/11 Minutes
- Approve minutes from September 24, 2011 TCDLA Board Meeting in Austin. Motion made by Bill Harris, seconded by Greg Westfall. Motion carries.
- 12/3/11 Cancelling Bank Account and Transferring Funds
- TCDLEI bank account had the wrong Tax ID. Motion made by Gary Trichter, seconded by Adam Kobs. Motion carries.
- 12/3/11 Add Two Signatories to Bank Accounts
- Bennie Ray and Marjorie Bachman will assist Sam in signing checks and verifying bank statements. Motion made by Gary Trichter, seconded by Emmett Harris. Motion carries.
- 12/3/11 Three Resolutions, Bobby Mims
- Bobby is asking the board to approve three resolutions honoring: Dr. David Michael Wood, Thad W. Davidson and James West Bogerdein for putting their careers and their own money on the line to free their clients from unjust sentences. Motion made by Sharon Curtis, seconded by Lawrence Boyd. Motion carries.
- 12/3/11 To Make Justice Shirley Butts an Honorary Member of TCDLA
- Motion made by Gary Trichter, seconded by Lydia Clay-Jackson. Motion carries.
- 12/3/11 Adjourn at 12:40 pm.
Motion made by Bill Harris. Motion carries.
- 9/24/11 Minutes
- Approve minutes from June 10, 2011 TCDLA Board Meeting and June 11, 2011 TCDLA Annual Meeting both held in San Antonio. Motion made by Danny Easterling, seconded by Larry Boyd. Motion carries.
- 9/24/11 Approve Electronic Votes
1. 8/9/11 - Deandra Grant to replace Russell Wilson on the board, 91 for; 2 opposed. Motion carries.
 2. 8/30/11 - PDF membership directory emailed to all members, 31 for; 16 opposed. Motion carries.
- 9/24/11 Approve the FY12 Budget
- Motion made by Sam Bassett, seconded by Nicole DeBorde. Motion carries. Bill Harris abstained.
- 9/24/11 Request for Affiliation from Galveston County Criminal Defense Lawyers Association.
-

Texas Criminal Defense Lawyers Association Board Motions

- Motion made by Gary Trichter, seconded by Coby Waddill. Motion carries.
- 9/24/11 Adjourn at 12:00 pm.
- Motion made by Bill Harris. Motion carries.
- 06/11/11 Bylaw change
- Bill Harris proposed an amendment, accepted by Gary Trichter, to amend the proposed bylaw as follows:
 - ARTICLE VII—BOARD OF DIRECTORS
Sec. 2. Executive Committee. The Executive Committee shall consist of the officers of the Association, the editor of the Voice for the Defense, two members of the board of directors and two past presidents appointed by the President. Motion made by Bill Harris, seconded by Kelly Pace. 54 for, 78 against – motion fails.
- 06/11/11 To table to remaining Bylaws.
- Table remaining proposed bylaws for TCDLA Bylaw Committee to review. Motion made by Gary Trichter, seconded by Terrence Russell. 81 for – 41 against – motion carries.
- 06/11/11 Minutes
- Approve minutes from March 5, 2011, TCDLA Board Meeting in Houston. Motion made by Kelly Pace, seconded by David Moore – motion carries.
- 06/11/11 Public Defender Grant Checking Account
- Executive Committee approved new checking account for Court Grant Public Defender funds. Motion to approve opening the account at Sweetwater made by David Guinn, seconded by Nicole DeBorde – motion carries.
- 06/11/11 Approval of the 2011-2012 officers
- Motion made by Stanley Schneider, seconded by Ron Goranson – motion carries.
- 06/11/11 Approval of the 2011-2012 new and reappointed Board Members
- Motion made by Bob Hinton, seconded by Nicole Deborde – motion carries.
- 06/11/11 Adjourn at 1:18 pm
- Made by Gary Trichter – motion carries.
- 03/05/11 Approval of Minutes
- Motion by Michael Gross to approve the December 2010 board meeting minutes.
 - Motion seconded by Gary Trichter.
 - Motion Carries.
-

Texas Criminal Defense Lawyers Association Board Motions

03/05/11

Mileage Rate Reimbursement

- Motion by Gary Trichter to approve mileage rate of .45 cents for TCDLA
- Motion seconded by Jim Darnell.
- Motion Carries.

03/05/11

Approval of Funds

- Motion by Keith Hampton to approve funds.
- Motion seconded by Nicole Deborde.
- Motion opposed by Clay Conrad.
- Motion Carries

03/05/11

Approval of Budget

- Motion by Gary Trichter to approve the budget.
- Motion seconded by Stanley Schneider.
- Motion Carries

03/05/11

Voice for the Defense

- Motion by Pat Metze to approve that staff does not have to ask a board member for permission to use their materials submitted for seminars.
- Motion seconded by Emily Detoto.
- Proposed amendment by Pat Metze to get permission by the author of the material.
- Question by Stanley Schneider.
- Motion Carries.

03/05/11

Bylaws

- Motion by Susan Anderson to table.
- Seconded by Emily Detoto.
- Question
- Vote 15/15
- Bill Harris tables vote 16/15.
- Motion Carries

03/05/11

Advertisement Policy

- Motion by Jim Darnell to approve the criteria for advertising in the Voice
- Motion seconded by Stanley Schneider.
- Question.
- Motion Carries

03/05/11

Pro Bono Award

- Motion by Scrappy Holmes to approve naming the Pro Bono Award after Charles E. Butts
-

Texas Criminal Defense Lawyers Association Board Motions

- Motion seconded by Adam Kobbs. Motion Carries

03/05/11

Cynthia Orr's Request for Bill Harris to write a letter to District Attorney

- Motion by Stanley Schneider to submit the request made by Cynthia Orr to the Amicus Committee
- Motion seconded by Pat Metze.
- Motion Carries.

12/04/10

Ron Goranson's return to TCDLA Board

- Motion (Stan Schneider) to allow Ron Goranson's return to TCDLA from TCDLEI
- Motion seconded (Craig Jett and Vincent Perini.
- Motion carries

12/04/10

Minutes Approved From September 2010 Board Meeting

- Motion (Bobby Lerma) to approve September 2010 Minutes
- Motion seconded (Mike Heiskell)
- Motion carries

12/04/10

Appointments

- Motion (Stan Schneider) to approve replacements on the board
- Motion seconded (Shawn Paschall)
- Motion carries

12/04/10

CDLP Committee

- Motion (Micah Belden) to approve the honorarium to be paid by TCDLA if the grant does not pay
- Motion seconded (Stan Schneider)
- Motion carries

12/04/10

Filing Grievances Committee

- Motion (George Scharmen) to accept committee. Committee chair Emmitt Harris, David Moore, Bob Hinton, Dan Hurley, and Angela Moore to assist.
- Motion seconded (Craig Jett)

Motion carries

12/04/10

Strike Force

- Motion (Mike Heiskell) to approve Strike Force to help all criminal defense attorneys who are appropriately representing their clients.
-

Texas Criminal Defense Lawyers Association Board Motions

- Motion seconded (George Scharmen)
- Motion carries

12/04/10

iPhone Application

- Motion (Stan Schneider) to approve budget for Android Application
- Motion seconded (Larry Boyd)
- Motion carries

09/04/10

NACDL Reception

- Motion (John Ackerman) to approve up to \$10,000 with the condition of no charge for the attendees of the reception, and that TCDLA be given maximum publicity. (We want to honor Jim Levine and Gerry Morris.)
- Motion Seconded
- Proposed amendment (Micah Belden) that we only approve \$5000. Not accepted
- Motion carries (1 Nay vote).

09/04/10

Legislative Contacts

- Motion to approve a matter of adopted policy that states that no one should speak on behalf of TCDLA regarding legislation without approval.
- Motion carries.

09/04/10

Complimentary Memberships

- Motion to invite old members to re-join after 3 years.
- Motion carries (15-14).

09/04/10

Online Voice

- Motion to approve \$5,000 to finish project.
- Motion carries.

09/04/10

Member Comments

- Motion to put on the December Board Meeting's agenda.
- Motion carries.

12/05/09

Check Approval Limits

- Motion to adopt the following check-writing limits, by Keith Hampton
 - \$0-\$25,000 requires 2 signatories
 - \$25,001-\$100,000 requires approval of executive committee
 - \$100,001+ requires board approval
 - Second by Mark Snodgrass
-

Texas Criminal Defense Lawyers Association Board Motions

- Motion carries

12/05/09

Marketing committee: Grant Scheiner reports

Grant has contacted Lawbox, who can write an iPhone application for TCDLA. Grant shows a video demonstration. The company will design our app for \$3000. Grant asks for \$5000 to negotiate any extra things we might want as well as an exclusivity arrangement. Updates will be free forever.

- Craig Jett moves to authorize \$5000 for this project and give Grant authority to negotiate terms with Lawbox.
- Second
- Motion Carries

12/05/09

By-law Amendment: Lifetime membership and other membership categories

- Bill Harris moves to approve the Lifetime Membership category and insert membership categories back into the by-laws, but without any monetary amounts
- Second
- Motion carries

12/05/09

Regular Session

- Motion is made to give Joseph Martinez a 5-year contract
- Motion carries

12/05/09

New Affiliate: Fort Bend County Criminal Defense Lawyers

- Motion to approve FBCLA as a TCDLA affiliate
- Motion carries

Comments from the President, Stanley Schneider

Stan thanks the course directors for the CLE just held.

Building update: LEI is moving forward to purchase a building for \$875,000.

A report was issued on Pickett and press conference held in Austin.

TCDLA submitted 10 names to the governor's office for appointment to the Forensic Science Commission, recommending that Sam Bassett be reappointed.

09/26/09

Harris County PD start-up. Senator Rodney Ellis is a proponent. The issue is extremely divisive for Harris County lawyers. Stan recommends TCDLA take no position. He told Sen. Ellis that we would help train the PD's if they receive the funding, as an example to the rest of the state.

09/26/09

John Ackerman suggests creating a template as an example.

Stan suggests a committee to draft a document creating the structure. Clara Hernandez remarks there are ABA and NLADA guidelines for PD offices. We need a general statement regarding (1) insulation for the chief PD from being terminated on the whim of the county commissioners, and (2) proper funding.

Texas Criminal Defense Lawyers Association Board Motions

- Motion to create a position on minimum standards for operating PD offices and post on the website and publish in the Voice. John Ackerman will head up the committee.
- Motion carries.

Information and a report were circulated via email to the Board asking for and receiving approval of TCDLA to support the work of Jeff Blackburn and his team for exposing sheriff Pickett and his junk science dog sniff line-ups.

- Motion to adopt email motions, as described above.
- Motion carries

We have a shortfall of \$80,000 for FY 2010 because we will not receive scholarships.

- Motion: Stan moves to approve the TCDLA budget
- Motion carries

- 09/26/09 New Affiliate: Collin County Criminal Defense Lawyers
- Motion to approve CCCDLA as a TCDLA affiliate
 - Motion Carries

- 09/26/09 Joseph reports the 2004-2008 was just completed, and there were no issues.
- Motion to approve the audit
 - Motion carries

- 09/26/09 2007 TCDLA adopted a position opposing a separate specialization for criminal appellate law. Buck Files reports that TBLS is having discussions regarding the matter. Question is whether TCDLA should change its position. It is established that sufficient notice of the question has been given to the board because of the various emails that have gone to the members stating background and various positions.

- 09/26/09
 - Motion to rescind TCDLA's prior position opposing appellate specialization
 - Motion Seconded

- 09/26/09 Discussion:
Craig Jett explains what happened 2 years ago. The board voted 18-11 against, which is a 62% to 38% majority. A letter and report were sent to the TBLS stating our position. Stan wants TCDLA to rescind that position and reconsider supporting the specialization in view of the fact that Judge Cochran is a proponent, and there is now a "grandfather" clause allowing everyone certified in criminal law to qualify for appellate without taking a test.
Craig states there are currently no standards being considered by the TBLS, although the original draft by the prior ad hoc committee has been amended and was circulated to the board prior to and at this meeting.
Buck Files states the TBLS has taken no action on the specialization but will seek input from lawyers, prosecutors and judges.
John Ackerman suggests that since nothing is currently pending with TBLS, TCDLA need not do anything at this point until such time as the matter is before the TBLS, so perhaps the motion should be tabled for now.
-

Texas Criminal Defense Lawyers Association Board Motions

- 09/26/09
- Motion: Clay Conrad moves to table the motion to rescind
- Second: Tip Hargrove
Vote: 17 Ayes, 15 Nays
- Motion Carries – Motion to rescind is tabled
- 09/26/09
- Further discussion
- Buck states the TBLS Chair said it is up to TCDLA to bring the matter to TBLS, and that TBLS considers whether a new specialization is in the public interest.
- Motion: Craig Jett moves to send a position letter saying we are still opposed.
- Second: Keith Hampton
- Motion fails
- 06/06/09
- New Affiliate Association.
- Motion Carries Motion to accept Smith County Criminal Defense Lawyers Association as an affiliate. Motion Carries
- 06/06/09
- Bylaw Change.
- Motion to approve bylaw change (reduction of executive committee to officers + 2 board members). Motion carries.
- 06/06/09
- Free Registration to all TCDLA Seminars for Past-President's.
- Debated in Exec. Com. Discussion was tabled until September when we will have pro/con position papers in the Voice and on the website. Motion to table. Motion carries.
- 06/06/09
- Nominations Slate 2009-2010.
- Motion to Approve Slate of Candidates. Motion carries.
- 06/06/09
- Stanley Schneider sworn in as President and presented with gavel by Rick Hagen
- Motion for Ascendency of Officers. Motion carries.
- 06/06/09
- Voice Editor. Emmett Harris has resigned and Rick has appointed Greg Westfall as the new editor.
- Motion to Approve Greg Westfall as editor for the Voice. Motion carries.
- 06/06/09
- New Affiliate Associations. Big Country Criminal Defense Lawyers (BCCDLA) and Waller County Criminal Defense Lawyers (WCCDLA) Associations.
- Motion to accept affiliates. Motion carries.
- 03/07/09
- By-law change reducing the size of the Executive Committee.
- Motion to appoint a committee consisting of Scrappy, Tim and Richard to come up
-

Texas Criminal Defense Lawyers Association Board Motions

with a by-law change as described above. Motion carries.

- 03/07/09 Keller Issue. A statement was prepared as the official response of TCDLA if anyone asks us. Motion is read to the group. Discussion of statement – slight change is made.
- Motion for Craig Jett to draft an official statement
- Motion Carries
- 03/07/09 Office Lease. We have a proposed lease for the property at S. I-35 and Riverside. It will take three weeks to build out the space. Rick wants a real estate lawyer to review and report back to us on the lease and for Gerry Morris to “pull the trigger.”
- So Moved
 - Motion Carries
- 03/07/09 Office Lease. We have a proposed lease for the property at S. I-35 and Riverside. It will take three weeks to build out the space. Rick wants a real estate lawyer to review and report back to us on the lease and for Gerry Morris to “pull the trigger.”
- So Moved
 - Motion Carries
- 03/07/09 Housekeeping” Motions.
- Motion to move to 4-day work week for Staff. Motion carries.
 - Motion to increase mileage to conform to state rate of \$0.58½. Motion carries.
 - Motion to give three complimentary memberships to each Associate Board and Board member. Motion carries.
 - Motion to allow members to opt out of a printed directory and use an electronic version. Motion carries.
 - Motion to raise credit card limits to \$20,000. Motion carries.
 - Motion to move our credit cards to 1st National Bank of Sweetwater. Motion carries.
 - Motion to open an account at Sweetwater Bank for the funds to train Judges. Motion carries.
 - Motion to activate the “Safe Harbor” option of staff’s 401K’s. Motion carries.
- 10/18/08 Work Product Privilege. (Craig Jett)
The committee has developed proposed rule 515. Craig states he has sent it to J. Cochran but did not tell her it was approved by the board. Discussion.
- Motion to Table. Motion carries.
-

Texas Criminal Defense Lawyers Association Board Motions

- 6/28/08 By-law Amendment.
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.**
- 6/28/08 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.**
- 03/08/08 Appointments to Board - Unexpired Terms.
Craig reports on appointments to the board to fill unexpired terms. Clay Conrad was moved up to the Board and Nicole DeBorde was appointed to the Associate Board.
- **Motion to adopt board place numbers. Motion carries.**
- 03/08/08 Annual Adoption of 401K Resolution for Staff.
- **Motion to Adopt 401K Resolution. Motion carries.**
- 03/08/08 Recognition of MSE/NCDD with resolution at Rusty.
- **Motion for preparation and presentation of said resolution. Motion carries.**
- 03/08/08 Conflict of Interest Policy.
The Committee met yesterday and recommended adoption of a version proposed by John Convery.
- **Motion to adopt Conflict of Interest Statement Discussion. Amendment: add staff language and take out “Draft procedures . . .” Motion carries.**
- 03/08/08 Hall of Fame Committee.
- **Motion to Induct Stuart Kinard. Motion carries.**
- 12/8/2007 CPA.
- **Motion to seek new CPA. Motion carries.**
- 12/8/2007 Chart of Accounts.
- **Motion to approve changes to chart of account. Motion carries.**
- 12/8/2007 Lobbyists.
- **Motion to Budget \$24,000 for our lobbyists for 6 months. Motion carries.**
- 12/8/2007 • **Motion to abandon Yahoo January 1st 2007. Motion carries.**
- 9/8/2007 New Auditor.
- **Motion to seek bids for new auditor. Motion carries.**
- 9/8/2007 Chart of Accounts.
- **Motion to create chart of accounts. Motion carries.**
- 9/8/2007 Staff Mileage.
- **Motion to approve state rate for staff mileage around Austin. Motion carries.**
-

Texas Criminal Defense Lawyers Association Board Motions

9/8/2007

Advertising Policy.

Motion to adopt the listserv advertising policy (Dear TCDLA Member: The TCDLA Executive Committee has made a decision regarding advertisement of CLE events over the listservs and e-communities. At a recent meeting the committee decided that if a member wants to send an email over either of the TCDLA yahoogroups listservs (capital or TCDLA) or any of the four e-communities that announces a CLE event, seminar, or other course not associated with TCDLA (meaning a TCDLA event or co-sponsored event), he or she must receive approval to do so. Email a request to Joseph Martinez, jmartinez@tcdla.com, or Cynthia Hampton, champton@tcdla.com. Sending out a notice without prior permission will be grounds for removal.

Thank you for your cooperation.) **Motion carries.**

9/8/2007

New Affiliate.

- **Motion to accept Hood County Criminal Defense Lawyers as affiliate.**
- **Motion carries.**

9/8/2007

Appellate Committee.

Craig Jett reports the Appellate Committee met yesterday and could not come to a consensus regarding recommending the specialization to TBLS. He asks Troy McKinney for a brief background. Troy explains the genesis: "150 lawyers signed petitions in favor;" ad hoc committee made up of prosecutors, defense attorneys, judges and court personnel was formed to write standards; proposed standards were presented to TBLS.

- **Motion for the TCDLA Board to take no position on the proposed certification and standards** (meaning TCDLA will not make any recommendation to the TBLS)
Discussion: Members are concerned that TCDLA wants to take a position at all because of a potential split in the Association. There are strong feelings on both sides. Others feel that as we have told TBLS we wanted input into the process, we should follow through and make a recommendation one way or another. Question is called.
- **Motion fails.**

Further discussion ensues. Members are concerned about an appellate certification splintering the criminal specialty, like civil law is, thus devaluing the certification. Others want appellate lawyers to be able to qualify for their own specialization exam without having to "waive in" as they have been allowed to do in the past. The Board entertains three options:

- 1) recommend a separate criminal appellate specialization;
 - 2) recommend the current criminal law specialization's rules be amended to specifically allow appellate lawyers to qualify for the exam; or
 - 3) oppose any appellate specialization.
- **Motion for the TCDLA Board to oppose appellate specialization. Motion carries (vote: 18-11 in favor of the motion)**

6/9/2007

- **Motion to Approve Budget for 2008. Motion carries.**

6/9/2007

Bylaw Changes.

- **Motion to Adopt Bylaw Changes. Motion carries.**

6/9/2007

New Officers & Directors.

- **Motion to Accept Slate of Officers and Directors. Motion carries.**
-

Texas Criminal Defense Lawyers Association Board Motions

3/10/2007

Sweetwater Bank.

- **Motion to switch to Sweetwater Bank. Motion carries.**

12/9/06

Resolutions.

Resolutions are needed for the following members: Byron Matthews, a charter member, has died. We want to present a resolution to his family. Buck Files, who has written numerous articles for the Voice, should be recognized.

- **Motion to write above resolutions. Motion carries.**

12/9/2006

Bylaw Changes.

The following are proposed amendments to the bylaws of the Texas Criminal Defense Lawyers Association:

ARTICLE IV

FINANCES

Sec.2. Dues Schedule. [TABLED]

- ~~Initial membership year, or licensed less than two (2) years~~ The first three (3) years of membership-\$75.00

ARTICLE VI

BOARD OF DIRECTORS

Sec. 1 Powers, Membership and Terms. [APPROVED]

(a) The business and affairs of the Association shall be managed by a Board of Directors. The Board of Directors shall consist of the elected officers of the Association, ~~the immediate Past President of the Association,~~ the past presidents of the Association, the editor of the *VOICE for the Defense*, ~~the editor of the *Significant Decision Report*,~~ forty-two (42) directors, and sixteen (16) associate directors. Each past president of the Association is a member of the Board of Directors, provided said past president is a member in good standing. ~~The editors of the *VOICE for the Defense* and *Significant Decisions Report* shall serve as a members of the Board of Directors during their tenure as editors.~~ Directors shall be elected for terms of three (3) years. Associate directors shall be elected for terms of one (1) year.

(b) No director may be elected to serve for more than two (2) full consecutive terms, not to include any term or terms served as an associate director provided this restriction shall not prevent officers *and the editor of the VOICE for the Defense* who are directors by virtue of office from serving on the Board of Directors. Any director who is ineligible to be reelected to the Board is also ineligible for election as associate director. No associate director may be elected for more than two (2) consecutive terms. The executive committee shall have the responsibility for establishing rules to ensure the orderly election of the board of director.

Sec. 2. Executive Committee. [APPROVED]

The Executive Committee shall consist of the officers of the Association, *the editor of the VOICE, for the Defense*, and members of the Association appointed by the President. Of the appointed members of the Association, at least half shall be members of the Board of Directors. Each membership area designated in Section 11 of Article III shall be represented on the Executive Committee. The Executive Committee shall have such powers and duties as are provided in these bylaws and as may be prescribed by the Board of Directors. *The Executive Director is a non-voting member of the Executive Committee.*

Texas Criminal Defense Lawyers Association

Board Motions

ARTICLE VII OFFICERS

Sec. 1 Officers. [APPROVED]

The officers of the Association shall consist of a President, a President-Elect, a First Vice-President, a Second Vice-President, Treasurer, and Secretary.; ~~the Executive Director, the Editor of VOICE for the Defense, and the Editor of Significant Decisions Report.~~

Sec. 2. Qualifications. [APPROVED]

(c) ~~Prior to taking office, a~~An officer, ~~other than the executive director,~~ must have served at least one (1) full term as a director, ~~or have provided equivalent service on the board of the Texas Criminal Defense Lawyers Educational Institute or the Executive Committee of the Criminal Defense Lawyers Project.~~

Sec. 3. Assumption of Office. [APPROVED]

(b) ~~In the event of the death, resignation or removal from office of the Treasurer, the Secretary shall accede to the office of the Treasurer and hold said office until the next annual meeting of the Association.~~ *In the event of the death, resignation or removal from office of any officer, other than the President, each officer below the office which is thus vacated shall immediately accede to the office immediately above the office held by that officer. The President shall appoint, with the approval of a majority of the remaining officers, a replacement who will serve as Secretary for the remainder of the regular term of office in which the vacancy occurs. If there is a period between the vacation of an office and the appointment of the new secretary, the officer assuming the office of Treasurer shall fulfill the duties of Secretary until a replacement is appointed. The hierarchy of office in descending order is: President, President-elect, First Vice-President, Second Vice-President, Treasurer, and Secretary.*

Sec. 10. Executive Director. [APPROVED]

(c) Termination of Employment: The Association shall be authorized to terminate employment of the Executive Director by, and only by, one of the following two procedures:

(2) By Designated Officers: Conclusive vote on termination can be undertaken at a meeting requested for this purpose, at which the ~~(9)~~ officers of the Association designated in Sec. 1 of this article are eligible to vote, ~~except that the immediate Past President shall be substituted for the Executive Director as an eligible voter.~~ Said meeting must be requested by at least ~~(3)~~ (2) of the eligible voters with at least 72 hours advance notice to each other eligible voter, communicated either directly, in writing, or by phone message. Attendance and vote may be either in person or by phone. Termination shall result if supported by vote of ~~six (6)~~ four (4) or more of those voting in said meeting.

ARTICLE VIII ELECTIONS

Sec. 1. Elections. [APPROVED]

Texas Criminal Defense Lawyers Association Board Motions

At each annual meeting the Association shall elect all officers except President, and elect directors to replace *each* director whose term is expiring and to fill any vacancy. ~~At least one third of the Board of Directors shall be elected each year.~~ Officers shall serve for one (1) year or until their successors take office. Directors shall serve for three (3) years or until their successors take office, unless appointed to complete a term for which another was elected. The President-Elect shall assume the office of President and all elected officers and directors shall take office upon adjournment of the annual meeting.

Craig explains the first amendment lowers dues to \$75 for 3 years. The others remove the Executive Director and the Voice Editor from the list of officers. The Voice Editor remains on the Board for as long as he serves. They also remove the SDR Editor from the Board entirely and from the list of officers. One bylaw permits service on LEI or CDLP to substitute for the 1-term requirement of service on the TCDLA board to satisfy the requirement for appointment to the Secretary position.

Troy makes a motion to amend Art. IV § 2 to allow the board to set the fees:

New Proposed Bylaw Amendment:

Sec. 2. Dues Schedule.

It shall be the duty of the Board of Director to set membership dues.
[remainder of section deleted.]

- **Motion to allow Board of Directors to determine dues schedule. Motion carries.**
- **Motion to approve bylaws except for Art. IV, § 2. Motion carries.**
- **Motion to table original bylaw regarding dues. Motion carries.**

12/9/2006 Resolutions.

Byron Matthews, a charter member, has died. We want to present a resolution to his family. Buck Files, who has written numerous articles for the Voice, should be recognized.

- **Motion to write above resolutions.**
- **Motion carries.**

12/9/2006 Advocacy Inc., a national non-profit, has asked TCDLA to be a plaintiff in a lawsuit against MHMR, because of the number of mentally ill inmates who are being jailed instead of being sent to a mental health facility. MHMR, which is a friendly agency, wants to accomplish the same goal. The Board has many questions. Beth Mitchell is on the conference phone and answers some questions. An extended discussion ensues. Questions answered:

- Standing: we do have standing because our clients are being hurt and we as lawyers are being hurt because of the treatment of our clients;
- Solvency: Advocacy Inc., is funded by a national foundation owned by billionaire Soros, and is there is no issue relating to solvency.

More questions remain as to whether TCDLA should take this action until we have more information from Beth. Suggestion is made that we offer to find some of our members who have mentally ill clients in jail and have Advocacy sue on their behalf instead. Two motions:

- **Motion to table. Motion carries (18-16)**
-

Texas Criminal Defense Lawyers Association Board Motions

- 9/9/2006
 - **Motion to provide amicus support and find named plaintiffs, as described above. Motion carries**
 - 9/9/2006
 - **Motion to approve budget for fiscal year 2006/2007.**
 - **Motion carries.**
 - 9/9/2006
 - **Motion to approve price new structure for Rusty.**
 - **Motion carries**
 - 9/9/2006
 - **Motion to plant tree at old home office in memory of Stuart Kinard.**
 - **Motion carries**
 - 6/9/2006
 - David Richards' resignation has caused a vacancy in the position. Randy proposes to appoint Rebecca Davis interim editor for the next issue. Emmett Harris will then step in as editor and Rebecca will become Features Editor. Motion to appoint Rebecca Davis and Emmett Harris, as described above.
 - 6/9/2006
 - Resolution honoring the late Louis Dugas.
 - **Motion to adopt the resolution.**
 - **Motion carries**
 - 6/9/2006
 - NACDL Board nomination.
 - **Motion to nominate John Convery.**
 - **Motion carries.**
 - 6/9/2006
 - Board Nominations 2006-2007.
 - **Motion to approve slate of candidates.**
 - **Motion carries**
 - 6/9/2006
 - HCCLA Resolution (see Executive Committee minutes for details).
 - **Motion to join HCCLA resolution.**
 - **Motion carries**
 - 3/4/2006
 - **Motion to adopt ABA Guidelines for Capital Cases.**
 - **Motion carries**
 - 3/4/2006
 - Legislative Committee.

Mark and Keith report the 2007 session will focus on discovery reform, expunction and innocence. During the special session coming up in April, there will be a move to impose a lawyer tax. No one else is targeted. In response, the Executive Committee voted to adopt a statement released by the state bar, as follows: The State Bar of Texas is committed to excellence in the public education of Texas children. It remains committed to ensuring that the funding of that system be fair and encourages the Legislature to treat all professions equitably and fairly. The State Bar of Texas calls upon other professions in the state to share that vision and commitment to fairly funding public education in Texas.

 - **Motion to adopt the State Bar's statement as our own resolution regarding attorney taxes.**
 - **Motion carries**
 - 12/10/2005
 - **Motion to approve and accept the minutes from June 17, 2005.**
 - **Motion carries**
 - 12/10/2005
 - **Motion to approve amended minutes from September.**
 - **Motion carries**
 - 12/10/2005
 - New Affiliates.
-

Texas Criminal Defense Lawyers Association Board Motions

Heart of Texas Criminal Defense Lawyers – San Saba; Heart of Texas Criminal Defense Lawyers – San Saba.

- **Motion to approve new affiliates.**
- **Motion carries**

9/10/2005

- **Motion to approve and accept the minutes from June 18, 2005.**
- **Motion carries**

9/10/2005

- **Motion to approve budget.**
- **Motion carries**

9/10/2005

Resolutions:

The following are unanimously adopted:
ABA Guidelines for defense of persons in capital cases.
Employee 401K plan.
Increase of credit cards to \$10,000 a piece.

- **Motion carries**

9/10/2005

Federal Seminar Cancellation.

Randy appoints Joseph, Craig Jett and Bobby Lerma to work on rescheduling the seminar, probably in January.

- **Motion to reschedule seminar.**
- **Motion carries**

9/10/2005

- **Motion to approve Dexter Gilford as signatory on TCDLA checks.**
- **Motion carries**

6/18/2005

- **Motion to approve and accept the minutes March 05, 2005.**
- **Motion carries**

6/18/2005

- **Motion made to accept slate of new candidates.**
- **Motion carries**

3/5/2005

- **Motion to approve minutes from December 11, 2004 board meeting.**
- **Motion carries**

3/5/2005

- **Motion to approve candidates from Nominating Committee.**
- **Motion carries**

3/5/2005

- **Motion to approve \$10,000 expenditure for Banff trip.**
- **Motion carries**

12/11/2004

- **Motion to approve and accept minutes from September 11, 2004 Motion carries**

12/11/2004

New Affiliate.

- **Motion made to approve the South East Texas Criminal Defense Lawyers Association as the newest affiliate of TCDLA.**
- **Motion carries**

9/11/2004

Voice Editors.

Motion made to approve the appointment of David Richards and Robert Pelton as the new VOICE Editors

- **Motion carries.**

9/11/2004

The Executive Committee voted today to recommend to the board to raise the salary of Joseph Martinez to an annual salary of \$92,275 with a bonus to the exact sum to be decided when Karen Mitchell, Controller does the figures the equivalent to the sum he would have

Texas Criminal Defense Lawyers Association Board Motions

received had he taken the compensation approved last year from September 1 of last year to July of this year.

- **Motion was made.**
- **Motion carries**

9/11/2004

- **Motion made to approve the minutes from the June 19, 2004 Board meeting.**
- **Motion carries.**

9/11/2004

Board Vacancy.

Executive Committee voted today to recommend to the board to fill the vacancy (Eric Albritton resigned) on the TCDLA Board with Emmett Harris.

- **Motion carries.**

9/11/2004

Past Presidents' Reception.

Executive Committee voted today to recommend to the board to approve the sum of \$1,200 (\$300 per board meeting) for Past Presidents' receptions.

- **Motion was made.**
- **Motion carries.**

9/11/2004

Resolution.

We need a resolution for the signing of the lease. The grant will not reimburse TCDLA taxes and insurance but they will pay rental so TCDLEI passed to raise rent to cover taxes and insurance and then CDLP will pay the taxes and insurance. The Executive Committee voted today to recommend to the board that Dan Hurley be authorized to execute a new lease for three years with a three-year option at the prevailing rate as set by TCDLEI.

- **Motion carries.**

9/11/2004

Executive Committee voted today to recommend to the board that we adopt national's resolution regarding sentencing guidelines.

- **Motion carries.**

6/19/2004

- **Motion was made to approve the minutes from the February 20, 2004 Board meeting.**

- **Motion carries.**

6/19/2004

- **Motion was made to pay those over expenditures including the \$46,000 to pay the court and give Joseph Martinez the authority to do that.**

- **Motion carries.**

6/19/2004

New Affiliate.

- **Motion made to approve the new affiliate, Concho Valley Criminal Defense Lawyers Association.**

- **Motion carries.**

6/19/2004

- **Motion made to go from 8 districts to 14 districts, giving us 6 additional Board Members and 4 additional Associate Board Members for a total of 18.**

- **Motion carries**

6/19/2004

Board Members and Officers.

Motion made to accept Board Members and Officers. (Mark Snodgrass; Sam Bassett; Michael P. Gibson; Linda Icenhauer-Ramirez; Troy McKinney; Kenda Culpepper; John Pappas; John Heath, Jr.; Warren Wolf; Bobby Mims; Dan Hurley – President; Randy Wilson – President Elect; Stuart Kinard – 1st VP; Bobby Lerma – 2nd VP; Craig Jett – Treasurer; Rick Hagen – Secretary.

- **Motion carries**
-

Texas Criminal Defense Lawyers Association Board Motions

- 2/20/04
- Motion made to approve the minutes from December 6, 2003 board meeting.
 - **Motion carries**
- 12/6/2003 Judge John Hanna.
- Motion was made to do a memorial for Judge John Hanna and create a scholarship fund in his name.
 - **Motion carries**
- 12/6/2003
- Motion was made to approve the minutes from the September 13, 2003 board meeting.
 - **Motion carries**
- 12/6/2003 Out-of-State Scholarships.
- Motion was made by Randy Wilson to apply the \$2,500 grant given to TCDLA from the Texas Criminal Justice Section of the State Bar to the out of state scholarships.
 - **Motion carries.**
- 12/6/2003 Lifetime Membership.
- **Motion was made to create a lifetime membership category with the dues being \$5,000 and to make the bylaw change regarding this new membership category.**
 - **Motion carries** (23 for and 9 against).
- 9/13/2003
- Motion made to approve the minutes from the June 7, 2003 board meeting with two corrections to the attendance record. Chris Hoover and Katherine Scardino were in attendance.
 - **Motion carries.**
- 9/13/2003
- Motion made to ratify expenses from the Staff Appreciation Weekend in the amount of \$4,000 and from the Death Penalty Think Tank in the amount of \$2,500.
 - **Motion carries.**
- 9/13/2003
- Motion made to approve the TCDLA 2004 Budget w/changes mentioned in the Executive Committee Meeting.
 - **Motion carries.**
- 9/13/2003 New Affiliate.
- Motion made to approve The Warren Burnett Criminal Defense Lawyers Association and the Central Texas Criminal Defense Lawyers Association as TCDLA affiliates.
 - **Motion carries.**
- 9/13/2003 Check Signing Authority.
- Check signing authority on four of our checking accounts need to be changed. The signers will be Cynthia Orr, Gerry Morris, Stuart Kinard, Bobby Lerma, Betty Blackwell and Joseph Martinez. It takes two signatures on every check for a check to be issued.
- **Motion made to approve the new check signing authority.**
 - **Motion carries.**
- 9/13/2003 Employee Retirement Plan.
- **Motion made to approve the resolution that Employee Retirement Services continue to govern the employee retirement plan.**
-

Texas Criminal Defense Lawyers Association Board Motions

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- 6/7/2003
 - **Motion carries**
 - **Motion made to approve the minutes April 12, 2003 board meeting.**
 - **Motion carries**
 - 6/7/2003 Move Investment Funds.

Our management firm advised us that Vanguard was moving out of the business and that we need to move all our private investment funds into Fidelity.

 - **Motion made to move TCDLA investment funds from Vanguard to Fidelity.**
 - **Motion carries**
 - 6/7/2003
 - **Motion made to approve the new personnel policy.**
 - **Motion carries**
 - 6/7/2003
 - **Motion made to approve all committee reports excluding nominations.**
 - **Motion carries**
 - 6/7/2003
 - **Motion made to approve the new TCDLA Officers and the new TCDLA Board Members**
 - **Motion carries**
 - 6/7/2003
 - **Randy Wilson makes a motion to give all TCDLA members free of charge a Texas Penal Law & a Code of Criminal Procedures CD Rom.**
 - **Motion carries**
 - 6/7/2003 TCDLEI Memorial Fund.

Randy Wilson makes a motion that 10% of all TCDLA net to be paid into the TCDLEI Memorial Fund. **Motion tabled until next board meeting.** Tax guidance requested.

 - **Motion carries**
 - 4/12/2003 Minutes from December 7, 2002 were approved and adopted.
 - 4/12/2003 Resolution.

“**The Dissemination of Relevant and Pertinent Information to the TCDLA Officer Chain**”. There was brief discussion and Mark asked for approval that the Resolution be accepted.

 - **Motion to pass resolution.**
 - **Motion carries**
 - 4/12/2003 Board Resignation – Replacement.

Andy Noguerras resigned from the Board. Oscar Alvarez appointed to replace Andy for the remainder of his term.

 - **Motion made to accept Oscar Alvarez as an Associate Director.**
 - **Motion carries**
 - 4/12/2003
 - **Motion made to approve the Web-site contract from Grant Scheiner and the Harris County Criminal Lawyers Association.**
 - **Motion carries**
 - 12/07/2002 Minutes from September 7, 2002 were approved and adopted
 - 12/07/2002 CDLP Guidelines: Mark asked members to review the Guidelines and a discussion began in which he stated that Randy Wilson and Craig Jett spent a lot of time researching and putting together the guidelines. Mark recommended the following changes: **The Chairperson of the Project would be appointed, and or removed, the President, but not by his sole discretion, subject to approval with the majority of the officers of TCDLA.** The President will sort of have the power to recommend subject to officer approval, which is
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Texas Criminal Defense Lawyers Association Board Motions

consistent with our Bylaws, which calls for the President to appoint committees. Also the numbers of members on the committees was discussed. Craig recommended that the Board approve the composition of members as stated in No. 4 on p. 3 of the Guidelines as is (no more than ten members to serve on the committee). Mark asked that a motion be made to accept the guideline as presently drafted. Randy Wilson seconded the motion and motion passed as drafted, standing 5 plus 10 members. Mark stated that a final copy of the Guidelines would be issued.

An amendment to the draft was made as follows: Cynthia Orr moved that “paragraphs 1, 5, and 7 be entered to reflect that the President appoint the chair with the approval of the majority of the officers.”

- **Motion was entered, seconded and approved.**
- **Motion passed.**

Discussion continued re composition of the Committee. Gerry Morris recommended that TCDLA officers not be compensated for attending CDLP meetings. Mark suggested that this would be discussed at the April meeting.

- **Motion entered to discuss at the next meeting. Motion seconded and approved.**
- **Motion carries.**

12/07/02 Cynthia Orr gave a brief report on funding of “Gathering of the Exonerated in Illinois” and requested the funding be approved.

- **Mark made motion to approve \$1250.**
- **Motion approved and passed**

12/07/02 Legislative Agenda.

Keith Hampton asked Board to approve the following resolution: The Ban of Execution of 17-Year-Olds or Younger. Stan Schneider made an amendment to the Resolution (language to be submitted to home office).

- **Amendment passed and approved.**

12/07/02 Judicial Selection in Texas.

- **Mark Daniel entered a motion to adopt the resolution.**
- **Motion passed and approved 31-7.**

More discussion ensued.

12/07/02 Resolution.

Dave O’Neil and Sean Buckley have brief report re State Counsel for Offenders and asked that the resolution be approved.

- **Motion made to adopt resolution.**
- **Motion passed and approved.**

09/07/02 Minutes adopted from June 8, 2002

06/08/02 Minutes adopted from March 9, 2002

06/08/02 Bylaws Committee.

Report on Bylaws provided by Stuart Kinard, Chair.

- **Motion to approve the bylaw changes related to termination of Executive Director.**
 - **Motion is seconded and unanimously adopted.**
-

Texas Criminal Defense Lawyers Association Board Motions

03/09/02

Motion made to approve budget presented to the Board. Motion approved and adopted.

03/09/02

Hall of Fame Committee.

Betty provides a report to members. The Hall of Fame Committee has provided a copy of their report to everyone. **Their recommendations to the Hall of Fame are *Les Procter of Austin, Knox Jones of McAllen, Frank Maloney of Austin, Doug Tinker of Corpus Christi, Gerry Goldstein of San Antonio.*** The executive committee agreed to recommend these nominations to the board. In order for us to properly congratulate each individual we would have to have a separate ceremony spread out over the next five years. Discussion is open to the board. We wanted to get the members input. We have done the Hall of Fame recognition in the middle of a seminar. We want to invite the family and we want to make each individual inducted to the Hall of Fame special. Betty inquires for input from members. Craig inquires, if we need to wait for five years for everyone to be inducted to the Hall of Fame. There are a few deceased members' nominations. Betty informs the board that it has to be 2/3 of a vote for members. Cynthia Henley inquires if we could induct one per board meeting. Paul Looney comments that we could do a lunch for the inductee at Rusty. Bill Harris comments that we could do a luncheon after Rusty and have a formal luncheon. Dexter Gilford agrees we should have greater exposure. Discussion continues about induction at Rusty. The board votes to have the Hall of Fame inductees this year at Rusty during a luncheon.

- ***A motion is made to accept all of the Hall of Fame nominations. The motion is seconded and adopted.***
- ***A motion is made to accept all of the Hall of Fame nominations and have a special lunch at Rusty Duncan.***

John Young remarks that we would honor each individual for approximately 20 minutes during a luncheon. This may not be the most prestigious ceremony that we could have in his honor. Cynthia Henley comments that she disagrees with honoring everyone all at once. Betty comments that there are five inductees and we may have to honor three one year and two the next year. Discussion continues. The question is how do we do all this right. We choose all five nominees to be inducted at Rusty. The question that has been called is if we are going to do all five during the ceremony. The vote is 17 to 9 in favor of inducting all of the nominations at Rusty during a luncheon.

- ***Stuart Kinard makes a motion that in the future we induct one person at a time to the Hall of Fame.***
- ***The motion passes and is adopted.***

Discussion continues on providing a speech during the luncheon. We will provide something in the *Voice* such as a memorial page for each nominee with nice pictures.

12/15/01

Betty Blackwell calls the board that it is contingent upon the board on approving the executive committee's unanimous decision. **The board replies so moved, Joseph A. Martinez is the new executive director of TCDLA. The President requests for all of those in favor of the executive director say aye. An all in favor response was received from the board.**

- **A motion was made to adopt Joseph A. Martinez as the new executive director.**
- **The motion was passed and adopted.**

12/15/01

Bylaw Committee.

Texas Criminal Defense Lawyers Association Board Motions

Stuart provides an update to the board. This is a work in progress with the intention of alleviating some of the problems that we have faced in the past. Stuart provides a copy of draft notes to members. Stuart announces that he will be glad to meet with any members to further discuss any input on the bylaws after the meeting.

Basically, we have tried to be consistent and completely fair. The first proposed change is that the language that states, "The board of directors shall determine the qualifications of the executive director," stays in subject to any advance guidelines of the board of directors the executive committee shall hire.

Recently, the executive committee was given the subject to hire. The problem the executive encountered was they could not finalize the hiring. We could lose good candidates if we are in the same situation again. Stuart continues Joseph had to take a leap and hope that the board would approve his employment. The board will trust the executive committee to do the hiring. Each person on the executive committee can participate in the interview process. The second part of the proposed change is that there is an either/or process for termination. Each process requires a seven days notice to the executive director. Either the board now reads by a majority vote at a regular quarterly or special board meeting duly held under Article V Sec. 3 and 5(b) or the executive committee by a 2/3 vote the total number of members of executive committee minus the executive director. Stuart continues, let's say that there are 15 members on the executive committee then 2/3 vote, 14 can terminate. The thinking is that if either a majority or more board members are dissatisfied and wish to terminate a director this is a bad situation. By the same token if the executive committee working on a daily basis, face to face, and if they are given confidential information on the executive director by the staff and comes to know by 2/3 vote the wheels are off. We have had suggestions that the vote be 2/3 vote and that there also be 2/3 vote by the executive committee be allowed to terminate on its own. Stuart informs the board that he welcomes all suggestions and that at the next meeting in March we are in an almost final draft. Betty comments that we will publish all of this information on the bylaws in the *Voice*. Stuart informs members at the end of the board meeting he wants to make an announcement on a proposal for a pack.

Betty continues addressing the board meeting. During the executive committee we voted to renew Keith Hampton and Allen Place contracts for three years. The next order of business is to renew their contracts. Keith Hampton is currently in New York paid by New York to come up and tell them how SB7 was passed. Keith Hampton and Allen Place worked very hard on this bill. Betty informs the board that she needs the approval of the board for their contracts to be renewed.

- **A motion is made to approve Keith Hampton and Allen Place contracts.**
- **The motion was approved and adopted.**

9/15/01

Ward Casey Recognition.

Ward Casey a superb attorney from Fort Worth recently passed away. Betty informs the board members that a proclamation from the board would be a great gesture for his wife. A motion was approved and adopted for a proclamation from TCDLA to be prepared for Ward Casey's accomplishments. Board members inform Betty that the letter that she wrote to his

Texas Criminal Defense Lawyers Association Board Motions

wife and family was read at his services. Betty comments that one of the most difficult parts of being a member of TCDLA is seeing members pass on. It is difficult for everyone particularly their families.

6/8/01

Office Status - Resolution.

D'Ann reports and updates the status of the office. Our current office space is overcrowded. At the TCDLEI meeting we discussed the office status. We are going to put the home office up for sale and purchase a new building. In order for us to do that there was a resolution passed giving the Executive Director the authority to sign all the legal documents. The resolution reads as: "Whereas, the Texas Criminal Defense Lawyers Educational Institute will sell the home office property located at 600 W. 13th Street, Austin, Texas 78701 and purchase a new building, THEREFORE BE IT RESOLVED that D'Ann Johnson, Executive Director, is granted authority to act as Signer on any legal documentation, including loan documents, notes, deeds of trust, and any other necessary documents to purchase a new office building and sell the existing office building".

- **A motion was made to approve the resolution.**
- **The motion seconded and was adopted.**

6/8/01

Bylaws.

Betty Blackwell reports the recommendations for the bylaws from the Executive Committee. A copy of the bylaws is provided to members and Betty reads the changes to the board. The proposed changes are considered.

- **A motion was made to adopt the bylaw changes.**
- **The motion was seconded and adopted.**

6/8/01

Personnel Policy Guidelines.

D'Ann provides a copy of the changes to the Personnel Policy Guidelines. We grandfathered our current staff's insurance coverage. The new staff members will not have the same dependant insurance coverage. We have included a Sexual Harassment Clause and a reporting system. The termination and resignation clause was amended.

- **A motion was made to pass the changes to the Personnel Policy Guidelines.**
- **The motion was seconded and adopted.**

6/8/01

- **A motion was passed and adopted to approve the new board members.**
- **A motion was passed and adopted to approve the new officers.**

4/7/01

D'Ann stated that TCDLA is going to sell the home office. We outgrew our office years ago. Bob Hinton hopes to receive additional grant funding that will assist in payments for a larger office. TCDLEI rents the office to TCDLA and CDLP.

- **A motion was made to renew our lease.**
- **The motion was approved and adopted.**

4/7/01

NACDL.

TCDLA made a submission to NACDL Council of Affiliates.

- **Bob Hinton nominates Gerry Morris to NACDL.**
- **Motion passed supporting Gerry Morris's nomination.**

12/2000

President Hinton appoints Jeff Kearney back to the Board from District 3. Jeff will be eligible for two more terms at the end of this term.

12/2000

Honorary Members.

President Hinton informs the Board that there was a motion passed during the Executive

Texas Criminal Defense Lawyers Association Board Motions

meeting to induct the following as honorary members: George Roland, Judge Sam Houston Clinton, Judge William Wayne Justice and Judge John Hannah.

- **A motion was passed and approved from the board.**

9/9/2000

No motions

6/2000

No file for this mtg

Board minutes between June 2000 – September 1990 have not been located.

6/8/1990

No minutes in board packet

6/8/1990

Bylaw Amendment.

Created new membership class (public defenders).

- **Motion passed per note on agenda.**
- **Motion carries.**

2/17/1990

Minutes approved from September 9, 1989 Board Meeting

2/17/1990

Death of Board Member.

- **Motion made in case of a death of a Board member, that the home office, upon notification of the death, make all members of the Board aware of the death.**
- **Motion carried by unanimous vote.**

12/9/1989

No motions in board packet

9/9/1989

Minutes approved from April 22, 1989 Board Meeting

9/9/1989

Bylaw Amendment Report.

A vote was conducted by the membership on whether a disputed election should be resolved at a meeting by only those members present and voting at that meeting or whether a disputed election should be resolved with an election held by a ballot sent out through the mail. Members unanimously agreed on the second alternative which states that a disputed election be resolved by an election held by a ballot sent through the mail. A proposal was brought before the membership that new bylaws, with the above mentioned change, be substituted for the bylaws now in effect.

- **This proposal was unanimously agreed upon by those members present.**

6/30/1989

Minutes approved from February 17, 1989 Board Meeting

6/30/1989

Hall of Fame.

- **Motion made to induct Joe Goodwin and Warren Burnett into Hall of Fame.**
- **Motion passed**

4/22/1989

Minutes approved from December 1988 Board Meeting

4/22/1989

State Bar Committee.

“Whereas there are serious attempts being made to subject the legal profession to bureaucratic regulations, and whereas the public is best served by an independent, self-governing Bar, now, therefore, be it resolved that the Board of Directors of the Texas Criminal Defense Lawyers Association vigorously support the concept of an organized, integrated Bar and oppose any proposal which would dilute the ability of lawyers to govern their own profession or place the grievance processes under the control of any centralized authority.”

- **Motion to support the above resolution.**
- **The motion, after reconstructing, was seconded and carried.**

2/18/1989

Minutes approved from December 3, 1988 Board Meeting. Also mentioned-minutes from December 1988 Board Meeting not available due to tape recorder malfunction.

*TCDLA
Board
Meeting
Date*

Texas Criminal Defense Lawyers Association Board Motions

12/3/1988	No motions
9/30/1988	<ul style="list-style-type: none">• Motion made to accept the nominations of the newly elected Board of Directors.• Motion approved. Also mentioned-minutes from April 1988 Board Meeting not available due to tape recorder malfunction.
6/10/1988	No motions in board packet. Also mentions the unavailability of Board minutes from April 1988.
4/23/1988	Minutes approved from February 27, 1988 Board meeting.
2/27/1988	<ul style="list-style-type: none">• Motion made to approve minutes from December 12, 1987.• Motion seconded and carried.
2/27/1988	<u>Hall of Fame.</u> <ul style="list-style-type: none">• Motion made that rules presented to Board of Directors by Frank Jackson be adopted as written.• Motion carried by a majority vote.

Board minutes prior to 2/27/1988 have not been located.
