

California Grand Jurors' Association Board of Directors Meeting—August 25, 2015

MINUTES

A. Call to Order and Roll Call

The roll was taken, and the meeting began at 7:02 PM.

Present: Directors Karen Jahr (president), Lloyd Bell, Medsie Bolin, Marsha Caranci, Karin Hern, Beckie Jennings, Jerry Kunkle, Jerry Lewi, Lou Meyer, Jim Ragan, Diane Shepp; Membership Relations Committee (MRC) Chair Mike Chernock; Awards Committee (AC) Vice Chair Joann Landi

Absent: Directors Dianne Hoffman, Gary Spaugh (both excused)

B. Agenda and Comments

B-1 Agenda Approval: Jahr

The Board unanimously approved the agenda.

B-2 Member Comments

Landi said that she received her election ballot today. It is different from past years where there has been an inner envelope and an outer envelope. This year, there is no inner envelope. Is this something new this year? Lewi responded that NEC decided that two envelopes were not necessary. A second envelope adds to the cost. One envelope is adequate.

C. Consent Items

C-1 Approve Regular Board Meeting Minutes, 06/23/15: Ragan

C-2 Acknowledge Committee Minutes in 08/25/15 meeting packet: Jahr/Ragan

The Board unanimously approved the consent items.

D. Officer and Committee Chair Reports

D-1 **President's Report (Jahr)**

- For the past two months she has been traveling around the state as part of the training team. She enjoyed her contact with the grand jurors, judges, county counsels, support staffs, and chapter representatives. She also stressed her joy in working with other training team members and what they all do: devoting over 6,000 hours a year preparing for and putting on the training program. Her work with the Training Team has now shifted to preparation for the Report Writing Workshops in updating the PowerPoint presentation and the training manual.

- ❑ On June 28, Jahr presented the Monterey County Chapter's Certificate of Recognition at the Monterey County Grand Jury's end-of-term celebration. She also had the opportunity to meet a couple of potential new trainers.
- ❑ In July, Jahr sent a letter of thanks to Assembly member James Gallagher for sponsoring a proclamation declaring February 2016 to be Grand Jury Awareness Month throughout the state. Jahr especially thanked Board member Jennings, who did all the work on this.
- ❑ Update on Senate Bill 227, which would prohibit grand juries from hearing indictments brought by DAs in cases against peace officers that involved victim death. The DA would have to use the preliminary hearing for indictments. There are no statistics on the potential impact. Only the California District Attorneys Association and CGJA opposed this bill. It passed both legislative houses on August 11, and the Governor signed it into law.
- ❑ Update on the Riverside County Grand Jury's dispute with the County Counsel. Look at our news blog on the website for details. In conversing with a reporter in Riverside, Jahr mentioned that CGJA does not train the grand jury in Riverside. Shortly thereafter, the grand jury secretary called Training Committee Chair Caranci to request the training. We sent a team.
- ❑ In reading committee meeting minutes, Jahr noted recent resignations from MRC and ACC. Jahr expressed hope that we can recruit more committee members.
- ❑ With respect to the upcoming Annual Conference, Jahr asked committee chairs to get their annual reports ready. They should be in writing and reflect appropriate committee action plan items. Bell said that the printing deadline will be in early October. There was consensus that only the President will make an oral report at the Annual Conference.
- ❑ Jahr reminded the Board that one of her action items has been to develop a training program for presiding judges. Recently, Jahr and Caranci were contacted by a judge with the training program of the State Judicial Council to put together a panel about the grand jury at the Annual Presiding Judge/Executive Officer Conference in San Jose on October 20. They will identify a presiding judge to join the panel. The topic will be "A day in the life of a presiding judge relative to grand juries and what presiding judges are to do in overseeing grand jury operations." This participation will introduce CGJA to the entire state judiciary and support staff, enhancing CGJA's relationship with the courts. This will also benefit our training program and our chapters. It is important for judges to know that chapters are involved in juror training, recruitment, and orientation.

Lewi asked whether Jahr intended to circulate the draft PowerPoint and handouts to the Board. Jahr said yes. Furthermore, she welcomes input now. Input from as many people as possible makes the product better.

Lewi and Hern offered their help. Hern, saying that the Marin chapter has a positive relationship with the court. In fact, the court is now turning over the entire interview process to the chapter. Jahr asked if the Marin Presiding Judge might be a good person for the panel. Hern said that she would follow up. Bolin said that the Presiding Judge in Sacramento is very pro-grand-jury. She will follow up. Ragan asked if the panelist must be a current presiding judge. Caranci said that a presiding judge with experience would be good. Ragan Judge Barry LaBarbera in San Luis Obispo County is very positive.

D-2 **Officer Reports**

Vice President Shepp. Jahr gave Shepp permission to report as chair of the Annual Conference Committee in this meeting slot due to Shepp's need to leave the meeting early.

D-10 Annual Conference Committee (ACC)

Chair Shepp provided statistics on Annual Conference registration thus far: 23 registrants (14 eligible for 1 night free parking – 6 still available); 34 of 108 guaranteed room nights at the hotel. The hotel registration deadline is October 8.

She said that there had been some resignations from the committee: Bolin and Lynn Runyan.

With respect to the 2016 Annual Conference, ACC had identified a venue in Sacramento, but it is uncertain about the Sacramento chapter's ability/willingness to participate. The chapter hasn't yet had its election and is not prepared to discuss helping with an annual conference at this time. Another concern is that Sacramento may no longer have enough members to be a CGJA chapter. There is talk about going to another area, but that is still to be determined.

Jahr asked if we always rely on a local chapter in choosing the location for an annual conference. Shepp responded that hosting an annual conference is a lot of work – something that the ACC is not prepared to do. We need local volunteers.

Caranci said that the Placer County chapter, very close to Sacramento, is very active and has many CGJA members. And there are a number of other active chapters in the area. Sacramento, therefore, continues to be viable venue.

Shepp said she will follow up.

Shepp left the meeting.

Treasurer Meyer. Meyer reported that he is currently busy sending out member dues notices, paying trainer invoices, and receiving payments from the counties. Caranci thanked Meyer for his prompt response in processing all of the training-related payments.

Secretary Ragan. Ragan directed attention to the H-4 attachment to the agenda: Revised Committee Roster. He said that it is already out-of-date. He will soon send a revised roster.

D-3 Legal and Legislative Resources Committee (LLRC)

No report.

D-4 Public Relations Committee (PRC)

Ragan reported that there were no PRC meetings in July (due to training) and August (because Ragan had to attend a memorial service). He highlighted our website's news blog. So far this year, PRC has posted 387 news articles from media throughout the state about grand juries. In training, we learned from many holdovers on grand juries that they go to the blog for information on what grand juries are doing. Overall, there have been over 2,000 news posts since we began in 2008.

D-5 Membership Relations Committee (MRC)

Chair Chernock reported that the implementation of InfusionSoft is going very well. He singled out Larry Graser and Di Masini for their dedicated work in this effort. We're now at the point of designing the system for use by other committees. He also said that MRC resignations due to health have hurt and asked Board members to identify people who might be a fit.

Ragan asked several questions coming out of his reading of the MRC meeting minutes.

First, with respect to membership renewals, what does "automatic renewal" mean? Chernock responded that this feature still must be added. But it means that a month before a member's renewal is due, we will notify the member that we will automatically renew the membership unless the member says no to the automatic renewal. Ragan asked MRC to consider having the member specifically opt in to automatic renewal. Chernock responded that the first time, members will specifically have to opt in.

Second, Ragan asked what the 1,170 number of contacts for InfusionSoft includes. Chernock said that it includes introductory members (IMs), past members, current members, and friends of the association.

Third, Ragan asked about the difference between the InfusionSoft add-on "Marketing" (mistakenly given us) and "E-Commerce" (more appropriate to us and now provided). Chernock responded that E-Commerce is more oriented toward sales, while Marketing is more oriented toward getting and maintaining clients. E-Commerce is more appropriate for CGJA: e.g., buying things off our website, membership renewals. Ragan said it was confusing to him, since the MRC minutes talk about creating a marketing team. Chernock answered that the marketing team has nothing to do with the InfusionSoft add-ons. It just means that the team will be contacting

people periodically over the course of a year with a set of defined letters in what InfusionSoft calls “campaigns.”

Fourth, Ragan asked for further information on the “defined letters.” Ragan said that he is concerned about how many letters, the content of the letters, and CGJA correspondence policy that the Board must see all of this correspondence. Chernock responded that there is no such effort at the moment. The marketing team would put this together and bring it to the Board for agreement before implementation. This effort has been delayed.

Bolin asked if there is now an accurate count of membership. Chernock answered that the latest number (in the MRC minutes) is the last one he had, but the number has been moving because of renewals. He will send it to Bolin.

Lewi asked two questions:

First, does Infusionsoft have an opt-out capability (i.e., a recipient saying he or she doesn’t want to receive any more correspondence)? Chernock said YES. We would keep them in the database but not send them any more emails.

Second, what do you mean that you are in the process of connecting the website to InfusionSoft? Lewi is the webmaster. Chernock said that Di Masini will talk with Lewi about this. This will probably not involve anything major software-wise. There will just be a link.

Meyer said that he had received about 300 IM applications. Where should he deposit them? Chernock said to give them to Masini.

Bolin asked if she understood correctly that all correspondence would be passed by the Board. Chernock said that the Board will see all of the letters. Bolin asked if this would be prior to distribution. Chernock responded that this is something we could discuss. Jennings said that the Board is not here to stop the letters; it is to let MRC do its job. Bolin responded that she is especially sensitive to IMs, since trainers told them that, in signing up, they would not be bombarded with messages. Jennings responded that there is no intention to bombard anyone with messages. But, MRC has been tasked with marketing and getting new members. If our hands are tied, why are we doing it? Why should we be manually inputting over 1,000 names if you have no intention of allowing us to use this as a tool in member recruitment? At some point, you have to trust that some of the people on this Board are also MRC members and understand where we need to go. Chernock added that the discussion at MRC with regard to IMs has been minimal interaction. The IMs will get the Journal every two months with an introductory note highlighting contents that might be valuable to the jurors. And they will get a letter thanking them for becoming IMs. Hern said that this need for all external communication to go to the Board as information is sound corporate practice so that the Board knows what is being said on its behalf.

Caranci asked three questions:

Does the current list of IMs includes the 2014 IMs. Chernock responded that he believes it does, but the category is past jurors rather than IMs. How many 2015 IMs have joined so far. Chernock said that he didn't know. Have any InfusionSoft letters gone out? Chernock said that the first letter (to 300) went out a few days ago. Caranci said that she appreciated the opportunity to see the letter in the MRC meeting minutes. An advantage to the Board seeing the letters before being sent, she continued, is to make certain that there is a united and consistent message. The letter is very good, but she might have questioned the reference to Civil Grand Jury Training" because it is capitalized and we have no such program. We're not trying to override anything. Chernock asked Caranci to send him the terminology changes so that he can make them.

Bell said that, with this new communications tool, it is important that before the trainers go out next year, they coordinate their message with MRC so that the IMs have a good expectation of what they will receive.

D-6 **Training Committee (TC)**

Chair Caranci reported on the 2015 training almost completed:

- It was a highly successful year. We trained jurors from 53 counties at 35 venues. There were seven new on-site venues. We trained well over 700 jurors and alternates at on-sites, over 300 at regionals.
- On-sites are much more demanding and much more rewarding. Trainee evaluation values are much high at on-sites than at regionals. At on-sites, the training teams study each county before the sessions so that trainers can talk to jurors about their counties.
- This is the third year that we have extended invitations to legal advisors to attend the training. The on-sites make it much easier for them to attend. A number of judges, county counsels, district attorneys, and other legal staff members spoke to the jurors and sat in on some of the sessions (especially those dealing with the law). In addition, Jahr personally invited all the county counsels serving grand jurors attending the three regionals to attend the regionals. A number of them attended. Attachment H-2 to the agenda lists the legal advisor attendance at the training.
- Attachment H-3 lists the CGJA chapter attendance. This shows the incredible relationship that we have with almost all of chapters and associations in our training effort. It's very important to us to introduce the jurors to the chapters and for the jurors to see that there is someone local to support them.
- The level of grand juror experience and capability over the past several has grown substantially. Our training has contributed to this.
- TC is now gearing up for the Report Writing workshops.

Caranci said that TC is now working on succession planning. We have made a special effort this year to identify potential new trainers and other members of the training team.

D-7 Finance Committee (FC)

Chair Bell first agreed to take questions about the financial statements attached to the meeting agenda (H-1). There were none.

Bell said that FC must now submit to IRS the annual certification of the CGJA chapters that are tax-exempt. Bell queried Chernock on the status of questionable counties. Chernock said that he would talk with Bell separately about this, since he needs additional information. Bell said that he needs this information before the next Board meeting. Ragan said that, as secretary, he also needs this information.

Caranci asked if Sonoma and Kern had reinstated their tax-exempt status. If so, then they can be re-added to the CGJA certification to IRS. Chernock said he would follow up. The importance of this, said Caranci, is that if chapters are advertising tax-exempt status under the CGJA umbrella, they have the legal status to do so. She said that there are seven or eight chapters that she has some questions about.

Jahr added that CGJA needs to know, about each chapter, whether it has the minimum required number of CGJA members, what the tax-exempt status is, and whether it wants to be under CGJA's tax-exempt group exemption. Chernock said that he will work with Bell on this. Jahr said that the deadline is the end of September.

D-8 Nominations-Elections Committee (NEC)

Chair Lewi said NEC mailed 244 ballots for the 1015 election, using bulk mail. If a member did not receive a ballot, the August issue of the Journal publishes the procedure for dealing with it. Due to some confusion about the emailing of dues renewal notices, NEC has extended the deadline for voter eligibility to August 25. The final number of ballots might increase somewhat.

With printing and mailing, NEC has overrun its election budget by \$30. The reason is that the printing had to be two-sided, since the actual language of the proposed changes to the bylaws must be on the ballot.

Lewi said that a problem we have is that when members of the Journal move, they notify the Post Office, but not CGJA. As a result, we get returns. This affects NEC, since it has to make the address change and then send out ballots via first-class mail. Lewi said that there has to be a better way.

Lewi said that we need to bring the vote tie-breaking forward to the Board at the next meeting. Vote counting will take place the week of October 2.

The NEC will tweak the election procedures used this year. He asked whether the correct procedure might be to take them to the BPRC before going to the Board. Jahr said that she would look into what the procedure should be.

Hern asked who maintains the official membership list for a Board member to request a copy. Ragan said that all such requests go to the Secretary. The Policy Manual states the procedures.

As a final note, Lewi said that there are actually 245 members. Sherry Chesney, as a winner of the Lifetime Achievement Award in 2006, is entitled to membership forever at no cost. We forgot to put her back on the list, since she let her dues lapse. Lewi said that he would put her back on the membership list. There was no objection.

D-9 Awards Committee (AC)

Vice Chair Landi reported that the EIR Subcommittee is currently evaluating the EIR submissions. The deadline for receipt of applications for the Angelo Rolando Memorial Award is August 31. At the Bay Area regional on August 22, four Local Achievement Awards were given. Also, there was a Local Achievement Award issued in San Francisco. Lewi requested information about the San Francisco award for the Journal.

D-10 Annual Conference Committee (ACC)

Chair Shepp reported on overall ACC activities during agenda item D-2.

2015 ACC host committee Chair Bell reported on conference progress. The program is set. The synopsis appears in the Journal. The committee is still working on the questions to be asked of the keynote speaker, the Chief Justice. Her office has requested this so that the Chief Justice can be fully prepared to answer them. The committee is prioritizing the questions received and will then coordinate them with the Chief's office to make sure that the questions don't duplicate the Chief's presentation material and that would supplement the Chief's 15-minute presentation.

Lewi said he had previously proposed that the September eBlast should be devoted entirely to the Annual Conference. Should we use Constant Contact or InfusionSoft? The unofficial deadline is the middle of September. Chernock asked Lewi to talk off-line on this as to whether we can currently use InfusionSoft. If not, it will be one more time with Constant Contact. Bell said that Masini will give Lewi the necessary contact data for this eBlast through Constant Contact.

D-11 Ad Hoc Bylaws and Policies Review Committee (BPRC)

No report.

D-12 Ad Hoc Fund Development Committee (FDC)

No report.

Approved 09-22-15

D-13 Ad Hoc Succession Planning Committee (SPC)

Chair Kunkle said that he has recently distributed a draft document on succession planning to SPC members. He expects submission to the Board for the October meeting.

E. Action Agenda

None.

F. Director Comments

None.

G. Adjournment (8:43 PM).

Respectfully submitted,
Jim Ragan, Secretary