

MINUTES OF THE CRIMINAL LAW SECTION
STATE BAR OF MICHIGAN
November 16, 2010

Members Present: Michael J. Brady, David E. Gilbert, Steve B. Lockhart, Gerald S. Surowiec, Graham L. Teall, Stephen Gobbo, Daniel M. Levy, Charles H. Marr, M. Jon Posner, Jonathan Sacks, Kiana Evelina Lee Franulic , Barbara R. Levine, Honorable David A. Hoort, Kenneth Malkin, Michael J. Marutiak

Also Present: Bruce Timmons, Special Guest Ralph Simpson

I Call to Order by Ken Malkin 6:38 p.m.

- a. Absence with notice: Ward F. McDonough, Jr., Matthew P. Smith, Stephen M. Taratuta, Elaine Spiliopoulos, Opolla Brown
- b. Absent without notice: Lynn B. D'Orio, David S. Leyton,

II Approval of Agenda

Amendments made to agenda, motion made and seconded. Motion to approve carried

III Approval of Minutes for October Meeting Deferred- Taken by Steve Taratuta

IV Treasurer's Report

Presented by Judge Hoort. Motion to approve was made and seconded. Motion approved without objection

V New Business

- a. Motion to Approve Authorization for Compensation for Elaine Spiliopoulos as follows: \$1,000.00 per News letter
\$1,000.00 per seminar
 - Motion by Charles Marr
 - Support by Steven Gobbo Passed
 - Motion passed
 - Title will now be Editor and Seminar Coordinator
 - Title formalized by Motion
- b. Motion by Barb Levine to oppose Bail bond Changes and draft resolution- Marr Supports -15 votes passes unanimously
- c. Election Committee- Motion to Destroy ballots from last election- approved to destroy
- d. Motion for counsel to oppose victim's crime fund 5661- increases crime victims assessment and applying the CVF fees to Statewide Trauma Center by Judge Hoort, second by Marr, 15-0 approved
- e. Discussions

Budget Review- Chair Malkin Appoints Committee to Review and Recommend Budget

Budget Chair- Honorable David A. Hoort
Members: Gerald Surowiec

David E. Gilbert

Steve Gobbo Moves to Appoint a Membership Committee – Approved
Chair- Kina Franulic

f. Goals for 2010-2011

A. Indigent Defense Reform discussions

- a. Chair suggests inviting Laura Sager to a future meeting
- b. Possibly Hire Lobbyist - Chair requests Elizebeth Lyons [Lobbyist for the State Bar] to speak in December
- c. White Collar Crime- Anit-trust Section [200 members] is planning an anti-trust and SEC crimes seminar- Possibly co-sponsor seminar with Andrew Morganta [sp] Chair of Anti-trust section- Graham Teal volunteers to be contact person regarding the co-sponsorship

VI Committee Reports

- A. Bylaws- Charles Marr presents, discusses (1) addressing dues annually in a more efficient manner than present, (2) Electronic Voting, and (3) Allowing Chair-Elect to not have to run for re-election to the board while Chair Elect – May have ready for the next meeting
- B. Shanty Creek- Jon Posner- the Budget is set; this year it will be Sat-Sun instead of Sun-Mon; Subject will be the new Super Drunk Driving Laws
- C. Mackinac Island- Chair Charles Marr- Mike Marutiak and Graham Teall- Also looking at Mission Point and Grand Traverse for economy and greater attendance
- D. Young Lawyers- Kianna Franulic- nothing new since last meeting
- E. Legislative-
 - a. Defense access to lien –Graham Teall- MCL 28.214 allows Pros to disclose info regarding LIEN to Defense- discussed amending statute to allow information to defense- Graham and Jonathan Sacks will investigate
 - b. SORA Jonathan Sacks- re: amending SORA to be consistent with Federal law- Jonathan to prepare resolution on SORA and Federal Statute
 - c. Bruce Timmons- (1) presentence report bills (2) 5666 funding for statewide trauma center (3) crime victims compensation fund, (4) wrongful conviction compensation, and (5) Bond posting may not carry over to appeal

VII Chairs Report

- A. Next meeting will be at the University Club in East Lansing

VIII Good and Welfare

IX Next Meeting 12/20/10 6:30

X Adjournment Motion to Adjourn 9:00 p.m.

Respectfully Submitted,

/David E. Gilbert/
David E. Gilbert
Secretary