

**STATE BAR OF MICHIGAN
CRIMINAL LAW SECTION**

October 20, 2015
Walnut Hills Golf Club, Copper Restaurant
Lansing, MI

Attendees:	Steve Gobbo, Judge Caprathe, Stephanie Farkas, Elaine Spiliopoulos, Ken Malkin, Michael Brady, Charles Sherman, Bruce Timmons, Bill Winters, Opolla Brown, Steve Taratuta, Josh Blanchard, Christine Piatkowski, Judge Clarke, Judge Manderfield
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Absent: David Gilbert, Kimberley Reed Thompson, Mike Marutiak, Ryan Zemke, Charlie Marr, Ward McDonough, Matt Smith, Sherrie Guess, LaNita Haith, Erane Washington

Unexcused: None

I. Call to Order –

- Steve Gobbo called the meeting to order at 6:30pm
- Introductions of Council members
- Resignation of LaNita Haith – Steve Gobbo explained how executive officers can resign from elected seat to be able to open council position for remainder of term for recruitment.
- Steve Gobbo made a motion to accept resignation, seconded by Steve Taratuta. Motion carried unanimously.
- Discussion regarding recruitment and opening positions.
- J. Manderfield discussed potential for MJA filling position – recommends Judge Jamo.
- K. Malkin motioned to accept Josh’s resignation due to his officer position. Judge Manderfield seconds. Council unanimously accepts resignation of council seat.
- S. Gobbo - 2 positions now open on Council

II. Secretary’s Report/Meeting Meetings

- K. Malkin moved to approve minutes of May 19, 2015 from last council meeting, Annual Meeting, and e-vote, with friendly amendment by Opolla Brown for minor corrections.
- S. Gobbo called to vote – Taratuta affirms
- Motion carried unanimously by Council

III. Treasurer’s Report

- S. Gobbo opens discussion regarding preliminary financial reports

- Opolla moved to accept the reports. Seconded by Taratuta. Carried.

IV. Committees

- Shanty Creek committee. Mike Brady added to committee. Judge Caprathe offers to be on committee.
- Elaine suggested having another YLS representative on committees and offering scholarships for young lawyers for CLS conferences. Gobbo will defer to next meeting when we discuss budget issues.
- Frankenmuth/Traveling Roadshow/Policy Conference – Gobbo provided that C. Marr would like to take the lead with Frankenmuth training conference, combined with policy program. Mike M. and S. Farkas join committee.
- Malkin discussed background of the conference
- Judge Clarke volunteered as part of committee
- Advertising – S. Farkas asked about social media. Recommended including as part of committee. Council discussion re committee. Farkas volunteered to consult with Mike.
- Gobbo discussed outreach.
- Annual Meeting/Nominations. Mike M. for nominations committee. Incoming chair tied to committee. Malkin interested. Steve as well.
- YLS – discussion re recruitment.
- Legislative – Bruce continues as chair. Steve suggested to combine with court rules. S. Farkas volunteered for committee.
- Amicus – Opolla volunteered to chair. Christine and Ken volunteered to help.
- Ken discussed possibility of lobbyist for CLS. Clarke has some issues with that re public policy positions with SBM and various other groups. Brady brings up issues with finances and the group acting as a policy arm and potential for it to harm us. Opolla agreed with Brady.
- Gobbo charged Malkin with responsibility of investigating proposals, including costs.
- Farkas commented re programming. Gobbo recommended developing a proposal.
- Malkin suggested re adding in section membership with program fees.

V. Representatives to the Council and Other Reports or Discussion

- Indigent Defense commission – J. Sacks
- Discussion of SADO representative. Steve will contact SADO.
- CDAM – Ken. Conference in November.
- Criminal Jury instructions – Gobbo talked to Bill. Interested in a liaison. Steve will reach out.
- Criminal Justice Initiatives. Heather prior rep. Elaine contacted SBM. Will let Council know.
- Criminal Jurisprudence & Practice. Opolla and Bruce. Bruce will mention that we need someone.
- Prisons & Corrections. Mike M.

- PAAM. – Dave Gilbert. PAAM can send another liaison if they want since Mike has an elected position on Council.
- Children’s Law Section - Christine
- MJA – Judge Manderfield
- District Court Judges – Judge Clarke
- Board of Commissioners – Erane Washington (non-voting)
- S. Gobbo requested written reports from groups/committees before meetings for efficiency purposes.

VI. Legislation/Court Rules

- Discussion re recommendations re notice and topics for discussion. Gobbo asked Council to submit any topics by weekend before meeting
- Bruce sent email re pending legislation
- Forfeiture bills on governor’s desk.
- Presumptive parole passed House – getting a lot of attention.
- Child abuse registry bills – just introduced – time to discuss
- Change in age of criminal responsibility – 20 bill package. Christine gave some overview/background re issues associated with the bills – children in prison system. Children’s Law section supported most. Funding is an issue.
- Council expresses interest in looking at juvenile bills. Christine will send more info to council.
- Mens rea bill – passed in House. Discussion re the bill.
- Wrongful imprisonment bills – both out of committee and on floors of respective houses.
- Bills re warrant/searches – resident consent/exception re search
- Felony firearm bills – out of committee
- Malkin asked about presumptive parole bills and schedule – not on fast track – time for council to consider
- Manderfield raised questions re parole bill – discussion re bill. Will defer to next meeting.

VII. Projects/Other

- Gobbo open discussion.
- Good and welfare – Memorial donation for Kim’s mother. To Justice, Unity, Generosity, and Service.
- Manderfield questioned donation and Taratuta discussed history of council providing same
- Steve motioned for a donation to not exceed \$100, seconded by Opolla
- Discussion to review in a case by case basis
- 14-0 vote in favor of motion
- Christine thanked council for sponsoring program on collateral consequences. Conference at Eberhard center in Grand Rapids Thursday and Friday – can register on SBM website

VIII. Adjournment

- Opolla motioned at 8:15pm, seconded by Steve