

CRIMINAL LAW SECTION COUNCIL
Minutes for December 16, 2008

MEMBERS PRESENT: Matthew P. Smith, Kenneth M. Malkin, Stephen M. Taratuta, Hon. John T. Hammond, Elaine Spiliopoulos, Graham L. Teall, M. Jon Posner, Barbara R. Levine, Stephen J. Gobbo, Ralph C. Simpson, Charles H. Marr, Michael J. Marutiak, Gerald S. Surowiec

OTHERS PRESENT: Daniel M. Levy, James Shonkwiler

ABSENT WITH NOTICE: Michael J. Brady, Opolla Brown, David E. Gilbert, Erika S. Julien, Martin P. Krohner, Bruce A. Timmons

ABSENT WITHOUT NOTICE: Elias J. Escobedo, Jr., David S. Leyton, Steve B. Lockhart, Patrick M. O'Connell, Mary C. Pino

The meeting was called to order at 6:34 p.m.

The agenda was approved by consensus.

APPROVAL OF MINUTES

Minutes for November 18, 2008 were approved.

Council members and especially past secretaries were asked to submit minutes from prior years to the secretary as soon as possible. Minutes from prior years have been received thus far from Kenneth M. Malkin, Matthew P. Smith, Graham L. Teall and Opolla Brown.

TREASURERS REPORT

There is no Treasurer's report due to the year-end audit by the State Bar.

SHANTY CREEK

A report was given by Stephen Taratuta and Jon Posner about the program and speakers for the upcoming conference to be held from February 15 through February 17, 2009.

LEGISLATIVE UPDATE

Ken Malkin reported on his latest information regarding the status of the preliminary examination bill that passed the House. Barb Levine reported that very little criminal law legislation was expected to pass in the lame duck session.

MACKINAW CONFERENCE

The Chair appointed a committee of Jim Shonkwiler, Graham Teall, David Gilbert, Charles Marr for this conference. Jim Shonkwiler discussed having the topic for the conference relate to mental health issues. Shonkwiler also announced that this would be his last year coordinating this event. A discussion ensued about having the State Bar coordinate this event in the future.

Motion was made to table a discussion about having the State Bar coordinate the Mackinaw Conference until a later date. Motion carried.

CONFERENCE COORDINATOR

Ken Malkin presented his proposal to be a program coordinator for council programs and seminars. He proposed his duties begin at the next Annual Meeting and having only his expenses covered prior to that date where he would be expected to attend any programs or conferences as part of his preparation. The committee on Management of Conferences will consider the proposal and report to the Council at the January meeting.

ELECTRONIC DELIVERY OF NEWSLETTER

A discussion was held about the suggestion by the Newsletter Editor to consider electronic delivery of the newsletter in order to keep our costs down.

A motion was made to survey the membership about the acceptability of the electronic delivery of the newsletter. Motion carried.

CAPPS

The Citizens Alliance on Prisons & Public Spending is facing financial difficulty. The Council discussed the possibility of making a donation or match donations made by section members. A report will be made at the January meeting by Barb Levine prior to the Council taking action.

LEGISLATIVE UPDATE (Continued)

Dan Levy reported on an update of recent legislative activity provided by Bruce Timmons.

Meeting adjourned at 7:59 p.m.