

MINUTES OF THE CRIMINAL LAW SECTION  
STATE BAR OF MICHIGAN  
March 15, 2011

Members Present: Michael J. Brady, David E. Gilbert, Sherrie Guess, Graham L. Teall, Stephen Gobbo, Daniel M. Levy, Charles H. Marr, M. Jon Posner, , Barbara R. Levine, Ward F. McDonough, Jr., Matthew P. Smith, Stephen M. Taratuta, Lynn B. D’Orio, Honorable David A. Hoort, Kenneth Malkin, Michael J. Marutiak, David S. Leyton, Opolla Brown.

Also Present: Bruce Timmons, Thomas Rombach, Elaine Spiliopoulos

I. Call to Order by Ken Malkin

- a. Absent with notice: Steve B. Lockhart, Jonathan Sacks, Kiana Evelina Lee Franulic
- b. Absent without notice: n/a

II. In Memory of Gerald S. Surowiec

- a. Moment of silence observed in Gerald’s memory
- b. Information supplied for donations in his memory
- c. Sherrie Guess nominated to fill Gerald’s empty seat; motion passes unanimously
- d. Motion made to donate \$250.00 to the Frances Carpenter Endowment Fund with the Redford Township District Library on behalf of Gerald S. Surowiec approved by unanimous vote [18 for, 0 against, 0 abstentions]

III. Approval of Minutes- David E. Gilbert

- a. Motion to approve minutes from January 18, 2011 Meeting
- b. Minutes approved by board

IV. Treasurer’s Report- Hon. David A. Hoort

- a. Presented proposed budgets for 2011 and 2012
- b. Motion to approve Treasurer’s Report
- c. Report approved by vote

V. Committee Reports

- a. Bylaws- C. Marr
  - i. Re: election of officers- automatic
  - ii. Proposes Officers will automatically succeed to next level, and automatically a section member while in office
  - iii. Motion made for approval of changes as proposed for presentation at the annual meeting
  - iv. Motion carried unanimously
- b. Shanty Creek- Stephen M. Taratuta
  - i. Considering moving someplace else based on service, price and value
  - ii. Considering Crystal Mountain and Boyne; to check prices for winter meeting
- c. Mackinaw Island meeting- Charles Marr

- i. Announces alternate places to stay at different rate from the Grand Hotel
      - ii. 50 rooms at Mission Point- \$199.00/night double occ and kids under 18 stay free; 15 rooms at Murray's \$165/night double occ
      - iii. Subject will be Medical Marijuana
      - iv. Recommending \$75.00 registration fee
      - v. \$18,000.00 approved unanimously by board for budget
    - d. Young Lawyers Section- Opalla Brown
    - e. Membership- Not present
    - f. Budget Committee- Hon. David A. Hoort
      - i. Motion made to reduce newsletters to 8 per year- Approved
    - g. Annual Meeting- Michael J. Brady
      - i. Currently in planning stages
      - ii. Date of annual meeting set for September 16, 2011
- VI. Legislation and Court Rules
- a. Defense access to lein- deferred
  - b. Expunction: HB 4106
    - i. motion to support:
    - ii. Motion carried: 18 for, 0 against, 0 abstain
    - iii. Section free to coordinate with other sections
  - c. Prisoner I.D.: HB 4074, HB 4075, HB 4076, HB 4077
    - i. Motion to support in principle
    - ii. Motion carried: 17 for, 0 against, 1 abstain
    - iii. Note: prosecutors Association supports bills
  - d. SORA: SB 188, SB 189, SB 206
    - i. Motion to support in principle
    - ii. Motion carried: 11 for, 5 against, 2 abstain
  - e. Custodial Interrogations: SB 152
    - i. Motion to support in principle
    - ii. Motion carried: 16 for, 2 against, 0 abstain
    - iii. Those opposed don't believe the legislation goes far enough
  - f. Legislative Report- Bruce Timmons
    - i. HB 4327- deferred to next meeting
    - ii. HB 4164- Deferred to next meeting
    - iii. SB 246+247- Competency laws for juveniles- need to watch
- VII. Chair's Report: Kenneth M. Malkin
- a. Lobbyist Proposed RFP discussed
  - b. Motion to adjourn 9:03 p.m.
- VII. Next Meeting April 19, 2011

Respectfully Submitted,

/David E. Gilbert/  
 David E. Gilbert  
 Secretary