

**STATE BAR OF MICHIGAN
PRISONS AND CORRECTIONS SECTION
COUNCIL MEETING MINUTES
STATE BAR BUILDING, LANSING**

April 18, 2009

PRESENT: R. Stapleton; R. Beracy; M. VanDusen; S. Girard; B. Levine; J. Shea; A. Watts; K. Schaefer (by phone); D. Manville; P. Streeter; M. Marutiak; N. Holbrook.

ABSENT W/NOTICE AND EXCUSE: S. Gobbo; R. Johnson; J. O'Donnell; A. Laws-Wright; D. Moffitt; C. Green

ABSENT WITHOUT NOTICE: None

The meeting was called to order at 10:03 a.m. with a voting quorum present.

B. Streeter made a motion to adopt the meeting agenda and the March meeting minutes as written. Motion seconded by J. Shea. Unanimously approved by voice vote.

An update from the Ad Hoc Committee on Juvenile Justice Law was tabled until May.

DISCUSSION/ACTION

Discussion/Vote on Earned Credits Policy Position:

It was reported to the Council that the requested notifications of the policy position statement (adopted in February) to legislators and the media were done.

- **Fall "Balancing Our Priorities" Symposium:** D. Manville; K. Schaefer; B. Levine; N. Holbrook; M. VanDusen

A consensus was reached on the date of Thursday, October 8th for a three-fourths day symposium. The Council delegated authority to the Task Force members to decide the location and make the arrangements without further approval. The Council members made various suggestions relating to the proposed program agenda. The Task Force will consider a cost of \$45/per person for non-Section members and a cost of \$25 for Section members, with Section membership for 2009-2010 included for attorneys with the \$45 cost. Several Council members agreed to contact certain proposed panelists for confirmation. The symposium will be discussed further at the Council's May meeting.

- **Newsletter:** A. Watts.

The Section will issue an electronic version of newsletter this year. D. Manville, B. Levine, and M. Marutiak volunteered to write articles or news items and selected topics and forward them to A. Watts. The Council requested a blurb on DOC policy changes during the last year.

- **HB 4130 (Release of Certain Prisoners for Purpose of Deportation):**

HB 4130 was read and discussed. A motion was made by S. Girard and seconded by D. Manville to support the bill in principle. A roll call vote of voting members was taken. Motion adopted 8-0-1. The Chairperson will notify the Bar through the established procedures, notify Council members when the Bar acknowledges our report, and send a courtesy letter informing Representative Alma Smith, the sponsor of the bill.

The Council also established a Task Force comprised of J. Shea, N. Holbrook, S. Girard and B. Levine to draft some constructive suggestions for improvement of the bill and for submission of those suggestion to the Council and to Representative Smith.

- **Proposed Change to Judicial Cannon II:**

In response to a request from the Representative Assembly, the Council discussed a proposed change to Judicial Cannon II entitled “The Hiring of Court Employees”. The Council, by consensus, asked the Chairperson to convey to the Assembly’s representative concern over the following:

1. The proposal is overly broad and the impact is unclear;
2. The draft change in the language of the Cannon does not align itself with the “background” and “synopsis” sections of the proposal;
3. The Council is further concerned about the impact the change would have on assigned council.

- **Program for Annual Meeting in September:**

The issue was tabled until the May meeting when a report on the Criminal Law Section’s plans will be available.

NEXT MEETING: Saturday, May 16, 2009, at 10:00 am, at the State Bar. Key topics will include plans for the fall symposium, legislative and Representative Assembly initiatives for Council consideration, newsletter, and a program for the annual meeting in September.

M VanDusen made a motion to adjourn, seconded by J. Shea. Meeting adjourned at 12:17 p.m.

PRISONS AND CORRECTIONS SECTION

Michael J. Marutiak, Chair