

STATE BAR OF MICHIGAN
PRISONS AND CORRECTIONS SECTION
COUNCIL MEETING MINUTES
October 20, 2007

PRESENT: Sandra Girard; Barbara Levine; Enid Livingston; Michael Marutiak; Patricia Streeter; Kevin Thom; Adrienne Watts; Mike Barnhart; James O'Donnell; Steven Gobbo; Natalie Holbrook (AFSC); Richard Stapleton (MDOC); Robert Beracy (MSA); Michelle VanDusen (MCA).

ABSENT WITH EXCUSE: Kathleen Schaefer; Rachel Waterbury.

ABSENT WITH NOTICE: None.

ABSENT WITHOUT NOTICE: None.

1. The meeting was called to order at 10:12 a.m. A welcome and introduction took place. An updated Council "contact list" was distributed.
2. The agenda was adopted by voice vote with some additional items (noted below as agenda items 5.5, 6.5 and 9.5).
3. The minutes of the May 19, 2007, Council meeting were adopted as written. The minutes of the annual meeting on September 29, 2007 were approved with the change that Rachel Waterbury was "absent with notice".
4. Information provided by the Bar on the demographics of the Section membership was circulated. As of this month, the Bar shows 144 members of the Section.
5. The following members were unanimously elected or reelected to one year terms as Council officers:
 - Chairperson Elect: Patricia Streeter
 - Treasurer: Steven Gobbo
 - Secretary: Rachel Waterbury
- 5.5. Steven Gobbo delivered the Section's financial report. The Section had a positive balance of approximately \$1,600 at the end of September, although some questions arose about the Bar's charges to our account for several items. The discrepancies should be corrected in the next report.

6. The Council discussed the direction for the upcoming year. Four (4) topics, all falling under the general heading of “Safe Ways to Reduce Prison Population” were selected. The four are: 1) medical paroles; 2) jail credits for PVNS (an issue on which the Council has already taken a public position); 3) “merit credits” or “incentive credits”; and 4) the needs of and issues relating to the mentally ill prior to their contact with the prisoner system. The three (3) new issues for the Council are to be incorporated into the upcoming year’s agenda. The Council will work toward a half-day mini-conference in the spring in collaboration with either the Michigan Corrections Association or the Criminal Law Section of the Bar. An action plan for the conference will be an agenda item at the Council’s November meeting.
- 6.5 The Council then discussed and voted to support HB 5213, a bill to provide for the setting aside of convictions in certain cases. Motion by P. Streeter. Seconded by S. Girard. Thirteen (13) Council members were present at the time (R. Beracy having left) with eleven (11) of them with voting rights. The motion was adopted by a vote of 11-0. The exact language of the Council’s support is to read as follows: “The Section agrees in principle with HB 5213 but also objects that the purpose is defeated by numerous exceptions and restrictions of judicial discretion provided in the bill”. [Note: The Council’s public policy position was forwarded to the State Bar on 10/20/07.]
7. Adrienne Watts gave a status report on the newsletter. A another issue is possible by the end of the calendar year, although there is a need for more material from Section members or others.
8. Patricia Streeter agreed to be the Council’s liaison with the Bar for our web page needs and updates.
9. Enid Livingston gave a report on the recent meeting of the Criminal Law Section. Two members of the Council (Levine and Gobbo) are regular members of the CLS. Michael Marutiak will now serve as the PCS liaison to the CLS with help from Others when scheduling problems arise.
- 9.5 All Council members were reminded that Bar rules require Section Council meeting minutes to specify who was present, who was absent with excuse, who was absent with notice, and who was absent without notice. The procedure for notification of an absence is contact with the Council Chairperson. It would be advisable to “copy” the Council Secretary too. Council members were reminded that notification to the Bar’s routine inquiry about attendance (from Karla) related to the meal count only, not to excused absences or notice of an absence.

Council members were also asked by the Chair to automatically copy the new Chair-Elect, Patricia Streeter, on any matter of substance sent to the Chair.

10. The Council agreed that future meetings should be held on the third Saturday of the month instead of the first Saturday, beginning in November. [Note: A room in the Bar building has been reserved for the third Saturday, November through June, 2008.]
11. The Council was reminded that two (2) vacancies exist for regular membership. The Council will consider making such an announcement in the next publication of the newsletter.
12. **NEXT MEETING:** Saturday, November 17, 2007, at 10:00 a.m. at the State Bar.

Meeting adjourned at 12:14 p.m.

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Michael J. Marutiak, Council Chair