

OACDL Board of Director's Meeting

**December 13, 2018 @5:30PM
Law Offices of Saia and Piatt
713 S. Front Street, Columbus, OH 43206**

OACDL BOARD MEMBERS PRESENT

Shawn Dominy – telephone
Sarah Schregardus – telephone
Craig Newburger – telephone
Brad Wolfe – telephone
Doug Clifford
Mike Streng
Jon Saia
Barry Wilford (retired member)
Zach Mayo
Brian Jones
Blaise Katter
Meredith O'Brien
Joe Humpolick – GoToMeeting
Craig Newberger – telephone
Tim Huey – GoToMeeting
Jon Tyack
Holly Cline

- I. President's Opening Remarks
a. Call to order by Mike Streng at: 5:32PM.

OACDL President Mike Streng Executive Committee Report:

- a. Dues went out, membership is impressively high (highest ever, 710 members).
- b. Marketing package to potential vendors is completed and should go out very soon.
- c. Every committee is working very hard, Streng commends the committees for their monthly meetings and dedication to service.
- d. **Issue raised by Streng: We have never done anything for law day.** Should we be an organization for law day? Board discusses whether or not OACDL should do anything for law day. No commitment at this time.
- e. Over past two years there has been discussion about outsourcing the **public policy committee** work:
 - a. We have researched groups that may be available to us to assist in OACDL's involvement in public policy – info on these groups is in board materials provided by Streng.
 - i. Connie Nolder (two tier system, \$2k/month fee and \$3k/month fee);
 - ii. Remington Road Group (\$3k/month);

- iii. OSBA (Mary Amos Augsburger \$1k/month) two people would be working with her, Todd Book and Maggie Ostrowski.
 - 1. Mary has been the executive director of OSBA since July 2013, also has legislative experience. Worked as the director of policy and public affairs, used to be at Squire Sanders in Government Relations Department, also worked at policy department in Ohio Senate. **Wealth of knowledge and excited to have partnership with OACDL in this way.**
- b. Open question to the Board – **should we farm out public policy committee tasks?**
 - i. Current compensation for public policy \$7500/year paid by OACDL.
 - ii. Joe Humpolick believes we can afford OSBA, not sure about the other options.
 - iii. Saia comments that other state defense associations are heavily into public policy and that **membership increases with state associations involved with the state legislature.**
 - 1. OSBA should be able to help us. OACDL has experience working with OSBA through the traffic committee in the past. Two bills pushed through with OSBA. Huey and Saia know what kind of help OSBA can be to OACDL.
 - 2. From budgeting perspective, we can work with them right now. Let membership know what is going on, that we could have some input in the state legislature.
 - 3. Have to have a pack. Need funding for the pack. Once we have money, increase level of services once there are funds to do so.
 - 4. Streng comments that he is told by Mary that as long as the money is collected directly for the salary of the individuals working with OACDL, we do not need a pack.
 - 5. **Blaise comments that this is a good time to get involved based on the general assembly now.** Recodification on drug issues in Ohio. Issue 1 spooked enough people in the General Assembly that they will not want this on the ballot again in 2020.
 - 6. Huey agrees with Blaise and adds that trying to keep up on the changes in the proposals in legislation is a full time job.
 - a. Huey suggests that a legislative chair from OACDL can work with OSBA to get all relevant information. This could give OACDL the opportunity to get in front of legislation. Also can identify conflicts with OSBA and OACDL.
 - b. Makes sense to add to the public policy budget for OACDL.
 - c. Streng says, public policy committee should stay, Sarah should continue on, perhaps other people could join her on the committee.
 - 7. Barry comments: executive committee has done a great service by looking into this and that the legislative committee has come a long way. **Barry has always thought that one of the central priorities of OACDL should be public policy.**
 - a. Barry believes it is extremely important to keep the legislative committee active.
 - b. OSBA is financially reasonable, but Barry is concerned that it will not help much because the fatal flaw in this is that OACDL will not have a go-to person in the legislature.
 - c. **Barry believes there should be someone who is the point person from OACDL to the legislature.**
 - d. Barry does not believe that OSBA will advance the field very far. They won't put someone in the position to handle the public policy function.

- e. Barry has concerns with one person assuming this entire position – because the whole operation needs more accountability and probably more man/woman power.
 - f. Barry recommends to table this motion for further consideration.
 - g. **Barry believes a full time person from OACDL should be compensated and available to advocate and testify if need be.**
8. Jon Saia says that he’s been asked to testify, that he has been involved in the process and that it can be done with just a point person. OACDL hasn’t asked its members to testify or be involved, that could help fill the void that Barry is referring to.
 9. Doug Clifford would like to have a listserv on the legislative issues. Doug volunteers to be on monthly conference call regarding these issues and monitoring a listserv.
 10. **Blaise also offers to be involved in the legislative committee, several other members feel Blaise would be a great fit for this committee –** Blaise would like to focus on priority bills, OACDL should know what is coming up, even before prosecutors and judges.
 11. Jon Saia agrees that for our membership getting more involved with pending bills and who need to talk with would be beneficial.
 - a. We need to show our membership what this is capable of doing. We have 710 members who can help and who can benefit from OACDL’s legislative involvement.
 12. **Saia makes a motion: OACDL should move forward to retain services from OSBA at the rate of \$1K/month for ONE YEAR to serve as our legislative lobbying group and will discontinue payment to legislative committee chair as no longer a paid position with OACDL.**
 13. **Board votes:** Saia’s motion is seconded by Doug Clifford.
 - a. All in favor – everyone
 - b. No one opposed.
 - c. Sarah abstained.
 14. **MOTION CARRIES. OACDL WILL CONTRACT WITH OSBA FOR \$1K/month for ONE YEAR TO SERVE AS LEGISLATIVE LOBBYING GROUP WITH OACDL.**

II. Minutes Read and Approved

Meredith O’Brien

- a. O’Brien: did everyone review the minutes? Are there any amendments? Is there a motion to accept the minutes? Streng so moves. Doug seconds. Minutes accepted.

III. Old Business

a. Sentencing Commission report

Kathleen Hamm

(no report at this time)

b. OJACC Report

Sarah Schregardus

- 1. Dan Hannon’s last meeting was this month. Continue on as is.

c. Jail Reform Ad Hoc Committee

Ken Bailey

- a. Bailey submitted report. Lawyers and judges are receiving it throughout the State.
- b. **Eric Long: Cuyahoga County might be a good place to start.** Cuyahoga County Jail was just exposed for having 6 inmates die – www.cleveland.com reported the atrocities. Judge Nelson in Cleveland Muni said that he will not place more people in jail. Eric discussed this issue with Judge John Russo, administrative Judge in

Cuyahoga Common Pleas, who has agreed to be more involved with changing the jail system in Cuyahoga County.

- i. Judge Russo said that judges in Cuyahoga County are frustrated because getting mental health treatment in jail has not been happening, so they are trying to make progress.
- ii. At this time, Eric asks the Board for continued support. At the point if there's a stakeholder meeting, and there is an opportunity for attorneys to get involved in the Cuyahoga County jail reform, it would be beneficial to have an OACDL board member present.

d. NLT

Ken Bailey

- a. Proposed speaker list and topics are set – NLT training tentatively set at ODOT May 10th, 2019.
- b. Huey really wants this later than May – is this premature? Blaise agrees. OACDL will do the NLT training, perhaps more than one, but the committee needs to decide on when the first one will be. **Bring this up at next board meeting, decision must be made.**

IV. Treasurer's Report

Joe Humpolick

- a. Refer to the report, but *all* of the seminars are making money, which is encouraging and needs to continue.

V. Committee Reports

a. Membership

Jessica D'Varga, Chair

Zach Mayo, Charlie Rittgers, Charlie Bates, Craig Newburger, Meredith O'Brien

Zach Mayo reports: 710 members is the highest ever.

1. Membership cards are a hit
2. Doug wants secret application form
3. Brian Jones has sponsored a couple of people and their membership lapsed – he would like an alert to the Board member to see if the member has renewed or lapsed.
4. Susan says posters should go into law schools “Don't Go it Alone, Go with OACDL.”

b. Amicus

Russ Bensing

(no report at this time)

c. Strike Force

Dan Sabol, Chair

Brien Pierce, Charlie Rittgers, Doug Clifford

(nothing to report at this time, which is good. OACDL members are behaving in court 😊)

d. Ethics Committee

Jay Milano

1. **O'Brien and Susan:** Ohio Supreme Court facilitated luncheon with defense attorneys, prosecutors, and judges in Cleveland, Ohio.
2. Luncheon was intended to foster an open dialogue between defense attorneys, prosecutors, and Judges regarding the ethics surrounding criminal law practice and case management issues.
3. Moderated in part by Jay Milano, who was pleased that the participants were actually talking about ethical issues in criminal law.

e. Public Policy

Sarah Schregardus

1. HB 411 – wrongful imprisonment, includes Brady violations
2. SB 159 – sealing records after pardon
3. HB 555 – retroactive penalty reduction
4. SB 40/HB 81 – no death penalty for defendants with serious mental illness
5. SB 67/SB 231 - violent offender registry (VOD)
6. SB 201/202/HB 365 – Reagan-Tokes law, requiring indefinite sentences for F1, F2, and F3s.

(Summaries of each of these bills provided by Sarah in board materials)

f. CLE

Doug Clifford, Chair

Blaise Katter, Brad Wolfe, Meredith O'Brien (past chair)

Doug Clifford: CLE Committee has its seminars set through June 2019 with venues and speakers, currently working on June OVI Seminar in Cleveland. Ken Bossin and Meredith O'Brien will take the lead on speakers, still investigating venues. Possible to have the seminar at the Convention Center downtown. O'Brien to check on rates.

Clifford: CLE Committee will be distributing waiver forms to speakers to allow OACDL to take pictures and publish images of speakers on social media and the OACDL website. Doug is also compiling a master list of speakers with contact information and past speaking engagements.

g. Publications

Jon Tyack, Chair

Holly Cline, Dave Thomas, Bryan Hawkins, Shawn Dominy (past chair)

Tyack: OACDL publications can be more of a money making opportunity for OACDL.

1. Holly Cline created a schedule for publications provided at the meeting;
2. Holly is keeping a spreadsheet for the advertisers.
3. Streng says there is an annual marketing package that will be going out.
4. Tyack says the articles are off to a good start, 4 commitments already. Would like an author on the new expungement laws.
5. **Tyack also looking for general authors. April 1, 2019 is next deadline.**
6. Tyack has been approached by a professor at Denison teaches a class on investigative journalism, wants to give his students some real world exposure with lawyers who are willing to be interviewed.

h. Technology

Ken Bailey

Brian Jones: joins the committee. Ken Bailey is looking into getting an update and redesign of the OACDL website but it's pricey. We currently pay a monthly fee and then an hourly fee for small stuff – need to do better. Bailey working on it.

1. Want to get our CLEs online and out to a broader audience;
2. Brian reached out to the Ohio Supreme Court regarding self-study CLEs (long term project);
3. Old seminar content should go on Vimeo (keep it behind a log-in so it protects members);
4. Vimeo will also allow us to put old seminars on a pay to view/streaming basis;
5. Ken is discussing with TCS regarding Vimeo to roll into our current contract with TCS;
6. Ken is working on motions bank for OACDL members as well;
7. O'Brien suggests that in addition to OACDL motions bank, OACDL provide OJI for its members.

i. Senior Committee

Joe Humpolick

Joe Humpolick: Committee is relatively young, they have some members, would like more.

1. Senior Committee meets monthly by phone/skype;
2. Senior Committee has 4 hour seminar planned on the issues surrounding lawyer retirement (How to retire. How to close down a law office. What to do on your first day of retirement). Date and Location TBD.

VI. New Business

- a. Law Day – May 1, 2019
(Already discussed)

Michael Streng

Next meeting is before DUI Seminar in March (3/7/2019). Board Meeting Thursday morning 9-10AM, then committee meetings 10AM – 11AM, then the seminar.

- **Dinner the night before.**
- **Advanced DUI Seminar is at the Crowne Plaza in Dublin.**

VII. Adjourn

Streng: Motion to Adjourn; Clifford second; all in favor. Meeting concludes at 7:23PM.

Next regularly scheduled meeting: March 7, 2019.