

February 9, 2009

Minutes of the NMADCP Board of Directors Telephonic Meeting

Attending: Angela Peinado (AOC), Peter Bochert (AOC), David Borunda, Virginia Acosta, Ginger Sloan, Erma Sedillo, Carlos Gonzales, Judge Clingman, Cynthia Ferrari, Connie Warren, Judge Jaramillo and Judge Schultz.

Absent: Judge Baca

Meeting began at approximately noon with Angela suggesting Cynthia (Vice President) start the meeting and then let Judge Jaramillo proceed as soon as she got on the phone line. Cynthia asked if there were any questions, comments or revisions to the minutes from the retreat. There were none. Cynthia asked for a motion to approve the minutes, which was entered by Ginger with Judge Clingman seconding the motion. At this point President Jaramillo came on the line. Judge Clingman asked if there were any lingering issues on by-laws. Peter reminded all that the motion was on the floor about the minutes. President Jaramillo then called for a vote.

Motion & Vote: vote was unanimous that the minutes of the NMADCP retreat be accepted.

President has feedback on her phone line so she hangs up and re-dials back in to the meeting. She asks if there are any other issues from the retreat. Peter mentions that he wanted to consider Erma's suggestion for designating Las Vegas as a training location/regional training site (and not Taos). Erma mentioned she did not recall her idea but it was a better suggestion to have Las Vegas as a site.

Motion & Vote: President Jaramillo makes a motion to change the site from Taos to Las Vegas, which Erma seconded. No one had anything for discussion on motion and the vote was unanimous for the change.

President Jaramillo visits old business and in particular the membership letter she drafted and sent to the board members. Peter mentions that on page 2 in the first paragraph, there was a typo that should read implementation (and not implantation). President Jaramillo related she would correct it and get the letter out tomorrow to the membership. Angela asked if it would sent (to the membership) via the list-serve from the AOC. President Jaramillo responded to her that yes, the letter can go out via email. She can scan it after corrections and send it out.

President Jaramillo moves to new business and asks for the treasurer's report.

Ginger related that, as of today, the NMADCP has \$11,712.45 IN FUNDS. She related that the Association received \$750 IN CHECKS, Paid \$18 (via 2 checks, one for \$8 and one for \$10) to the PRC, paid \$137.30 for Judge Clingman's room, paid \$205.50 to the State Bar for the retreat and paid \$150 to a woman presenter from the conference. The \$400 check from True Touch remains outstanding at this time. Ginger mentions that the flight for Carolyn may be pending but Angela mentions that may be paid for by NDCI.

Motion & Vote: President Jaramillo makes a motion to accept the treasurer's report, which was seconded by Cynthia Ferrari. The vote passed unanimously.

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President Jaramillo asks for an update on the drug court day at the Legislature. Angela presented that it went well and thanked Judge Jaramillo for presenting there. She mentioned there were 6 tables and great speakers; she thanked Carlos for speaking there too. Angela mentioned that if we want to do it again next year we would need to do it early. Peter mentioned that we got more media interest this time but not many legislators. President Jaramillo asks if there are any ideas or suggestions for improving it and Peter related he had no ideas right now. Angela mentioned serving food. President Jaramillo said she was glad to see that the Chief Justice places drug courts high in funding priority.

President Jaramillo then goes to reports from each subcommittee. Judge Clingman begins with By Laws committee. He related he received the current by-laws and a copy of the incorporation and has sent an email to committee members asking each what information we want to change in the by-laws. President Jaramillo mentions that we should add some things, like inactivity of members as suggested by both Cynthia and Virginia. Judge Clingman said he would put a list together and send it out to everyone so we can put together a draft. President Jaramillo asks if there are any other issues. Judge Clingman mentioned that there was one idea to have a drug court person from AOC as a member on the board. Cynthia asks that if we were to have a meeting has everyone read the by-laws. Judge Clingman continues saying we are a nonprofit but questions if we have applied for that status with IRS. Erma stated that we are a non-profit with the State but not with the federal government/IRS. She said that in the other corporation she has been involved with, it cost \$750 to apply and register for that status. Peter asks Carlos in regards to another organization's effort to become 501c3, was that fee also in effect and Carlos relates it was not but that he will check with a friend on the fee. Erma asks Carlos was there lots of paperwork involved and Carlos replied that yes, there was a great deal of paperwork. He stated he would look into the fee matter and Erma suggests that maybe the information is online. President Jaramillo related that a group here did it and she can find out about the process. She will email the board and asks Carlos to do the same about their findings. President Jaramillo suggests that information be gathered and then see what committee will be responsible for doing it (The Funding Subcommittee had mentioned 501c3 as a possible task). Erma stated that she would save the paperwork too regarding what the other nonprofit did as it will help out with our process. Judge Clingman stated that we are a lot further ahead than he thought since we have a set of by-laws already and Erma agrees. President Jaramillo brings up the inactivity issues regarding board members. Discussion followed with Judge Clingman inquiring if we want a rule if someone misses so many meetings. Erma stated that they can give a proxy or be excused; she suggests 3 unexcused meetings in a row be the rule. Peter stated that the proxy issue is not in the by-laws at the moment. Erma stated that it would be helpful to have the proxy by email as it is good to have documentation. Judge Clingman stated a proxy needs to be in writing in the corporate world. Peter mentions that we need to clarify if the proxy could go to a board member or to someone else.

At this point, Judge Schultz joins the telephone conference call.

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Discussion continued with Judge Clingman mentioned that there needs to be some language to accomplish what we talked about. President Jaramillo clarifies that we have an outline with the 501c3 issue and the suggestion of written proxy to another board member. Peter mentioned that we need the proxy issue to be written. Erma asks Judge Clingman if he could put the changes in red and Judge Clingman mentions that he will get something written about it. Erma volunteers to help him. Discussion continued about the need for language in the by-laws about the 501c3 application. Carlos mentions that there should be some language in the by-laws and there was a \$750 fee (he is looking online at this point) if the gross receipts are more than 410,000 annually over a 4 year period and a \$300 fee if the gross receipts are less than \$10k. President Jaramillo asks Erma if we file with the State and Erma replies that no, we do not file with the State. Carlos relates it's called a required user fee payment. Peter then states that we take in more than \$10K and it puts us in the higher bracket. President Jaramillo states that we need to take a look at the application form and then determine if we need language in the by-laws. Judge Clingman states that he will draft the ideas, to include the proxy voting and AOC members so the board can review it. Erma asks that as far as the AOC member, it would be either Peter or Angela. After a brief discussion Erma states that it is up to the director of the AOC to decide which person would be on the board.

President Jaramillo brings up her committee, the training committee. She said that the plan is to contact drug courts in each region and the first thing to do is the general membership letter and then contact major courts in each region to do the training. Cynthia suggests that there is a time frame consensus and a training agenda, perhaps with a survey to get input. Cynthia stated that with the committees we need to get members to join the committees. Judge Schultz asks if there has been any discussion of the Children's Law Center to help with training. Judge Jaramillo comments that is perfect and we are looking for people with expertise; she suggests to Judge Schultz that she join the training committee. Angela added that she did talk to JEC regarding helping with the retreat but she was told they had no staff. She said the Children's Law Center, as part of the JEC, was working with the legislature. She said that Pam Lambert had said they could give suggestions but would not be able to coordinate training. She related that they do have a list of speakers and she reminded the board that we should use Carolyn and NDCI's trainers. Cynthia mentioned that we should do a survey of interest as each area may have unique needs and could suggest trainers. President Jaramillo agreed that we should identify who wants to work on the committees and then do a survey for topics and speakers. Connie mentioned that she has a lot of training experiences and wanted to be on the training committee. Judge Schultz related that he would be happy to be on the committee. She stated she would be released on March 10th and is now the Bionic Judge. She related she would just need our understanding and compassion as she recovers from her surgery. President Jaramillo replied affirmatively and asked Judge Schultz to let us know how she's doing.

Judge Clingman excuses himself as he has a jury coming in at 1 pm and he leaves the phone call.

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Peter states that several people did not attend the retreat and mentions Judge Baca, David, Connie and Judge Schultz. President Jaramillo encourages those individuals attending to speak up and there is a lot of room to serve (on the various committees). She stated that she has asked Janet Blair (media rep from Metro Court) to help us on the Public Relations Committee and that Janet is very good. President Jaramillo mentions that training is important and we can use the p. r. committee to help us with that effort.

President Jaramillo calls on Erma for the legislative committee. Erma has not done anything and apologizes to the board. Judge Schultz mentions that she talks to legislators any time she can and asks, as board members, are we all doing that. President Jaramillo mentions that drug court is a priority for the Chief Justice and he said so in his State of the Judiciary address recently. Peter then adds that the chief Justice, in his FY 09 budget cuts discussion, mentions 94% of the budget is staff. The cut for FY 09 is 1.4%. Revenue projections are due out this Friday. He said Senator McSorley is carrying the Drug Court Bill and doubts the Senate Finance Committee will hear it as there is no new money and that we are trying to protect base budgets. Judge Schultz thanks Peter and tells him she appreciates the update.

Resource committee was called on next by President Jaramillo. Cynthia said she is waiting for members and will go from there. President asked if this committee does forms and was told yes by Cynthia, who related that Carolyn had said at our retreat that we needed releases from each court for the information. Cynthia stated she would like the resource committee to partner with Erma on resources for the legislature matters. Erma stated she liked that idea. President Jaramillo asked Cynthia if we send forms to her and then mentioned that she can scan a confidentiality release form (from a drug court monograph) and send it to her. Cynthia then states that she knows Angela and Carmen have done stuff on forms and inquires about the status of that work. Peter stated that the forms came to him and Carmen and it's on CDs. He relates most of the information is scanned and not in condition to use. Cynthia questions that it's not on the NMADCP website and Peter relates no. He explains that there was an issue with Brad, who didn't like the images so he didn't post them on the website. Peter relates that he and Angela are working with JID, which has a NMADCP web page pending right now. He said that they have lots of documents but can't post yet. Peter recommends a change to the letter to the membership because the draft does not ask members to select a committee. Discussion followed about the letter and the letter from each chair person. Virginia asks how will we pay or arrange for the committee members to meet. Angela suggests we see how much time we need to meet to do our goals and then let AOC know if those could be covered. Cynthia then asks if we had a time goal for each committee as hers is ongoing but others may not be. President Jaramillo relates that the time goal depends on the type of response we get. President Jaramillo stated that if we could do the letters now (letters from each chair person) and we can talk about it at the March meeting. Discussion followed and peter indicated he would try to get a cost estimate for a 5 port conference call and a 10 port conference

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phone call for 1 ½ hour in duration. Erma stated that we don't know how many meetings we will have and we need the cost. Judge Schultz asked if some of the subcommittee meetings could be combined and that it would save money. Peter agreed that it would save money (to combine subcommittee meetings). Erma stated that Carolyn told us at the retreat that we need more membership and we need to be, as an association, for self-sustaining. President Jaramillo said that this is our year to re-develop ourselves as NMADCP; there will be some costs in the beginning. She related that she could combine her meetings as well and there are a lot of things we can do to save money.

Funding Committee was then called upon by President Jaramillo and Virginia presented that she is waiting for members and the 501c3 status remains open at this point.

Membership Committee was then called and Ginger presented that she's been researching other states such as Louisiana and California. They do charge for membership fees and charge more for their annual conference. She said she's ready to go it alone on the subcommittee should no one join her. She also indicated that we need to give something for our fees, such as a newsletter. She stated that we have to put something about dues in the by- laws.

Alumni Committee was called upon and Carlos presented that he hopes coordinators will contact him. He welcomes alumni and coordinators and others with good ideas to help him.

President Jaramillo calls upon Erma's 2 committees. Erma mentions that she will check the by-laws on nominating information and will defer to the by-laws. Angela added that we need to consider how elections will take place this year and Erma replied it would be via email. President Jaramillo asked if there was anything to add to the by-laws. Erma mentions she will get with Judge Clingman. Judge Schultz stated that things looked good. David mentioned that things also look good and he thanks the board for their understanding (of his absence at the retreat due to his wife's surgery and grandmother's illness). He related that he would like to work on the membership committee and with Carlos on the alumni committee. President Jaramillo asked if there were any other issues; there were not with the exception of the letterhead. Virginia related she'd send the letterhead and envelope to the President today. Our next meeting is March 9th.

Motion and Vote: Motion to adjourn was made by Ginger and seconded by Angela. We all agreed to adjourn and the meeting did adjourned.

Our Mission Statement:

Drug courts are an effective and cost-saving alternate to incarceration. The mission of the New Mexico Association of Drug Court Professionals is to promote fidelity to the drug court model and support best practices by providing technical assistance, training, education and resources for emerging and established drug courts.