



**NACM Governance Committee  
Conference Call Meeting Minutes**

A conference call via telephone and online webinar of the NACM Governance Committee was held on Wednesday, December 20, 2017 at 2:00 PM (EST). The meeting was called to order at 2:00 PM (EST) by Greg Lambard, Chair. The meeting proceeded as follows:

**I. Roll Call and Introductions**

The following committee members and guests were present:

- TJ BeMent
- Kevin Bowling
- Russell Brown
- Vicky Carlson
- Julie Dybas
- Peter Kiefer
- Greg Lambard
- Rick Pierce
- Janet Reid (NCSC)
- Alyce Roberts
- Will Simmons
- Angela VanSchoick
- Mark Weinberg

**II. Review of Minutes**

The minutes from the November 15, 2017 meeting were reviewed and approved as submitted.

**III. Operations Sub-Committee Update**

Julie Dybas reported out for the operations sub-committee. They had a call yesterday and have updated the review dates for items listed in the appendix of the operations manual.

**IV. Ethics Sub-Committee update**

Peter Kiefer provided an update on the work of the ethics sub-committee. He first noted that we may want to remove one of the two versions of the Model Code from the NACM website. There is one with comments and one without comments. Janet Reid said that we could make the version with commentary available only to members, or we could simply remove the version with commentary.

The work on a possible new canon addressing issues surrounding problem solving courts continues and will most likely continue well into 2018. The opinion of the sub-committee is divided on whether a new canon is needed or whether the existing canons are sufficient. Peter was asked about the types of ethical issues that would be unique to problem solving courts and he provided the following examples:

- These courts tend to be “advocacy courts” and so there is a possible bias toward the mission of the court as opposed to strict neutrality;
- There often is significant community involvement, as well as solicitations for donations, both of which could provide some ethical issues; and
- There may be a need for guidance for court staff when they encounter defendants from these courts on the street, as there may be an inclination to act on what the court staff directly witnesses.

## **V. Potential Resolutions**

Two potential original resolutions were discussed for possible referral to the resolution sub-committee. The first would be a resolution to recognize the efforts of Dr. Maureen Conner who chairs the Judicial Administration degree and certificate program at Michigan State University (MSU). It has been recently announced that the MSU Judicial Administration program will be discontinued. The committee agreed that a resolution should be drafted in her honor.

The second proposed resolution would be in response to a recent North Carolina law that makes it much more difficult for judges to waive fines and fees. The law essentially requires judges to notice each agency effected when fines and fees are waived. This goes in the opposite direction that the Country has been moving in this area, and raises some separation of powers issues. After some discussion it was agreed that the sub-committee should draft a resolution. The resolution should be general in nature, reaffirm core principals, and look to maintain the transparency of the court system. It was suggested that we may want to approach COSCA and CCJ to create a joint resolution. There apparently is a draft resolution on this subject from COSCA/CCJ that Vicky Carlson could share with the sub-committee. Kevin Bowling suggested Rick Pierce reach out to Laurie Dudgeon from Kentucky about COSCA’s viewpoint.

## **VI. Review of the Voice of the Profession Narrative**

Greg reviewed the Voice of the Profession Narrative document with the committee. The reaction was favorable. The document will be used to guide the Association’s efforts .

## **VII. New/Other Business**

No new business was brought forward.

## **VIII. Adjourn**

The meeting was adjourned at approximately 2:45 PM (EST). The next meeting of the committee will occur on January 17<sup>th</sup> at 2:00pm EST via telephone and web.

### **Respectfully Submitted:**

Greg Lambard

Governance Committee Chair