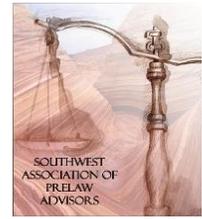


SWAPLA Executive Committee Meeting

September 29, 2012

Houston, Texas



Members Present: Gary Keith, Jeff Robb, Ana Alvarez, Michelle Payne, Mel Haley, Frank Rohmer, Jamie Dillon, Claudell Woods, and Sandy Self

- I. Call to Order:** The meeting was called to order by Gary at 9:30 a.m.
- II. Announcements and Upcoming Events:** Members discussed the upcoming PLANC board meeting in November, which will take place in Kansas City. Frank reported that on November 16, 2012, the Texas Court of Criminal Appeals will be hearing oral arguments on the Austin College campus. The college will be hosting a luncheon and then conducting a criminal law symposium that afternoon. Some of the topics covered will be death penalty litigation, fair minded prosecution, and post conviction DNA testing. Judge Robert Burns is chairing one of the panels. Frank invited all pre-law advisors to attend and stated that we are welcome to bring up to 6 students free of charge. He also noted that the conference is free for professors as well. There will be CLE credit for lawyers. The panels will begin about 2:00 p.m. Frank also invited members to another event at Austin College which will take place on February 26, 2013. The Dr. Kenneth Street Law Symposium will be held which will include the Texas Supreme Court conducting oral arguments on campus.
- III. Approval of Minutes:** Members were presented copies of two sets of minutes for their review: minutes from the 2012 SWAPLA Annual Business meeting which was held at the PLANC Conference in Washington D.C., and the minutes from the 2012 Executive Committee Meeting which was held immediately afterward. The minutes from the Annual Business Meeting will be considered for approval at the SWAPLA 2013 Annual Business Meeting. After review, Jeff moved that the Executive Committee minutes be approved as submitted. After a second by Michelle the minutes were unanimously approved.
- IV. PLANC Conference Review:** Members discussed various matters regarding the 2012 PLANC Quadrennial Conference. Jeff suggested adding some free time for attendees to tour the city. Other members expressed agreement regarding this proposal. Mel stated that he thinks that overall, the conference was well done; however, the hotel didn't live up to expectations. Multiple conferences were also being held at the hotel, which caused some logistical issues. For example, they had difficulty setting up the registration tables because of one of the other conferences. Other members noted that there were problems with rooms being too small for several of the presentations. Members noted that the reception from the local law schools was excellent. Members were also in agreement that, overall, the conference was a great experience. Sandy stated that she thought the Capitol Steps were wonderful. Other members agreed and noted that the event was well attended. Mel stated that he had to push for this because some PLANC board members thought it would be too expensive. Frank said that he was sorry he had to miss the performance and the conference, but he had several difficult family issues that he had to take care of at that time.

Mel suggested that SWAPLA put in our bid to host the 2016 PLANC Conference either in San Antonio or Austin. Members discussed various issues that would need to be considered, for example: the cost of the conference, good airfare, and good law schools to visit in the area. Mel noted that there are a lot of extras we can add, for example, renting the Alamo for a reception. Members then asked Mel about possible rival cities? He responded that Chicago will be the primary rival. However, it has some of the same problems as those encountered in D.C., for example the

hotel costs are astronomical. He indicated that other potential rival cities like San Francisco and Seattle have these same problems as well. Michelle said that schools have been cutting a lot from their budgets, so cost is a large factor which must be taken into account.

Jeff asked if there has been a PLANC conference in Chicago as of yet. Mel responded that there has not been one in Chicago. Gary suggested that we plant the seed now so PLANC knows we are interested. Jeff said we could do some advance planning. He also questioned whether the number of area law schools is a key a factor which may affect the decision. Mel encouraged us to invite the PLANC board to a site visit. He stated that previously when the PLANC board members visited San Antonio they fell in love with the city, but at that time it was the East Coast's year to host the conference (2012). Mel believes that at the upcoming PLANC meeting Heather will ask for suggestions and call for a vote at their March meeting in Philadelphia. Jeff suggested that we invite the PLANC board members to our February SWAPLA meeting in San Antonio. Frank suggested we try to get the state bar involved and he noted that the current Bar president is an Austin College graduate. It was discussed that we may be able to get one or more of the Supreme Court or Court of Criminal Appeals judges to speak at the conference. Mel and Frank suggested Justice Jefferson. Mel noted that it is much easier for us to get high profile political figures to attend conferences in Texas than other areas. Jamie suggested that we check the dates of the other APLAs' forums. Gary responded that he is going to ask Ann about the calendar at the PLANC board meeting.

- V. Treasurer's Report:** Michelle passed around copies of her report to the members. Michelle stated that she also included a list of members who had paid dues from the SWAPLA 2011 Annual Conference in Fort Worth because she had been asked about the dues that had been paid and this was the last list that she had. Frank said that he sent Gary the list of those who attended the DC Conference. Gary stated that he has an email with these names and will forward that to Michelle. Michelle said that she received money from PLANC for the SWAPLA registrations, but doesn't know the names of the attendees. She stated that Marty Ludlum from Central Oklahoma sent her his SWAPLA dues. Gary noted that Ana should be given Marty's information and the names of the PLANC Conference attendees so that she knows the members who have paid their dues.

Members then discussed various aspects of Michelle's report. Michelle reported that the PayPal account we are using for the 2012 Caravan now contains over \$46,000.00. Michelle noted that utilizing the SWAPLA P.O. Box has helped alleviate the problems she was previously having with receiving checks and other SWAPLA information and requests. Michelle reported that the June expenses include \$11,480.55 in expenses and subsidies for the PLANC conference. She stated that only one check has been written for the Caravan expenses for 2012 as of yet. This was for one-half of the cost of the busses. Michelle stated that she has itemized the Caravan expenses from last year and now knows what every site cost. Expenses include vouchers for food and printed signs for parking, etc. and vary from site to site. Michelle stated that the total amount of expenses from the 2011 Caravan were around \$30,000.00. Members asked about the number of students attending the various sites. Apparently it has been difficult to obtain exact numbers. Jeff suggested that the sites have door prizes. That would be one way to track the number of students attending because they will fill out the ticket for the prize. Members agreed that this was a good idea.

Michelle reported that there have been numerous problems with M Lynch regarding the SWAPLA accounts, so she has become frustrated and has decided to change banks. Some of the problems stem from the multiple difficulties she was having in changing the names of the officers on the accounts. Gary couldn't get a credit card, instead it went to Frank. She noted that they weren't able to get Frank's name off the paperwork or get her name on it, despite having completed the required paperwork twice, and making several personal visits to the bank. Michelle also noted that SWAPLA

was paying \$300.00 annually to Merrill Lynch, but still encountering these problems with no benefits.

Michelle talked to the people at Frost Bank and they offered an account with no fees as long as a minimum balance of \$20,000.00 is maintained. However, they told her that SWAPLA must be in good standing with the state to obtain this account. This is when Michelle discovered that SWAPLA hasn't been in good standing since 2007. SWAPLA is required to file a form with the state annually. This hasn't been done since 2005. The first late filing is excused; however, the second failure causes the organization to be penalized. Michelle reported that no bank will take SWAPLA now because of this. Jeff asked if there had been any communication from the state on this matter. Michelle responded that no one has seen any notice from the state regarding this problem. She is currently trying to straighten out the situation. She is also hoping that SWAPLA will not owe anything in penalties because of this. She will now have to file six years of reports; however, the IRS records only go back to 2008. Jeff asked if SWAPLA will be able to obtain good standing once we catch up with the report filings and pay any penalties assessed. Michelle responded affirmatively. Michelle stated that Karen had to write a letter to the state in order to authorize them to talk to her. Michelle said that she doesn't think the state will charge SWAPLA any penalties. Gary noted that it would be great if SWAPLA doesn't have to pay, but if it is something that has to be done to get SWAPLA in good standing; it should be paid as soon as possible so this matter can be resolved. He noted that Michelle has the authority as treasurer to take care of this. Jeff asked Michelle if she is recommending that SWAPLA move the account to Frost. Michelle responded that she is recommending this, once the matters with the state have been concluded. Members agreed that Merrill Lynch has been very difficult to work with regarding the accounts. Frank noted some previous problems he has had with them as well.

Mel moved that the current SWAPLA president, vice president, and treasurer be authorized to access the SWAPLA accounts, and that Frank's name be removed from the paperwork as well as Ms. Lewis' name (a former SWAPLA officer). Jeff seconded the motion and it was unanimously approved.

Michelle asked Gary to clarify the difference between SWAPLA subsidies and reimbursements. Gary responded that subsidies are voted upon by the board and are intended to assist SWAPLA members with the expenses incurred when attending PLANC and SWAPLA conferences. Reimbursements are for the expenses incurred by the SWAPLA officers and board members for attending conferences and meetings. Jeff and Gary's expenses to Kansas City for the PLANC board meeting will also be reimbursed by SWAPLA.

VI. 2012 SWAPLA Caravan Review: Karen was unable to attend this meeting because of an illness. Gary reported that things are in great shape. As usual there have been some glitches, but Karen has stayed on top of them. Michelle agreed that everything is going well. Gary asked if the law schools have any formal way of determining the student attendance at their sites. Jamie responded that each site handles this differently. Jeff asked if there is any survey information available. Michelle responded, yes, and noted that Karen has conducted surveys in the past. Gary said it will be interesting to see the survey results regarding the changes in this year's agenda. Jamie suggested that paper survey forms at the individual law fairs be utilized because they are more accurate than subsequent electronic surveys. She noted that the person in attendance will fill it out a written site-based survey, as opposed to someone who may not have attended the Caravan, who just happens to receive the email for the electronic survey on down the road. Everyone agreed that a written survey should be completed at each of the sites. Jeff asked if Jamie has a model form. Jamie responded, yes, and stated that she will send it to Gary.

Michelle asked if SWAPLA is paying Karen anything as Caravan Director. Gary responded that she is being paid \$500.00, and noted that Karen is also handling the renovation and maintenance of the SWAPLA website. Michelle noted that the changes Karen has made to the website have made things much better and easier this year. Jeff asked if Karen will continue in this role in the future. Gary said he assumes that she will continue as SWAPLA Caravan Director and webmaster; however, he believes that she intends to step down as PLANC treasurer. Jeff stated that we need to determine what Karen's plans are regarding the future. Claudell asked if \$500.00 is sufficient compensation. Members discussed that the SWAPLA board had agreed to pay Heather, the previous director, \$2000.00, and also paid some of her expenses. Heather did not complete the job, so she was not paid in full. Jeff said that at some point we will have to make the transition from Karen to someone who is able to make a commitment for an extended time period.

VII. 2013 SWAPLA Conference, Caravan, and Elections: Gary asked if New Orleans is still in consideration for the 2013 SWAPLA Annual Conference, or if the members prefer San Antonio. He also suggested that we should plan a site visit in January or February. Jeff stated that he preferred San Antonio rather than New Orleans for 2013. He also suggested that we schedule the site visit before the PLANC March meeting and invite the PLANC board members to San Antonio to make our pitch for the national conference. He noted that this will give us more time to consider New Orleans as the 2014 site and possibly work on a joint conference with SAPLA.

Mel stated that he doesn't think it will be possible to get the PLANC board to San Antonio in February or March. Mel suggested that we make our big push at the PLANC 2013 March board meeting in Philadelphia. Mel stated that PLANC will elect officers in March, and Heather will probably defer to Gwen, therefore she may be the key person. Frank noted that Gwen, Heather and Gerald loved San Antonio the last time they visited. Jeff asked about scheduling the conference site visits. Mel suggested January or February, and that we consider the Marriott Plaza. Frank stated that the Marriott Courtyard had called him. He noted that the Plaza was very expensive when SWAPLA held our previous conference at this hotel. But Gary stated that part of the reason for the extra expense was because attendance was down at that conference, possibly because of the economic downturn. Jeff asked if we should consider other options. Mel noted that board members did consider and visit other hotels on the last site visit to San Antonio. Gary said that he will talk to his friend Lydia who knows a lot about the San Antonio hotels. Jeff suggested that we consider three options. Jeff also suggested the first weekend in February and noted that everyone on the board is invited to attend.

VIII. Other Business: Gary reminded members of the pre-law advising tables SWAPLA will be working at the Houston Law Forum. He asked for volunteers for shifts and several members agreed to remain for the advising sessions. Gary also reminded everyone that elections will be conducted for SWAPLA officers and board members at the 2013 annual business meeting. He asked everyone to consider whether they would like to continue serving on the board, and if so, would they wish to continue in their current position or some other position.

There being no further business, after a motion by Gary and a second by Claudell, the meeting was adjourned at 10:55 a.m.

Sandy Self, J.D., SWAPLA Secretary