

10/4/68

Memorandum 68-105

Subject: Meeting Arrangements and Procedures

You will recall that at the September meeting the Commission concluded that meetings should not be held at hotels located at the Los Angeles and San Francisco airports. The inadequate facilities for the September meeting created a poor atmosphere for the meeting. The location of the meeting was extremely inconvenient for the Commission members who live in the North. The location was inconvenient to some members who live in the South and wish to be located downtown in San Francisco rather than at the airport so they can attend to business matters when not occupied with Commission business. The cost of the meeting was also a factor. (Rent for meeting facilities is not included in our budget.) There was a general feeling that the State Bar facilities in Los Angeles and San Francisco were the most satisfactory.

Meeting dates generally. For the last several meetings, we have encountered conflicts in scheduling meetings for the State Bar facilities. The Board of Governors traditionally meets on the third weekend of the month--the same time the Commission traditionally meets. The Board usually alternates each month between Los Angeles and San Francisco. We have attempted to meet in the city where the Board was not meeting. During the last year, the disciplinary committees of the State Bar apparently have become more active. These committees ordinarily meet on the second or third weekend of each month, usually in the city where the Board is not meeting. As a result, we have found it difficult to schedule our meetings at the State Bar facilities when our meetings are scheduled for the third weekend of the month. To avoid the conflicts with meetings of the Board and State Bar committees, we suggest that the Commission

change its traditional meeting date to either the first weekend of the month or the fourth weekend. We must recognize, however, the individual members will have matters arise that will preclude them from attending a particular meeting even when it is scheduled well in advance. In cases where we would have poor attendance on the dates a meeting is scheduled (as indicated by the postcard poll we make before each meeting), we would suggest that the individual Commissioners be contacted to determine whether a different meeting date can be set for the meeting for that month so that better attendance can be obtained.

I am advised that the State Bar has a separate meeting facility in San Francisco. I plan to check it out during the time I am in San Francisco for the October meeting. I am advised, however, that there are no California statutes or reports available at the facility and that no telephone service is available. It might, however, be used as an alternative facility in emergency circumstances.

Meetings in places other than San Francisco or Los Angeles. If we are to schedule meetings well in advance, we should also determine which meetings are going to be held in a place other than San Francisco or Los Angeles. For a number of years, the Commission has met at the Tahoe Alumni Center at Tahoe City during Easter Vacation. I believe that the members of the Commission and their families look forward to this meeting, and I assume that we would continue this practice. In addition, the July meeting in San Diego appeared to be one that the members of the Commission (and staff) and their families enjoyed. Does the Commission wish to make this an annual practice, assuming that approximately the same arrangements can be made as were made for the July 1968 meeting? A number of years ago the Commission met in Palm Springs during Christmas Vacation.

Commissioner Uhler has suggested that the Commission might wish to meet in Palm Springs for its December 1968 meeting. Because he is familiar with the city and its facilities, he has agreed to obtain information on the meeting facilities and the cost of housing. Does the Commission wish to meet in Palm Springs in December 1968 during Christmas vacation?

Name plates. One result of the general feeling that the atmosphere at the September meeting was poor is a suggestion from Commissioners Uhler and Yale that identification plates be obtained for the individual members of the Commission and staff. They suggest that the plate be one suitable for placing on the table in front of the person and that it contain his name and indicate whether he is a member of the Commission or staff. The Chairman requested that I defer purchasing name plates until the Commission had an opportunity to discuss the matter. (At my request, our bookkeeper in the Department of General Services has checked with the appropriate state department that makes name plates and has been advised that ordinarily the position title is not included on a name plate. However, the plates could be produced (using the least expensive materials--plastic and light metal base--for about \$4.00 each. Because the plastic plate comes in a standard size, the position would be in letters that would be one-fourth of an inch high.

Other suggestions. Members of the Commission may wish to discuss additional matters concerning meeting arrangements or procedures. In this connection, we attach an extract from the Commission's Handbook of Practices and Procedures.

Respectfully submitted,

John H. DeMouly
Executive Secretary

CHAPTER TWO

MEETINGS AND PROCEDURE

MEETINGS

Regular meetings normally are scheduled for the third Thursday, Friday, and Saturday of each month. The meetings are ordinarily scheduled as follows:¹

Thursday - 7:00 p.m. to 10:00 p.m.

Friday - 9:00 a.m. to 5:00 p.m.

Saturday - 9:00 a.m. to 4:00 p.m.

Because of the difficulty in proceeding when unanimous votes are needed, meetings are cancelled when it appears that only four members will be present.²

The Chairman is authorized to call both regular and special meetings.³ Notice of a special meeting shall be given to all members of the Commission.⁴ At a special meeting, no matter may be acted upon except as provided in the call.⁵

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1. Minutes, July 1963.
 2. Minutes, April 1963.
 3. Minutes, November 1957.
 4. Minutes, November 1957.
 5. Minutes, November 1957.

CONDUCT OF MEETING

Quorum. Four voting members of the Commission constitute a quorum¹ and must be present before the Commission may attend to any business. Any action may be taken by a majority of those present if a quorum is present, but any final recommendation to the Legislature must be approved by a minimum of four affirmative votes.² The Chairman is authorized to determine that less than four voting members constitutes a quorum for the purposes of a particular meeting and members attending the meeting are entitled to per diem and travel expenses but no final action shall be taken at such meeting.³

Roll Call Votes. A roll call vote shall be taken on any matter⁴ at the request of any voting member of the Commission. An absent member may be polled and his vote incorporated in the roll call on such matter only if he was present during a previous discussion of the subject matter at a meeting of the Commission.⁵

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1. Minutes, April 1963.
 2. Minutes, March 1959; Minutes, April 1963; Minutes, February 1966.
 3. Minutes, January 1958; Minutes, April 1963.
 4. Minutes, November 1965.
 5. Minutes, July 1956.

Committees. The Commission has disapproved the use of standing subcommittees to initially review studies on the Commission's agenda and to submit their recommendations to the Commission.¹

Research Consultants. Research consultants are requested to attend meetings from time to time.²

Open Meetings. Meetings of the Commission are open to the public and persons so requesting are permitted to attend as observers but are not permitted to participate in the discussion except as authorized by the Chairman.³

Termination of Deliberations. The Chairman should terminate prolonged deliberations on any matter by either bringing it to a vote when appropriate or referring the matter to the staff either for further research or redrafting.⁴

Consideration of Administrative Matters and Old Matters. Administrative matters are disposed of at the evening meeting, ordinarily held on Thursday evening. Administrative matters not disposed of at that time are deferred until the next meeting. The review of the Minutes is completed at the evening meeting. In addition, to the extent possible, review of materials to determine that Commission action has been accurately stated in the materials is completed at the evening meeting. This permits the meeting on Friday and Saturday to be devoted to consideration and discussion of new matters.⁵

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1. Minutes, January 1960; Minutes, May 1960.
 2. Statement of existing practice.
 3. Minutes, February 1960.
 4. Minutes, March 1959.
 5. Minutes, July 1963.