

1 INDIANA CIVIL RIGHTS COMMISSION  
2 INDIANA GOVERNMENT CENTER NORTH  
3 100 NORTH SENATE AVENUE, ROOM N103  
4 INDIANAPOLIS, INDIANA 46204-2255

5 IN THE MATTER OF: )  
6 INDIANA CIVIL RIGHTS )  
7 COMMISSION PUBLIC MEETING )

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10 ORIGINAL  
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14 A transcript of the Indiana Civil Rights  
15 Commission public meeting held before me, Lisa M. Hobbs, a  
16 Notary Public in and for the County of Johnson, State of  
17 Indiana, at the Indiana Government Center South, Conference  
18 Room C, 402 West Washington Street, Indianapolis, on March  
19 24, 2006, commencing at 2:34 p.m., Alpha Blackburn,  
20 Chairperson.  
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24 WM. F. DANIELS d/b/a  
25 ACCURATE REPORTING OF INDIANA  
12922 BRIGHTON AVENUE  
CARMEL, IN 46032

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A P P E A R A N C E S

COMMISSIONERS IN ATTENDANCE:

Chairperson Alpha Blackburn

Vice Chair David C. Carter

Commissioner John Garcia

Commissioner Steven A. Ramos

FROM INDIANA CIVIL RIGHTS COMMISSION:

Judge Gregory Kellam Scott

Robert Lange

Barbara Dobbins

Steve Tilden

Lisa M. Hobbs,  
Court Reporter

1 March 24, 2006 2:34 p.m.

2 CHAIRPERSON BLACKBURN: Good afternoon. The Indiana  
3 Civil Rights Commission is now in public session. You have  
4 before you an agenda we'll try to follow.

5 You have no minutes to adopt this month, but we do  
6 have Mr. Chandler here with the financial report, the next  
7 order of business.

8 Mr. Chandler.

9 MR. CHANDLER: Okay. You all have a copy of the  
10 financial report that we've got through the end of February  
11 28th of '06.

12 We're seeing our operating general fund account.  
13 We've got 775,667 remaining for the year. Our EEOC federal  
14 fund is sitting at roughly -- almost \$1900. The IRC  
15 workshop -- or the CLE, which has really taken off, we're  
16 sitting at thirty-three, seven right now. Our HUD Grant,  
17 FHAP, at ninety, seventy-seven. The Home Grant is sitting  
18 the sixty-six, two fifty-three. The FHIP is at thirteen,  
19 seven. The MLK Holiday Commission account is sitting at  
20 sixteen, sixteen. That is at the end of February, but I  
21 have had an additional 4,000 transferred to that account to  
22 cover for additional invoices for MLK and for the upcoming  
23 Holocaust that we have next month as well. And then our  
24 settlement escrow account is sitting at 8,531.

25 So that, along with the detailed pages that you have

1 following, it gives us a synopsis of all of our fund  
2 accounts, and also all of our fund balance accounts have  
3 been reconciled and balanced to the auditors' records as of  
4 the middle of March.

5 CHAIRPERSON BLACKBURN: Thank you very much.

6 Any questions?

7 (No questions were raised at this time.)

8 CHAIRPERSON BLACKBURN: I don't see it here, but your  
9 report was very clear.

10 Are there any other questions?

11 (No questions were raised at this time.)

12 CHAIRPERSON BLACKBURN: Hearing none, we thank you.

13 Do we need to move approval of the financial report?

14 MR. CHANDLER: No.

15 JUDGE SCOTT: No.

16 CHAIRPERSON BLACKBURN: Okay. Thank you.

17 Under new business you have received with your packet  
18 the meeting schedule for '07. May I have a motion to  
19 approve that?

20 VICE CHAIR CARTER: So moved.

21 COMMISSIONER GARCIA: Second.

22 CHAIRPERSON BLACKBURN: All in favor?

23 (The entire Commission voted in favor.)

24 CHAIRPERSON BLACKBURN: Anyone opposed?

25 (No one opposed.)

1 CHAIRPERSON BLACKBURN: Thank you.

2 Next, old business, the location of the June meeting.  
3 You have received also the location for the June meeting  
4 which will be out of town in our attempt to try to move the  
5 Commission closer to the people. And it will be held in  
6 Northwestern Indiana at the Regional Plan -- for a regional  
7 planning commission meeting there.

8 And for a look at the building and any further  
9 information about it, log on to [HTTP://www.NIRPE](http://www.NIRPE) --

10 COMMISSIONER GARCIA: C.

11 CHAIRPERSON BLACKBURN: I'm sorry. [NIRPC.org/](http://NIRPC.org/).

12 COMMISSIONER GARCIA: It's called NIRPC.

13 CHAIRPERSON BLACKBURN: NIRPC it's called. Okay?

14 Consent agreements: We have two consent agreements  
15 listed that have been forged, and may I have a motion to  
16 accept those?

17 COMMISSIONER GARCIA: I'll move we accept.

18 VICE CHAIR CARTER: Second.

19 CHAIRPERSON BLACKBURN: All in favor?

20 (The entire Commission voted in favor.)

21 CHAIRPERSON BLACKBURN: Anyone opposed?

22 (No one opposed.)

23 CHAIRPERSON BLACKBURN: Thank you.

24 And we have Findings of Fact, Conclusions of Law, And  
25 Order. The first case, Mays and Mays v. Oak Lake

1        Apartments at Crooked Creek. May I have a motion to accept  
2        that?

3                VICE CHAIR CARTER: So moved.

4                COMMISSIONER RAMOS: Seconded.

5                CHAIRPERSON BLACKBURN: All in favor?

6                        (The entire Commission voted in favor.)

7                CHAIRPERSON BLACKBURN: Anyone opposed?

8                        (No one opposed.)

9                CHAIRPERSON BLACKBURN: And Nyuyen v. Delphi, may I  
10        have a motion to accept?

11                COMMISSIONER GARCIA: I move we accept.

12                VICE CHAIR CARTER: Second.

13                CHAIRPERSON BLACKBURN: All in favor?

14                        (All but Commissioner Ramos voted in favor.)

15                CHAIRPERSON BLACKBURN: Anyone opposed?

16                COMMISSIONER RAMOS: Can we abstain?

17                CHAIRPERSON BLACKBURN: There being no other --

18                MR. LANGE: You can do either.

19                CHAIRPERSON BLACKBURN: I'm sorry.

20                MR. LANGE: He's asking if he could abstain.

21                CHAIRPERSON BLACKBURN: Absolutely.

22                MR. LANGE: You could abstain or vote or oppose.

23        That's --

24                CHAIRPERSON BLACKBURN: Then we won't have a quorum.

25                MR. LANGE: -- you choose.

1 JUDGE SCOTT: Yes, you could certainly abstain.

2 CHAIRPERSON BLACKBURN: We won't have a quorum.

3 MS. DOBBINS: Yes, ma'am --

4 JUDGE SCOTT: Well, there --

5 MR. LANGE: Well, wait a minute.

6 JUDGE SCOTT: -- would be a majority of those  
7 constituting a quorum, and that should be sufficient.

8 MR. LANGE: Well, they -- we don't have a member who's  
9 been appointed who hasn't arrived yet, do we?

10 JUDGE SCOTT: Correct. We do not have --

11 MR. LANGE: So there are five members at this meeting.

12 COMMISSIONER RAMOS: That are on the Commission.

13 JUDGE SCOTT: There are four --

14 MR. LANGE: There are four present. I mean -- but  
15 there are five who exist.

16 JUDGE SCOTT: Right. There are five currently.  
17 You're correct.

18 MR. LANGE: Three is a majority of that.

19 JUDGE SCOTT: That's correct.

20 CHAIRPERSON BLACKBURN: Thank you --

21 MR. LANGE: And that would be --

22 CHAIRPERSON BLACKBURN: -- for the correction in that  
23 there only -- there are only five commissioners currently.  
24 Three does constitute a quorum. So the vote carries in  
25 favor of accepting the Findings of Fact.

1 MR. LANGE: A majority of the members.

2 CHAIRPERSON BLACKBURN: Okay.

3 JUDGE SCOTT: A majority of the members. Thank you,  
4 sir.

5 CHAIRPERSON BLACKBURN: Okay. Thank you.

6 There being no other orders, we'll have reports now  
7 from the commissioners on the appeals. And starting with  
8 Commissioner Baynard, do we have a report --

9 MS. DOBBINS: No, Madame Chair.

10 CHAIRPERSON BLACKBURN: -- back from him?

11 MS. DOBBINS: No, Madame Chair, I do not.

12 CHAIRPERSON BLACKBURN: Okay. Commissioner Carter.

13 VICE CHAIR CARTER: Madame Chair, in the case of  
14 Miller v. REMI Corp., d/b/a Williams Square, I recommend  
15 that we uphold the no probable cause finding.

16 CHAIRPERSON BLACKBURN: May I have a motion to accept  
17 that recommendation?

18 COMMISSIONER RAMOS: So moved.

19 COMMISSIONER GARCIA: Second.

20 CHAIRPERSON BLACKBURN: All in favor?

21 (The entire Commission voted in favor.)

22 CHAIRPERSON BLACKBURN: Anyone opposed?

23 (No one opposed.)

24 CHAIRPERSON BLACKBURN: Thank you.

25 Commissioner Garcia.



1 COMMISSIONER GARCIA: I have none.

2 CHAIRPERSON BLACKBURN: In the cases I read of Hoffman  
3 v. Cunningham Optical and Hoffman v. Lenscrafters, my  
4 recommendation is that we uphold the Director's Finding of  
5 no probable cause. May I have a --

6 VICE CHAIR CARTER: I move that --

7 CHAIRPERSON BLACKBURN: -- motion to accept?

8 VICE CHAIR CARTER: -- we accept that recommendation.

9 CHAIRPERSON BLACKBURN: Thank you.

10 COMMISSIONER GARCIA: And I'll second.

11 CHAIRPERSON BLACKBURN: Thank you.

12 Anyone opposed?

13 (No one opposed.)

14 CHAIRPERSON BLACKBURN: All in favor?

15 (The entire Commission voted in favor.)

16 CHAIRPERSON BLACKBURN: Thank you. A little backward  
17 there. I'm sorry.

18 Commissioner Ramos, anything?

19 COMMISSIONER RAMOS: I have none.

20 CHAIRPERSON BLACKBURN: Okay.

21 We will then assign cases for appeals. There are two.  
22 In Baynard's absence I'll do Pittman v. PEDCOR Management  
23 Company, Inc.

24 If you, Commissioner Carter, would please review  
25 Everman v. United Student Aid Funds, Inc.

1           And we will move to the administrative update and the  
2           Director's report.

3           JUDGE SCOTT: All right. And on the administrative  
4           matters, and I believe this does not require a resolution  
5           of the commissioners, but if you so desire, certainly, but  
6           that is the change to the agenda.

7           And as we have previously discussed, the Commission  
8           has already authorized the Director and the Deputy Director  
9           to make determinations of probable cause and no probable  
10          cause as well as reasonable cause and no reasonable cause.  
11          And previously we have had those determinations on the  
12          agenda, which then the Commission accepts those  
13          recommendations or rejects them. And the recommendation of  
14          the Director is that that is not necessary. It's  
15          duplicative. And it also raises questions regarding the  
16          period of appeal that might exist.

17          And I urge the Commission to allow us to remove that  
18          matter or those matters from the agenda --

19          CHAIRPERSON BLACKBURN: May I have --

20          JUDGE SCOTT: -- in -- I'm sorry, in April.

21          CHAIRPERSON BLACKBURN: Okay. May I have a motion to  
22          approve that procedural change?

23          VICE CHAIR CARTER: So moved.

24          COMMISSIONER RAMOS: Seconded.

25          CHAIRPERSON BLACKBURN: All in favor?

1 (The entire Commission voted in favor.)

2 CHAIRPERSON BLACKBURN: Anyone opposed?

3 (No one opposed.)

4 CHAIRPERSON BLACKBURN: Thank you.

5 JUDGE SCOTT: Thank you.

6 Also on the report, as you know with the amendment of  
7 our Indiana Civil Rights Law, the Commission is now charged  
8 to prevent retaliation. And I use the phrase "retaliation"  
9 to refer to any actions that are taken against an  
10 individual who files a complaint or who appears as a  
11 witness or otherwise assists the staff in the conduct of  
12 the Commission's business.

13 We do not have rules yet in place that address conduct  
14 and how the Commission would investigate. The staff has  
15 received complaints which have included claims of  
16 retaliation, and we have, in effect, continued to  
17 investigate and treat them as if they were claims of a  
18 different form of discrimination.

19 But for the record, I think it would be good if the  
20 Commission adopts rules, and then also I think it's an  
21 opportunity as well to look at retaliation as a form of  
22 conduct which might appropriately result in sanctions of a  
23 different nature.

24 Now, saying that, I'm certainly aware of the  
25 legislative limitation of sanctions which the Commission

1 can impose, but at the same time, it at least is an  
2 opportunity for the Commission to consider whether it would  
3 adopt a rule that might provide for legal costs of a  
4 individual who had to defend or at least prosecute an  
5 action for retaliation or other forms of assistance which  
6 would still, in effect, only make the individual whole as  
7 if they had not encountered such conduct.

8 And really seek the Commission's knowledge of what the  
9 staff is about to undertake, and the Commission's consent  
10 to that effort as -- before we assign a couple lawyers to  
11 engage very heavily in that work, and hopefully have those  
12 rules in form so they can go through the administrative  
13 process, and if appropriate, be adopted by the Commission.

14 CHAIRPERSON BLACKBURN: May I have a motion to --  
15 unless there is discussion of that issue, may I have a  
16 motion to approve the exploration and recommendation of a  
17 rules change that would allow for our taking a more  
18 affirmative approach to how we would deal with the issue of  
19 preventing retaliation?

20 VICE CHAIR CARTER: So moved.

21 CHAIRPERSON BLACKBURN: And a second?

22 COMMISSIONER GARCIA: Second.

23 CHAIRPERSON BLACKBURN: All in favor?

24 (The entire Commission voted in favor.)

25 CHAIRPERSON BLACKBURN: Anyone opposed?

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(No one opposed.)

CHAIRPERSON BLACKBURN: Thank you.

JUDGE SCOTT: And then on another matter, in looking at our employee handbook, and also looking at the Commission's own rules, we don't directly address the question of the treatment of confidential information, meaning that information that is acquired in the course of an investigation, that information, which may be acquired while proceedings are ongoing.

You may recall the Commission has the authority to receive information from State agencies merely on request without having to issue a subpoena -- or I guess to be more accurate, State agencies, regardless of their stature, have been directed by the Indiana Civil Rights Law statute to provide to the Commission information at its request.

And we certainly intend to exercise that more. For example, we hope to provide interrogatories to the Department of Education and obtain information from them regarding matters, all of which we -- at least the Director at this time think should remain confidential.

And so in light of all that, we would like to -- the Director intends to adopt a procedure and a process and policies that would be announced within the employee handbook that would restrict the employees' ability or their willingness, or restrict -- I -- let me say prevent

1       them from disclosing confidential and non-public  
2       information, and to indicate that violation of those rules  
3       would subject an employee to discipline including  
4       termination.

5               And while we have no cases at the moment, or any  
6       instances that I'm aware of that I could see resulting in  
7       termination, I just think it's appropriate that that be one  
8       of the actions that might occur.

9               We are an investigatory agency, and our investigators  
10       obtain information, some of which is private. It may be,  
11       for example, medical records obtained from a hospital that  
12       could include information that otherwise would be protected  
13       under the law. And I think as an Agency, we are obligated  
14       to attempt to maintain confidentiality and privacy in those  
15       matters.

16              And so we will have at least the practice, a policy,  
17       which we would submit to the Commission at next month's  
18       meeting or the following meeting for your information. But  
19       we intend to undertake that effort and want to do that as  
20       soon as possible.

21              CHAIRPERSON BLACKBURN: May I have a motion in support  
22       of the presentation at some subsequent meeting of a  
23       proposed practice, procedure, and policy rule that would  
24       protect from disclosure confi -- the confidentiality of  
25       appropriate information?

1 COMMISSIONER GARCIA: Yeah, that's pretty good.

2 (Laughter.)

3 COMMISSIONER RAMOS: Say that again.

4 (Laughter.)

5 CHAIRPERSON BLACKBURN: There's always a smart aleck  
6 on the Commission.

7 (Laughter.)

8 CHAIRPERSON BLACKBURN: I couldn't repeat it if I  
9 tried.

10 May I have --

11 COMMISSIONER GARCIA: I'll move that we --

12 CHAIRPERSON BLACKBURN: -- a motion --

13 COMMISSIONER GARCIA: -- work to adopting a policy.

14 VICE CHAIR CARTER: What she said.

15 (Laughter.)

16 CHAIRPERSON BLACKBURN: All in favor?

17 (The entire Commissioner voted in favor.)

18 CHAIRPERSON BLACKBURN: Anyone opposed?

19 (No one opposed.)

20 CHAIRPERSON BLACKBURN: Okay. Thank you.

21 COMMISSIONER RAMOS: A comment, Chairperson, you may  
22 -- as a part of this, you may wish to also have as a part  
23 of that policy a public communication on the fact that this  
24 information is confidential so that people who are asking  
25 it -- for it, that they know shouldn't be asking because

1 they're gonna get this answer.

2 CHAIRPERSON BLACKBURN: I think that's an excellent  
3 suggestion.

4 Okay. Thank you very much.

5 The Deputy Director's report you have received in your  
6 materials. It contains the case processing and statistical  
7 report and the report of the ADR unit update.

8 Are there additional announcements?

9 JUDGE SCOTT: And, Madame Chair, the -- Steve Tilden  
10 is here. I don't know if you have anything to add, because  
11 the report seems to be self-explanatory. But --

12 MR. TILDEN: It's pretty self-explanatory.

13 I might add that we have another class. Every  
14 semester we have a class of law students, senior law  
15 students that go through our program, and they're about  
16 halfway through the semester. I supervise their actual  
17 mediations of civil rights claims, and they're quite, quite  
18 impressive to do.

19 But we have a really good relationship with the law  
20 school and Professor Krause that we've had for several  
21 years. And that's going very well.

22 The other thing that I might add, Diane Graves has  
23 been promoted to Path Level 6 mediator after being employed  
24 at the Civil Rights Commission for almost sixteen years,  
25 and she's doing very well.



1           She mediated a case this past week with the police  
2           department of a town in southern Indiana with the chief of  
3           police, the sheriff, policemen. You know, it was a really  
4           wonderful mediation. She got a settlement. I supervised  
5           it just like I do. I watched. I set and observed. She  
6           did an excellent job. I wanted to mention that.

7           JUDGE SCOTT: And although it may be politically  
8           incorrect, Steve, would you add a little bit in terms of  
9           the -- just so the commissioners are aware of who she is?

10          MR. TILDEN: Oh, okay.

11          Diane is a person that is blind, and she went through  
12          the Blind School and was hired. Actually, I hired her  
13          fifteen or sixteen years ago as the receptionist for the  
14          Indiana Civil Rights Commission. And interestingly, there  
15          was different views about whether somebody without sight  
16          could be a receptionist, but with technology, Voc Rehab,  
17          Crossroads Rehab, and the Blind School all working  
18          together, she became an outstanding receptionist,  
19          incredible memory.

20          We've had different State -- different types of  
21          equipment over the years. And she can use the computer and  
22          do things that most of us can't. She's just an outstanding  
23          person. And she's labored under the situation that -- that  
24          situation, but she chose not to go to college, and so this  
25          is something that's really held her back even though she's

1 extremely bright.

2 And our -- I'm going to add a little bit here. Our  
3 affirmative action plan that I was in charge of years ago  
4 provided that people without a college degree could be  
5 promoted based on performance up through the secretarial  
6 routes to a professional level position.

7 And then that was changed about ten, twelve years ago  
8 by the prior director so that that was not possible to do,  
9 and that all of the investigators needed to be -- have  
10 bachelor's degrees.

11 And now Judge Scott has chosen to, you know, allow  
12 that to go back to the way it was before so we promoted  
13 somebody without a college degree that's doing an excellent  
14 job in this position.

15 JUDGE SCOTT: Well, I did not intend it for that  
16 commercial.

17 (Laughter.)

18 CHAIRPERSON BLACKBURN: That's all right. But we  
19 appreciate that.

20 Steve, I'm sorry I just glossed over your report, but  
21 that -- all of that information is valuable, especially to  
22 our new commissioner. Thank you.

23 MR. TILDEN: It sends quite a message.

24 I'll just add one more thing, too. This police chief  
25 and this city in southern Indiana and the Counsel for the

1 City and the people to have a person like Diane who's  
2 completely blind do a professional mediation for the Civil  
3 Rights Commission really says so much. And I've seen her  
4 do a number of other ones already. It really is what the  
5 Civil Rights Commission is all about. So it feels good.

6 CHAIRPERSON BLACKBURN: Good.

7 COMMISSIONER RAMOS: Your opening remarks had to do  
8 with some classes that you're teaching with students that's  
9 at IUPUI? I'm sorry. I missed that part.

10 MR. TILDEN: The Law School, the IUPUI Law School.

11 COMMISSIONER RAMOS: Uh-huh.

12 MR. TILDEN: Every semester there's a mediation  
13 certification course which is a 40-hour, one-week intense  
14 course for the semester, and then the law students get two  
15 hours of credit. And if they can finish up the credit  
16 after they do the week, I help them through that week too  
17 with different things that they ask me to do -- the  
18 professor -- and I help in different ways and assist every  
19 semester for part of that week.

20 But part of what they do, and it's kind of a -- they  
21 help us and we help them. They -- to meet the requirements  
22 of the course they used to have to -- I develop this. They  
23 used to have to observe two mediations a semester by one of  
24 our mediators or myself. I do the mediations as well -- or  
25 a couple of years I talked to the law school and Dean Farr.

1 We developed a program so that one of the options these law  
2 students could have would be to actually do a mediation, a  
3 Civil Rights mediation, as long as I supervised it or sat  
4 back and watched it.

5 I do an in-service each semester for this group of law  
6 students, and we've had between five and twelve each  
7 semester for several years, about three years now, that  
8 they go through this program. And they do really quite  
9 well. I do the in-service with them first, bring them up  
10 to speed on the Civil Rights law and damages and all those  
11 things. I give them different models of opening statements  
12 and things, and we go into a lot of detail on the  
13 in-service.

14 And then I -- before the mediation, I meet with them  
15 and go over any details, and then we do the mediation. And  
16 the average mediation is four hours.

17 Generally I will draft the mediation document  
18 agreement because I'm an optimist, and most of the time  
19 they get resolved when the parties agree to try to do it.  
20 And then when it's resolved, we'll take a break and go back  
21 to my office and the law student will -- we'll fine tune  
22 the agreement, add the terms of the agreement, and be --  
23 get it signed right then that particular day.

24 We have about an 80 percent success rate overall for  
25 mediations, law students included. And the parties are

1 told that they are senior law students. And so they're  
2 aware they can turn it down. And we have confidentiality  
3 statements that they sign, and the law students sign that.  
4 I have a whole protocol of things that I've developed.

5 COMMISSIONER RAMOS: That's --

6 MR. TILDEN: The law students are happy to be a part  
7 of it.

8 COMMISSIONER RAMOS: That's great. That's an  
9 excellent collaboration between the University and the  
10 State.

11 JUDGE SCOTT: And I want to mention one other area.  
12 Steve and I are both working on trying to encourage the use  
13 of mediation even at the complaint level. And so we have  
14 some plans in terms of what we will do, and the subject has  
15 been broached with several members of the Legislature as  
16 well as the governor, and they are overwhelmingly  
17 supportive of that.

18 COMMISSIONER RAMOS: Okay.

19 CHAIRPERSON BLACKBURN: Okay. Do you want to make  
20 this announcement, and then --

21 JUDGE SCOTT: Yes.

22 CHAIRPERSON BLACKBURN: -- we can convene.

23 JUDGE SCOTT: Yes.

24 CHAIRPERSON BLACKBURN: Adjourn.

25 JUDGE SCOTT: We have a conference that's going to

1 occur on April 5, and rather than me make the announcement,  
2 I really would rather have the person -- the force behind  
3 the program, Judge Lange, make the announcement about our  
4 April 5 program.

5 MR. LANGE: If you want the force behind it --

6 (Laughter.)

7 MR. LANGE: Actually, this program is like a  
8 week-and-a-half from now. It's going to -- it's an all-day  
9 thing, and six credits of continuing legal education. The  
10 topic is proceedings before the Indiana Civil Rights  
11 Commission.

12 We contemplate doing something like this on an annual  
13 basis on this particular topic, and it will -- the subjects  
14 will change a little bit from year to year. But you'll  
15 find if you look through the pamphlet, this one, at least,  
16 being the first one pretty much follows a complaint from  
17 the time it comes in the office, through the -- up through  
18 the Court of Appeals and Supreme Court.

19 That covers everything. It doesn't cover -- in a  
20 sense chronologically it does not cover every little thing  
21 that might happen with a complaint and every step of the  
22 way. Once you get through that, you'll have a pretty good  
23 idea if you go to it, or whoever goes to it will have a  
24 reasonable idea of how we deal with a complaint from the  
25 time it gets here, and if it's -- as long as it stays alive

1 and we -- we're still dealing with it.

2 CHAIRPERSON BLACKBURN: Okay. Thanks.

3 MR. LANGE: You're welcome, more than welcome to  
4 attend.

5 JUDGE SCOTT: And we're hoping to see the  
6 commissioners at least for the lunch because I think it  
7 really would be a wonderful opportunity to hear from a very  
8 experienced attorney who's worked both in government and in  
9 private practice, Greg Stewart, and then certainly  
10 hopefully the other activities that are planned.

11 MS. DOBBINS: Madame Chair, the dinner will be at the  
12 Canterbury, cocktails starting at 4:30 to 5:15, and then  
13 dinner in the library, a private room, around 5:30.

14 CHAIRPERSON BLACKBURN: Okay. Do you want R.S.V.P.s  
15 from us now --

16 MS. DOBBINS: Well, I thought I already had them.

17 CHAIRPERSON BLACKBURN: -- or with the --

18 MS. DOBBINS: I have yours.

19 CHAIRPERSON BLACKBURN: You have mine.

20 MS. DOBBINS: And I have everybody's here.

21 CHAIRPERSON BLACKBURN: All right. Good.

22 JUDGE SCOTT: Wonderful.

23 CHAIRPERSON BLACKBURN: All right. Thank you very  
24 much.

25 Any other announcements?





1 the American team has been to the Olympics -- the  
2 paralympics, the one you never hear about that takes place  
3 for two weeks after the regular Olympics. And nobody ever  
4 covers it anywhere except maybe on some cable station late  
5 at night. And it's an amazing movie.

6 CHAIRPERSON BLACKBURN: Phenomenal.

7 VICE CHAIR CARTER: It also has many insights into the  
8 rehabilitation process which --

9 CHAIRPERSON BLACKBURN: What is the title again?

10 VICE CHAIR CARTER: *Murderball*.

11 CHAIRPERSON BLACKBURN: *Murderball*.

12 VICE CHAIR CARTER: It played on Arts & Entertainment,  
13 on cable a few weeks ago.

14 MS. DOBBINS: Yeah, it was on.

15 MR. LANGE: Yeah, I think I saw it too. It sounded  
16 like something altogether different.

17 VICE CHAIR CARTER: And it's out on DVD.

18 MR. LANGE: From the title it seemed like something  
19 altogether different.

20 VICE CHAIR CARTER: Yeah. It sounds like roller derby  
21 or something, but --

22 MR. LANGE: Given what I thought it was, I elected to  
23 avoid it.

24 VICE CHAIR CARTER: About the first half of it is  
25 about the rivalry between the Canadian champion team and

1 the American champion team primarily because the star of  
2 the American champion team, when he got to be 40 or  
3 something, was essentially kicked off the team. So he went  
4 to become the coach of the Canadian team. And so they had  
5 an understandable rivalry.

6 There's a lot of really bad language in it usually  
7 between the American team and this guy. Anyway --

8 MR. LANGE: That's fine.

9 VICE CHAIR CARTER: -- but it's -- it -- no, these  
10 guys are -- one of the guys has no hands or leg -- or feet.  
11 He had a blood disease when he was a kid and lost his  
12 extremities. And there's one unbelievable shot of him  
13 dealing cards --

14 (Laughter.)

15 VICE CHAIR CARTER: -- with stumps from about here.  
16 Gee, I can't do it with my fingers.

17 MS. DOBBINS: I misdeal most of the time.

18 CHAIRPERSON BLACKBURN: Great.

19 MR. LANGE: You do what you have to.

20 CHAIRPERSON BLACKBURN: Another announcement.

21 JUDGE SCOTT: Another announcement, and I may not be  
22 saying the name correctly. Jeraniece?

23 MR. TILDEN: Oh, Jurainus.

24 JUDGE SCOTT: Jurainus -- as you know, we are involved  
25 in litigation. Well, I'm pleased to report to the

1 commissioners that the Court has granted our Motion to  
2 Dismiss. And at least at the moment the case is over.  
3 Obviously there is the appellate process that can be  
4 utilized.

5 And, if I may, if you'll indulge me just for a moment,  
6 I remember working for a corporate executive and telling  
7 them we were in a case that we shouldn't win. We won the  
8 case, so I wanted to call him immediately and tell him,  
9 Myron, we won the case.

10 And he was in a car. And you have to keep in mind  
11 this was 25 years ago. And so the phone call was relayed  
12 to his car, which technically is easy now, but much more  
13 difficult then.

14 While that was occurring, I was trying to think how  
15 can I tell him that we won the case, and so I came up with  
16 a way, and -- but just at that moment he's on the phone.  
17 He says, "Greg, what's up?"

18 And I said, "Myron, in our case justice was done."

19 And his immediate response was, "Appeal."

20 (Laughter.)

21 JUDGE SCOTT: So in any event, that's -- that case at  
22 least at the trial level is over.

23 CHAIRPERSON BLACKBURN: Very good.

24 The meeting is adjourned.

25

(The meeting adjourned at 3:06 p.m., March 24, 2006.)

