

COMMITTEE FOR PUBLIC COUNSEL SERVICES

MINUTES OF MEETING

June 17, 2015

The monthly meeting of the Committee for Public Counsel Services was held in the Committee's conference room at 40B Bromfield Street, 1st Floor, Boston, MA on Wednesday, June 17, 2015, beginning at 5:47 p.m. R.J. Cinquegrana, Chairman, presiding.

MEMBERS PRESENT: Messrs. Gosselin, Healy, Hernando, Kennedy, and Kociubes
Messrs. McGuire and White

TELECONFERENCING: Ms. Craven

1. Approval of May 20, 2015 Minutes

The minutes of the May 20, 2015 meeting were approved as submitted.

2. Professional Liability Insurance Policies for Large Firms

William Shay, Director of the Audit and Oversight Department, sought Committee approval for non-conforming binders where 1) the attorney is employed by a firm where the stated deductible exceeds \$10,000 and 2) the attorney and firm both agree in writing to notify CPCS if and when the attorney is no longer employed by the firm, in which event the attorney would need to show that he or she has obtained their own coverage.

The current policy requires that every attorney accepting assignments must maintain continuous malpractice insurance with a coverage amount of not less than \$100,000/\$300,000 or \$250,000/\$250,000, and with a deductible of not more than \$10,000.

Mr. Shay informed the members that CPCS infrequently receives requests to approve a policy with a deductible amount in excess of \$10,000. He mentioned that the firms who are requesting this waiver can afford to pay the deductible. This proposal is in response to these requests which are limited in number.

MOTION: **Mr. White. That the Committee approve non-conforming binders where 1) the attorney is employed by a firm where the stated deductible exceeds \$10,000 and 2) the attorney and firm both agree in writing to notify CPCS if and when the attorney is no longer employed by the firm, in which event the attorney would need to show that he or she has obtained their own coverage.**

SECOND: Mr. Kociubes.

VOTE: Unanimous.

3. FY 2015 Contracts

Mr. Benedetti sought Committee approval to enter into a contract with Citrix OnLine in an amount up to \$49,900 in FY 2015. This is the service that provides remote access to office desktop machines through GoToMyPC.

MOTION: Mr. Hernando. That the Committee approve a contract with Citrix OnLine to provide remote access to office desktop machines through GoToMyPC, in an amount up to \$49,000 for FY 2015.

SECOND: Mr. Kociubes.

VOTE: Unanimous.

4. FY 2016 Obligations over \$25,000 for Preapproval

Mr. Benedetti sought Committee approval on all current anticipated expenditures expected to exceed \$25,000 for Fiscal Year 2016. The following expenditures presented were broken down by 1) category, 2) vendor, 3) requirement, and 4) notes / purpose.

CATEGORY	VENDOR	2016 REQ.	NOTES / PURPOSE
Administrative Expenses	West Publishing Corporation	35,000	Library Purchases / Updates
Administrative Expenses	Ddh Hotel Natick Speen, Llc	40,000	Training - New Attorneys
Administrative Expenses	Pitney Bowes, Inc.	56,000	Postage Meters
Administrative Expenses	Smg	61,000	Annual Training Conference / DCU Center
Administrative Expenses	Stamps.Com, Inc.	90,000	Postage
Administrative Expenses	The Board of Bar Overseers	135,000	BBO Registration Fees
Administrative Expenses	W. B. Mason Co, Inc.	150,000	Supplies / Furniture
Administrative Expenses	Reed Elsevier, Inc.	150,000	Lexis Nexus
Administrative Expenses	Fia Card Services N A	160,000	Comcast Internet Connections
Space Rental / Utilities	Nstar Electric Company	75,000	Utility Expenses

Consultant Services	University Of Mass	50,000	Job Classification consulting
Consultant Services	Mcinnis Consulting Services	50,000	Consulting Services - Restructuring
Operational Services	Iron Mountain Information Management	37,600	Records Retention
Operational Services	E. A. Spry & Co, Inc.	45,000	Moving Expenses
Operational Services	Office Resources	75,000	Furniture / Space Planning
Operational Services	Signet Electronic Systems	125,000	Security / Access Control
Operational Services	The Resource Connection, Inc.	185,000	Temporary Staff
Operational Services	Donnegan Systems	195,000	Document Imaging / Records Management
Equipment - Leases / Maint. / Repairs	Ricoh Americas Corporation	125,000	Leases for Photocopiers (RICOH)
Equipment - Leases / Maint. / Repairs	Xerox Corp	225,000	Leases for Photocopiers (XEROX) / Software
Information Technology	Database Designs Assoc, Inc.	25,000	Software / Consulting Services
Information Technology	Global Tel Link Corporation	45,000	Inmate Collect Calls
Information Technology	Citrix Online. Llc	45,900	Software Licensing - GoToMyPC
Information Technology	Cellco Partnership Dbv Verizon Wireless	50,000	Telephone (Wireless)
Information Technology	Mmars Accounting System Charges	55,000	Chargeback - Accounting (MMARS/CIW)
Information Technology	Winslow Technology Group, Llc	60,000	Hardware and Software Support, Dell/Compellent
Information Technology	Securus Technologies, Inc.	65,000	Telephone (Inmate Collect Calls)
Information Technology	Verizon New England, Inc.	80,000	Telephone (Non-VOIP)
Information Technology	Shi International Corp.	225,000	Hardware Purchases (IT)
Information Technology	Bureau Of Computer Services	285,000	Chargeback IT - (Computers)
Information Technology	Dell Marketing. Lp	325,000	Microsoft Licensing
Information Technology	Dsci Corporation	625,000	Data Connections incl. VOIP and Hardware

A request was made when compiling the list for next year to also include the previous years' expenditures.

MOTION: Mr. White. That the Committee approve the list of all anticipated expenditures over \$25,000 for Fiscal Year 2016 (see list above).

SECOND: Mr. Hernando.

VOTE: Unanimous.

5. Commitments \$10,000 and Over Report

Kevin Lucchetti, Acting Chief Financial Officer, presented the commitments of \$10,000 and over report to the Committee for review. There were five new commitments on the report, two of which were expenditures related to contracts that were approved at the May 20, 2015 meeting. The three additional ones are for Crisis Management Group, Inc., an employee assistance program, Massachusetts Continuing Legal Education for training / continuing education, and Aspen Publishers, Inc. for library purchases / library updates.

Discussion ensued regarding the commitment to Massachusetts Continuing Legal Education. It was requested that going forward a master list be kept of all programs attended and to seek out other providers for trainings.

6. Monthly Financial Overview Report

Mr. Lucchetti presented the monthly financial overview report to the Committee for review. He informed the Committee that the forecast was revised down by approximately \$400,000 for line-item 0321-1510. There were no changes in line items 0321-1500, 1504, and 1520. The total estimated deficiency overall for the fiscal year is approximately \$5.9M (contained in 0321-1510 and 0321-1520).

7. Chief Counsel Report

Mr. Benedetti updated the members on the FY 2016 budget. He indicated the Legislature continues to work on the Conference Committee report. He continues to advocate with the Conference Committee members and other pertinent legislators for the best possible outcome in the report.

He reported that the Judiciary Committee held a hearing on June 9, 2015, on sentencing and bail reform. He testified before the Committee advocating for the abolition of mandatory minimum sentences. Jack Cinquegrana, Committee Chair, also submitted testimony on behalf of the Boston Bar Association. Randy Gioia, Deputy Chief Counsel, for the Public Defender Division, testified on bail reform.

On a final note, Mr. Benedetti informed the members that Attorney Margaret Winchester, Attorney-in-Charge of the Worcester Children and Family Law Office and longtime CPCS employee, passed away after a long battle with cancer. He informed the Committee members

that Margaret had been a tireless and fierce advocate for children and parents for more than 25 years and was very well-known and respected in the legal community.

There being no further business to come before the meeting, the Committee adjourned at 6:28 p.m.

Respectfully submitted,

Joseph L. Kociubes, Secretary