

## MINUTES

Eighth Circuit Bar Association

Meeting of Officers and Directors

October 10, 2006

(by conference call)

**Present:** Craig Eichstadt (president); Tom Weaver (president-elect); Margaret Callahan (secretary); Barry Pickens (treasurer); Lajuana Counts (at-large); Tom Boyd (at-large); Julie Cullen (at-large); Jeffrey Ellis (E.D. Ark.); Diane Bratvold (Minn.); Larry Friedman (E.D. Mo.); Jeremiah Morgan (W.D. Mo.); Bob Rossiter (Neb.); Doug Bahr (N. Dak.); Mark Marshall (S. Dak.).

**Absent:** Tom Kieklak (W.D. Ark.); Diane Kutzko (N.D. Iowa); Angela Campbell (S.D. Iowa); Krista Kester (past president).

Association President Craig Eichstadt called the meeting to order shortly after 9:30 a.m.

The Board unanimously approved the minutes of the September meeting, as previously circulated.

Membership committee chair Mark Marshall reported that Association membership currently stands at 272 members, with 57 members from the past year not yet having renewed. He said that a follow-up to the initial renewal notice resulted in 80 additional renewals and also led to 10 new members. Craig directed Mark to send out to district directors a list of past members who had not yet renewed, so district directors can make personal contacts as appropriate.

Director Angela Campbell, who was not available for the meeting, reported by e-mail that she was still waiting to hear from the individual at the UALR School of Law who works with the Association web site. Craig said that he finds the Association web site useful as it is but that individuals with thoughts about new web site features should pass their ideas to Angela. Director Jeremiah Morgan noted that the Association mentoring program currently under development will need space on the web site. Craig raised the issue of whether there is a problem in getting new material posted on the current web site. Secretary Margaret Callahan, who submits the minutes and also the newsletters to the web site, said there usually is not a problem but that once in a while minutes will not be posted for a month or more. She noted that she recently had submitted a list of new committee members that had never been posted. Craig noted that, like Angela, he has had trouble reaching the Association's web contact by telephone.

Director Diane Bratvold presented a draft of an announcement to be sent by e-mail to Association members to solicit their participation in the Association's planned mentoring program for new Eighth Circuit admittees. She said the names of individual volunteer mentors could be posted on the Association web site, rather than included in the Association's introductory letters to new admittees, so that the prospective mentors could indicate particular areas of expertise, for example, civil versus criminal appeals. Director Doug Bahr noted that updating the list of volunteer mentors would be easier if the names were posted on the web site, rather than included in the introductory letter. Doug also raised the issue of whether there should be some minimum experience requirement for volunteer mentors. Vice-President Tom Weaver suggested that volunteer mentors be screened for adequate experience but that no fixed criteria be established, and Director Jeffrey Ellis agreed. Jeffrey also suggested that new admittees should be given the names of multiple potential mentors. Diane Bratvold suggested that the final

decision as to the number of names should be deferred until the pool of volunteers has been identified. Director Jeremiah Morgan, who is working on the mentoring project with Diane, raised the issue of attempting to ensure that calls to mentors are spread out, rather than all being directed to a single mentor.

Diane Bratvold said she would revise the draft announcement to ask that volunteer mentors describe their levels of Eighth Circuit experience and identify areas – e.g., civil, criminal, briefs, oral argument – in which they would be willing to accept questions. Director Julie Cullen noted that a potential mentor’s experience as an Eighth Circuit judicial clerk should be taken into account, even when the potential mentor to date has limited or no experience actually practicing before the Court. Jeremiah indicated that the draft letter to new admittees, as previously approved by the Court, contemplated the insertion of specific mentor names and that Clerk of Court Michael Gans should be consulted if the letter instead is to refer to a list on the web site. Craig directed Diane and Jeremiah to proceed with a revision of the letter soliciting volunteer mentors and to circulate the revised letter to Board members, allowing them a limited time for additional suggestions.

Craig raised the issue of pending bylaws amendments. Margaret, citing to the April minutes, noted that the Board had not yet officially voted on either of two proposed bylaws amendments, with one proposed amendment needing to be revised to take into account issues raised in April. Craig said he would take responsibility for preparing a new draft of that proposed amendment, which deals with the issue of service of consecutive terms by the Association secretary and treasurer.

Director Lajuana Counts reported that as of the past week, 75 attorneys had signed up for the Association-sponsored CLE scheduled for October 19, in Kansas City, in conjunction with a

visit to that city by a panel of the Court. Lajuana said that the Association might even have to turn people away. She also said that the \$500 previously authorized by the Board for the event would be more than enough to cover expenses. Lajuana asked Margaret, as head of the communications committee, whether the newsletter could use a photograph of the event. Margaret said the newsletter had used a digital photograph on one occasion in the past and that the newsletter would be open to using photographs in the future so long as technology allowed and the particular photograph would show up well given the size limitations of the newsletter format.

Craig raised the issue of other possible Association events, and Director Bob Rossiter indicated he had not yet had the opportunity to follow up with Judge Riley regarding a possible event when a panel of the Court sits in Omaha sometime after the first of the year. Margaret said that she had heard the next Judicial Conference may not be until 2008, so there is no immediate question of planning an event for the Conference. Craig suggested that St. Louis would be another possible site for a CLE program, in light of the concentration of lawyers in that city. He noted the need to communicate or coordinate with Tom Sullivan at the UALR law school regarding when, if and where Sullivan might be planning another Eighth Circuit Practice Institute for 2007. Director Julie Cullen indicated she could follow up with Sullivan. Board members identified the re-opening of the courthouse in Saint Paul as another possible occasion for an Association event, but remodeling currently is expected to take three years, such that the re-opening would not take place until 2008.

The question was raised as to whether it would be appropriate to have a reception or similar event in honor of retired U.S. Supreme Court Justice Sandra Day O'Connor, who is

scheduled to sit with the Court as a visiting judge for two days in February 2007. Julie will follow up on this issue also.

Craig noted that the time is approaching for election of new officers and directors. The current Association officers typically serve as a nominating committee and develop a slate to be presented to the Board in December. Craig asked Board members whose terms will expire at the end of 2006 to let the nominating committee know if they are interested in continuing, and he asked all Board members to contact the nominating committee with suggestions for new Board members.

Treasurer Barry Pickens reported that the Association's certificate of deposit remains unchanged except for additional interest. The balance in the Association checking account stands at \$23,265.45.

Craig noted that the regularly scheduled date for the next meeting would be Tuesday November 14, 2006.

The meeting adjourned around 10:15 a.m.