

Minutes  
Meeting of Directors and Officers  
Association of the Bar of the U.S. Court of Appeals for the Eighth  
Circuit  
December 8, 2004—2:00 pm  
Conference Call—Originating at office of Board Member Barry  
Pickens

In attendance by conference call:

Officers: James Layton, President  
Craig Eichstadt, Secretary  
Krista Kester, Treasurer  
Eric Magnuson, Past President

District Representatives: Douglas Bahr, DND  
Mark Marshall, DSD  
David Herr, DMN  
Robert Rossiter, DNE  
Diane Kutzko, NDIA  
Margaret Callahan, SDIA  
Barry Pickens, WDMO  
Thomas Kieklak, WDAR

At Large: LaJuana Counts

Absent from the Conference Call:

Robert Herman, EDMO  
Thomas Weaver, At Large  
Thomas Sullivan, At Large  
(There is a vacancy in the  
position for EDAR)

The meeting was convened at 2:00 pm CDT by President James Layton. The following items were discussed:

1. Approval of Previous Minutes:

The minutes of the November meeting of the Association's Board and Officers were approved unanimously (as posted by the Secretary) upon motion by Barry Pickens, seconded by Mark Marshall.

2. Treasurer's Report:

Krista Kester gave the Treasurer's Report, indicating that the written report had been sent by e-mail to board members. She noted a difference of \$40.00 in receipts for the dinner in Omaha last year. This should be resolved soon.

3. Membership Committee/Renewals

Mark Marshall reported that 299 of our members have renewed for this year, but 115 other members have not. Mark indicated he will run a list for the district directors of those who have not renewed in each district. The district directors can then follow up with these lapsed members. Margaret Callahan indicated that the Association should require these members to renew for both the year they have missed and for the next year. There was general agreement on this.

4. Report of the Nominating Committee

The nominating committee has made its report by e-mail as follows:

The Nominating Committee (consisting of the current officers) will nominate the following officers for 2005:

President - Krista Kester

President-elect - Craig Eichstadt

Secretary - Margaret Callahan

Treasurer - Barry Pickens

With the departure of Leigh Chiles from the Circuit, the election of Margaret and Barry would thus leave three director positions vacant - the positions for Southern Iowa, Western Missouri, and for Eastern Arkansas. [It would also require (though perhaps not immediately) a new chair for the Communications Committee.] The Nominations Committee has not completed work on the director issues. However, the Committee plans to nominate the following as directors today:

Director for the Eastern District of Arkansas - Tom Sullivan  
(currently an at-large Director) At-large Director - Tom Boyd.

Eric Magnuson moved, Douglas Bahr seconded, that the nomination committee report be adopted, and that the persons set out therein be elected to the stated positions. PASSED UNANIMOUSLY.

Jim Layton gave a brief explanation of some of the nomination committee's thought process. This included the fact that an at large directorship should be shifted to Minnesota, since it is the second largest state in the circuit, but has only one judicial district, thus resulting in it being underrepresented without the at large director. Since one at large director is being shifted to Minnesota from Arkansas, and he has agreed, Tom Sullivan has been shifted from an at large slot to the Eastern District of Arkansas slot, previously left vacant by Leigh Chiles. There are two director slots that remain to be filled, those from the Western District of Missouri, previously held by Barry Pickens, who is now treasurer, and Southern District of Iowa, previously held by Secretary Margaret Callahan. We also will be searching for someone to take over as chair of the Communications Committee, although this transition may be delayed somewhat so that Margaret can assist the new chair.

## 5. Report of the Program Committee:

David Herr, Chair, reported on behalf of the Program Committee. The Committee is laying the groundwork for the Association's participation in the Eighth Circuit Judicial Conference at the Broadmoor in Colorado Springs, Colorado next year. David has been welcomed as an ex officio member of the planning committee for that event. The Court is welcoming the Association to the table in planning the Conference.

There will be an event with Minnesota CLE in May or June, 2005, prior to the St. Paul courthouse closing for renovation. David has talked with several judges about this. They are quite positive about Association participation in such an event. The judges seem to believe May, 2005 will be the best time. There will be further reports as the date draws nearer.

David will meet with the Judicial Conference Planning Committee on January 11, 2005.

The Board resolved by consensus to hold a monthly meeting on the third Wednesday of each month hereafter, unless it becomes necessary to re-schedule in a particular month. The meetings will be held at 2:00 pm Central time on each such date. The first such meeting will be held on January 19, 2005.

The meeting was adjourned by consensus at 2:25 pm CDT.

Respectfully submitted,

Craig Eichstadt  
Secretary