

MINUTES

Eighth Circuit Bar Association

Meeting of Officers and Directors

January 19, 2005

(by conference call)

Present: Krista Kester (president); Margaret Callahan (secretary); Barry Pickens (treasurer); Tom Boyd (at-large); Lajuana Counts (at-large); Tom Weaver (at-large); Tom Kieklak (W.D. Ark.); Bob Herman (E.D. Mo.); Bob Rossiter (D. Neb.).

Absent: Craig Eichstadt (president-elect); Tom Sullivan (E.D. Ark.); Diane Kutzko (N.D. Iowa); David Herr (D. Minn.); Doug Bahr (D. N.Dak.); Mark Marshall (D. S.Dak.); Jim Layton (past president).

The meeting was convened by Association President Krista Kester shortly after 2 p.m.

The board unanimously approved the minutes of the December meeting, as previously circulated and posted on the Association web site.

New treasurer Barry Pickens indicated there was no updated treasurer's report yet. Barry will chair an ad hoc budget committee to make a report and proposal on how much the Association will have available annually for programs and other spending. Director Bob Herman volunteered to assist Barry.

Krista commented on the membership report submitted by e-mail by committee chair Mark Marshall, who could not be present. The report shows that Missouri is the state of practice for the greatest number of Association members (100), by a substantial margin. Minnesota and

Arkansas both have between 50 and 60 members. Krista noted that membership has not increased greatly since the December meeting, indicating that post-meeting efforts at gaining additional renewals were not particularly successful. Current membership total is 304, reflecting a member retention rate of approximately 75 percent.

Margaret Callahan reported for the communications committee that the next newsletter issue could be expected the week of January 24. Krista noted that the committee membership lists posted on the web site are out of date. Krista also noted that efforts to find a new communications committee chair so far have not been successful. The matter will be discussed further at the next Officers/Directors meeting.

Krista noted the two existing director vacancies and indicated that past-president Jim Layton, who could not be present, was working to identify candidates to fill those vacancies.

Krista led the discussion about programs, in the absence of committee chair David Herr. Bob Herman and Tom Kieklak indicated they wished to continue as members of the program committee.

A date has not yet been fixed for a potential program in St. Paul in conjunction with the closing of the courthouse there for remodeling. June court week runs the 13th-17th; however, the Court has indicated that the May court week might be a better time for the program. Tom Boyd will help in planning the St. Paul program.

Krista reported on the January meeting of the Judicial Conference planning committee, chaired by Judge Pasco Bowman. Krista and David Herr attended on behalf of the Association. She said U.S. Supreme Court Justice Clarence Thomas is confirmed to make the closing address at the Conference but that otherwise no plans are final. Likely program topics include electronic discovery and issues relating to the constitutionality of the federal sentencing guidelines.

The Judicial Conference planning committee is looking to the Association to conceive and plan a “break out” session on some topic. The Association needs ideas of possible program topics. Also, the Association needs to decide if it will sponsor any additional event, such as the breakfast it organized for the 2003 Judicial Conference in Minneapolis; and it will want to find a time for an Association or Board meeting during the Conference. The public portion of the Conference will begin the morning of October 20, 2005, and run until about 3:30 p.m. that day and noon on Friday October 21. (The Conference will be at the Broadmoor in Colorado Springs.) The planning committee may also be looking to the Association to help generate turnout for the Judicial Conference.

Krista next led a brief discussion of the Association committee structure, on which several directors have commented in an exchange of e-mails. There is a concern that some committees, such as the liaison committee, do not really know where they fit in, and the services of members of those committees are not being utilized. A proposal was made to eliminate some “subject”-based Association committees in favor of having a “committee” of interested members in each State or judicial district to handle any Association task needing on-site involvement in the particular State. Others expressed concern that the Circuit-wide emphasis of the Association not be lost in favor of a mere series of state organizations.

The committee structure issues, as well as the issue of planning new membership efforts, were deferred for discussion at the next Officers/Directors meeting, which was set for Wednesday February 16, 2005, at 2 p.m., by conference call.

The meeting adjourned about 2:50 p.m.