

MINUTES

Eighth Circuit Bar Association

Meeting of Officers and Directors

February 14, 2006

(by conference call)

Present: Craig Eichstadt (president); Tom Weaver (president-elect); Margaret Callahan (secretary); Lajuana Counts (at-large); Julie Cullen (at-large); Diane Bratvold (D. Minn.); Jeremiah Morgan (E.D. Mo.); Bob Rossiter (D. Neb.); Doug Bahr (D. N. Dak.); Mark Marshall (D. S. Dak.).

Absent: Barry Pickens (treasurer); Tom Boyd (at-large); Jeffrey Ellis (E.D. Ark.); Tom Kieklak (W.D. Ark.); Diane Kutzko (N.D. Iowa); Angela Campbell (S.D. Iowa); Larry Friedman (E.D. Mo.); 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 December meeting, as previously circulated.

Craig noted that because treasurer Barry Pickens was unavailable due to a court appearance, the treasurer's report would be deferred until the next meeting.

Mark Marshall reported for the membership committee that current Association membership stands at 312, with only 28 members not renewing for the July 2005-June 2006 member year. He said the Association realized \$10,045 from member renewals. The Board unanimously approved the membership report.

A brief discussion was had regarding the Association web site, the portions of the site that have been and still need to be updated, and possible plans for web site improvement or restructuring.

Craig noted that the Journal of Appellate Practice and Process, which is based at the University of Arkansas Little Rock School of Law, would be holding in April its Seventh Annual Eighth Circuit Appellate Practice Institute. Craig said the program was to be followed by a reception in honor of Eighth Circuit Judge Morris Arnold of Little Rock, who will be taking senior status later this year. Craig indicated there was an opportunity for the Association to sponsor or otherwise be involved in the reception.

Director Julie Cullen of Little Rock provided additional details, stating that the program was scheduled for April 10 and that a panel of the Court would be hearing arguments at the Law School the next day. She reviewed the schedule of CLE presentations, which includes remarks by former Association president Jim Layton, an update from Eighth Circuit Clerk of Court Michael Gans, and a panel discussion featuring Judges Arnold, Riley and Smith and Senior Judge Beam. Julie indicated that she would be moderating the panel and asked Association members to send her suggestions on questions and issues to be raised to the panel.

Julie said that the Eighth Circuit sitting in Arkansas was rare and emphasized how excited the Arkansas Bar was about the prospective visit from the Court. She said the Dean of the Law School had indicated that the school would pay for the reception if the Association was not interested in being involved.

Program organizer Tom Sullivan had previously contacted Association secretary/communications chair Margaret Callahan about access to the Association mailing list to circulate the program brochure, and Margaret had circulated the request to the Board. Julie

noted that she had since received from Tom a revised brochure omitting certain references to the Association found in the initial brochure.

Craig stated that he would favor Association involvement in the reception and noted that the Association had been involved with a reception in Kansas City for Judge Bowman relating to his senior status. The figure of \$1,000 was mentioned as the potential financial contribution from the Association for the Arnold reception. President-elect Tom Weaver said he would favor sponsoring as many functions as possible in which Eighth Circuit judges participate. It was noted that the judges seemed to appreciate Association participation.

Treasurer Mark Marshall noted that the Association in the past had shown a reluctance to share its membership list and suggested a policy was needed. Director Diane Bratvold said that the Defense Research Institute earlier this year had requested use of the Association membership list to announce an appellate seminar and had received no response. Mark said that the Association had turned down a request from the same group a couple of years ago.

Julie expressed the opinion that the circulation of information on appellate seminars would be a service to Association members. Diane noted that several lawyers' groups in Minnesota had circulated the DRI appellate seminar announcement to their members.

Director Doug Bahr moved that the Association distribute to members the brochure for the April program in Little Rock, contribute \$1,000 to the reception for Judge Arnold and establish a policy for dealing with future requests for use of the Association membership list. The motion was seconded and passed. Tom and Director Jeremiah Morgan volunteered to work on the policy regarding use of the membership list.

The question was raised as to whether the Association should turn over the membership list or instead send the brochure out to members itself, and the consensus was in favor of the later

approach. Mark Marshall offered the services of his staff person to circulate the brochure for the Arkansas program and indicated he would draft and share with the Board a proposed cover message to go with the brochure. Craig said he would call Tom Sullivan to notify him of the Board decision.

Craig raised the possibility of having an in-person Board meeting in Little Rock if enough officers were planning to attend the Arkansas program. Mark and Craig indicated they already were planning to attend. The question will be addressed further at the next Board meeting.

Craig noted that he still planned to call directors individually to talk about the direction of the Association and possible future events. He noted that the Association has funding available.

Julie again asked for suggestions for questions to the judge's panel at the Arkansas program, and Jeremiah suggested the topic of how attorneys could gain appellate experience. Also, it was noted that the next two Chief Judges after current Chief Judge Loken will be Riley and Smith, both of whom are on the CLE panel. Directors will e-mail Julie with any further suggestions.

The next Association Board meeting will be held Tuesday March 14, 2006, at 9:30 a.m. by telephone. However, because a couple of directors will be unavailable that day due to scheduled arguments before the Eighth Circuit, Craig will survey Board members by e-mail to determine whether the date should be changed.

The meeting adjourned just before 10:30 a.m.