

**Association of the Bar of the  
United States Court of Appeals  
for the Eighth Circuit**

Minutes of Meeting of the Board of Directors of the Association

March 23, 2004

A meeting of the Board of Directors of the Association of the Bar of the United States Court of Appeals for the Eighth Circuit was held by telephone conference call at 2:00 pm, March 23, 2004. President Jim Layton called the meeting to order at 2:00 pm as previously noticed.

**Present at the meeting were the following:**

Officers:

Eric Magnuson, Past President  
James Layton, President  
Krista Kester, Treasurer

District Representatives:

Leigh Chiles, Eastern Arkansas  
Thomas Keiklak, Western Arkansas  
Margaret Callahan, Southern Iowa  
Robert Herman, Eastern Missouri  
Barry Pickens, Western Missouri  
Robert Rossiter, Nebraska  
Douglas Bahr, North Dakota

At Large:

Lajuana Counts  
Thomas Weaver

**Absent were the following:**

Officers:

Craig Eichstadt, Secretary

District Representatives:

Mark Marshall, South Dakota  
Diane Kutzko, Northern Iowa  
David Herr, Minnesota

At Large:

Thomas Sullivan

## **Previous Minutes**

**Motion:** Eric Magnuson moved, and Lajuana Counts seconded, to approve the minutes of the previous board of directors meeting. Motion passed unanimously.

## **Agenda**

President Layton announced the following four agenda items:

1. Web hosting
2. Membership renewals
3. Annual meeting
4. 501(c)(3) filing

## **Web Hosting**

Tom Weaver recommended that the Association accept UALR's offer to host and maintain the Association's web site. There does not appear to be a need for an independent site at this time. UALR is ready to post our materials on the site as soon as we direct them to do so. Association member David Fuqua has also agreed to work with UALR with respect to our web site.

Tom Weaver suggested that Michael Gans be contacted before UALR is given authority to post the web site in order to confirm that the Court has no reservations or concerns about that arrangement. It was agreed to Tom Weaver would make that contact.

UALR had asked Tom Weaver whether the Association had a desire to redesign the web site. Although, UALR would be able to do that, it could not be done immediately. Eric Magnuson stated that he thought the current design was easy to navigate and that it should not be redesigned at this time. The consensus was that the web site should remain in its current design.

Eric Magnuson's staff will transfer the appropriate electronic files to UALR as soon as directed to do so. The February minutes and the amended bylaws have not yet been posted, but Eric suggested that UALR be responsible for doing so as its first activity of maintaining the site. In addition, Eric recommended that the substance of the current Eighth Circuit Internet Toolbox be maintained on the website, but that the Rider Bennett name be removed from the page.

**Motion:** Tom Weaver moved, and Eric Magnuson seconded, that the Association authorize UALR to maintain the Association's web page. Motion passed unanimously.

### **Treasurer report**

Krista Kester reported that there was no new treasurer report as the financial status of the association is unchanged from last month.

### **Membership Report**

Leigh Chiles reported that the membership committee will circulate letters to be sent by each district director to current members with a renewal notice. Membership renewals will be due July 1.

### **Annual Meeting Issues**

Jim Layton asked whether there were any comments on the March 22 email from Tom Sullivan regarding the annual meeting. The dates suggested by Tom Sullivan (reception on the evening of Thursday, September 16, with the conference on Friday, September 17) were discussed and generally approved. Jim Layton asked that anyone having comments or suggestions as to the annual meeting forward those comments directed to David Herr.

### **Liaison Issues**

Krista Kester mentioned that Nebraska was holding a CLE seminar in April on appellate practice, and that Michael Gans was scheduled to speak at the seminar. Bob Rossiter stated he had just become aware of the seminar and would speak with the respective CLE committee to confirm that Association membership materials could be distributed at the seminar. Krista Kester suggested that perhaps Michael Gans could mention the Association during his presentation, if the sponsoring committee had no objection.

Jim Layton stated that perhaps the Liaison Committee could develop a method for tracking state and local bar programs.

### **501(c)(3) Filing**

Krista Kester had circulated via email the proposed application for a tax-exempt ruling to the Board prior to the meeting. Lajuana Counts did not receive it, and it was sent again via email to Lajuana during the meeting. The proposed application was discussed with only a few comments arising from Board members. With respect to the prediction of the Association's revenue and expenses over the next two years, generally a growth factor of 10% was applied to the actual 2002 numbers, to arrive at the numbers provided in the application.

**Motion:** Bob Rossiter moved, and Lajuana Counts seconded, that the application be approved and submitted to the Internal Revenue Service. Motion passed unanimously.

### **Next Meeting**

The next meeting of the Association Board of Directors was set for 2:00 pm April 20, 2004 via teleconference. Jim Layton will ask for a volunteer to set up the call.

### **Adjournment**

The meeting was adjourned by unanimous consent at 2:40 pm, Tuesday, March 23, 2004.

Respectfully submitted,

Krista Kester  
Treasurer