

MINUTES

Eighth Circuit Bar Association

May 6, 2008

(by conference call)

Present: Tom Boyd (president); Barry Pickens (secretary); Diane Bratvold (treasurer); Tom Weaver (past president); Doug Bahr (N. Dak.); John Baker (Minn.); Angela Campbell (S.D. Iowa); Julie Cullen (at-large); Jeffrey McKinley (E.D. Ark.); Jeremiah Morgan (W.D. Mo.); Dana Oxley (N.D. Iowa); Karl Robinson (at-large); and Roger Shiffermiller (Neb.).

Absent: Mark Marshall (president-elect); Alok Ahuja (at-large); Tiffany Milligan Brown (ad hoc); Larry Friedman (E.D. Mo.); Tom Kieklak (W.D. Ark.); and Mark Salter (S. Dak.).

Tom Boyd called the meeting to order at 9:30 a.m.

Upon motion made by Diane Bratvold and seconded by Tom Weaver, the board unanimously approved the minutes of the board of directors meeting held on March 4, 2008. Upon motion made by Tom Weaver and seconded by Diane Bratvold, the board also unanimously approved the minutes of the board of directors meeting held on April 1, 2008.

Diane Bratvold provided the board with a treasurer's report regarding the current balances of the association's bank account and certificate of deposit. Upon motion made by Jeremiah Morgan and seconded by Dana Oxley, the board unanimously accepted the treasurer's report.

Tom Boyd advised the board regarding the current status of the various committees and subcommittees of the Association. After discussion, the board decided to retain certain committees and to appoint (or reappoint) the chairs thereof, and to eliminate two committees, all as set forth below. Upon motion made by Jeffrey McKinley and seconded by Jeremiah Morgan, the board unanimously voted to retain the Executive Committee and to appoint the five current officers of the Association to serve on that committee – Tom Boyd, president; Mark Marshall, president-elect; Barry Pickens, secretary; Diane Bratvold, treasurer; and Tom Weaver (past president). Upon motion made by Karl Robinson and seconded by Tom Weaver, the board unanimously voted that until further action of the board, it would retain a Membership Committee and appoint Jeremiah Morgan as the chair thereof; retain a Communications Committee and appoint Tiffany Brown and Angela Campbell as co-chairs thereof; retain a Programs Committee and appoint Tom Weaver and Diane Bratvold as co-chairs thereof; and retain a Mentoring Committee and appoint Jeremiah Morgan as the chair thereof. Upon motion made by John Baker and seconded by Tom Weaver, the board unanimously voted to eliminate the Ad Hoc Bylaws and Liaison Committees. Tom Boyd will ask each member of the board to volunteer to be a member of at least one of the active committees.

Tiffany Brown was not available to update the board regarding the Association's newsletter. However, Tom Boyd advised that he spoke with her about the current edition of the newsletter and that she has received all of the articles which directors had agreed to author and that she has otherwise completed the current edition of the newsletter which is being formatted this week for distribution.

Tom Boyd and Tom Weaver updated the board regarding their work on a possible reception or program in St. Louis featuring Professor Morris to discuss his book on the history of the Eighth Circuit. Tom Boyd advised that Michael Gans had told him the Court would be receptive to this event and that he suggested the second week of June 2008 as the date for this program/reception. There was discussion among the board regarding the possible venue(s) for this program or reception. Tom Weaver advised the board that he spoke with the presiding judge of the Missouri Court of Appeals, Eastern District (which sits in the former Federal courthouse where the Eighth Circuit once was located), who was enthusiastic about participating in the event and approved use of the building and the Court's main courtroom for this program or the reception for it. Tom Weaver advised the board that he will explore whether CLE credit could be made available for attendees of a program featuring Professor Morris, or whether an additional part would be required for CLE credit. Tom Boyd advised the board that Professor Morris was willing to participate and Tom suggested that the board should pay the professor's travel-related expenses. After discussion, and upon motion made by Diane Bratvold and seconded by Tom Weaver, the board unanimously voted to authorize the Executive Committee to proceed to make all decisions required for the Association to host a reception featuring Professor Morris during the week of June 9, 2008 at a location to be selected, and to expend necessary and reasonable amounts not to exceed \$4,000 to do so.

Tom Weaver advised the Board regarding the schedule for the upcoming Eighth Circuit Judicial Conference to be held from Wednesday, August 13, 2008 through Friday, August 15, 2008 in Chicago, IL. There was general discussion regarding whether the Association should host a reception at the conference and if so, when to schedule that reception. It was generally agreed by the board that the Association should host a reception and that the afternoon or evening of Thursday, August 14, was the preferable time for such event. The board discussed hosting a dessert reception with live music in the conference hotel's lobby. Tom Weaver agreed to inquire with the Seventh Circuit Bar Association regarding its desire to co-host such a reception with our Association. Tom Weaver agreed to inquire with the Court regarding whether the date and time of our reception could be added to the calendar of events for the conference on the Court's website (as the printed calendar of events has already been sent out by the Court). Tom Boyd advised the board that after obtaining further information on these items, the board will discuss this event further during the June 2008 board meeting.

Tom Boyd advised the board regarding the Association's anticipated program and reception to be held in St. Paul during the week of November 10, 2008. Tom Boyd and Jeremiah Morgan both spoke with Michael Gans about this event since our last board meeting and learned that the Court is enthusiastic about the program as a reminder to the bar that the St. Paul courthouse is open for business again, and that Mr. Gans also suggested to Mr. Morgan that former Association President David Herr would likely be willing to assist the Association with this event. The subcommittee for this event will continue its work on plans for this program and report back to the board at a future board meeting.

Jeremiah Morgan also advised the board that Michael Gans has also expressed the Court's interest in having an additional two or three receptions and/or programs each year, especially when the Court sits at locations other than St. Louis or St. Paul. Jeremiah Morgan advised the board that the Court's calendar of locations for arguments during the rest of 2008 and 2009 was released and the calendar shows that the Court will have a panel sit to hear argument in Kansas City during

October 2008, and in Omaha during May 2009. Jeremiah Morgan and Barry Pickens will contact judges who are located in Kansas City about an anticipated Kansas City event in October, and Julie Cullen and Roger Shiffermiller will contact Judges Riley and Beam about an anticipated Omaha event next Spring.

Jeremiah Morgan provided the board with an update regarding the Association's mentoring program and noted everything is on track, and advised the board that the form letter he prepared to be sent by the Court to attorneys scheduled for their first argument in the Court of Appeals has been forwarded to Michael Gans.

Jeffrey McKinley provided the board with an update regarding membership, noting we have two new members. She also advised that she will send a letter to renewing members and judges by the end of May 2008, and plans to follow up with such persons who have not renewed by mid-July 2008 with an email advising them to renew before August 2008 when she will update our membership lists.

Angela Campbell advised the board that everything the board wanted the programmer to post on the Association's website has been posted. Once the members of the Association's various committees have been determined, the committee chairs need to advise Angela Campbell so that she can ask the programmer to update the committee information on the website.

Tom Boyd noted that the next meeting of the Board of Directors will be held on June 3, 2008 at 9:30 a.m.

There being no other business, the meeting was adjourned at approximately 10:45 a.m.