

MINUTES

Eighth Circuit Bar Association

Meeting of Officers and Directors

June 9, 2005

(by conference call)

Present: Krista Kester (president); Margaret Callahan (secretary); Barry Pickens (treasurer); Tom Boyd (at-large); Lajuana Counts (at-large); Tom Sullivan (E.D. Ark.); Diane Kutzko (N.D. Iowa); Bob Rossiter (D. Neb.); Mark Marshall (D. S. Dak.).

Absent: Craig Eichstadt (president-elect); Tom Weaver (at-large); Tom Kieklak (W.D. Ark.); Angela Campbell (S.D. Iowa); David Herr (D. Minn.); Bob Herman (E.D. Mo.); Doug Bahr (D. N. Dak.); Jim Layton (past president).

Association President Krista Kester called the meeting to order shortly after 9:30 a.m.

The Board unanimously approved the minutes of the April meeting, as previously circulated.

Treasurer Barry Pickens indicated he had no treasurer's report. He stated that he has received the monies from the law firm sponsors for the May 11, 2005, reception in Saint Paul; however, he has not yet received any invoices for expenses to be paid by the Association. Barry will check with Director David Herr regarding expenses to be paid.

Barry also commented that the Association had an extension of time, to August, to file its nonprofit tax return. Some confusion still exists with the IRS, which issued two different tax numbers to the Association.

Director Tom Boyd reported that the CLE portion of the Saint Paul program was well-attended and well-received. He stated that more than 100 attorneys signed up for the program, and he estimated that 80 to 100 attorneys actually attended. He said he received favorable comments from participants afterwards, and the written evaluations solicited by co-sponsor Minnesota CLE generally were good. Eighth Circuit Senior Judge Donald Lay suggested that the Association sponsor similar programs in other cities in the Circuit.

Minnesota CLE took care of all the mechanical details regarding collection of registration fees, sign-in, etc., and covered other expenses (such as speaker travel) associated with the program. Minnesota CLE thus was entitled to the revenues from the CLE. The contributions from the six law firm sponsors (generally \$500 each, with \$250 from one firm) covered the costs for the reception, so the Association came out even financially on the event.

Secretary Margaret Callahan reported for the newsletter committee that the next issue should be out around the end of June.

Director Mark Marshall reported for the membership committee that he has already received a couple of member renewals, even though no renewal announcement has yet been sent out. The Association membership year runs from July 1 through June 30. Membership renewals need to be sent soon, and discussion focused on whether the same general process for soliciting renewals as used last year should be followed this year. Mark stated that he could not remember the approximate renewal percentage from last year but felt it was fairly high. Margaret suggested it was around 75-80 percent, because she now sends the newsletter to about 325 attorneys but at one point sent it to more than 400 attorneys.

Director Tom Sullivan asked the question of where the Association saw itself going – Is the primary concern to maintain the current “core group” of really interested attorneys, or would

the goal be broader attorney membership? He noted that potential Association activities are somewhat limited by the fact that the Association includes a diverse group of attorneys, i.e., both plaintiff's and civil defense bar, plus prosecutors and the criminal defense bar. He observed that one of the things the Association could do was what it is currently doing – sponsoring legal education programs and social events. He also pointed to the Association newsletter as an asset and raised a question as to whether attorneys might value the newsletter less, as a membership benefit, because it is merely circulated by e-mail and does not have the “presence” of a print newsletter. He, however, endorsed continued “e-mail only” newsletter circulation as appropriate for this Association.

Krista noted the previous suggestion of Director David Herr regarding establishment of a mentoring program where Association members would be available to offer tips about court procedures to attorneys who were doing their first Eighth Circuit appeals or who had not practiced before the Circuit recently.

Mark noted that last year, as the district director for South Dakota, he had been able to personally call most South Dakota members who did not immediately renew and that he was effective in gaining renewals that way. Directors from districts with more attorneys had only been able to send out follow-up letters and did not have a particular sense as to whether those letters were effective.

The Directors voted to proceed with renewal solicitation in the same manner as last year, with an initial renewal notice from the membership committee and follow-up notices, where necessary, from the directors in the respective judicial districts. The follow-up contacts and notices, however, will take place more promptly than last year. Officers and Directors will

endeavor to submit their own renewals in a timely fashion, so they do not have to send follow-up notices to themselves.

Krista proposed the establishment of an ad hoc marketing committee to consider the issue of approaches to membership growth. There were no immediate volunteers for the committee and the issue was tabled. It was noted that there should be membership solicitation opportunities in conjunction with the Judicial Conference in October.

Krista announced that the Association has been placed on the Judicial Conference schedule as hosting a breakfast the first morning of the Conference, i.e., October 20, 2005. The Conference will be held at the Broadmoor in Colorado Springs, with attorney educational programs scheduled for October 20 and 21. Krista asked for suggestions for a speaker or program for the breakfast. It was noted that the full program for the Conference will be announced around June 15, when on-line Conference registration is scheduled to open. Krista will approach directors individually about serving on the planning committee for the breakfast.

Director Tom Boyd noted that even during the pending closure of the Saint Paul Courthouse for remodeling, the Eighth Circuit may sit on a few occasions at local law schools in Saint Paul. He reported that the Minnesota chapter of the Federal Bar Association would be interested in having our Association as a co-sponsor for a reception for the Court at one of the law school sittings, if they come about.

Director Tom Sullivan reported that the University of Arkansas Little Rock/Journal of Appellate Practice and Process does not plan to hold the next in its series of Eighth Circuit appellate practice seminars until the Spring of 2006. The Association has been a co-sponsor for the last two programs. Either Little Rock or St. Louis is the likely site for the next seminar.

The next directors' meeting will be held Tuesday July 26, 2005, at 9:30 a.m., by telephone.

The meeting adjourned at 10:10 a.m.