

Minutes
Meeting of Directors and Officers
Association of the Eighth Circuit Bar
September 13, 2004—7:00 pm

Meeting held as previously noticed at Marriott Hotel, St. Louis.

In attendance in person:

Officers: Eric Magnuson
James Layton
Craig Eichstadt
Krista Kester

District Representatives: Douglas Bahr
Margaret Callahan
David F. Herr
Thomas Kieklak
Mark F. Marshall
Barry Pickens

At Large: Thomas Sullivan
Lajuana Counts
Thomas Weaver

Absent: Robert Herman
Diane Kutzko
Robert Rossiter

(There remains one vacancy on the board due to Leigh Chiles moving out of the Eastern District of Arkansas to the State of Tennessee)

The meeting was convened at 7:00 pm CDT by President James Layton, at the meeting room where our CLE meeting was held in the St. Louis Marriott Hotel.

The following items were discussed:

1. Approval of Previous Minutes:

The minutes of the August meeting of the Association's Board and Officers were approved unanimously (as posted by the Secretary) upon motion by Krista Kester, seconded by Eric Magnuson.

2. Treasurer's Report:

Krista Kester gave the treasurer's report. The reimbursement to her for the Omaha event, which we agreed to co-sponsor, comes to \$980.00. This event was very successful. Judge Bye specifically expressed gratitude to the Association. Judge Riley also commented favorably and was responsible for getting the event going. This sort of event was, in Krista's view, exactly why the Association was formed and is precisely the sort of event we should spend our funds on. Krista reported that the Association has a balance of about \$17,711.00 in the operating account, and our Certificate of Deposit, which is our reserve fund, totals something over \$22,000.00.

3. Membership Committee/Renewals

Mark Marshall reported on membership renewals. There are 140 members from the previous year who have not yet renewed.

Mark also reported that Judge Piersol, District of South Dakota, had sent in his renewal check although judges are not required to pay dues. Mark volunteered to contact Judge Piersol, thank him for his membership, and inquire whether he wanted to support the Association with his funds, since he was not required to pay dues. It was noted that Judge Piersol became a charter member, so he may simply want to support our Association, for which we are very grateful.

There was discussion on why some members have not yet renewed. Some believed it was a matter of just not getting around to it. Jim Layton suggested we send out a reminder stating frankly

that “You have not yet paid your dues,” or similar language. There was general agreement. We will have a general mailing of the sort suggested, and then the list of those who have not yet paid will go to the district directors, probably before October 1, 2004. It will be up to the district directors to follow up with the non-paying members after that date.

4. Replacement of Director Leigh Chiles

President Jim Layton brought up the subject of replacement of Director Leigh Chiles. Leigh moved to Memphis and her position is vacant. Jim Layton said he would look at the members in Arkansas, consult with Tom Sullivan, and make an appointment to the vacant position. The matter remains unchanged since last month, but Jim still intends to make the appointment after consulting with those from Arkansas. Several have expressed an interest in the position. The selection of a replacement director will be postponed for now.

5. Communications Committee

David Herr reported that we have no future programs in the works, but we will plan on doing an event of some sort at the judicial conference in Colorado Springs next year. In the long term we are planning on doing an event at each “out of town” court session, but we may not get that set up yet this year.

6. Special Budget Committee

Krista Kester reported on behalf of this committee. She gave the written report that was handed to the board members present. Our level of expenditure will be governed by a decision on how much we should keep in reserve. Krista said that \$22,000.00 is probably too much, but that this would be kept in reserve until our CD expires. All other funds can go to programs and services for members. There seems to be a consensus that ongoing dues receipts should be spent on member services and benefits. So far, we have around \$6800.00 in membership renewal dues for this

year. We can anticipate that there will be some additional renewals.

Another issue is how to structure the budget year as it relates to membership renewals. Another issue is our line item budget, that is, how much should we spend, and what should we spend it on. Conference calls for board meetings could become a major expense. So far, the cost has been donated by various firms, most often by Spencer, Fane, Britt & Browne of Kansas City. If we are to pay for these ourselves, we may discover that a meeting every month is more than we need. Doug Bahr suggested that four meetings per year may be enough.

7. Future Plans for the Association.

There was general discussion of the future of the association and what our purpose ought to be. An issue is: Should we have a relationship with state or local bar associations? We benefit from having our own events and identity.

Eric Magnuson stated that a good goal for the next three years is to have as many events as possible. Jim Layton stated that he thought we should not have an event sponsored by our Association and spending our funds more than three or four times per year. Tom Sullivan suggested we should try to get judges involved with the Association. He thinks we also need to do something at the Judicial Conference next year. There was a general consensus that the CLE we are now attending was very well done, and that we should try to do something similar each year, even judicial conference years.

Eric Magnuson suggested we do a “day before” CLE right before the judicial conference in Colorado Springs. We need a presence at this conference. Jim Layton said he would ask Michael Gans and Millie Adams whether the Association can have a role in planning the Judicial Conference.

There was a consensus that we should offer another CLE, similar to the one we are now attending, next year, in addition to

our role at the Judicial Conference. Details will be worked out later. St. Louis seems to be the best location.

8. Motions related to the Budget.

Doug Bahr moved, Eric Magnuson seconded, that we keep \$20,000 in reserve (after expiration of the present certificate of deposit) for long range plans and future reserves. PASSED UNANIMOUSLY.

Doug Bahr moved, Lajuana Counts seconded, that we sponsor (financially) a maximum of four events per year, and that an event sponsored at a particular location must be at least two years from the last event at the same location. There will be an effort to minimize the cost through private sponsorships when possible. Exceptions may be made in the discretion of the Board. PASSED UNANIMOUSLY.

Lajuana Counts moved, Doug Bahr seconded, that our budget year run from January 1 through December 31 of each year. It was noted that the membership renewal period is from July 1 through June 30 of each year, and this will allow for better planning, since we will know how much we have available in dues before each subsequent expenditure year starts. PASSED UNANIMOUSLY.

The next meeting of the Board and Officers will be held Wednesday, November 3, 2004, at 2:00 pm, by conference call.

The meeting was adjourned by consensus at 8:22 pm CDT.

Respectfully submitted,

Craig Eichstadt
Secretary