

MINUTES

Eighth Circuit Bar Association

Meeting of Officers and Directors

September 7, 2005

(by conference call)

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

Absent: Tom Weaver (at-large); Tom Kieklak (W.D. Ark.); Angela Campbell (S.D. Iowa); David Herr (D. Minn.); Doug Bahr (D. N. Dak.).

Also Present: Eric Magnuson (former president).

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

Krista explained that she had called the meeting for the limited purpose of deciding what response, if any, the Association should make to Hurricane Katrina. She indicated she had heard some suggestion that it would be ill-conceived for the Association to continue with its plan to sponsor a breakfast at the Eighth Circuit Judicial Conference in October and that the Association instead should contribute the funds it would have spent on the breakfast to hurricane relief efforts. Another view, said Krista, was that the Association should proceed with the breakfast but contribute in some other manner to relief efforts.

Director Tom Sullivan noted that law students attending schools in New Orleans were dispersing to other law schools across the country and that West Publishing was offering to make available free textbooks. He referred to the American Association of Law Schools web site as a source of information. He noted that law students were receiving “free” tuition at their “new” schools if they continued to pay tuition to their original New Orleans schools but that students likely would have needs regarding short-term living expenses. He suggested assistance might be directed through law schools in the Eighth Circuit who were taking in displaced New Orleans students.

Another suggestion, previously made by e-mail, was to contribute through the Federal Court Clerk’s Association. Eighth Circuit Clerk of Court Michael Gans has information about this group and its relief efforts, and Director Larry Friedman volunteered to contact Michael and ask him to join the conference call.

A motion was made and passed that the Association make some donation to the relief effort. Discussion then turned to the amount of the donation, and the recipient.

Krista proposed that the Association make a donation in the amount of \$5,000. Several Board members agreed this was an appropriate figure.

Eric Magnuson spoke on the importance of the choice of recipient for the donation. Director David Herr spoke to the same point and suggested that the Association, to the degree possible, should choose a recipient consistent with the Association’s mission as a federal appellate lawyers’ group.

Another proposal was to make a donation in the amount of \$10,000. Eric suggested that the Association should be careful in committing too much of its member resources to purposes such as a charitable donation. Secretary Margaret Callahan noted that most members probably

already were receiving many solicitations for contributions for hurricane relief and would have many opportunities to make contributions; that many members likely would already have made contributions; and that some members might not expect or desire that substantial portions of their membership dues would go to further contributions.

There was strong sentiment that the Association should not drop its plan to sponsor a breakfast at the Judicial Conference. Krista noted that she also opposed changing the tentative price structure for the breakfast – free to charter members and a discount for regular members – because it is important for the Association to offer benefits for its members.

At this point Larry brought Michael Gans into the call. Michael reported briefly on the status of operations in the Fifth Circuit, noting that the Circuit had re-opened in Houston and was looking for space in Baton Rouge so employees could be closer to their homes. He said that the Fifth Circuit had been able to contact two-thirds of its staff so far and attributed the delay in reaching the remaining staff to telephone and computer problems. He said many people at all levels of the Fifth Circuit – appellate, district court, bankruptcy – had lost everything.

Michael reported that the Federal Court Clerk’s Association, which is a voluntary organization for federal court employees at all levels, has begun a fund drive to assist court employees suffering losses in the hurricane. A foundation has been established, and contributions are tax-deductible. He promised to send further information, by e-mail, to Krista.

After Michael left the call, a motion was made and passed for the Association to donate \$5,000 to a relief program related to the federal courts, with the final decision on the appropriate recipient to be made by Krista. Krista will review the information to be received from Michael and inform the rest of the Board if the relief fund established by the Federal Court Clerks Association seems an appropriate recipient.

Eric suggested that the Association might want to urge members also to contribute individually to the recipient selected for the Association donation. A motion was made and passed that the Association President communicate to members the Association's donation decision and urge members to contribute also.

The meeting adjourned just at 10:05 a.m.