

**MINUTES**  
**Historical Society of the United States Courts in the Eighth Circuit**  
Executive Committee Conference Call  
May 23, 2018 at 1:30 p.m.

**Participants:**

Hon. Richard G. Kopf, Chair  
F. Richard Lyford, President  
Frances Ross, Vice-President  
Joan Voelker, Secretary  
Sheila Greenbaum, Treasurer  
Tom Boyd, Past-President

Roll call was taken. Circuit Librarian Eric Brust was unable to attend as he was traveling on business.

The minutes of the Executive Committee's February 21, 2018 meeting were approved.

Treasurer's Report

Treasurer Greenbaum reported the balance of the parent account as \$9,986.96 and the Appeals account as \$14,404.92.

It was confirmed that the University of Arkansas had been paid in full for the publication of the Arkansas federal court history. *[As reflected in past minutes of the Executive Committee, in 2015, \$20,000 (\$12,500 from the U.S. District Court of the Eastern District of Arkansas and \$7,500 from the Western District of Arkansas Library Fund) was deposited into the parent account so that the parent could act as agent for disbursing payment to the University of Arkansas Press for publication costs, since the Arkansas branches had no funds or bank accounts. The amount of \$10,000 was paid in 2015 (July 2015 minutes) before publication, and the remaining balance of \$10,000 was paid in June 2016 (July 2016 minutes) upon publication of the book in May 2016.]*

It was also confirmed that the appeals account reflected the infusion of \$15,750 *[deposited February 15, 2017]* from the circuit attorney admission fee fund to support the circuit oral history project and the payment of \$1,973.01 *[August 28, 2017]* to Sound Motion LLC for the production of Judge Wollman's interview.

Circuit oral histories

The topic then turned to the project to carry out oral history interviews of the Eighth Circuit's court of appeals judges who have taken senior status or will reach the age of 70 by 2021.

*Status Updates*

*Judge Michael J. Melloy (Cedar Rapids, Iowa) – Senior Status*

Mr. Lyford said that Judge Melloy's Judicial Assistant told him that the Judge was unavailable to do the interview at present and that the Judge would contact Mr. Lyford at a later date.

*Judge James B. Loken (Minneapolis, Minnesota) – Age over 70*

Mr. Boyd said that Judge Loken is still willing to be interviewed but also was unable to do the interview when contacted. Mr. Boyd said that he will continue to pursue the interview.

*Next Target Interviews*

*Judge Duane Benton (Kansas City, Missouri) – Turns 70 in 2020*

*Judge Bobby Shepherd (El Dorado, Arkansas) – Turns 70 in 2021*

It was discussed that efforts would be made to lay the ground work for these interviews. Frances Ross was going to ask Judge Morris Arnold his advice on who might undertake Judge Shepherd's oral history interview.

The discussion turned to costs. It was noted that oral history production costs typically range from \$1,500 to \$2,500 per interview. It was also confirmed that there were sufficient funds to cover oral history project costs. (See Treasurer's Report above for details.) Judge Kopf shared that he was able to secure the District of Nebraska's IT staff to record Judge Riley's interview and that a court reporter produced a transcript free of charge, declining Judge Kopf's offer to pay with his personal funds.

### 2018 Judicial Conference in Des Moines

a) Board meeting, Thurs., Aug. 16, 4:15-5:15

Ms. Voelker reported that the Bench/Bar reception, originally scheduled to start at 6:30, was moved up to 5:00 and would go until 7:30.

1) Notice to branches

Ms. Voelker said that she had already sent a "save the date" message to the Board and would email an invitation at a later date requesting that RSVPs be sent to her. Chair Judge Kopf noted that one month's notice was sufficient.

2) Draft agenda

There were no changes suggested for the draft Board meeting agenda, which had been emailed to the Executive Committee prior to this meeting.

b) Election of new officers for 2 year term

The discussion turned to the need to elect the parent Society officers for the 2018-2020 term.

During the last meeting of the committee, it was noted that several longtime officers will need to step down in the near future. Chair Judge Kopf encouraged the current officers to commit to a

two year term while, ideally, potential successors could be placed in shadowing roles and become acclimated. President Lyford indicated he could commit to a two year term, and Treasurer Greenbaum said that she would need to step down within one year. Vice President Frances Ross was not present during this portion of the call, as she had to leave the teleconference meeting at an earlier point, and it was already established during the last call that Secretary Voelker could commit to a two year term.

Prior to the teleconference meeting, two names were circulated to the Executive Committee as possible candidates to replace existing officers. Judge Kopf submitted the name and biographical sketch of Nick Batter, a lawyer in Omaha who helped Professors John Wunder and Mark Scherer with their book on the District of Nebraska and who holds a history degree from Harvard with high honors. Mr. Boyd submitted the name and biographical sketch of Dulce Foster, an accomplished lawyer in Minnesota and former law clerk to Judge Tunheim, who currently serves as treasurer of the Minnesota branch. It was agreed that both would make excellent officers.

Chair Judge Kopf suggested that under section 6(c) of the Bylaws, the Board could appoint assistants to shadow the existing officers. It was agreed that Nick Batter could be considered for the position of assistant vice president and that Dulce Foster for the position of treasurer, should each candidate agree. It was then agreed that Judge Kopf would speak with Nick Batter and that Mr. Boyd would speak with Dulce Foster to determine their willingness to serve and in what capacity. *[Judge Kopf has since contacted Nick Batter and let the Executive Committee know that Mr. Batter is willing to serve.]* Mr. Lyford asked Ms. Volker to make note of this for the Board meeting agenda.

Judge Kopf asked Treasurer Greenbaum if the IRS filings were difficult. Ms. Greenbaum said that once they were set up, the process was a secretarial function. Ms. Greenbaum did note, however, that if she did not have an attorney in her firm who generously addressed tax questions as they arise, she would not feel as comfortable in the position of treasurer.

#### c) Display area

##### 1) Recent historical publications

Mr. Lyford said that he had invited Mike Bieker of the University of Arkansas Press, the University of Iowa College of Law, and Drake University to display posters and/or flyers on their historical publications. *[He previously wrote letters to the Historical Society branches and to presses in the circuit, inviting them to display their historical books at the conference.]* The UI College of Law has prepared a poster, but it is not yet known if the other publishers will produce posters or flyers for the conference.

Mr. Lyford said that the Northern District of Iowa plans to display the book written by Judge O'Brien, *Donald E. O'Brien Federal Judge*, recently edited and published posthumously by the U.S. District Court for the Northern District of Iowa.

Judge Kopf indicated that the history of the Nebraska federal court, a project of the Nebraska branch, is now slated for publication in February 2019 but that he would find out if artwork was available for use in a pre-sale flyer to be made available at the conference.

President Lyford requested that Ms. Voelker include in the meeting notice to the branches the offer to display recent historical publications. He said to tell them that they may send the books to him and that he will see that they get to the conference.

Ms. Voelker said that the Circuit Executive's Office had offered to secure a small room on the ballroom level of the conference for the book displays, in the event there are too many to place in the halls of the ballroom level. The Committee thought it would be preferable to have the books displayed in the hall, if possible, so as to receive more attention.

## 2) Possible book signings

At the last meeting, it was mentioned that Roberta Walburn, author of *Miles Lord: The Maverick Judge Who Brought Corporate America to Justice*, was interested in attending to sign books, if available to attend the conference. It was thought that Ms. Walburn may have been in contact with the Circuit Executive's Office about this, and Judge Kopf asked that Ms. Voelker find out the status with the Circuit Executive's Office. [Ms. Voelker called the Circuit Executive's Office, and there was no record of Ms. Walburn contacting them.]

## 3) Judicial displays

Ms. Voelker said that the library would have at least two displays at the conference, one on the circuit judges from Iowa and another on Judge Eisele.

## Other Items

Mr. Lyford told Judge Kopf that there is a store in Booneville that sells railroad lanterns and offered to give Judge Kopf directions and/or a ride to the store.

## Next meeting

The date of the next conference call meeting was discussed and agreed upon as **Wednesday, September 12, 2018, at 1:30 p.m.**

There being no other business, the conference call meeting was adjourned.

Respectfully submitted,



Joan Voelker, Secretary