

**MINUTES**  
**Historical Society of the United States Courts in the Eighth Circuit**  
Executive Committee Conference Call  
March 14, 2007, 12:00 noon

**Participants:**

Hon. Richard G. Kopf, Chairman of the Board  
Frances Ross, President  
F. Richard Lyford, Vice-President  
Ann Fessenden, Secretary  
Joan Voelker, Archives Librarian

Sheila Greenbaum, Treasurer, Hon. Richard Peterson, Past-President, and Thomas H. Boyd, Past-President, were unable to participate in the call.

Historical Society President Frances Ross called the meeting to order at noon.

Minutes

The minutes of the past conference call were approved.

Finances

Ms. Greenbaum submitted her report via email prior to the call, and the message stated that the balance in the parent account was, \$13,874.32, and in the Court of Appeals account, \$4,686.31.

Board of Directors Vacancy for Appeals Branch

Ms. Fessenden said that with the retirement of Judge Lay, there was a vacancy on the Board of Directors representing the Court of Appeals Branch. She then announced that Judge Morris S. Arnold would be filling the vacancy.

2008 Judicial Conference

Ms. Fessenden said that the next open conference of the 8<sup>th</sup> Circuit Judicial Conference would be Aug. 11-15, 2008 in Chicago so that the Executive Committee could begin preliminary planning, should it want to host an historical program or other event. Mr. Lyford suggested a program featuring anecdotes from judges' oral histories.

Bibliography Project

During the Committee's December conference call, Mr. Lyford had suggested coordinating a bibliography project in conjunction with the Eighth Circuit history in which each branch could suggest additional historical titles related to the circuit. Mr. Lyford said he would work on a list for Iowa. [It had been agreed in the December call that the branches could submit their sources for the bibliography covering the federal courts of the 8<sup>th</sup> Circuit to Mr. Boyd.]

### Justice Blackmun Robe Ceremony

Ms. Fessenden related that the late Justice Blackmun's robe has been on loan and displayed on the 27<sup>th</sup> floor of the Eagleton Courthouse in St. Louis since 2000, and each year, the Court has renewed this loan. This year the Blackmun family is donating the robe to the Court, and the Court of Appeals will accept the donation in a ceremony on April 12, during April court week in St. Louis. Sally Blackmun, the Justice's daughter, will be present, as well as Melissa Nathanson, who is writing a biography of Justice Blackmun.

### Reminder to 8<sup>th</sup> Circuit Judges to Preserve and Donate Their Papers

President Ross requested that Judge Kopf write a letter to the other 8<sup>th</sup> Circuit judges conveying the importance of preserving and donating their chambers papers, and Judge Kopf said he would do so.

### Proposed Change in Nebraska Branch Regulations

Judge Kopf shared with the Executive Committee his plan of action in revising the Nebraska Branch regulations.

He said there were two reasons for amending the regulations: 1) to conform with Advisory Opinion No. 104 of the Codes of Conduct Committee of the Judicial Conference, as the parent Historical Society had done in 2005 when it amended its bylaws, which basically states that judges and court employees should not control court historical societies, and 2) to align the branch with the Federal Practice Fund and Federal Practice Committee for funding purposes. He said that should the amendments be adopted, every lawyer in Nebraska would become a member of the Nebraska Branch, and the Nebraska Branch would look for financial support from the Federal Practice Fund rather than depending upon sporadic dues payments by individual lawyers. He pointed out that the Fund has already been providing consistent financial support to the branch, so this would formalize the support. Under the new regulations, the Chair of the Federal Practice Committee would appoint the officers of the Nebraska Branch.

He reported that the proposed amendments have already been approved by Nebraska's Chief Judge Bataillon, Judge Smith Camp, the chair of the Federal Practice Committee, and interested persons and officers from the Nebraska Branch. He also said he anticipated that the Nebraska District Court, en banc, and the entire Federal Practice Committee would approve the regulations in late April. Should that occur, he said the branch will then seek approval from the Historical Society Board of Directors via electronic mail ballot.

All members of the Executive Committee felt that this was an interesting and positive step for the Historical Society and that it provided an excellent model for other branches to follow.

### Northern District of Iowa

Mr. Lyford said that his attempt to invigorate the Northern District of Iowa Branch ran into an obstacle. The day the meeting was scheduled, March 2, brought a blizzard to Cedar Rapids, making attendance difficult. He was very encouraged by Judge Kopf's efforts in Nebraska and expressed that this could be the jump start he needs to get the Northern District going. He asked

Judge Kopf if he could see a copy of the proposed amendments to the Nebraska Branch regulations.

Next meeting

Wednesday, June 27, 2007 at 12:00 noon was chosen as the date for the next conference call.

Judge Kopf raised the question of whether there should be a telephone meeting of the Board of Directors in 2007 and asked Ms. Voelker to consult the bylaws and report back.

There being no other business, the conference call adjourned.

Respectfully Submitted,  
Ann T. Fessenden, Secretary