

MINUTES
Historical Society of the United States Courts in the Eighth Circuit
Executive Committee Conference Call
April 8, 2009, 12:30 p.m.

Participants:

Hon. Richard G. Kopf, Chairman of the Board
Frances Ross, President
F. Richard Lyford, Vice-President
Ann Fessenden, Secretary
Sheila Greenbaum, Treasurer
Thomas H. Boyd, Past-President
Hon. Richard Peterson, Past-President
Joan Voelker, Archives Librarian

Board Chair Judge Kopf welcomed the participants and turned the proceedings over to President Ross.

Minutes

The minutes of the past conference call were approved.

Finances

Treasurer Sheila Greenbaum reported a balance of \$9575.84 in the parent account and a balance of \$1142.52 in the Court of Appeals account. There were no financial transactions other than a very small amount of interest deposited in the parent account.

Reminder to Judges to Preserve and Donate Their Papers

As the Historical Society typically contacts the 8th Circuit federal judges in the spring regarding the importance of preserving and donating their papers, Judge Kopf offered to write a letter in this regard.

Judge Richard S. Arnold Biography

Tom Boyd reported that he had been working with the court to select an appropriate time to hold an event featuring Polly Price, the author of the soon-to-be published biography of Judge Richard S. Arnold. He said they have scheduled it for Monday, September 21, 2009, when the court of appeals is in St. Louis for court week. He also shared that Barry Pickins indicated that the 8th Circuit Bar Association would be willing to work with the court on the event.

Mr. Boyd said he had also spoken with Dick Lyford concerning an event in Des Moines in December, at which Polly Price and Jeffrey Morris, author of the recently published 8th Circuit history, may both appear.

Frances Ross reported that nothing had been planned to date for the federal courts in Arkansas. Mr. Boyd said he was aware that Ms. Price was scheduled to speak at the Clinton Library and that she was open to an event with the federal courts. As Mr. Boyd has been communicating with Ms. Price, he offered to find out the date of the event at the Clinton Library and let Ms. Ross know.

The members of the Executive Committee expressed that they look forward to the publication of Judge Arnold's biography.

Next Board Meeting and Election of Officers, 2009-2011

President Ross initiated the discussion on these related topics. Ann Fessenden said that the Historical Society elects new officers for a two year term at its Board of Directors meeting, which are only required to occur every two years and typically are held to coincide with the biennially open 8th Circuit Judicial Conference. She said that while the 2007 conference fell on what would have been an open conference year by rotation of the open and closed conferences, it was made a judges' only conference. So in 2007, the Historical Society held a Board meeting by telephone in the absence of the judicial conference. With the open conferences moving to even years, Ms. Fessenden noted that the Historical Society's cycle of biennial elections was now out of alignment with the open judicial conference rotation.

She further noted that there was no provision in the bylaws for election by ballot, requiring the Board to meet for the purpose of electing officers. She offered that there was a provision in the bylaws that permits officers to continue in their positions beyond the two year term, which would allow the Society to postpone the election in order to realign its election cycle s to coincide with the open conference on even years. Bylaw 6 (d) states: "The officers of the corporation shall hold office for a term of two years and thereafter until their successors are chosen and qualify in their stead." It was confirmed that an open conference is planned for 2010.

Judge Kopf noted that the bylaws had been designed to accommodate just such a circumstance and moved that the current officers continue in their roles for an additional year and that election of Historical Society officers be deferred until 2010, at which time the Board may meet in conjunction with the open 8th Circuit Judicial Conference and elect new officers. The move was seconded and passed.

Next Meeting

President Ross scheduled the next meeting of the executive committee for Wed., July 8 at noon.

Judge Bright

Judge Kopf and Ms. Fessenden shared with the Executive Committee that Judge Bright had recently informed the Historical Society that as of April 15, 2009, Judge Bright will have served longer than any other 8th Circuit judge. This determination was made by the Judge's law clerk and is based on amount of time actually hearing cases. Judge Kopf noted that the Historical Society should honor this achievement and suggested that mention be made in the library

newsletter and on the Historical Society web site. Judge Kopf asked Ms. Fessenden to let Judge Bright know that the Historical Society would be acknowledging his historic accomplishment.

There being no other business, the conference call adjourned.

Respectfully Submitted,

Ann T. Fessenden, Secretary