

MINUTES

The Historical Society of the United States Courts in the Eighth Circuit

Board Meeting
Des Moines, Iowa
Iowa Events Center, Room 302
August 16, 2018
4:15 – 5:15 pm

Directors and officers present:	Branch
Hon. Jane L. Kelly	Court of Appeals
Thomas H. Boyd	Court of Appeals
Hon. Beth Deere	Eastern District of Arkansas
Hon. CJ Williams	Northern District of Iowa
F. Richard Lyford, President	Southern District of Iowa
Hon. John R. Tunheim	District of Minnesota
Hon. E. Richard Webber	Eastern District of Missouri
Ann E. Buckley	Eastern District of Missouri
Hon. Brian C. Wimes	Western District of Missouri
Lawrence A. Rouse	Western District of Missouri
Hon. Richard G. Kopf, Chair	District of Nebraska
Hon. Roberto A. Lange	District of South Dakota
Donald P. Knudsen	District of South Dakota
Joan Voelker, Secretary	

Directors and officers absent were: Frances Ross, Vice President (Eastern Arkansas); Kevin H. Collins (Northern Iowa); Hon. Robert W. Pratt (Southern Iowa); Dulce Foster (Minnesota); Jeanette Stull (Nebraska); Hon. Ralph R. Erickson (North Dakota); M. Daniel Vogel (North Dakota); and Sheila Greenbaum, Treasurer.

Guests present were: Michael Gans, Clerk of Court (Court of Appeals); Eric Brust, Circuit Librarian; Hon. Celeste F. Bremer (Southern Iowa); Marc Harding (Southern Iowa); Nate Staudt (Southern Iowa); Paul E. Donnelly (Missouri Western); Kate Fogarty, Clerk of Court (Minnesota); and Nick Batter (Nebraska).

Board Meeting Roll Call/Call to Order

Historical Society President Richard Lyford called the board meeting to order. He invited those present to introduce themselves. Following introductions, the minutes of the Board's 2016 meeting were approved.

Secretary's Report

Secretary Joan Voelker thanked the directors for submitting their annual reports and said that the reports were available on the Historical Society website. She also noted that there were no outstanding reports.

Treasurer's Report

As Treasurer Sheila Greenbaum was unable to attend the meeting, President Lyford read her written report. She reported a balance of \$9,990.73 in the parent Society's account and a balance of \$14,404.92 in the Court of Appeals account. It was noted that the Appeals account reflected the infusion of \$15,750 from the circuit attorney admission fee fund to support the Appeals branch's oral history project.

Election of Officers for 2018-2020

As no new nominations were brought from the floor, the following slate of candidates was elected for a two year term:

President: Dick Lyford
Vice President: Frances Ross
Treasurer: Sheila Greenbaum
Secretary: Joan Voelker

It was noted that Ms. Greenbaum indicated that she would be able to serve only one of the two years of the term, and Mr. Lyford announced that after 11 years of serving as vice president and president, this would be his last term as president.

Vote on Appointment of Assistant Officers

[Because it was noted during an Executive Committee meeting in early 2018 that the longtime officers serving as president, vice president, and treasurer would each need to step down in the near future, Chair Judge Kopf suggested that under section 6(c) of the Bylaws, the Board could appoint assistants to shadow the existing officers.]

Candidate for Assistant Vice President: Nick Batter

Chair Judge Kopf presented Nick Batter to the Board as a candidate to fill the newly proposed position of assistant vice president. He outlined that Mr. Batter was corporate counsel at a construction company in Omaha, had served in the U.S. Army Corps of Engineers, was an active volunteer in humanitarian aid, held a history degree with honors from Harvard, and was a published historian. He added that Mr. Batter authored an article while in law school on Judge Woodrough published in *Nebraska History*. [The article is "The Wayfaring Judge: Woodrough and Organized Crime in the US District Court."]

The Board voted in favor of appointing Mr. Batter as assistant vice president.

Candidate for Assistant Treasurer: Nominations from the floor

Mr. Boyd reported that a prospective candidate for the new position of assistant treasurer, a Minnesota attorney, had spoken with Treasurer Greenbaum regarding the duties of the parent treasurer but had not yet agreed to be considered for the new position. He also conveyed that it had been suggested that the Historical Society engage an accountant to assist the treasurer. Mr. Boyd said that he would follow up with the prospective candidate, and it was agreed that the Society would look into the suggestion of engaging an accountant.

With no nominations formally submitted from the floor, the board meeting continued to the next item on the agenda.

Amendment to Regulations of the Western District of Missouri Branch

Mr. Rouse, board member for the Western District of Missouri branch and branch president, submitted proposed amended branch regulations for the parent Board's consideration. He explained that the regulations would more accurately reflect the actual operation of the branch as a self-perpetuating board of directors rather than a member-elected board. The parent Board passed a motion to approve the amended regulations.

Branch Reports

President Lyford then invited the branches to report on their activities.

Appeals Branch

Mr. Boyd reported that the branch has undertaken an oral history program to capture the interviews of the Court of Appeals judges who will reach the age of 70 by 2021. He said that the interviews of Judges Murphy, Wollman, and Riley have been completed and that the branch is trying to arrange the interviews of Judges Melloy and Loken. He said that Judge Loken had just agreed to be interviewed and that Judge Hansen will be the interviewer. Mr. Boyd then described a project to digitally capture the circuit judge portraits in the St. Paul courthouse and prepare short biographical sketches to accompany the images for placement on the Eighth Circuit website. He noted that this project could be expanded to other Eighth Circuit courthouses. Additionally, he said that the branch has worked with the Eighth Circuit Bar Association to publish articles in its newsletter.

Iowa Northern Branch

Judge C.J. Williams reported that he and Hilary Naab, U.S. Courts Librarian in Cedar Rapids, are working to update the court's history. He said that the branch is also planning the oral history of Judge Scoles, who has agreed to be interviewed. He noted that the History Center, opened in the Cedar Rapids courthouse in 2012, needs updating, as the Northern District of Iowa has had a significant change in its bench in recent years. He said that the Sioux City courthouse is creating a smaller scale but high-tech display for its hallway lobby area.

Iowa Southern Branch

Judge Celeste Bremer reported that the branch just completed an update of its 1995 court history, *No One Is Above the Law*. She noted that the content of the first edition is included in this second edition but has been edited to a newspaper style of writing to be consistent with the new content. She said that the branch is working to have the book, just released in print format in time for the Judicial Conference, also released as a Kindle book.

Mr. Lyford reported that the oral history of Neal Smith, former U.S. Representative for Iowa, has been completed and is available through Drake University. He announced that a biographical article on Judge Longstaff, written by Anthony Gaughan, will be published in *Drake Law Review* in the fall.

Minnesota Branch

Chief Judge Tunheim reported that the branch has commissioned painted portraits of four of the district's deceased judges (Nordbye, Neville, Donovan, and Bell) and has held the portrait ceremony for Judge Nordbye's portrait. He said that the branch has two books in progress—a full length history of the court and a photo book of the district's courthouses. The branch has continued its Portraits of Justice oral history program and is refreshing photos of the judges and gathering bench photos. The branch is also working with GSA to refurbish the historic Fergus Falls courthouse, a project which will start this fall.

Missouri Eastern Branch

Judge Webber reported that the branch completed a history of the district authored by Burton Boxerman and several oral history interviews of its judges (Hungate, Philippine, Nangle, Webster, Jackson, Limbaugh Sr., and Webber). It is working on the interviews of Judges Shaw and Hamilton, and continues work on videos on the district's 17 most significant cases. He mentioned that it took two and a half days to film *Dred Scott* and that the branch is finishing the filming of *Schlup v. Delo*. He said that Education Coordinator Rachel Marshall reported that over 5,000 persons toured the Eagleton Courthouse last year, which has the Judicial Learning Center. He noted that the Cape Girardeau courthouse has a smaller but impressive learning center.

Missouri Western Branch

Mr. Rouse reported that the branch has planned four more programs this year in its successful speaker series and has retained a former Kansas City Star reporter to conduct the interviews and complete the oral histories of the district's six senior judges. He said that two interviews have been done and that it has worked out very well to use a reporter.

Nebraska Branch

Judge Kopf announced that a history of the district entitled *Echo of Its Time* is slated for publication by the University of Nebraska Press in February 2019. He said that authors Professors John R. Wunder and Mark R. Scherer have done an enormous amount of work for a small fee. He said that the district would be unveiling a very good portrait of Justice Samuel Miller on November 30, 2018.

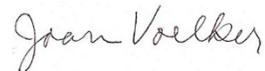
South Dakota Branch

Judge Lange reported that the branch has found it difficult to develop displays because the district's older courthouses have insufficient wall space and efforts to carry out the oral histories of the district's two senior judges are hindered by their resistance to being interviewed.

Other Items

With the verbal branch reports completed, Circuit Librarian Eric Brust addressed the Board to let them know that there are three ways that the U.S. Courts Library has been involved in circuit and Historical Society efforts to document the circuit's history and can continue to be of service: 1) publications – editing material and fact checking using historical resources and the library's archives collection, 2) displays – preparing and assisting with exhibits on historical topics, and 3) archives – taking content for organization and preservation in the library's court archives collection. He encouraged the courts and the Historical Society to continue to reach out to the library for such services.

It was then moved, seconded, and approved that the meeting be adjourned.



Joan Voelker,
Secretary

Approved:

s/ Hon. Richard G. Kopf,
Board Chair

s/ F. Richard Lyford,
President