

MSBA's Appellate Practice Section Council

January 8, 2009 Meeting Minutes

The MSBA Appellate Practice Section Council met on January 8, 2009, at the offices of Gray, Plant, Mooty, Mooty and Bennett in Minneapolis. Sherri Hawley led the meeting. The following council members were present: Ben Bejar (by telephone), Diane Bratvold, John Baker, Louise Behrendt, Karen Cole, Jeff Muszynski (by telephone), Andrea Reisbord, Karl Robinson, Jim Simonson, Chuck Webber, Judge Bruce Willis, and Robin Wolpert. Kayla Jurrens was the MSBA staff person on hand for the meeting.

The Council discussed the following topics:

1. Approval of Minutes. There were no minutes from the December meeting because the Secretary/Treasurer was not at the December meeting. Sherri Hawley said that she would prepare some minutes from her notes of the December meeting, and present them for approval at the February meeting.
2. Treasurer's Report. Chuck Webber reported that as of the end of November 2008, the section had a balance of \$6,320.18.
3. Appellate Practice Institute planning committee report. Diane Bratvold and Chuck Webber reported on the progress of the Appellate Practice CLE, scheduled for March 6, 2009, in Minneapolis. They gave a short recap of the speakers who would be attending, and described the topics that would be covered at the seminar. Everything is proceeding smoothly.
4. Appellate lunches. The next lunch was scheduled for January 26 at 11:30 at the Lexington. The Council then discussed possibilities for the next lunch. There seemed to be agreement that the last Monday in April would be a good time to do it. Discussion then turned to potential speakers. Justice Paul Anderson and Peter Knapp were mentioned. There was discussion of topics, such as the Senate recount litigation (although there was some doubt that the litigation would actually be concluded by April). The Council decided to tentatively schedule the lunch for the last Monday in April, with the place to be determined. Robin Wolpert will look into it.
5. Appellate CLE at MSBA conferences. Diane Bratvold gave a short report on an appellate presentation that she did for the Anoka County conference earlier in the day, and reported that the conference combined the district bench and bar conferences. She said that there was a good turnout, and a good mix of judges and lawyers. Diane spoke on the recent Court of Appeals decisions that people should know about, and she said that it was mostly procedural in nature. Diane will be giving another such presentation at the MSBA conference in Rochester on January 30. Kay Nord Hunt was scheduled to do a presentation in Eagan on February 6.
6. Other business. Andrea Reisbord discussed plans for a year-in-review seminar like the ones that we have sponsored in previous years. Last year's seminar was in February. Andrea said that if we wanted to do one this year, we need to do it fairly soon. There was discussion about whether to combine the year-in-review piece with the April appellate lunch with either Professor Knapp or Justice Anderson, with a longer program than usual—perhaps starting at 10:00 and going through lunch. Andrea said that she would call Justice Anderson and Judge Toussaint regarding potential dates and speakers.

Karl Robinson reported that in early December, he went to a meeting of the subcommittee of the MSBA that is putting on the annual convention in Duluth this coming June 24 and 25. We have a 60-minute slot to present at the convention. The Council decided that Karl should report to the MSBA that we will use that slot, and that the MSBA should put us wherever they want to in the schedule. Karl said that he would ask Peter Gray if he was interested in doing the presentation with Karl again, as they did last year. Chuck Webber volunteered to do the presentation with Karl if Peter was unable or unwilling.

The meeting adjourned at 1:02.

Chuck Webber
Treasurer/Secretary