

MSBA's Appellate Practice Section Council

November 5, 2009 Meeting Minutes

The MSBA Appellate Practice Section Council met on November 5, 2009, at the MSBA offices in Minneapolis. Steve Buterin led the meeting. The following council members were present: Jon Schmidt, John Baker, Sherri Hawley, Jim Simonson, Louise Behrendt, Kay Nord Hunt, Judge Louise Bjorkman, Judge Bruce Willis, Karen Cole, and Chuck Webber. Ken White and Andrea Reisbord participated by telephone.

The Council discussed the following topics:

1. Approval of Minutes. The minutes from the October 1, 2009, meeting were approved as amended to reflect that Jim Simonson was present.
2. Treasurer's Report. Chuck Webber (on behalf of Treasurer/Secretary Robin Wolpert) reported that as of the end of September 2009, the section had a balance of \$4,637.35 in its account.
3. Appellate lunches. The October 26 appellate lunch featuring David Stras was very successful and well-attended. It also netted the Section a few hundred dollars in profit. Council members who were present for the lunch made the following comments:
 - The idea of serving pizza was a good idea. Nobody complained about the food, and it kept the cost of the event very low.
 - We should reserve seats for judges who will be attending. The seats were full by the time some judges arrived, and they either stood or had to sit in chairs on the side of the room.
 - We should have some information about the Section available at future lunches—e.g., a flyer about the section with a form for people to sign up to be members.

The next lunch will be on January 25, 2010. Judge Mimi Wright will speak on the *Crawford* case.

4. Appellate Practice Institute. Several council members are on the planning committee for the institute (to be held March 26, 2010), and reported that the event is coming together. Professor Tim Terrell agreed to present an afternoon session on writing. Minnesota CLE asked whether the Section would be willing to make a contribution toward Prof. Terrell's speaking fee. The Section would not get any proceeds from the event, which led some to question why the Section should help defray Minnesota CLE's costs. The Council discussed whether we should offer to make a contribution in exchange for getting co-sponsorship recognition or a reduced fee for section members who attend the program. The Council decided to vote at the next meeting on whether to make a contribution and, if so, whether there should be terms attached to such a contribution.

5. Amendments to Bylaws. Chuck Webber reported that the proposed amendments to the Section's bylaws were presented to the Governance Committee of the MSBA, which referred the proposed amendments to a standing subcommittee of the Governance Committee. Chuck said that he spoke to the leader of the subcommittee, and did not anticipate any problems in getting the proposed amendments approved by the subcommittee and the Governance Committee itself. If approved, the proposed amendments will be presented to the MSBA Assembly for approval at its December 11 meeting.

6. Practicelaw.org Update. Karen Cole and Louise Behrendt will revise the templates on the website and update the articles with the help of the original authors, or recruit local law students if the authors don't want to do the updating. Karen and Louise agreed that it would probably be April before they would receive the updates, and May or June before all of the work is completed. There was discussion whether to include an article regarding new changes to the Rules of Civil Appellate Procedure, and whether there would be a copyright issue with Minnesota CLE.

7. Nine days in June. Steve Buterin will contact Karl Robinson and Peter Gray about using their “nuts and bolts” presentation from last year as a “template” for presentations in each of the districts during the MSBA’s “Nine Days in June” event this year. Steve will have more to report at the December meeting.

8. New Business/Other. Robin Wolpert reminded the Council that the Minnesota Supreme Court Historical Society’s First Annual Members’ Reception will be held on November 17 from 5:00 to 7:00 p.m. at the Minneapolis Club. A notice will be sent to all Section members.

The meeting adjourned at 12:44.

Chuck Webber
Vice President (on behalf of the Treasurer/Secretary)