

MSBA'S APPELLATE PRACTICE SECTION COUNCIL

Minutes of September 2, 2010 Meeting

Attending: Chuck Webber, Robin Wolpert, Steve Buterin, Diane Bratvold, Andrea Reisbord, Louise Behrendt, Rachel Bond, Liz Kramer, Peter Gray, Karl Robinson, Eric Hanson, Judge Willis, Jon Schmidt, Paula Vraa, Ashley Hacker.

1. Introduction of new members.

Chuck Webber opened the meeting by having all members introduce themselves and welcoming the new members.

2. Treasurer's Report.

Jon Schmidt provided the treasurer's report. Based on figures available as of June 2010, the section's balance is \$614.25. This balance does not include the membership dues, which were collected over the summer.

3. Appellate Lunches.

Robin Wolpert reported on the August lunch and discussed the October lunch.

The August lunch featured Professor Lund speaking about the United States Supreme Court recent *McDonald* decision. Approximately 50 people attended the lunch at the Judicial Center.

The October lunch is set for Monday, October 25. Justice Stras will preview the United States Supreme Court upcoming term.

The appellate lunches committee could use more people to help to schedule the October event as well as upcoming events. Andrea Reisbord and Paula Vraa rotate off after this year.

3.5. Appellate Practice Institute CLE.

The annual Appellate Practice CLE has a date: Friday, March 4, 2011. The CLE center is reserved.

The planning committee will be coming soon and volunteers are needed. Members were asked to brainstorm topic and speaker ideas and bring the ideas to the next meeting.

Chuck Webber would like to see more involvement from the federal judges and said he would contact Judge Loken and Judge Murphy to get the date on their radar.

Peter Gray suggested to get the judges who are on the Appellate Council involved in the planning process. It is much harder for speakers to say no to the judges when asked to do a presentation.

Robin Wolpert asked for a list of judges who spoke at the last Practice Institute in order to find judges who may not have been asked to speak in the past.

Andrea Reisbord said the last committee looked for a combination of balance: state / federal, gender, new speakers from the prior Institute.

4. MSBA Annual Law School Mixer.

The annual law school mixer took place on Sept. 16 from 6 to 7:30. The mixer was an opportunity for law students to meet and socialize with practicing attorneys.

Chuck Webber and Robin Wolpert attended on behalf of the Appellate Section. Others were invited to attend the social as schedules allowed.

5. Pro Bono Programs For Appellate Practitioners.

Chuck Webber stated that one of his goals for this year is to deepen the opportunities or get the word out on current appellate pro bono opportunities. These opportunities provide great experience for section members as well as younger attorneys.

The Council noted that there were opportunities available in: unemployment compensation cases, family law, the public defenders' office, and possibly an asylum appellate program through the Eighth Circuit.

Chuck Webber noted he would follow up with Tom Boyd to discuss the unemployment compensation appellate pro bono program. Chuck will also contact Judge Loken and possibly some state appellate judges to figure out where the judge sees a need.

Jon Schmidt discussed the ongoing efforts to set up a more formal program with the state public defenders' office. Robin Wolpert noted that there may be opportunities to help now as the more formal program is being established. There was also discussion on offering CLE training sessions—possibly break out sessions from the August criminal seminar or the Appellate Practice Institute—for attorneys interested in taking appeals from the public defenders' office, as well as the unemployment and asylum programs.

Chuck will add the pro bono item on the agenda for next month's meeting. Chuck will report on his efforts. Jon will provide an update on the status of the public defender program.

6. Goals For The Year.

Chuck Webber outlined four goals for the upcoming year:

(1) Expand and get the word out on pro bono opportunities.

(2) Do a better job to communicate with the section members as a whole. Possibly sending out a e-mail to all section members or people on a list serve.

(3) Keep on keepin' on. The appellate lunches and the appellate institute have been great programs. The council should continue to be aggressive on attendance and obtaining great speakers.

(4) Get more involved with the criminal appellate bar. The section could expand its reach by attracting criminal appellate attorneys to join the section. Robin Wolpert noted that Judge Wright may be willing to help the section reach out to the criminal bar and suggested the council could find more contacts to help make that connection. Rachel Bond noted that civil and criminal attorneys could both benefit by attending programs that are not necessarily in their area. Rachel also noted that there may be cost concerns for the criminal bar for joining the section.

Robin Wolpert outlined some additional goals:

(1) Increase the partnership between the state and federal appellate bar and judges.

(2) Make the appellate programming more accessible to attorneys in greater Minnesota. Steve Buterin suggested that some of the appellate lunches could be webcast in order to bring in more attorneys from greater Minnesota. Ashley Hacker noted that the webcast will depend upon the facilities of the site where the program is held, and that the attorney would not be able to obtain CLE credit if just a video of the program is offered. Robin suggested to possibly hold one or two of the appellate lunches somewhere in greater Minnesota. The section could work with the Minnesota Supreme Court to hold a CLE lunch after one of the arguments that the court holds outside of the Twin Cities.

Robin Wolpert noted that the public law section puts out a slick publication every year. Something like this could be a nice item to add to the appellate section, possibly in conjunction with the Appellate Institute.

7. New Business / Other.

Peter Gray asked about approving the minutes from the May 2010 meeting. It was noted that the last minutes reflect applause. Chuck Webber proposed that the council applaud after each agenda item, which was met with laughs but no applause. The minutes were approved.

No other new business / other items were raised.

8. Adjourn.

The meeting was adjourned.

Jon Schmidt
Secretary/Treasurer