

**MINNESOTA SUPREME COURT HISTORICAL SOCIETY BOARD
OF DIRECTORS JANUARY 28, 2010 MEETING MINUTES**

Pursuant to notice, the Board of Directors of the Minnesota Supreme Court Historical Society met on January 28, 2010 at the Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, Minnesota. Chair Tom Boyd called the meeting to order at 2:10 p.m.

The following members attended in person or by phone: the Hon. G. Barry Anderson, the Hon. Paul Anderson, the Hon. Esther Tomljanovich, the Hon. Sam Hanson, the Hon. Harriet Lansing, Tom Boyd, Pat Kelly, Ken White, Bill Hart, Kate McBride, Kate MacKinnon, Jim Simonson, John Stuart, Mary Vasaly and Jeff Shorba. Judy Rehak, the interim State Law Librarian, and Susan Larson, from the State Law Library, also attended.

MINUTES

The minutes of the meeting of October 22, 2009, were approved as submitted.

TREASURER'S REPORT

The Treasurer's report, made by Tom Boyd on behalf of David Herr, was received and approved with one correction unanimously, with the correction as follows: an amount of \$200 in the "Dues and Subscriptions" category was misclassified as an expense when it should have been listed as an income entry.

**ELECTION OF BOARD MEMBERS AND
OFFICERS**

The board elected the following directors for three-year terms:

Justice Paul H. Anderson
Thomas H. Boyd
Gary A. Debele
Thomas S. Fraser
Sam Hanson
Bruce Jones
James T. Hale
Judge Harriet Lansing
Justice Helen M. Meyer
Allen I. Sacks
James S. Simonson
Mary R. Vasaly
Timothy Y. Wong

The board elected the following as officers for one-year terms:

Esther M. Tomljanovich, as Chair
Thomas H. Boyd, as Past Chair
Thomas S. Fraser, as Vice Chair
Mary R. Vasaly, as Secretary

David F. Herr, as Treasurer

Immediately following the election, Chair Tomljanovich thanked Tom Boyd to recognize his excellent service as Chair and presented him with a gift: a framed photograph of the second state capitol. She then chaired the rest of the meeting.

PROPOSAL FOR OUTSTATE CLES DURING MSBA CONVENTION

Tom Boyd reported that the MSBA has been very supportive of our involvement in the bar convention. Because we were interested in offering one or more CLEs in greater Minnesota, we submitted a general proposal for a program in which the Third and Fifth Districts have expressed interest. The CLEs will be presented on June 22 in Rochester and June 16 in Mankato.

The Chair appointed a subcommittee to develop the program for these CLEs. The subcommittee will be chaired by Tom Boyd and members will include Sam Hanson, Ken White, Barry Anderson, and Paul Anderson. The Chair will inquire of the rest of the board whether anyone else is interested in participating.

RETIRED JUSTICE'S BOOKS

The State Law Library has a practice of preparing scrapbooks for retiring Justices. Tom Boyd reported on a letter that summarized an approach for having the MSCHS assist with creating books for those retired justices who do not have them. He noted that this was an idea initiated by Justice Gildea who observed that the State Law Library staff, that has handled creating the books in the past, no longer has the resources available to continue without assistance. Bill Hart has agreed to assume an oversight role for the project under the auspices of the Publications Committee. The committee will organize a working group for each justice, including people who have a particular interest and knowledge about the justice, friends, relatives, clerks, colleagues, etc. A committee member will serve on each working group to track progress and report to the MSCHS. The library will supply the justices' opinions, and other relevant documents. Bob Horton may also be contacted to gather information from the State Historical Society.

Justice Anderson exhorted the board to form a definite plan immediately for the project and to be sure to involve the State Law Library as part of a cooperative effort. He suggested determining in advance how many books to work on at a time and in what order they should be done.

Judy Rehak suggested adding Susan Larson or her designee to each working group so the State Law Library can stay closely involved in the work. She noted that the judicial secretaries are a "treasure trove" of information and noted that they are being encouraged to join the MSCHS membership. She recommended that the group work first on Justice Stringer's and Justice Gardebring's books and add others as the group is able.

Bill Hart inquired as to whether we might consider involving interns to assist with the work, but it was decided that we should look to the law clerks first.

Paul Anderson moved to adopt the letter as a general plan with special cognizance given to the State Law Library being part of the project. The motion was carried unanimously.

NOVEMBER MEMBERS' RECEPTION

Justice Barry Anderson expressed his enthusiastic compliments for the very successful members' reception that took place at the Minneapolis Club on November 17, 2009. Justice Barry Anderson commended all who were responsible, and noted that he had heard very positive feedback from many in attendance, as well as many who could not attend but had heard it was an outstanding event. These same sentiments were shared by many other Board members.

PROPOSAL TO RETAIN PART-TIME STAFF PERSONNEL

Tom Boyd reported on the Executive Committee's efforts to explore the possibility of engaging a part-time staff member to assist with Board meetings, membership, and planning for the fall membership. Prospective candidates for this position include Kristi Paulson and Renee Anderson. After further discussion, a motion was made and seconded that the Executive Committee prepare a job description and be authorized to fill that position with someone for a trial six to twelve month period; that the person be engaged as an independent contractor; and that the Executive Committee had authority to expend up to \$12,000 for compensation in the range of \$500 to \$1,000 per month. The motion was approved unanimously.

PRESENTATION OF CHIEF JUSTICE PORTRAITS

Sam Hanson reported that the portraits of the four chief justices who had been missing from the Court's collection have been completed and that they are extremely well done. The portraits were very well received at the November reception event, they were extremely reasonably priced, and they have now all been paid for. The MSCHS would like to plan for a ceremony in which to present these portraits to the Court. After some discussion, it was agreed that due to issues of accessibility and parking, the ceremony should take place at the Judicial Center in the third floor courtroom rather than at the Capitol. Justice Hanson will confer with Sue Dosal to identify an appropriate date and time for the ceremony. It was agreed that the scheduling of the ceremony does not have to be tied with the Judicial Council meetings. One possibility may be to schedule the ceremony to take place following the next Board meeting on April 22, 2010.

LAW CLERK REUNION LUNCHEON

Justice Tomljanovich reported on behalf of Robin Wolpert that the Appellate Practice Section Council of the MSBA is putting together a law clerk reunion luncheon, and would welcome the MSCHS' involvement as joint sponsor. If so inclined, the MSCHS should designate some individuals with whom the Appellate Practice Section Council could coordinate. The event is tentatively scheduled for May 21 at the Town and Country Club in St. Paul. The Board was favorably inclined to move forward with co-sponsoring this event.

2010 HISTORY DAY SPONSORSHIP

Kate McBride provided a recap of the MSCHS' sponsorship of two History Day awards in 2009. There were some concerns regarding whether the substance of the award-winning projects were sufficiently connected with the history of the state courts and whether the MSCHS had been given an adequate opportunity to be sufficiently involved in the process. Kate McBride has discussed these matters with Bob Horton. The Board was inclined to continue to sponsor the History Day awards in 2010, but wanted to provide greater direction to the teachers to make sure the awards went to projects that were more focused on the history of Minnesota courts, and to

provide a greater opportunity for involvement in the judging of these projects. Kate McBride will follow up further with Bob Horton about modifying the process and being more involved. With these understandings, it was moved and seconded that the MSCHS authorize \$1,000 to sponsor two of the awards in 2010. The motion was approved unanimously.

EDUCATION COMMITTEE'S REPORT

Kate McBride reported on the Education Committee's activities relating to the development of lesson plans that would help school-aged children gain a better understanding and appreciation of Minnesota's Third Branch. The Committee wants to make sure that there will be no objections to that curriculum and that this focus will not be viewed as departing from the MSCHS' mission. The Education Committee would like to work with teachers over the summer to develop three or four different lesson plans that can be used by teachers as curriculum to compliment the Minnesota Supreme Court's tradition of sitting in high schools around the state. They are working with Jennifer Bloom and others to develop these programs and will be exploring potential funding through Legacy Grant funds as well as other sources. Before pursuing these matters further, the Education Committee wanted to ensure that the Board was comfortable with the general scope and substance of these lesson plans, and with the understanding that the Education Committee will be making a request for funding of some sort to support these efforts. Accordingly, a motion was made and seconded for concept approval subject to cost. The Board considers the scope of the project to be well within the MSCHS' mission and the Board members are very supportive of these efforts. Tom Boyd expressed concerns regarding funding a substantial project before the organization is self-sustaining. Kate McBride acknowledged these concerns and confirmed that she and the Committee are conscious of these issues and are therefore approaching this project as a limited pilot program for the time being. The motion for the approval of the concept subject to cost carried.

PLANNING FOR PRESENTATIONS

The Board took up discussion regarding the ongoing program of presenting the book, Testimony, to public libraries throughout the state. Bill Hart pointed out that the organization had previously prepared a list of libraries, a press release, and other materials that can be used for these book presentations. Judy Rehak will contact Bill Hart to obtain these materials, and they will in turn contact MaryAnn Vancura who can facilitate the contacts and arrangements for these types of book presentations around the state. Judy Rehak will follow up further on these matters.

ADJOURNMENT

The meeting adjourned at 4:00 p.m.

Respectfully submitted,
Mary Vasaly, Secretary