

**Minutes of the Federal Practice Committee Meeting**  
**July 25, 1997**  
**Minneapolis, MN**

Those present: Chief Judge William G. Cambridge, Judge Richard G. Kopf, Judge Thomas M. Shanahan, Senior Judge Warren K. Urbom, Senior Judge Lyle E. Strom, Chief Bankruptcy Judge Timothy J. Mahoney, Magistrate Judge Kathleen A. Jaudzemis, Magistrate Judge Thomas D. Thalken, Bart McLeay, Roger W. Kirst, Joe Badami, Mark Christensen, John Guthery, Steve Leininger, Sandra Dougherty, John Gale, Judi Napier, Gail Boliver, Jerry Frederickson, Barbara Gaskins, William Riley, David Stickman, Tom Monaghan, Mark Weber, Bob Rossiter, Alan Peterson, Neil Danberg, Norbert Ebel.

Bob Rossiter was thanked for the service he has given as Chairperson on this Committee.

**APPROVAL OF MINUTES**

The minutes of the previous meeting were approved.

**LAWYER APPOINTMENT SUBCOMMITTEE**

Ed Hotz and Pat Barrett were not present but it was stated that they are still contacting law firms for volunteers and are making a list of attorneys. This is a result of the survey which indicated that there are a number of persons out there willing to take appointments. There is no target date for completion of this volunteer list.

**TECHNOLOGY SUBCOMMITTEE**

The question has been what type of technology should be put in the courtrooms in Nebraska. ELMO had been considered and narrowed to a single bid. The DOAR system was then presented. ELMO appeared to be a glorified overhead. The DOAR equipment can have a PC attached; however, the DOAR is more expensive. The intention is to furnish Lincoln with the same equipment as Omaha. John Guthery has taken over this subcommittee position. Chief Judge Cambridge states that the judges have agreed to purchase this equipment but Tom Monaghan's systems person thought the system could be purchased at a cheaper price than DOAR. We are now getting together with Tom Monaghan's systems person to learn if we can do better. Chief Judge Cambridge encouraged each person to go to Judge Rosenbaum's courtroom in Minneapolis and observe the technology features.

## RULES SUBCOMMITTEE

There appears to be nothing except one item which relates to guidelines for being a member - these guidelines are being delivered to Chief Judge Cambridge so the judges can look them over. The guidelines would cover how long each officer serves; sets up times.

## NORTH PLATTE SUBCOMMITTEE

It was stated that the North Platte facility is a gem to the bar. It would be a real loss of access to justice if we would lose this location. John Gale elaborated on the benefits of North Platte.

## SEMINAR SUBCOMMITTEE

Dave Stickman provided the report on this subcommittee. A seminar is planned during the Nebraska State Bar Association meeting on October 14, 1997, at 1:30 P.M. Some of the topics covered would be employment law, 1983 cases, bankruptcy appeals, mediation, habeas, expert notification of the Rule 26. All of this will be put together and put in a brochure. Magistrate Judge Jaudzemis will cover Federal employment law, Title 7, pregnancies - the employment law would be for novices. The Nebraska Bar is putting on an employment law seminar, but will be much more sophisticated. Dave Stickman states that we have up to four hours of time available. Another topic mentioned was "How to represent a client in mediation". Magistrate Judge Piester was volunteered to help on this topic. It was suggested that a small presentation on the Eighth Circuit Gender Fairness Report and recommendations be made, as well as how to implement the recommendations.

The bankruptcy topic would cover bankruptcy appeals to the Bankruptcy Appeal Panel. The average appeal time, if no oral argument is within 90 days of docketing. It was suggested the topics not exceed one-half hour so that more topics could be covered. The expense for the room for the seminar would be approximately \$200 at the Cornhusker. Chief Judge Cambridge advised that this could be paid out of the Federal Practice Fund.

## MEDIATION

Currently, there are no projects going on in mediation.

Comments were invited for improvement of mediation and it was suggested that telephone interviews could be done of those participating to get input.

## OLD BUSINESS

None.

## NEW BUSINESS

John Guthery has suggested that U.S. District Court opinions could possibly be put on the Web page of the Nebraska State Bar Association. If the Bar Association can get opinions from the Federal Court, it can put them on the Web page. It was suggested that Tom Wisinski visit with John Guthery on this matter. Chief Judge Cambridge advised that the Judge's Meeting on September 9, 1997, would be a good time to bring up this topic. Also, it would be well to determine if any other districts are doing this and contact such districts to learn how it is going.

Chief Judge Cambridge introduced John Guthery, John Gale, Mark Weber and Roger Kirst as new members of the Federal Practice Committee. Roger Kirst is taking the place of Josephine Potuto.

Chief Judge Cambridge stated that the new building is to be completed in June of 1999. If things are kept moving, we will make that date.

Chief Judge Cambridge thanked all for being present and making this a good, active committee.

The meeting was adjourned.