

**Tentative Agenda  
Eighth Circuit Judicial Conference  
Black Hills and the Law: Past, Present, and Future  
Rapid City, South Dakota  
July 12 – 15, 2022**

**Tuesday, July 12, 2022**

9:00 a.m.    **Pattern Jury Instructions Meeting**  
Black Hills Ballroom

10:00 a.m.    **Bankruptcy Appellate Panel Meeting**  
Wyoming Room

12:00 p.m.    **Buffet Lunch – No Speaker**  
Dakota Ballroom, Salons A-D

1:00 p.m.    **Opening Session**  
Dakota Ballroom, Salons E-H

Presentation of Colors  
Lakota Women’s Warrior Group

Drum Group  
Owl Bonnet Singers  
Rosebud Sioux Tribe

National Anthem  
Rowan Grace Hibbard  
Rapid City, South Dakota

Welcome/Opening Remarks  
Honorable Lavenski R. Smith  
Chief Judge, Eighth Circuit

Steve Allender  
Mayor of Rapid City

Resolutions

**Tuesday, July 12, 2022**

1:40 p.m. **Reports from U.S. Judicial Conference Committee Members**  
Bankruptcy System - Hon. Duane Benton  
Court Administration and Case Management - Hon. Audrey G. Fleissig  
[written report]  
Criminal Law - Hon. P.K. Holmes, III  
Defender Services - Hon. Roberto A. Lange and Hon. Shirley A. Padmore  
Mensah  
Financial Disclosure - Hon. Mary Elizabeth Phillips and Hon. Alice R.  
Senechal  
Judicial Branch - Hon. F.A. Gossett, III, Hon. James E. Gritzner and  
Hon. Ann D. Montgomery  
Judicial Resources - Hon. Brian Stacy Miller and Hon. Anita L. Shodeen  
Judicial Security - Hon. Rebecca Goodgame Ebinger  
Magistrate Judges System - Hon. Nancy Ellen Brasel  
Space and Facilities - Hon. Denzil Price Marshall, Jr.

Moderator:  
Honorable Roberto A. Lange  
Chief Judge  
District of South Dakota

2:40 p.m. Federal Judicial Center Report  
John S. Cooke  
Director  
Federal Judicial Center

2:50 p.m. **Federal Judges Association Election**  
*(All Article III Judges Who Are Members of the FJA)*

Directors-At-Large:  
Honorable Jane L. Kelly, USCJ, Court of Appeals  
Honorable Stephen Bough, USDJ, Western District of Missouri  
Honorable John M. Gerrard, Chief USDJ, District of Nebraska  
Honorable Susan Richard Nelson, USDJ, District of Minnesota

3:00 p.m. **Court of Appeals Meeting**  
Black Hills Ballroom

*Presiding:*  
Honorable Lavenski R. Smith  
Chief Judge  
Eighth Circuit

**Tuesday, July 12, 2022**

3:00 p.m. **District Judges Meeting**  
Dakota Ballroom, Salons E-H

*Presiding:*  
Honorable Susan O. Hickey  
Chief Judge  
Western District of Arkansas

**Public Education and Community Outreach**  
Rachel E. Marshall  
Public Education & Community Outreach Administrator  
Eighth Circuit

3:00 p.m. **Bankruptcy Judges Meeting**  
Private Dining Room

*Presiding:*  
Honorable Charles L. Nail  
Chief Bankruptcy Judge  
District of South Dakota

3:00 p.m. **Magistrate Judges Meeting**  
Dakota Ballroom, Salons A-D

*Presiding:*  
Honorable Mark A. Moreno  
U.S. Magistrate Judge  
District of South Dakota

4:00 p.m. **Judicial Council Meeting**  
Black Hills Ballroom

**Reception and Dinner at The Journey Museum and Learning Center**

5:55 p.m. Buses depart from the Holiday Inn Rapid City Downtown (0.3 mile drive)

6:00 p.m. Reception and Dinner - Performance by Hoop Dancer Starr Chief Eagle  
Museum Tour with Executive Director Troy Kilpatrick

8:30 p.m. Depart for return to the Holiday Inn Rapid City Downtown (0.3 mile drive)

**Wednesday, July 13, 2022**

8:30 a.m. General Session  
Dakota Ballroom, Salons E-H

8:30 a.m. **American Indian Law: The History and Litigation over the Black Hills and Recent Decisions**

Stacy Leeds  
Foundation Professor of Law and Leadership  
Sandra Day O'Connor College of Law  
Arizona State University

Craig Howe, Ph.D.  
Founder and Director  
Center for American Indian Research and Native Studies

Moderator:  
Honorable Leo I. Brisbois  
U.S. Magistrate Judge  
District of Minnesota

9:30 a.m. **Justice on American Indian Reservations: Tribal Judges Panel**

Honorable Stacie FourStar  
Chief Judge  
Fort Peck Assiniboine and Sioux Tribes

Honorable Brenda Claymore  
Chief Judge  
Cheyenne River Sioux Tribe

Honorable Vanya S. Hogen  
Associate Judge  
Shakopee Mdewakanton Sioux Community Tribal Court

Moderator:  
B.J. Jones  
Executive Director of the Tribal Judicial Institute  
University of North Dakota

*Introduction of Moderator by:*  
Honorable Peter D. Welte  
Chief Judge  
District of North Dakota

**Wednesday, July 13, 2022**

10:30 a.m. **Special Guest Speaker**

11:30 a.m. **Luncheon**  
Dakota Ballroom, Salons A-D

**The Geological History and Uniqueness of the Black Hills**  
Larry D. Stetler, Ph.D.  
Professor of Geological Engineering  
South Dakota School of Mines & Technology

*Introduction by:*  
Honorable Daneta L. Wollmann  
U.S. Magistrate Judge  
District of South Dakota

**Trip to Wind Cave National Park, The Mammoth Site, and Custer State Park Lodge**

Bus Group #1 from the Holiday Inn Rapid City Downtown - Conv Ctr

- 12:50 p.m. Departs for Wind Cave National Park
- 3:45 p.m. Departs for Mammoth Site
- 5:30 p.m. Departs for Custer State Park Lodge – dinner and entertainment by Kenny Putnam Quartet
- 8:30 p.m. Departs for return to Holiday Inn Rapid City Downtown
- 9:15 p.m. Arrive back to the Holiday Inn Rapid City Downtown

Bus Group #2 from the Holiday Inn Rapid City Downtown - Conv Ctr

- 12:50 p.m. Departs for Mammoth Site
- 3:00 p.m. Departs for Wind Cave National Park
- 5:45 p.m. Departs for Custer State Park Lodge – dinner and entertainment by Kenny Putnam Quartet
- 8:30 p.m. Departs for return to Holiday Inn Rapid City Downtown
- 9:15 p.m. Arrive back to the Holiday Inn Rapid City Downtown

**Thursday, July 14, 2022**

8:30 a.m. **General Session**  
Dakota Ballroom, Salons E-H

8:30 a.m. **The Crisis of Two Constitutions: The Founders' vs. The Peoples'**  
Wilfred Codrington III  
Assistant Professor of Law  
Brooklyn Law School

Charles R. Kesler, Ph.D.  
Dengler-Dykema Distinguished Professor of Government  
Claremont McKenna College

**Thursday, July 14, 2022**

Moderator:  
Brenda M. Baldwin-White  
Senior Judicial Education Attorney  
Host, Court Web  
Federal Judicial Center

9:45 a.m. **U.S. Supreme Court Update**

Barry P. McDonald  
Professor of Law  
Caruso School of Law  
Pepperdine University

Lisa S. Blatt  
Partner  
Williams & Connolly LLP

Moderator:  
Honorable David R. Stras  
U.S. Circuit Judge  
Eighth Circuit Court of Appeals

11:15 a.m. **Litigation Over the Greatest T-Rex Fossils Ever Found**

Peter L. Larson  
Founder and President  
Black Hills Institute of Geological Research

Harlan B. Krogh  
Senior Partner  
Crist, Krogh, Alke & Nord PLLC

Moderator:  
Honorable Veronica Duffy  
U.S. Magistrate Judge  
District of South Dakota

12:15 p.m. **Luncheon**  
Dakota Ballroom, Salons A-D

**What Fifty Years of Satellite Imaging Tells Us About Our Planet**

Terry L. Sohl  
Acting Branch Chief for the Integrated Science and Applications Branch  
(ISAB) at the U.S. Geological Survey Earth Resources Observation and  
Science (EROS) Center  
Sioux Falls, South Dakota

**Thursday, July 14, 2022**

*Introduction by:*

Honorable Charles L. Nail  
Chief Bankruptcy Judge  
South Dakota Bankruptcy Court

1:30 p.m. **Compassionate Release and the First Step Act**

Honorable Carol Bagley Amon  
U.S. District Judge  
Eastern District of New York

Honorable Raymond A. Jackson  
U.S. District Judge  
Eastern District of Virginia

Raquel Wilson  
Director, Office of Education and Sentencing Practice  
United States Sentencing Commission

Moderator:

Honorable Jane Kelly  
U.S. Circuit Judge  
Eighth Circuit Court of Appeals

2:30 p.m. **Ethical Issues, Financial Conflicts and the Courthouse Ethics and Transparency Act**

Honorable Ralph R. Erickson  
U.S. Circuit Judge  
Eighth Circuit Court of Appeals  
(Committee on Codes of Conduct)

Robert P. Deyling  
Assistant General Counsel  
Office of General Counsel – Ethics Staff  
Administrative Office of the U.S. Courts

3:30 p.m. **Judicial Wellness**

Peggy C. Nopoulos, MD  
Professor of Psychiatry, Pediatrics and Neurology  
Interim Chair and Department Executive Officer of Psychiatry  
University of Iowa Hospitals

*Introduction and Comments:*

Lavenski R. Smith  
Chief Judge, Eighth Circuit

**Thursday, July 14, 2022**

**Trip to Crazy Horse Memorial and Mount Rushmore National Monument**

- 4:15 p.m. Depart for Crazy Horse Memorial (1 hour, 15 min. bus drive)
- 5:30 p.m. Arrive at Crazy Horse Memorial  
(Dinner, Program and Ride to the Face of the Monument)
- 7:40 p.m. Depart for Mount Rushmore National Memorial (45 min. bus drive)  
One bus may head back to the Holiday Inn, depending on the number that choose to stay.
- 8:25 p.m. Arrive at Mount Rushmore National Memorial
- 9:00 p.m. Lighting Ceremony
- 10:00 p.m. Depart for return to the Holiday Inn Rapid City Downtown (45 min. bus drive)
- 10:45 p.m. Arrive Back at the Holiday Inn Rapid City Downtown

**Friday, July 15, 2022**

- 8:30 a.m. General Session  
Dakota Ballroom, Salons E-H
- 8:30 a.m. **The Future of Judicial Libraries**  
Eric W. Brust  
Eighth Circuit Librarian
- Introduction by:*  
Honorable Lavenski R. Smith  
Chief Judge, Eighth Circuit
- 9:00 a.m. **Judicial IT Security for the 21<sup>st</sup> Century**  
Honorable Thomas M. Hardiman  
U.S. Circuit Judge  
Third Circuit Court of Appeals
- A. Esther DeVries  
Director, Information Technology Office  
Federal Judicial Center
- Brett E. Moseley  
Chief Information Security Officer  
IT Security Office  
Administrative Office of the U.S. Courts



**Friday, July 15, 2022**

Moderator:  
Honorable John R. Tunheim  
U.S. District Judge  
District of Minnesota

10:00 a.m. **Long-Range Judicial Planning and the Future of the Judiciary**  
Honorable Roslynn R. Mauskopf  
Director  
Administrative Office of the U.S. Courts

John S. Cooke  
Director  
Federal Judicial Center

Honorable Karen E. Schreier  
U.S. District Judge  
District of South Dakota

Moderator:  
Honorable Rodney W. Sippel  
Chief Judge  
Eastern District of Missouri

11:00 a.m. **Where the United States is and is Headed as a Nation**  
David C. Earnest, Ph.D.  
Chair, Department of Political Science  
University of South Dakota

Dr. Caprice Moore, D.Mgt.  
Assistant Professor, Department Chair  
School of Business  
Morningside University

Moderator:  
Honorable Roberto A. Lange  
Chief Judge  
District of South Dakota

**Friday, July 15, 2022**

12:00 p.m. **Luncheon**  
Dakota Ballroom, Salons A-D

**Where We Are Headed With COVID**  
Dr. Shankar Kurra, MD, MBA  
Vice-President of Medical Affairs  
Monument Health Rapid City Hospital

*Introduction by:*  
Honorable Karen E. Schreier  
U.S. District Judge  
District of South Dakota

1:00 p.m. Adjourn