



The Docket

News of the
National Conference of Appellate Court Clerks

Vol. 17

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No. 3

Program Coming Together for Tucson's Annual Meeting

Variety Key to Educational Program

Deirdre Abr

The Program Committee is happy to report that it has finalized plans for the educational program at our Tucson meeting. Sessions on appellate court caseload, personnel management, ethics for court clerks and long range planning are scheduled.

Our program will begin on Monday with a full day session on the "Management of Problem Employees," conducted by Gilbert Shinner, nationally recognized lecturer and consultant on human resource management.

On Tuesday, a variety of breakout sessions will begin the day, with participants having their choice of "Disaster Preparedness," coordinated by Ron Barrow (California); "Fax Filings", coordinated by Marilyn Graves (Wisconsin); "Intermediate Appellate Court Issues and Procedures", coordinated by Nancy Foley (Massachusetts); "Supreme Court Procedures", coordinated by Joline Williams (Georgia); and "Management in the Legal Environment: Long Range Planning for Court Clerks", coordinated by Patricia Nuoffer, National Board Member of the Association of Legal Administrators. These workshops will be repeated during the morning to provide an opportunity to participate in more than one.

For Tuesday afternoon, we have invited John C. O'Malley, James C. Grogan and Cynthia Kelly back for a new installment of their popular presentation from last year on "Ethics for Court Clerks."

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Social Events Accent Arizona

Joyce Goldsmith

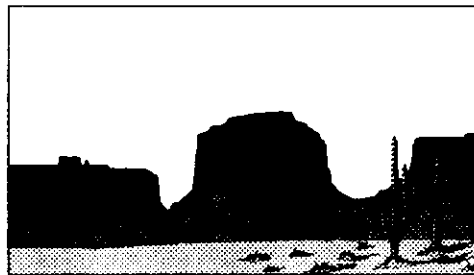
Don't forget to mark your calendar for August in Tucson -- The "Old Pueblo" -- and a Southwestern experience. In addition to our outstanding educational program, come prepared for a great stay at the El Conquistador and a chance to see a marvelous part of our country.

First, be prepared to take advantage of the facilities at the resort, itself. Treat yourself to a walk or jog on the trail around the facility. What better way to see a spectacular sunset, or to see the early morning desert! See roadrunners and coyotes; watch the eagles perch on the saguaro cacti! Jeep tours and horseback riding can be arranged through the hotel. Golfers will fall in love with the nine, breathtaking holes of golf available on the resort grounds, with privileges to 36 more great, desert holes across the highway at Canada Hills Country Club. And several local shopping centers offer shuttle service from the hotel.

For those who like to combine shopping with sightseeing, watch for the shopping excursion south of the border to Nogales, Mexico. You will be sure to find many bargains (some too large to carry home). Leather, silver, and liquor are favorites there. This is a fine opportunity for those of you who like to "bargain" -- it's expected.

An evening at Old Tucson is on the social agenda. The theme park was built in 1939 for the filming of *Arizona*, starring William Holden and Jean Arthur. Old Tucson is a favorite family attraction complete with a gun museum, the

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From The President's Desk
Gloria J. Engel


The NCACC Executive Committee met for its Spring meeting in New Orleans on March 24th. The joint ICM/NCACC seminar on Project Management began on Sunday, March 25th.

The Executive Committee meeting was a productive one. Significant actions by the Committee included finalization of the educational program for our 1990 annual meeting in Tucson and the awarding of *three scholarships* to NCACC members to attend that meeting. Our membership is reminded that up to five scholarships in an amount not to exceed \$750 per scholarship can be awarded annually. Guidelines and eligibility criteria were mailed to all members of the NCACC by the Scholarship Committee last December.

About forty people attended the ICM/NCACC seminar on Project Management. It was a fast-paced, excellent program, and one that we would highly recommend for anyone who will be supervising a major project. This program may well help you avoid some pitfalls and, absent that, may help you cope with those that do occur.

By the time you receive this issue of The Docket, our Membership Chairman, Ron Barrow, advises me that our membership will have reached two hundred. Approximately 25-30 new members have joined NCACC since last August. Thank you, Ron and members of the committee for a job well done! Also, the new NCACC Directory is in the final preparation stages, will soon be delivered to West Publishing Company for printing, and will be distributed to the members in the near future.

The hospitality extended to the members of the Executive Committee and the Seminar participants by Frans Labranche and his lovely Del, as well as by Frans' Court, was so gracious and so enjoyable. On Saturday evening, we enjoyed a wonderful Cajun outdoor dinner at "Destiny," the newly-completed country home of Frans and Del. On Sunday evening, the Louisiana Supreme Court hosted a delightful reception for the participants of the ICM/NCACC seminar.

Deirdre Ahr and her committee are putting together a very interesting program for our annual meeting in Tucson. Joyce Goldsmith, Glen Clark, and Noel Dessaint, our Arizona hosts, have a great social calendar planned. Make your plans to join us there August 5th through 10th. 

The Docket

News of the National Conference of Appellate Court Clerks

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Please submit items of personal or professional news to a regional reporter. Articles, letters and other submissions may be sent to the editorial office.


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Mead Data Forges Ahead with Electronic Legal Document Delivery Systems

DAYTON, OH -- April 6, 1990 --During the last 18 months, Mead Data Central (MDC) has been working very closely with several state and federal appellate courts to develop electronic legal document delivery systems. In recent months, MDC, in conjunction with those courts, has developed and installed electronic release systems interfacing with DEC VAX, MS-DOS, and other more specialized court automation environments. A solution for courts with WANG systems is expected in the next 60 days. With these developments, MDC can now serve the needs of over 60% of all automated state appellate courts.

MDC's electronic legal document management team recently completed an automation survey of all state appellate courts in the country. The team now understands what kind of systems are in use, and, they will be spending the rest of 1990 visiting the courts which have the capability of producing copies of their opinions in electronic form. The purpose of these visits will be two fold. First, the team will want to know whether or not the court is interested in electronically releasing its opinions. Secondly, if the court is interested in electronic release, they will be working with the court to tailor a release system which will meet

the requirements of the court and public for many years to come.

MDC has gone to great lengths to build an extremely competent team of professionals who work in a consulting role with any interested courts to customize a release and delivery system that meets the needs of those courts. And, that team stands ready to help however and whenever they can. Look for them to be contacting you soon! 


Fourth Circuit U.S. Court of Appeals To Allow Emergency Filing by FAX

RICHMOND, VA -- March 1, 1990 -- John M. Greacen, Clerk of the United States Court of Appeals for the Fourth Circuit, announces the adoption of a local rule of court which allows emergency filing by FAX directly with the Clerk's Office, and permits regular filing through printing services in Richmond, Virginia, which offer facsimile services.

Greacen believes the Fourth Circuit rule to be the first FAX rule in the federal courts. The text of the rule is as follows:

IOP 25.2 - Filing papers, service, certificate of service.

(a) Filing papers. Papers except briefs and appendices are not timely filed unless actually received by the Clerk's Office within the time fixed for filing. Papers are deemed filed upon receipt by the Clerk's office and papers may be presented either in person or by mail.


Papers may be transmitted for filing by use of telephonic facsimile transmission equipments. In such cases, the original document signed by counsel need not be filed. Although the Clerk's Office has a fax machine, material may be transmitted directly to the Clerk's Office only when an emergency situation exists and advance permission has been obtained to use the Clerk's office machine. Several printing services in Richmond will accept papers by fax for filing with the Court. Their telephone numbers may be obtained from the Clerk's Office. 

San Francisco Court of Appeal Proposes Reforms in Record Preparation

Citing requests to augment the record as a cause of unnecessary delays in early appeal preparation, the Court of Appeal for the First Appellate District proposed a new local rule which would restrict the time for making such requests to 30 days from certification of the record, limit attorneys to one request unless good cause is shown, require supporting reasons to be stated, and allow clerical mistakes to be corrected at the trial court level.

In six months, 106 unnecessary motions to augment were made, requiring 30 to 45 days to process a piece, according to the court's calculations. Fifty-four percent of them resulted from clerical mistakes and omissions.

Delinquent transcripts account for the most significant delays in record preparation. "If the profession of court reporting is to survive, it must better serve the legal

system," commented Justices Carl Anderson and Harry Low. Working with the Certified Shorthand Reporters Board, the Justices hope to obtain support for statewide enforcement of declarations of incompetency, encouraging training and use of computerized reporting techniques, sponsoring educational programs, and recruiting competent applicants to become licensed. 

The Magic of Morale: Feeling Important is Worth More Than Money

Dr. Bruce A. Baldwin

Reprint permission PACE magazine, the Piedmont Airlines in flight magazine, Pace Communications, Inc., Greensboro, NC

Here is a riddle: "What is worth more than gold, doesn't weigh a thing, disappears when you try to measure it and is one of the biggest blind spots in American industry today?" This riddle was answered by Dr. Bruce A. Baldwin in an article which appeared in the Piedmont Airlines magazine and is excerpted here. The answer is morale. But, the understanding of its importance is, according to Dr. Baldwin, "one of the most significant voids in the repertoire of skills of managers in the eighties."

One of the difficulties in any discussion of morale is that it is a most elusive quality to define. According to Webster, morale is the mental and emotional attitudes of an individual to the tasks expected by a group and loyalty to it. In a nutshell, morale is a feeling that is created by the organization within every employee. It is generated by the sense of caring (or lack of it) communicated within the work environment. Of course, you know that morale can be either positive or negative. When morale is positive, it is worth more than anything money can buy. When it is negative, the cost, albeit indirect, is tremendous.

Reduced to its fundamentals, positive morale is the awareness that the individual within the organizational structure is important. It is the knowledge that hard work and sacrifices are recognized and appreciated. It is the sense that "I am valued here." It is the feeling of being accepted as an integral part of what is going on. When this ambience is generated, the organization is rewarded by higher productivity and a positive bond to the organization that keeps good people there. Unfortunately, positive morale is not the norm most places. The pervasive sense that nobody really cares, the feeling of being completely unappreciated and the perception of being used and abused run rampant in American industry today.

At this juncture, it is important to clear up a misconception. It is quite common to hear managers complain about "unmotivated" employees. The fact is that there is no such thing as an unmotivated individual. What those managers really mean is that those particular employees are not motivated to do what is expected. Their attitudes toward the tasks set

before them and their loyalty to the group are negative. The point is that morale, whether positive or negative, determines motivation. In turn, motivational energy may be directed into acceptable or unacceptable channels within the work environment.

Painted with a broad brush, creating positive morale is accomplished through successful efforts at relationship building within the work environment. It is the groups communication of sensitivity to and caring about the individual. You cannot fool the employees. They invariably know what the organization's attitudes toward them are. Moving in the direction of building positive morale among employees is entirely possible, but it takes time. When accomplished, however, the payoffs for everyone are pure magic.

Dr Bruce A. Baldwin
is a practicing psychologist
who heads Direction Dynamics,
a consulting service based in
Wilmington, North Carolina,
specializing in promoting
professional development
and quality of life
in achieving men and women.

Here are some foundation concepts for morale-building strategy.

Basic Principle #1: Positive Morale Cannot Be Bought. A frequent management mistake is to try to increase morale with material incentives. The reality is that once reasonable salary levels are reached, more money or better fringe benefits have a negligible effect on morale. Everyone knows that you cannot buy a relationship. It follows then that since morale is basically defined by the quality of the relationship, employee to the group, you cannot buy morale either.

Basic Principle #2: Positive Morale Is Based On Trust. It is almost axiomatic in organizations with low morale that employees

are convinced that the group is not working in their best interests or that it does not really care about them. When positive morale is present, employees at all levels trust the organization because they know from experience that it is sensitive to their needs and watches out for their welfare. Trust building through experience is necessary for positive morale to grow.

Basic Principle #3: Positive Morale Is Surprisingly Resistant To Change. Once basic trust in management motives has been created, employees can tolerate setbacks or disappointments much more readily. Conversely, it is equally true that negative morale is also highly resistant to change. It takes time and persistence by the group and its officers to rebuild trust. Without basic trust, employees find it difficult to move beyond their defensive postures in relation to the company.

Basic Principle #4: Positive Morale Is Highly Contagious. Positive morale is created through communication of an organization's attitude toward employees as people. However, employee-to-employee communication reinforces this perception at every level of the organization. People talk to one another constantly and one of their prime concerns is how they feel about their work. Ultimately influencing this worker-to-worker communication must become one of the primary goals of any attempt to build positive morale.

Basic Principle #5: Positive Morale Creates A Strong Emotional Bond To The Organization. As a general rule, employees will remain at a job with good morale despite better-paying job offers. Of course, there is a point beyond which this principle does not hold true. However, the core of this principle is that strong morale creates a healthy bond of loyalty. It is most valuable in terms of retention of key people and in lowering the overall attrition rate within the company.

Basic Principle #6: High Morale Requires Basic Employee Security. It is interesting that either too much or too little employment security negatively affects morale. Too much security that permits incompetents to remain seems to erode morale just as surely as those organizations that are highly unstable.

The sure knowledge, based on experience, that employees at every level who work hard and meet responsibilities will be assured of retention is necessary to foster morale.

Basic Principle #7: Positive Morale Necessitates A Direct Relationship Between Effort And Reward. Low morale thrives in organizations where advancement does not depend on competence and personal effort. Where "getting ahead" is based on how long you have been there, whom you know, unhealthy manipulation of the system or playing office politics, basic positive feelings among the most competent employees begin to turn negative and cynical. For positive morale to build, employees must know that they are in control of their own destinies within the organization. They must be consistently able to advance on the basis of their skills and energy rather than through illegitimate avenues not based on competency.

To assess the level of morale in any organization can be accurately accomplished, at minimal cost. Any manager who is sensitive to people and who is willing to spend a bit of time looking and listening can do the vital job. Here is how to go about it.

Assessment Factor #1: Listen To The Humor. It is not a good sign if there is little joking around and few smiles. Healthy humor is a strong indicator of camaraderie, trust and a positive sense of self. Unhealthy humor, filled with blatant hostility, deep cynicism or a cutting edge, is endemic to organizations with low morale. Look for humor that is upbeat and reflects the ability to laugh at the funny side of life as well as the willingness of employees to share openly this part of themselves.

Assessment Factor #2: Tune Into The Grapevine. There is a healthy grapevine in organizations with positive and negative morale. However, where there is high morale, people talk about the routine comings and goings and doings of people they know. In those organizations with low morale, however, the grapevine has a strong defensive quality. It reflects the employees' high needs to find out what the company is "up to now" because of deep distrust of the organization's motives.

Assessment Factor #3: Be Sensitive To Complaints And Griping. There is always a baseline level of griping that exists in any organization, no matter how high the morale. On the other hand, in organizations with low morale, the level of complaining rises dramati-

cally. Virtually everyone is grumbling about something or other all the time. Complaints become a major component of informal employee-to-employee communication. There will also be an increase in the level of dissatisfaction expressed by employees throughout more formal communication up and down the organizational ladder.

Assessment Factor #4: Examine The Attrition Rate. It is a fact that good people stay in organizations where morale is high. When morale is low, though, the attrition rate steadily increases. Not only do the numbers of people leaving go up, but more often than not, these tend to be the bright, young up-and-comers that the organization desperately needs to remain viable over the long run. In other words, in companies with low morale, the organization is distrusted and consequently there is little "holding power" to keep good workers there.

Assessment Factor #5: Take A Close Look At Organizational Responsiveness. In short, does the organization listen to employees at every level down the hierarchy? Are legitimate complaints taken seriously and is something done about them? Does the organization solicit and listen to better ideas that come from below? In organizations with low morale, managers at every level are more interested in preserving their positions and do not want to rock the boat. One result is that organizational responsiveness goes down. In organizations with high morale, communication upline is easy, and the organization responds quickly and positively.

Assessment Factor #6: Notice The Level Of Employee Sickness. There is no question that low morale and high levels of employees stress go together. In turn, chronic stress over time manifests itself in various forms of physical ailments. As a result, the number of sick days goes up in organizations with low morale. Another indicator is a sharp rise in health insurance usage by employees with precipitously rising costs to the organization. When positive morale builds, all of these indicators decline and stabilize at reasonable levels.

Assessment Factor #7: Get A Feel For The Number Of "Mental Health" Days Taken. Mental health days are days off taken by employees who are not physically ill but who wake up to find that they just cannot face the office another day with its stress and frustration. This kind of time off is difficult to assess accurately

because it is usually taken under the guise of legitimate sick days. However, the alert manager will get a feel for the frequency of such departures from work and will interpret it accurately as an indicator of the overall level of morale.

It is well known that the quality of the overall functioning of an organization is powerfully influenced by the values espoused by the leadership within it. These values, communicated by the behaviors of individuals in key management positions (and not necessarily by formal written policies), filter down to determine the quality of work life at every level in an organization.

Here are a dozen organizational qualities, each of which represents a positive value that is directly related to the health of the organization. These same values, when consistently placed into practice by managers in their relationships with subordinates, also contribute heavily to the development of positive morale.

Organizational Quality #1: Managers Listen At The Bottom. While necessarily sensitive to directives upline, the morale-building manager remains very sensitive to subordinates' ideas, complaints and general welfare at all times. For those who work at every level, this kind of sensitivity and responsiveness communicates a sense of caring and the accurate perception that employees are being taken seriously. For organizations, listening at the bottom also provides insights that enhance efficiency and productivity when used as a basis for innovative change.

Organizational Quality #2: Managers Model What Is Expected Of Subordinates. In the military, good commanders often share the trenches with their men. They model the qualities expected from subordinates and good managers do this as well. "Do what I say, not what I do!" is the hallmark of the hypocrite. The morale-building manager shares the work with a group of subordinates and makes it a point to give credit to group members for their collective efforts.

Organizational Quality #3: Managers Support Innovation And Creativity. Another way of stating this value is that the best managers are constantly looking for a better way. This corporate value stands in stark contrast to those organizations that directly or indirectly stifle needed change because of inertia problems or because of fear of even minimal risk.

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The Magic of Morale, continued from page 5

In this kind of "closed" organization, morale weakens and many of the most creative employees give up trying and eventually leave.

Organizational Quality #4: The Bureaucracy Does Not Overwhelm Efficiency. A major cause of low morale in some organizations occurs when documentation and reports become more important than getting the work done. Employees spend more time pushing paper than doing what they do best -- using their skills. As a result, they become discouraged and angry. Administrative structures that are "lean and clean" are not only conducive to productivity but also to high employee morale.

Organizational Quality #5: The Organization Hires And Promotes People-Oriented Managers. Good managers tune into what people need to function well and produce optimally. Number crunchers with poor people skills and who are interested only in productivity at all costs tend to cost the organization dearly in the long run. Healthy organizations carefully screen their managerial applicants for established people skills and, if promoting from within, strive to develop these qualities.

Organizational Quality #6: The Organization Recognizes Individual Accomplishments. This is a most critical area of corporate or managerial responsiveness. Outstanding work, a special contribution or being the best is recognized and rewarded. The organization is perceived to know and to care when this happens. At another level, in high-morale organizations individual managers take the time to express appreciation directly to employees periodically for their dedication and loyalty.

Organizational Quality #7: Opportunities To Learn And To Progress Are Provided. Within the high-morale organization there are ample opportunities to advance. Developing new skills and actualizing the potential of employees at all levels is a strong corporate priority. Typically, there are provisions for such learning through in-hours programs or formal education. Employees know they are not "stuck" where they are and the organization does not hesitate to promote from within those individuals who attain necessary skills.

Organizational Quality #8: The Organization Helps Individuals Overcome Work-Related Problems. Sometimes personal problems interfere with quality work. At other times, there are specific deficiencies or bad

habits that must be worked out because of their detrimental influence on the job. The organization helps individuals to resolve such problems by providing support and opportunities to overcome them. Conversely, there is little tolerance for retaining individuals who refuse to make efforts to move beyond clearly defined problems.

Organizational Quality #9: The Organization Respects Employees' Time. In other words, the organization does not make impossible demands on individuals or departments. In addition, managers do not expect employees to work overtime day in and day out. This value stems from recognition that a good employee who lasts is also one who has a quality life after work. That is the same kind of employee who will communicate positively about the organization and generate high morale.

Organizational Quality #10: The Employees' Physical Work Environment Is Not Neglected. There is little else that is more damaging to morale than a work environment that is not well lighted, where equipment is not kept in good working order and where needed supplies or resources are absent. An organization interested in fostering positive morale is very sensitive to the quality of the work environment and commits itself to making it the very best possible.

Organizational Quality #11: One Of The Deepest Organization Values Is Integrity. It is difficult to trust a dishonest person. Similarly, employees lose faith in an organization that tries to pull fast ones, is publicly exposed as less than fully trustworthy or that is scandal-ridden. Morale drops at every level of the organization from top to bottom. Those organizations with continued high morale value above all their reputation for integrity.

Organizational Quality #12: The Organization Promotes A "We Are Winners" Attitude. Everyone likes to be part of something special and that is certainly just as true of the organizations they work for. The organization promotes itself as a winner and acts like one. That winning spirit, when deeply felt, is infectious at every level of the organization. It becomes the icing on the morale cake when the other corporate values are already in place. It is just that touch of class that makes everyone feel personally proud of working for a particular employer.

As you now know, positive morale with all its valuable effects on the individual and the

company cannot be generated directly. Rather, positive (and negative) morale results from the collective relationship of individual employees to the organization. In organizations where this fact is understood, time and energy are directed into building those relationships. High but reasonable expectations, firm but compassionate control and healthy involvement by those in charge are all key ingredients. There is no question about it. At every managerial level, paying attention to people pays off.

Interestingly, the factors that help create positive morale in the workplace are the same ones found in virtually every healthy family environment as well. In fact, individuals who work in organizations with high morale will frequently be heard making very telling comments: "We're just one big family" or "it's just like family here." These remarks are heard despite the fact that the company may be quite large and have thousands upon thousands of employees. The people within such companies become intuitively aware of the special organization-to-employee relationship that is highly reminiscent of a healthy family environment.

Perhaps one other related point should be made. Families frequently experience morale problems just as organizations do. The way to resolve this kind of family problem is to use the same techniques already suggested for companies but adapted to the home setting. Basically, a healthy relationship is a healthy relationship whether it is between an organization and an employee or between parent and child. It involves creating a protected growth environment in which those in charge are very responsive to subordinates. When such an environment has been established, three other morale-building qualities are also produced within the individual.

Morale Builder #1: There Is A Sense Of Belonging To Something Good. In every individual, there is a need to belong to and be accepted by a group. In settings where there is high morale, this important need to belong emotionally is fulfilled and results in tremendous positive motivation and loyalty.

Morale Builder #2: A Positive Sense Of Self-Esteem Is Validated. The individual has several major sources of self-esteem, one of which is performance in the workplace. The high-morale environment is one that expresses appreciation and responds to employee efforts in personally validating ways.

Morale Builder #3: The Individual Is "family" milieu, individuals are freed to mature and to grow personally and professionally. The trust, baseline security and freedom within limits permit the individual to change and develop because energy is not tied up in defending against an adversarial organization.

Both literally and figuratively, the level of morale in an organization reflects its heart and also reveals it. Morale at the very bottom of the organization is directly related to the value system of the organization and its managers at every level above. The power of positive morale on people cannot be underestimated. It is a given that healthy relationships can be built by those savvy enough to know how to go about it. The result is an enhancement of the morale that in turn results in fewer people problems and higher productivity. Everyone wins! *LD*

Social Events Accent Arizona, continued from page 1

High Chaparral TV set, an 1872 steam locomotive, as well as stagecoach and train rides.

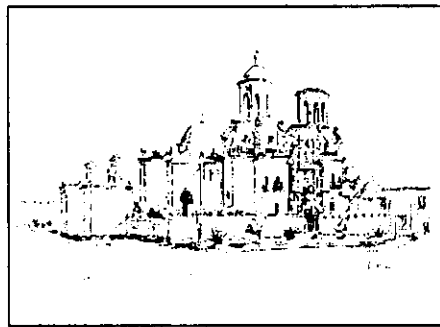
The Arizona Sonora Desert Museum is something you will never forget. It has been listed as one of the top ten zoos in the world by the *New York Times*. The natural habitats for many of the animals, birds and reptiles of the Sonoran Desert are a feature of the museum. Don't forget to look up for superb views of our desert -- east to the Tucson Mountains and west to the valley.

We cannot forget our mining and frontier heritage. Southeast of Tucson takes you to Tombstone and Bisbee. Tours of both open-pit and underground copper mines are featured. There are self-guided walking tours through a truly frontier city. Artisans display their efforts in local shops.

Bring your camera! The Kitt Peak National Observatory houses the largest concentration of facilities for stellar and solar research in the world. It is in the Quinlan Mountains on the Tohono O'odham Indian Reservation. The elevation is 6,882 feet, with temperatures usually 15 degrees cooler than in Tucson. The clear air gives a quality to photos that makes the amateur look profes-

sional. In addition, to guided tours, a gift shop displays the work of Indian artisans.

How about an open-air tram ride, complete with naturalist guides, through the Sabino Canyon -- where the Hohokam Indians had irrigation dams about 1,200 A.D. and where the 1870s pony soldiers from Fort Lowell enjoyed horseback excursions to the "ol' swimmin' hole" still in use today. Located in the Coronado National Forest, Sabino is noted for its variety of cacti, trees, bird life, desert sand, giant boulders and running water (depending on the rains). It is one of the favorite hiking areas for locals. Definitely a place to take your camera. The tram has frequent stops for those who might like to take a closer look.



A visit to Tucson is not complete without a visit to the "White Dove of the Desert" -- San Xavier del Bac Mission. (pictured) San Xavier is claimed to be the finest example of mission architecture in the United States and is still used for daily Mass by the Papago Indians. Many times, local Indians will have booths where they offer "fry bread" with a variety of toppings. Try it!

Plan to enjoy! Casual clothing and comfortable shoes are a must. And you are sure to want to take advantage of shopping both south and north of the border! *LD*

Variety Key to Educational Program, continued from page 1

Wednesday is the day we will look into the future, starting with a presentation by Hildebrandt, Inc., the national legal consulting firm, on the "Future of the Practice of Law" and its implications for the courts. Then NCACC's own long range planning committee will present its report on Long Range Planning and Implementation for the Association.

Wednesday will be a short day for educational programming. Our host clerk has plans for the rest of our day.

Judge Burton Scott, the ABA Appellate Judges Section liaison to NCACC will join us on Thursday morning to speak on "Administering the Appellate Caseload; From Cottage Industry to a Computerized Assembly Line". This program has already been presented to the Appellate Judges Seminar and should be both entertaining and worthwhile.

The Association business meeting will be held Thursday afternoon.

The Program Committee looks forward to seeing all of you in Tucson to share in what we hope will be an enjoyable and valuable educational week. *LD*

Appellate Court Project Management Seminar, continued from page 6

Throughout the seminar, we were shown how a computer can be used in project management. Software is available to assist in developing the calendar and the work breakdown structure. Different kinds of charts may be used to prepare a network diagram and to monitor the progress of the project. Using the computer to develop the diagram makes it much easier to edit the diagram and to see how a change in the amount of time it takes to accomplish a given task can affect the project schedule. Suggested project management software includes Harvard Total Project Manager 3.1, Microsoft Project 4.0, Superproject Expert 1.1, and Timeline 3.0.

As with any seminar, the project management seminar will be beneficial only if we take the time to implement what we have learned when we get home. Time is usually valuable and often we cut planning time to get on with the project. One thing this seminar made me realize is that organized project management may require more time at the outset but it will pay off in the long-run with fewer costly mistakes and missed deadlines.

The Seminar suggested a means of planning a project in an organized, rather than haphazard, way; a method of monitoring the project, and reviewing the results so that we might learn from our past mistakes and record and remember our successes for future projects. *LD*

Committee Activities

Nominations Committee

The last issue of *The Docket* included a form for your suggestions for officers and executive committee members for possible nomination during our annual meeting this year in Tucson.

As a reminder, the persons whose two (2) year terms as members of the executive committee will expire are: Ron D. Barrow, CA, David B. Beach, VA, and Joline B. Williams, GA. These members *are not* eligible to *return* as executive committee members for one year, but *are* eligible for officers' vacancies.

As usual, we need to fill the office of Vice-President, and, this year, we need also to fill the office of Secretary. Ella Williams, MI, is completing a two-year term as Secretary. Our

Bylaws permit the Secretary to succeed in office for an additional term.

You may send your recommended nominees to the committee by returning the form from last issue to John C. Scott, Clerk of Supreme Court, New Capitol Building, Room 209, Frankfort, KY 40601. **The deadline is May 1, 1990**, so please ... do it right away.

Publications Committee

The Publications Committee continues to seek articles written by our members or others about topics or people of interest to our Conference. We would also appreciate copies of articles, with reprint information, which members have found useful or professionally interesting

from publications which are not likely to have been received by a substantial number of our members. Greg Wallace, Chair.

From the President-Elect

FILL OUT THOSE QUESTIONNAIRES, PLEASE! By this time, all members should have received a membership dues statement for 1990. A Committee Preference Questionnaire should be included with your statement. Please take a moment to fill it out and return it to me. This will assist me in making committee assignments for next year and will further the objectives set forth by the Long-Range Planning committee, i.e., to improve the effectiveness of our committees.

Thanks for your help.
Peggy Stevens McGraw

Control Your Paper Flow

Experts say that truly efficient office workers don't dispose of every piece of paper with just one handling. It takes two: the first to prioritize and the second (immediately or later) to dispose of it.

Seven inexpensive Manila folders can help you control your paper flow and manage your time efficiently.

- * **Quickie Folder:** Routine items you can't do right away but that you can handle while waiting for a meeting to start, before or after lunch, or at the end of the day.
- * **Deadline Folder:** Work with due dates. Review this folder weekly. Friday may be the best day, so you can prepare for tasks to be done the next week and you won't have to rush to do them.

* **Priority Folder:** Work that has no specific deadline but is important. Review weekly and work on these tasks as time permits.

* **Tickler Folder:** Items that require action from someone else and follow-up action from you. Review weekly.

* **Reading Folder:** All those magazines, fliers, articles, and reports you want to read, but not now. Store them here and use them for rest room trips or whatever; discard when folder gets too full.

* **Filing Folder:** Things which *need* to be saved, but you don't have time or inclination to put them in their proper place now. When the folder gets full, give the contents to

your secretary to file, with appropriate instructions.

- * **Phooey Folder:** Low priority items. Save this folder until you have enough time to justify setting aside a block of time to deal with it.

Spark's Sixth Rule for Managers:

If a subordinate asks you a pertinent question, look at him as if he has lost his senses. When he looks down, paraphrase the question back at him.

People, Places, and Things



New Members

The Executive Committee reports **nine** new members since our last edition. We welcome, in alphabetical order:

Chris C. Gaylon, Fiscal/Budget Officer, Tennessee Supreme Court

Janice S. Clinkenbeard, Administrative Assistant/Deputy Clerk, Supreme Court of Tennessee

Yvonne I. Anderson, Chief Deputy Clerk, Alaska Appellate Court

James G. Benway, Clerk of Court, Colorado State Court of Appeals

Helen Ann Carncluff, Assistant Chief Deputy Clerk, Supreme Court of Illinois

Barbara A. Holman, Clerk, Twelfth Court of Appeals, Texas

Penelope A. Keeley, Deputy Clerk, California Court of Appeal (1st Dist.)

Joseph A. Lane, Chief Deputy Clerk, California Court of Appeal (2d Dist.)


Richard H. Sandvik, Deputy Clerk, California Court of Appeal (1st Dist.)

Hazel began her court service in the Supreme Court of Alabama Clerk's Office in 1965. She previously worked in the State Attorney General's Office from 1957-1965.

When the Court of Civil Appeals was created by the legislature in 1969, the late J. O. Sentell appointed her Assistant Clerk of the Court of Civil Appeals in October 1969. She has served with distinction in that capacity for over twenty years, under five different presiding judges and two clerks. She has kept the case processing current with a 600% increase in caseload.

Hazel has also been a very loyal, dedicated member of the National Conference of Appellate Court clerks. She is a charter member of the NCACC, has attended all of its national conferences since 1973, and has been a very active member of several of its committees, including membership and hospitality. Her understanding of the appellate process has been of great assistance to other members of the NCACC.

Thoroughly professional and absolutely loyal, Hazel has been an unbending pillar in the daily processing of case management in the court. She will be missed by her friends in the clerk's office.

Hazel loves to travel and has already made plans for a cruise to Barbados. She also has signed up for volunteer work as a "pink lady" in a local hospital. "Fair winds and following seas" to our good and long-time friend. 

West Publishing Announces the Retirement of Charles Nelson.

It's a long way from the jazz combo nightclub circuit in the midwest to the courts across America. And its a unique personality who can succeed in both venues. Such is Charles Nelson.

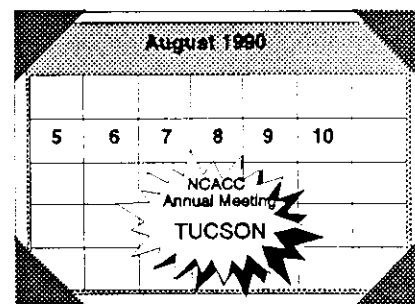
Those who remember his swing-time days say he "played a mean saxophone." But whether playing music or reporting the law, Chuck Nelson has always pursued his interests with an uncommon spirit and charm that invariably embraces everyone with whom he comes in contact. Today, as one of his colleagues puts it, "You could probably go into any appellate courthouse in the United States and find a friend of Charlie Nelson's ... almost every judge, clerk of court or court reporter."

No one could have foreseen his ultimate impact on America's judiciary when, in the 1930's, he left college to devote himself fully to a career in music. World War II interrupted his plans, but of three years in the service, he managed to spend one of them in the Army band. He resumed his music career after the war, but the life of a musician wasn't easy. Long hours of practice, late hours performing, and



Retirements

Hazel McLain, Assistant Clerk of the Alabama Court of Civil Appeals, announces her retirement effective May 1, 1990.



incessant traveling finally prompted his wife Lyn to suggest a lifestyle more appropriate for raising a family. Putting family first, Chuck sold his horn. He returned to college, finished law school, and began a practice in South Dakota.


On a trip back to Wisconsin, he got together with his buddy Don Oren, who told Chuck (apparently with some enthusiasm) that West really needed lawyers at that time. Of course, the job was only "temporary." The seed took root and shortly thereafter, Chuck reported to West in July, 1952, to begin a temporary job that would last nearly 38 years.

He did general editorial work when he first started at West, but his personality and industry soon distinguished him. As his peers increasingly respected his ability and appreciated his personality, his gift of leadership was recognized. In ensuing years he served successively as Associate Editor, Assistant Editorial Counsel, Manager of the Manuscript Department, Managing Editor, Editorial Counsel, and, ultimately, Vice President & Editorial Counsel.

With the acumen of a good ambassador, he has been able to work with many types of people, clearly see the interests of all, and marry those interests harmoniously. Certainly, his gift for working with people involves his genuineness. "What you see is what you get," as one of his colleagues puts it. "Everyone likes him because they see the real person."

Reflecting on his years at West, he is most impressed by the dynamic changes he has seen take place as the company grew in response to the explo-

sive growth in case law, and evolved to take advantage of new technology. "It's absolutely a different ball game now," he observes. "We're not so much a publisher anymore as an elaborate center for disseminating information." Having been a part of that rapid growth for so long, he regrets being unable to take an active role in further developments. But of course, he will miss the people most of all ... the many "warm, personal friendships" within West and among the judiciary. Friendships that testify to a man who has focused on building relationships for nearly 38 years, and so has reaped the unfading rewards of genuine success.

Charlie has long been a sustaining member of the NCACC and has brought Lyn with him to most of our Annual Meetings. We wish them both the very best in coming years, and look forward to our continued relationship. 




Awards

Hank Henson, Assistant Clerk of the Michigan Court of Appeals, recently received an award from Mead Data Central "For Moving the Courts from

Yesterday to Tomorrow Through the Use of Technology."


The Michigan Court of Appeals was the first court of statewide jurisdiction to implement electronic transmission of opinions to Lawyers Co-Op, West Publishing, and Mead Data.

Hank was quoted as saying, "There is a long-established tradition of cooperation between the appellate courts and the publishing community. I'm just trying to live up to the examples others have set."

The award was presented at Mead Data Corporation in Dayton, Ohio, on April 5th. 

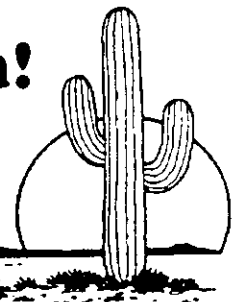


Miscellany

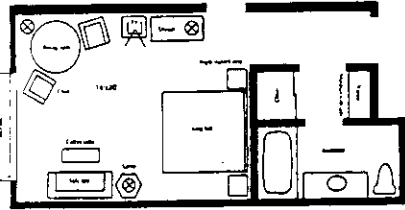
Allen and Mildred Lucy, he the former Clerk of the Supreme Court of Virginia, celebrated their *50th Wedding Anniversary* in a magnificent event in Richmond on April 14th. Congratulations and we wish you many more happy years together! 

Think Tucson!

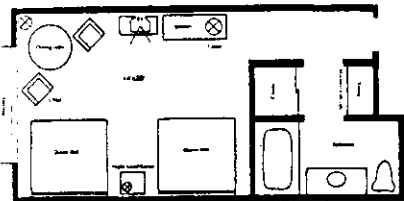
August 5 - 10, 1990



Conference Accommodations at El Conquistador



Single Room - King



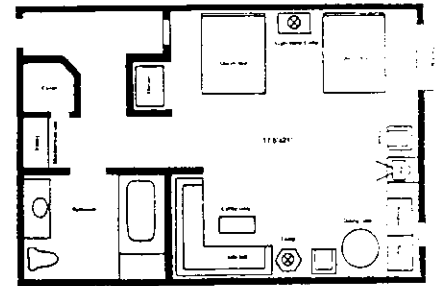
Double Room - Queen

Joyce Goldsmith has been receiving calls from some of you "early-birds" who have heard about the various types of rooms at the Sheraton Tucson El Conquistador and want more specific information about the types of room accommodations and the group price structure we have with the hotel.

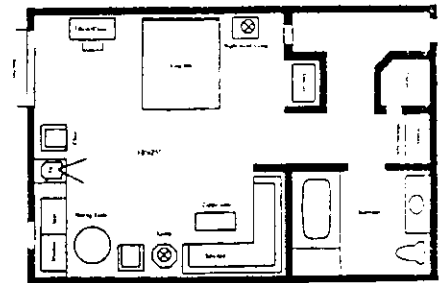
On the left, you will see diagrams of the single and double rooms available at \$55.00 per night. Each additional adult is \$15.00 per night. These rooms are available in the "casitas" which are sprinkled around the hotel grounds, or in the main hotel buildings.

Casita Suites and Junior Suites, which are similar in size and layout, are \$75.00 each. The Casita Suites may be combined with adjoining rooms and our attendees can actually have a 3 bedroom Casita Suite for \$185.00 per night (2 bedrooms with 2 queen size beds, the Casita Suite king size bed in the bedroom and the pullout sofa sleeper in the living room area). There is no additional charge for cribs.

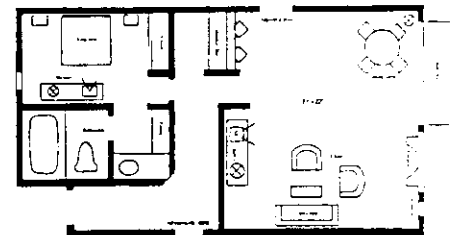
A diagram of the hotel grounds is reproduced on page 14 to give you a feel of the layout of the grounds.



Jr. Suite Double - Queen



Jr. Suite Single - King



Casita Suite

And, since you asked, Edith Cohen, our Travel Consultant at Bon Voyage Travel, suggests that we ought to have the following information available if we call her to set up our travel arrangements:

Name, Address, City, State, Zip
Special Meals, Frequent Flyer Numbers,
Form of Payment, and Seat Preference.

*FAX Operations Questionnaire, continued from back page*Do you **SEND** documents by FAX? Y N

Send them to: (check all that apply)

- other courts.
 attorneys.
 the press and other media.
 the public.
 other: _____

What do you send?

- copies of opinions.
 copies of orders.
 (If to counsel in the matter, do you follow the FAX
 with a paper copy? _____)
 other: _____

Do you **RECEIVE** documents by FAX? Y N

Receive them from: (check all that apply)

- other courts.
 attorneys.
 the press and other media.
 the public.
 other: _____

What do you receive?

- motions or petitions
 briefs
 responses to motions or petitions
 other: _____

Are your FAX filings limited?

- To emergency situations
 as determined by court.
 as asserted by counsel.
 Where prior permission obtained
 if over ____ pages in length.

Do you also permit filing of documents by mail, e.g. the document is considered "filed" when mailed? Y N
 Comments?

How do you handle filing fees? (Attorney accounts, fee filed within "x" days or document undocketed, etc.) Comments?

Do you require the original to follow the FAX by mail? _____ Comments?

Is there a statute in your jurisdiction governing filing or service by FAX? _____
 (Please attach a clear copy.)

Is there a rule of court in your jurisdiction governing filing or service by FAX? _____
 (Please attach a clear copy.)

Do you have a schedule of fees relating to special charges to send or receive documents by FAX? _____
 (Please attach a clear copy.)

What else should we ask?

FAX Operations Questionnaire

More and more of us are turning to facsimile transmission as a normal way of doing business. Understandably, as the bar, media, and public learn of our technological awareness, they want to use it to make their lives easier. We, therefore, find ourselves faced with policy decisions which may or may not be memorialized in published rules.

How do we determine what goes in and out by FAX? What about the payment of fees? How do we handle a requirement that multiple copies of a document be filed? When does the "choke point" occur when the demands of tending the FAX impose on our staff members?

I have been asked to conduct a seminar at the Tucson Conference about the use of FAX in our appellate courts and how we are handling these and other issues. I will have a handout of responses to this questionnaire and reproductions of any rules or policy statements submitted by those of you who respond. And I will gladly provide the collected materials to those who either can't make the Conference or are more attracted to the other seminars offered during the program.

Please rip off this back page and answer the questions, making any notations or comments you feel are pertinent to the subject. Send it to me by June 1st. I thank you.

J. Gregory Wallace
Clerk of the Supreme Court
P. O. Box 2170, Raleigh, NC 27602
or FAX it to (919) 733-0105.

STATE: _____ COURT: _____ Court of Last Resort? Y N

Do you have a FAX Machine? _____ If so, FAX Number: _____

Is it a plain paper FAX? _____ May we publish your FAX number? Y N

Available 24 hours per day: _____ If not, hours of operation: _____

Hon. Leslie D. Grader
Clerk, Court of Special Appeals
361 Rowe Boulevard
Annapolis, MD 21401

ADDRESS CORRECTION REQUESTED

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