

National Conference of Appellate Court Clerks

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NEWSLETTER

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THIRD ANNUAL MEETING BEING PLANNED

The Third Annual Meeting of the National Conference of Appellate Court Clerks has been set for August 2-6 at the Otesaga Hotel in Cooperstown, New York.

The overall topic being considered is the delay in obtaining transcripts of hearings and trials. New techniques to speed transcripts are among subjects being considered for discussion. The NCACC Executive Committee will meet in San Antonio, Texas, on March 12 to firm up plans for the Annual Meeting, and a final decision on the main topic will be made at that time.

In addition to the conference sessions and the business meeting, the program for the Annual Meeting will include a number of social functions.

The Cooperstown site offers swimming, golf, a putting green and tennis. The Baseball Hall of Fame and Farmer's Museum are also nearby.

Cooperstown is located west of Albany, N. Y., and southeast of Utica and is easily accessible by car. Scheduled airlines arrive at the Utica-Rome Airport, and limousine service is available from the airport to the hotel.

Further details on the Annual Meeting will be mailed to all NCACC members following the March 12 Executive Committee meeting.

WEST PUBLISHING TO PRODUCE NCACC BOOK ON APPELLATE COURTS

A NCACC-sponsored manual on state appellate courts was submitted to West Publishing Company February 2 for publication by that prestigious legal printing house.

Editor of the publication, entitled An Outline of Basic Appellate Court Structures and Procedures in the United States, is Wilfried J. Kramer, Clerk of the Court of Appeal, Third District, Sacramento, California. Mr. Kramer, a member of the NCACC's Executive Committee, undertook the research and editing of the manual 10 months ago as an NCACC project. Research data was obtained from questionnaires submitted to the appellate courts in the states.



KEY PARTICIPANTS in the 1975 Annual Meeting at Flagstaff, Arizona, were (from left): Chief Justice James Duke Cameron of the Arizona Supreme Court; Frances Jones Mills, then President of NCACC; and Governor Raul Castro of Arizona.

The book is an outline of the basic court structure and procedures for the intermediate and supreme courts in each of the various states and the District of Columbia. Topics covered include listings of names of the various trial, intermediate and appellate courts; judicial selection, terms of office, location of courts, salaries and benefits; filings; selection of clerks and required qualifications; notice of appeal; type and content of record; methods of handling transcripts, and many more.

Copies will be made available to NCACC members at nominal cost. Mr. Kramer said he does not know how long the printing at West will take, but he expects the publication to be ready by summer, if not sooner.

Further details on obtaining this publication will be carried in future issues of the newsletter.

KENTUCKY RESTRUCTURES APPEALS COURTS

The Kentucky Court of Appeals officially became the Supreme Court of Kentucky January 1. This is the first in a series of changes scheduled under a new judicial amendment to the state constitution approved by Kentucky voters at last November's election.

A 14-member intermediate court--a new Court of Appeals--was also created as of January 1. Judges for this court, which is not yet operational, will be appointed by the governor from a list recommended by a State Judicial Nominating Commission.

Holding the new title of Chief Justice of the Commonwealth is Scott Reed, elected in January by other Supreme Court members. He has the responsibility of developing operating procedures for all state courts, as provided by the judicial amendment. The amendment also specifies that all judges be lawyers and serve in full-time positions. The amendment also prohibits judges from practicing law while serving as judges.

Martha Lane Collins was elected in November as the first clerk of the new Supreme Court. In the future, however, the clerk will be appointed by the Court.

The clerk of the intermediate appellate court will be appointed when that court becomes operational.

THE JOB MART

Staff Associate--The National Center for State Courts South Central Regional Office is taking applications for a staff associate position. Masters degree in public administration, law degree, or extensive experience in court administration required. Salary competitive. Send resume to Grant Davis, Regional Director, National Center for State Courts, University of Oklahoma Law Center, Norman, Oklahoma 73069.

A MESSAGE FROM THE PRESIDENT

Appellate Clerks recognize the accuracy of the statement of Lawrence E. Walsh, president of the American Bar Association, that "Delay, expense, and uncertainty, our ancient enemies, plague the administration of justice today." The proliferation of trials and appeals places a heavy burden on the courts. Earnest and intelligent effort must be made to find solutions which will result in the early disposition of litigation.

The problem which appellate clerks throughout the country find most frustrating is the difficulty in obtaining promptly the transcripts of hearings and trials. It is encouraging, therefore, to note that studies of this subject have advanced to the point where a solution may soon be found.

Two reports have recently been issued which approach the matter from differing angles. One is the National Center for State Courts' important "Evaluation Guidebook to Computer-Aided Transcription," based upon a study financed by the National Institute of Law Enforcement and Criminal Justice of the Law Enforcement Assistance Administration. Denominated as Publication No. R0019, it may be obtained by writing to the National Center, whose address appears at the head of the first page of this newsletter.

The other is also a National Center for State Courts study, published by the U. S. Department of Justice, which tackles the problem from a different aspect: the use of video tape. A summary of that study, entitled "Video Support in the Criminal Courts - Executive Summary," may be obtained at 95¢ each by writing to the U. S. Government Printing Office, Washington, D. C. 20402.

Here are two imaginative approaches which we, as appellate clerks, will wish to bring before trial courts presently having difficulty in getting out their transcripts. Some courts are already using the computer-aided procedure. Others are planning its use.

Appellate clerks should not sit back, waiting complacently for the delivery of records and transcripts. It is necessary to bring continuing pressure on the trial level to prepare transcripts expeditiously and to transmit them to the appellate courts. As more information becomes available, it will be reported in our Newsletter.

Other problems in this area are the preservation of court reporters' stenographic or stenotype minutes, tapes and other recording materials; assuring that the copy transmitted to the appellate court is a correct transcription of the original minutes; shortening the record where possible, etc. We hope at our annual meeting in Cooperstown to present demonstrations of new techniques, as well as thoughtful discussions on the presentation of the record and transcript to the appellate courts.


Hyman W. Gamso, President

PARALEGAL INSTITUTIONS ACCREDITED BY ABA

The recent American Bar Association move to accredit paralegal institutions will be of interest to Appellate Court Clerks who receive inquiries about such training.

The ABA has given final approval to eight institutions, according to the Illinois Bar News. They are:

Bentley College, Institute of Paralegal Studies, Waltham, Mass.

Cumberland County College, Legal Technology Program, Vineland, N. J.

The Institute for Paralegal Training, Philadelphia, Pa.

Lone Mountain College, Legal Studies Program, San Francisco, Calif.

UCLA University Extension, Attorney Assistant Training Program, Los Angeles, Calif.

University of Minnesota, Legal Assistant Program, Minneapolis, Minn.

University of West Los Angeles, School of Paralegal Studies, Culver City, Calif.

Villa Julie College, Legal Assistant Program, Stevenson, Md.

Provisional approval was given to Cleveland State Community College, Legal Assistant Program, Cleveland, Tenn.

Schools that apply for approval are judged by the ABA on several points, including curriculum, instructors and physical facilities.

BILLS CALL FOR INCREASED LEAA ASSISTANCE TO COURTS

Senator Edward M. Kennedy (D-Mass.) is expected to introduce legislation in mid-February which would provide increased LEAA assistance for the courts. Like H. R. 8967, the State Courts Improvement Act pending in the House Judiciary Committee, the Kennedy bill is designed to assure state courts a fair share of LEAA block grant funds and give the judiciary authority to plan for their use.

The Kennedy bill would earmark 25 percent of LEAA's block grant funds for the courts. Thirty percent of national discretionary funds also would be reserved for courts and related agencies, primarily for projects to alleviate court congestion.

The Senate Subcommittee on Criminal Laws and Procedures is expected to hold its final hearings on LEAA and the Courts on February 20. The House Judiciary Subcommittee on Crime is expected to begin hearings on LEAA bills, including H. D. 8967, in late February or early March. Under the new budget act, both the House and Senate Judiciary Committee are required to report LEAA reauthorization bills to the floor by May 15. However, Congress could extend the deadline.