

# NATIONAL CONFERENCE OF APPELLATE COURT CLERKS

## NEWSLETTER

### VOLUME ONE

### NUMBER TWO

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Loren J. Strotz, Clerk, Appellate Court of Illinois, Second District, has sent us the following:

"Under the New Illinois Constitution, that State's Supreme and Appellate Court Clerks are changing from elected to appointed offices. (Also, the Illinois Legislature can now determine if the Circuit Court Clerks are elected or appointed.)

"It is reported that a special committee to advise the Illinois Supreme Court on implementing the change has recommended that the Supreme and Appellate Clerks be appointed by their respective courts for a specified term, and that the Clerks must be notified 90 days prior to the expiration of their terms if they are not to be re-appointed. To help insulate the Clerks from political pressures, it was also recommended their terms begin before the date for the election or retention of the Judges."

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A committee of the conference is to meet March 23 to work on plans for the July seminar. Suggestions as to program and faculty would be most welcome and should be submitted to Ron Dzierbicki, Chairman.

\* \* \* \* \*

Recently I distributed a questionnaire to clerks of the court of last resort in each state and asked about that court's practice with respect to requests for extensions of time to file papers. The results of that survey may be summarized as follows:

15 states of the 43 providing information permitted non-judicial officers to grant extension of time to file papers. The fifteen are Alaska, Arkansas, Florida, Kansas, Kentucky, Maine, Minnesota, Mississippi, Nebraska, New Hampshire, New York, Ohio, Oklahoma, Oregon, Rhode Island. Of these Kentucky and Oklahoma authorize the court administration and the marshall respectively to grant the extensions. All others authorize the Clerks to do so. Florida and Ohio permit Deputy Clerks to grant extensions as well. Limitations as to length of extension were reported by Alaska, Arkansas, Florida, Kansas and Ohio. Various other jurisdictions limit the kinds of papers for which extensions could be granted in various ways.

Incidentally, the New Jersey Supreme Court has now authorized its clerk to grant extensions of time to file briefs up to 30 days (on first request of a party). The number of areas handled administratively in this state has been gradually increasing, at the clerk's suggestion, in order to reduce the stacks of motions submitted to the court for determination.

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In New Jersey the judicial management information system has initiated a new computerized system for court information in the Appellate Division of the Superior Court. The system will assist in relieving a major portion of the current record keeping function, in providing information with respect to caseload management and scheduling, and relieving appellate court work loads. The new system is scheduled to become operational in the Fall of 1974. It will be implemented as an on-line on the computer of the Department of Law and Safety.

Funds for the definition and implementation of the system have been provided by LEAA. It is intended that the Supreme Court will join the system approximately one year later.

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Hy Gamsco reports that the Clerks of the New York Appellate Courts have met to discuss bills pending currently in the State Legislature relating to appeals to admissions of attorneys, to Legal Service Corporations and other matters.

\* \* \* \* \*

Our president has requested responses from the executive committee as to the services to be rendered the National Conference of Appellate Court Clerks by the proposed secretariat at the National Center for State Courts. Since the Center's Board of Directors will consider this proposal on March 30, responses must be submitted immediately.

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On Friday, January 18, 1974, Clerks of the Massachusetts trial courts and appellate courts attended a seminar designed to give them an opportunity to have the new rules of civil procedure explained and elaborated upon. These new rules which become effective on July 1, 1974, include new or amended appellate rules as well.

The seminar was sponsored by Massachusetts Continuing Legal Education, Inc. Conducting the seminar and panel discussion were Honorable Cornelius Moynihan, Honorable James Lynch, Honorable John McNaught of justices of the Superior Court, and Professor Hiller Zobel of Boston University Law School, one of the two reporters for the new rules.

The seminar was held in Auburn, Massachusetts, in the central part of the state. In spite of zero degree readings on the thermometers that day and in spite of the acute gasoline shortage, the seminar was attended by every clerk of the courts affected and by many assistants as well.

The entire seminar was taped and the tapes will be reproduced and placed in the law libraries throughout the state where they will be available to the clerks for "refresher courses" in the adjustment period when the rules become effective.

As have so many other states, Massachusetts has largely adopted the Federal rules for civil procedure.

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Alexander Stevas, Clerk of the Court of Appeals, District of Columbia indicates that in his jurisdiction an increase in the bar examination fee from \$50 to \$75 is being considered.

(New Jersey's \$40 fee is also in danger). Clerks who handle admissions are asked to let me know what increases are contemplated, if any, and I will summarize the result for the next newsletter, whose editor will be: Hyman W. Gamsco, Clerk, Supreme Court, Appellate Division, First Department, 27 Madison Avenue, New York, New York 10010.

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## PRESIDENT'S MESSAGE

*Our Conference has made considerable progress since the organizational meeting last August. We now have thirty-seven members and nineteen associate members. I commend our committees on the fine work they have done. The chairmen of our committees are: John E. Powers, Clerk of the Supreme Judicial Court of Massachusetts for Suffolk County, Recruitment; Ronald L. Dzierbicki, Clerk of the Court of Appeals of Michigan, Program; and Thomas F. Simon, Clerk of the Supreme Court of Missouri, Finance.*

*A committee from our Conference will meet in New Orleans on March 23 to confer with Gary Boland, Director of Continuing Legal Education at Louisiana State University, in selecting the faculty and subject matter for the appellate clerk's seminar. The seminar will be held in Louisville, Kentucky, July 17-19, in connection with our annual meeting. If you have any suggestions for any subjects to be discussed at our seminar, please send them to me not later than March 15.*

*Frances Mills, our president-elect, has arranged a number of outstanding events for the annual meeting. The program for the appellate clerks' seminar will be announced in the next newsletter.*

*It is important that appellate court budgets provide adequate funds to enable appellate court clerks, deputy clerks and assistant clerks, to attend conference meetings and seminars and to participate otherwise in the activities of the conference.*

*An application to provide the conference with a secretariat will be presented to the Board of Directors of the National Center for State Courts on March 30. One of the functions of the proposed secretariat would be the maintenance of facilities for the collection and dissemination of information of professional value and interest to appellate court clerks and their staff.*

*We are grateful to Florence Peskoe, Clerk of the Supreme Court of New Jersey, for the able editorship of this newsletter.*

Hyman Gamso, Clerk of the Supreme Court of New York, Appellate Division, First Department, and a former assistant editor of the New York Law Journal, will edit the next two newsletters.

Anyone who wishes to propose an amendment to the by-laws should submit the proposed amendment to Jean M. Kennett, Secretary-Treasurer, 1404 Court House, Boston, Massachusetts, 02108, not later than April 1.

I hope that you will make your plans to attend the seminar and annual meeting July 17-19.

Cordially,

J. O. Sentell  
President

# National Conference of Appellate Court Clerks

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December 24, 1974

Hon. Keith Richardson  
Clerk of the Supreme Court of Iowa  
Supreme Court  
State Capitol  
Des Moines, Iowa

Dear Mr. Richardson:

Attached is a copy of one issue of the Newsletter of the National Conference of Appellate Court Clerks. I regret that I am unable to provide copies of the other issues which were distributed last year and have requested that they be sent to you by our secretary.

I had submitted your name as a prospective member some time ago and you have, no doubt, been contacted in this regard by now.

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