

My New Orleans

Ken deBlanc (LA)
Your Southern Travel Guide Extraordinaire

First things first. Is the Big Easy safe? Yes, it is as safe as any big city as long as you stay within the usual tourist areas. During the day, I would suggest that you confine your walking to the River Front Park Walk on the south, Poydras Street on the west, Dauphine on the north, and Esplanade on the east. At night, I would confine my walking, for the most part, to Decatur St on the south, Canal Street on the west, Bourbon Street on the north and St. Philip on the west. Just remember there is always safety in number and when returning to the hotel late at night, the cost of a taxi cab is always reasonable. Our hotel is located on Canal Street and North Peters/Decatur Street, in a complex known as Canal Place. When reading the above, please refer to the maps Christie sent you with your registration packet.

Is it safe to roam Bourbon Street at night? Yes, it is probably the safest street in the City at night, but stay within the barricades (most of Bourbon Street becomes a pedestrian mall in the evening). Young adults should be reminded that the legal drinking age in Louisiana is 21. In my day, the drinking age was when you were tall enough to put your quarter on the bar.

What to do in the immediate vicinity. For those with young children, or those who are young at heart, the Aquarium of the Americas is located just south of our hotel, and next door is an IMAX Theater. Also in the same vicinity at the end of Canal Street, you can catch the Riverfront Streetcar to Jackson Square and/or French Market. You may also board the Audubon Zoo Ferry which takes you to the zoo, via the Mississippi River. In my opinion, the Audubon Zoo is every bit as good, if not better, than the San Diego Zoo.

Even if you don't gamble, you should walk across the street from our hotel to Harrah's Casino. I think they did a great job carrying out a New Orleans theme in their decor.

I am sorry to report that the St. Charles Streetcar, the city's number one tourist attraction, is still not in service. We can hope it will be up and running when we get there, but somehow I doubt it. However, there is a city bus that runs the same route. For those hearty and brave souls who wish to tour the Garden District, you can take the St. Charles bus to

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CALL FOR THE ANNUAL MEETING

President Sandra Skinner, through Secretary Bessie Decker, and pursuant to the provisions of Article V, Section 5, of the Bylaws, hereby issues the call for the annual meeting of the Conference of Appellate Court Clerks to be held at the Wyndham Hotel at Canal Place, New Orleans, Louisiana, beginning Sunday, August 5, 2007, and continuing through Friday, August 10, 2007.

Respectfully submitted,
Bessie Decker
Secretary



THE DOCKET

News of the National Conference of Appellate Court Clerks

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THE DOCKET

News of the
National Conference of
Appellate Court Clerks

President	Sandra Skinner (MO)
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Vice-President	Tom Hall (FL)
Immed. Past President	Terrence Lord (MO)
Secretary	Bessie M. Decker (MD)
Treasurer	Marilyn May (AK)

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	Patricia Harrington (VA)
	Irene Bizzoso (PA)
	Chris Crow (LA)
	Jim Pelzner (NY)
	Colette Bruggman (ND)

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Holly Sparrow (GA)	(404) 651-8498 GA, FL, AL, MS, SC, NC, VA, MD, DE, NJ
Kenneth deBlanc (LA)	LA, TX, OK, NM, AZ, CA, NV, UT, CO, HI
Steven Lancaster (IN) Executive Committee Liaison	IN, OH, PA, NY, VT, NH, ME, MA, CT, RI
Leslie W. Steen (AR)	Volunteer Columnist
Diana Pratt-Wyatt (LA)	Editor
Brenda Stephens (LA)	Assistant

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

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HELP KEEP US INFORMED!!



To Remit NCACC Membership Dues:

National Center of State Courts
300 Newport Avenue
Williamsburg, VA 23185

From The President

Sandra Skinner (MO)



Much has happened since the April issue. Preparations for our annual conference in New Orleans have been finalized and hopefully you have been able to register to come. We had what I thought was a very good Executive Committee meeting in Little Rock and had lengthy discussions about the conference's present and future state of affairs. It is to those future affairs that I now turn.

Think about how advances in technology over the past ten years have changed the way you do your job. Voice mail, e-mail, case management programs, document scanning and e-filing are only a few advancements we saw coming, discussed at annual conferences and prepare for even today. Change is usually difficult but usually inevitable. However, we did not change who we were as clerks when faced with technological change. We brought this change into our everyday office experience and to varying degrees, we are better for it.

Over the past thirty-four years, the NCACC has become an organization that provides information, assistance and support to its membership, the public and other judicially-related groups. The hard work and dedication of our members have made us what we are today. Many of our colleagues give of their time and energy to serve as officers, committee members and speakers at annual conferences. This is the heart of our organization and this will not change. This is who we are and why we are viewed as the primary informational source of appellate court procedures and processes by others in the field. However, change needs to be addressed.

As a group we approved a Strategic Plan for our conference. We have determined that it is our mission to serve our members "by improving professional competence, promoting the efficient administration of justice, and striving to insure full and fair access to the courts". We need to acknowledge the incredible job Program Chairs and their committees have done for us. Year after year they provide an educational program second to none on "a dollar, a dime and luck". They cajole, plead and bargain with presenters in order to give us utilizable educational offerings. We need to have the resources available to provide exceptional speakers on timely, pertinent topics. For those clerks and deputy clerks unable to attend the annual conference, we need to be able to provide them the program materials. Perhaps that would mean being able to videotape the meeting or even stream it over the internet. Written materials might be available on our website or on disk. The possibility of regional seminars or even webinars is a way to expand the conference's effectiveness in disseminating information. This is where we need to move in order to improve our professional competence.

Currently, the responsibilities for *The Docket*, our website, the ListServ and getting CLE credits approved by the states after our annual meeting are each shouldered by one person. What happens when that one person retires, gets sick, goes on vacation or just doesn't have any more hours available after working the 40+ hours at their regular job. Our website has become an indispensable resource not only for our members but for the public and other groups needing information. Enlarging and enhancing the website is a top priority. Accumulating survey responses and member question responses, formatting those responses into a coherent summary, and getting that summary up on the web quickly is labor intensive. Expanding *The Docket* with more work-related articles and perhaps even articles from other publications which might have a direct impact on our work will enhance our publication for our members and the public. Information on line or through *The Docket* promotes an efficient administration of the judiciary and assists those pro se or represented litigants with access to our courts. This is what we all agreed was our mission. The question gets down to how we finance these very worthy projects.

This is where we need help. We have always done for ourselves and quite frankly, to this point, it has worked out very well. You don't have to worry about the annual conference's educational or social programs. They remain outstanding

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Officers and Executive Committee 2007 - 2008 Nominations

It is with great pleasure that the Nominating Committee proposes the following slate of Officers and Executive Committee Members:

SUSAN STOKLEY CLARY (KY) Vice-President

Susan Stokley Clary has served as Clerk of the Supreme Court of Kentucky since 1995. She also serves as Court Administrator and General Counsel for the Court. Susan received a B.A. degree in 1978 from the University of Kentucky and a J.D. from U.K. College of Law in 1981.

Prior to her appointment as Clerk, she served the Court as Law Clerk for Justice James B. Stephenson, Administrative Assistant to Chief Justice Robert F. Stephens, and established the statewide juvenile intake and diversion program as General Manager of Juvenile Services.

Susan served on the Executive Committee of the National Conference of Appellate Court Clerks and served as Chair of the Resolutions and Memorials Committee, Nominations Committee, and Strategic Planning Committee of the NCACC and as a committee member on the Program, the Finance and Investment, Technology, Site Selection and the Alternative Funding Committees.

MARILYN MAY (AK) Treasurer

Marilyn May has been the Clerk of Appellate Courts for the State of Alaska since 1998. She attended the University of Northern Iowa where she received her bachelor's and master's degrees in German, and was an instructor of German and Spanish. In 1984 she received her J.D. from the University of Minnesota Law School and moved to Alaska.

After several years in private practice, Marilyn spent ten years as an Assistant Attorney General, the last four supervising the Collections and Support Section.

Marilyn served on the NCACC Executive Committee from 2002-2004, was the host of the 2004 Conference, and is currently serving as the NCACC Treasurer.

JOHN TARLTON OLIVIER (LA) Executive Committee

John Tarlton Olivier has served as Clerk of the Louisiana Supreme Court since 1996. He received a Bachelor of Business Administration with a double major in Management and Marketing from Loyola University of the South in 1976 and his J.D. from Loyola in 1979.

John was in private practice for three years prior to appointment as Deputy Clerk of the Louisiana Supreme Court in 1985.

John has served on various committees of the NCACC and currently serves on the Technology Committee. He is co-host of the 2007 annual meeting in New Orleans.

RORY L. PERRY, II (WV) Executive Committee

Rory Perry is the Clerk of the West Virginia Supreme Court of Appeals. He was appointed as Clerk in July 2000 and is the 14th person to serve as Clerk since the State was founded. Rory received his undergraduate degree from Marshall

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(Nominations continued from page 4)

University in 1989 and his law degree from West Virginia University in 1994.

Before joining the Court, Rory was an appellate litigator in the West Virginia Attorney General's Office, where he was involved in the state's tobacco litigation.

He serves as Chair of the Website Committee of the National Conference of Appellate Court Clerks. Additionally, Rory serves as Vice-Chair of the 2007 Program Committee and as a member of the Technology Committee.

**CYNTHIA RAPP (U.S. Supreme Court)
Executive Committee**

Cynthia Rapp has served as Deputy Clerk of the United States Supreme Court since 2002. She received a BA from Boston University in 1984 and her J.D. from George Washington University Law School in 1987.

Prior to her service with the Supreme Court, Cynthia served on active duty in the Army Judge Advocate General's Corps from 1987-1992. She currently holds the rank of Lieutenant Colonel in the United States Army Reserves.

Cynthia has served the NCACC as Chair of the Scholarship Committee and as a member of the Awards Committee.

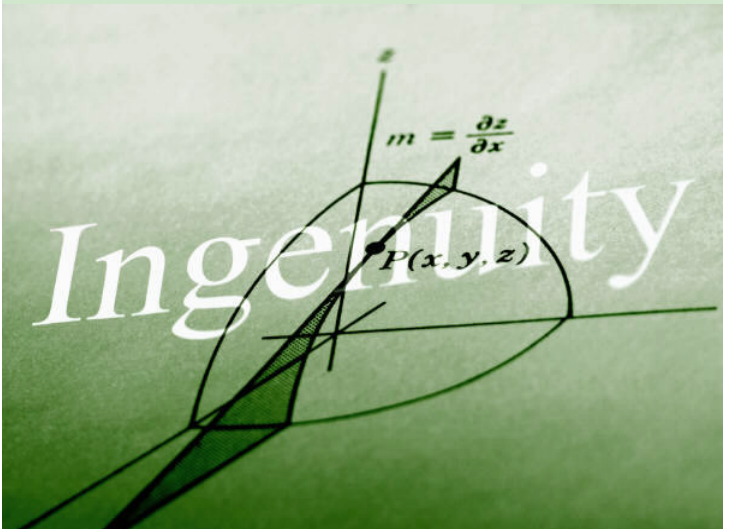
Respectfully submitted,

- | | |
|-----------------------------|-----------------------|
| Pete Fitzgerald (LA), Chair | Christie Cameron (NC) |
| Deena Fawcett (CA) | Mike Yerly (CA) |
| Marilyn May (AK) | Penny Miller (ND) |
| Keith Richardson (IA) | Joseph Lane (CA) |
| Kenneth deBlanc (LA) | Christine Crow (LA) |

(President's Page continued from page 3)

year after year. *The Docket* comes out regularly, you can always get your question up on the ListServ and check out our web page whenever you want. However, at some point the bargaining and cajoling will not provide the speakers we need and deserve. At some point, the press of responsibility needs to be lessened for those who work so hard.

Michael Guillot of Gadd Guillot Enterprises was the gentleman who conducted a Fundraising Workshop for us in April, 2005. After that, he interviewed over 30 individuals and prepared an extensive Campaign Assessment Overview which he presented in November, 2006. We have asked that he help us with our first steps into fund raising. However, we cannot only look to outside sources for help with our education fund. Our members have made a commitment to the philosophical precepts of the education fund and now we need a commitment to the fund's financial realities. As we start this process of fund raising, please consider how best you can support the NCACC.



Debbie Causseaux Retires June 30, 2007

Debbie starting working for the Clerk's Office July 1, 1973 as a secretary. She became Chief Deputy Clerk in 1985, which is about the time she joined NCACC. She served under two Clerks, Sid J. White and Thomas D. Hall, who were both wonderful friends and great mentors for her. Her daughter, Candace began working in the Clerk's Office last year, so there is still a Causseaux to "put up with."

"I look forward to staying in touch with all of my friends in the NCACC when I retire, but please do not get upset if you hear the pages turning in my book, the water splashing in my pool, the waves breaking at the beach, the hook I just threw in the water, or the ice tinkling in my glass. I can't wait!" **Best Wishes Debbie !**





Facts, Fiction, & Foolishness

By Les Steen (AR)

Hello fellow travelers. It is that time of the year for our annual travel advisory. We know you have been waiting with baited breath. This summer we are going to the land of the blues, and we thought it would be nice and beneficial to provide you with a “Writing the Blues Starter Kit.” Now you can write your own blues, or if you prefer not to, you will at least have a better understanding about this purely American music. Hold on. Here we go.

Most blues begin, “Woke up this mornin’ . . .” “I got a good woman” is a bad way to begin the blues, ‘less you stick something nasty in the next line like, “I got a good woman, with the meanest face in town.” Blues is simple. After you get the first line, repeat it. “Yes, I got a good woman with the meanest face in town. Got teeth like an alligator and she weigh 500 pound.”

Blues cars are Chevys, Fords, Cadillacs, and broken down trucks. Blues don’t travel in Volvos, BMWs, mini-vans, or SUVs. Most Blues transportation is by Greyhound bus or a south bound train. Jet aircraft and state sponsored motor pools ain’t even in the running. Walkin’ plays a major part in the blues lifestyle, so does fixin’ to die. Teenagers can’t sing the blues because they ain’t fixin’ to die. In blues, “adulthood” means being old enough the get the electric chair if you shoot a man in Memphis.

Blues can take place in New York City but not in Hawaii or any place in Canada. Hard times in Sacramento or Minneapolis are probably just clinical depression. Chicago, St. Louis, and the Mississippi Delta are still the best place to have the blues. You cannot have the blues in any place that don’t get rain.

A man with male pattern baldness ain’t the blues. A woman with male pattern baldness is. Breaking your leg ‘cause you were skiing is not the blues. Breaking your leg ‘cause an alligator be chomping on it is. You can’t have the blues in an office or a shopping mall. The lighting is all wrong. Go outside to the parking lot and sit beside the dumpster. Good places to have the blues are highways, jail houses, empty beds, and the bottoms of empty whiskey glasses. Bad places are Dillard’s, gallery openings, Ivy League institutions, and golf courses.

Do you have the right to sing the blues? Yes, if you are: older than dirt, you blind, you shot a man in Memphis, or you ain’t satisfied. No, if: you have all your teeth, you once were blind but now can see, the man in Memphis lived, or you have a 401K trust fund. Blues is not a matter of color. It’s a matter of bad luck. Tiger Woods cannot sing the blues. Sonny Liston could. Ugly white people also got a leg up on the blues

If you ask for water and your darlin’ give you gasoline, it’s the blues. Other acceptable blues beverages are cheap wine, whiskey, muddy water, and nasty black coffee. The following are NOT blues beverages: Perrier, Chardonnay, Snapple, Slim Fast, or Gray Goose.

If death occurs in a cheap motel or a shotgun shack, it’s the blues. Stabbed in the back by a jealous lover is another blues way to die. So is the electric chair, substance abuse, and dying lonely on a broken down cot. You can’t die a blues death while playing tennis or getting liposuction.

Some blues names for women are Sadie, Big Mama, Bad News Bessie, and Fat River Dumpling. Persons with names like Amy, Stephanie, Danielle, and Sherry can’t sing the blues no matter how many men they shot in Memphis.

Before you get to New Orleans, you can create you own blues name. 1. Name of a physical infirmity like blind, cripple, lame, etc. 2. First name plus a fruit like lemon, lime, or watermelon. 3. The last name of a president such as Jefferson, Johnson, or Fillmore. For example, Blind Lime Jefferson, or Hunchback Lemon Jackson.

We hope all of you will be singin’ the blues in New Orleans, and we would like to thank Jakeleg Judy from Cheyenne for supplying the material for this column.

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Jackson Avenue, the beginning of the District. My favorite section of the District is between Jackson Avenue and Seventh Street. My favorite streets are First and Third. The Robertson House on Third is the fictional home of the Mayfield Witches in Anne Rice's, *The Witching Hour*. However, if you cannot take a little warm air, do take the bus to the end of the line and back, as a tour of St. Charles Avenue is worth it.

At least one of the Canal Street streetcars, the one that takes you to the end of Canal Street and to St. Louis Cemeteries No. 1 and No. 2, is in service. If you go to the cemeteries, do not go with less than four people. Purse snatching is not uncommon. The other Canal Street streetcar, which will take you to City Park and the New Orleans' Museum of Art, hopefully will be running when you get to town. If you do go to the museum, don't miss the Besthoff Sculpture Garden immediately behind the museum.

Heat or no heat, a tour of the French Quarter is a must. It is a very unique place. I am not fond of house tours and I would not waste my time on such in the Quarter, but do step inside St. Louis Cathedral, and be sure to visit the French Market, which should be fully restored by the time you arrive. It is a great place to pick up New Orleans souvenirs.

Speaking of house tours, for those of you with transportation, I would recommend visiting Longue Vue House & Gardens, the former home of Mrs. Edith Stern, a Sears & Roebuck heiress. The house is quite unique, each of the four sides are a copy of a different Louisiana plantation. All of the furnishings are original to the house and are very good. The gardens are lovely. It is located at the end of Canal Street, just off Metairie Road, past St. Louis Cemetery No. 1 and across the street from Danielle's. They share the infamous 17th Street Canal. Speaking of Danielle, 99.9% of those living on or near the canal received flood damage. Guess who was in the .1% that received none. The girl leads a charmed life.

Shopping. There are a few high end shops in Canal Place such as Saks of 5th Ave., Brooks Brothers, and the Pottery Barn, etc. Shopping is limited in the Riverwalk and is geared to tourists, although there are a few stores like the Gap and Brookstone. The Riverwalk is not up to its pre-hurricane occupancy yet, and the food court area is somewhat limited at this time. There are great antique shops in the Quarter, but only for those with very fat wallets. There are some bargains to be had about two miles from the hotel on Magazine Street in the Irish Channel, the ancestral home of Peter Fitzgerald. There is one shop in the

Quarter that is a favorite of mine and Diana Wyatt, the New Orleans Silversmiths at 600 Charters Street.

And now for the most important part of this article, food. You must get up at least one morning and go to the Café de Monde for coffee au lait and beignets. For those who like a big breakfast, then it's Mothers, just a few blocks from the hotel on Tchoupitoulas and Poydras, for ham and eggs with grits. It also makes a great oyster po-boy. Almost as good as the food, is the atmosphere.

New Orleans has literally hundreds of great restaurants, but I will be reviewing only a few, mostly my tried and true favorites. Generally considered to be one of New Orleans' greatest restaurants is Commanders Palace, in the Garden District. I like to eat there in the spring or fall because I like patio dining. Otherwise, I find Commanders too inconvenient and too expensive. There are just too many great restaurants in the immediate vicinity of the hotel. My personal favorite is the Palace Café, (owned by the same people who own Commanders), just down the street from our hotel on Canal. My favorite meal, turtle soup, crabmeat cheesecake (it is listed as an appetizer, but I order it as a main course, as it is so rich), and white chocolate bread pudding. It also has the second best French bread in town. Peter Fitzgerald likes the Café Giovanni, which is in spitting distance from the hotel. There are the two very old and traditional restaurants, Antoinettes and Arnaud's. Armand's is a favorite of mine for lunch (shrimp Arnaud, trout amandine, and bread pudding). It has the number one best French bread in town. Both of the above are three diamond restaurants. There is also the New Orleans native's favorite, Galatoires, but it does not take reservations and there is usually a line. Danielle Schott likes K-Paul's Louisiana Kitchen, behind the Supreme Court. The food is great, but very, very spicy, and very heavy on the hot sauce.

It's a very touristy thing to do, but you might like to go to the Court of Two Sisters and have lunch on the patio. The food is good, but not exceptional, but the atmosphere is great. Another great restaurant not far from the hotel is Begues (four diamonds) in the Royal Sonesta Hotel on Bourbon Street.

Another favorite of mine, particularly for lunch, is Mr. B's, which is probably the least expensive of New Orleans' three diamond restaurants. There are a number of great new restaurants, the current new rage being the Restaurant August, (four diamonds), right across the street from the hotel on Tchoupitoulas. I hope to try it when I go to New Orleans, at the end of June.

Chris Crow suggests Bourbon House, at the Canal end of

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Bourbon Street, for those who may not be seafood lovers. The filet is "great."

For your teenagers, there is a food court in Canal Place. There is also a McDonald's, Burger Chief, and Wendy's, all within a short distance of the hotel.

Food in New Orleans, like any big city, is not cheap. In the evening, you can expect to pay \$35 to \$50 a person, without drinks, at any good restaurant, but the food is oh so good. You can have a good lunch for \$15 to \$35.

For those of you who belong to AAA, please call and have them send you their *Alabama, Louisiana, & Mississippi Tour Book*. The section on New Orleans is very good.

My June issue of *Southern Living*, which has just arrived, has a good article on New Orleans, pages 66-68.

(Minutes continued from page 13)

President's Report:

President Lord summarized the meetings he and other NCACC members attended. Andrew Weber (TX) attended the National Conference of Judicial Educators, Marilyn May (AK) attended the American Judges Association annual meeting, and Sandra Skinner (MO) and Steve Lancaster (IN) attended the meeting of the National Center for State Courts Assembly of Courts Association. President Lord said he was honored to attend the Rehnquist Award Dinner, the National Conference on Appellate Justice, and the mid-year meeting of the Conference of Chief Justices. He believed that the presence of NCACC members at these meetings enhanced the reputation of the NCACC.

There being no further business, the meeting was adjourned at 11:52 a.m. on August 3, 2006.

Respectfully submitted,
Bill DeCicco, NCACC Secretary

**Proposed
Changes to By-Laws and Operational Guidelines
Relative to Technology Committee**

BY-LAWS, ARTICLE VII, § 3(C)(14)

Present Language:

Technology Committee. The purpose of this committee is to provide technical support and advice to appellate court clerks and their staffs and to coordinate electronic communications between the Conference and other organizations.

Proposed Language:

Technology Committee. The purpose of this committee is to provide technical support and advice to appellate court clerks and their staffs and to coordinate communications between the Conference and other organizations regarding technology issues.

OPERATIONAL GUIDELINES, ¶ 5

Present Language:

Coordinate electronic communications between the Conference and other organizations.

Proposed Language:

(5) Coordinate [electronic] communications between the Conference and other organizations regarding technology issues.

NATIONAL CONFERENCE OF APPELLATE COURT CLERKS THIRTY-THIRD ANNUAL MEETING

Fort Worth, Texas
Sunday, July 30, 2006 to Thursday, August 3, 2006

Call to Order:

President Terence Lord (MO) called the Thirty-Third Annual Meeting of the National Conference of Appellate Court Clerks to order at 1:00 p.m. on Sunday, July 30, 2006. President Lord welcomed all in attendance, particularly the new and the retired members. He also introduced Mr. Paul Burke, the President-Elect of the National Conference of Court Management (NACOM) and Mr. David Beach (VA) as the parliamentarian for the meeting.

Roll Call of States:

Secretary Bill DeCicco (DC) called the roll of states, recognizing each person registered and present. David Beach acknowledged the presence of a quorum to President Lord.

President Lord introduced the officers and the Executive Committee members.

Approval of the Minutes:

President Lord noted that the minutes of the Thirty-Second Annual Meeting in Key West, Florida, were published in the June, 2006 issue of *The Docket*, and he called for a motion to waive the reading of the minutes. Joseph Lane (CA) moved that the reading of the minutes be waived. Penny Miller (ND) seconded the motion. All present voted in favor of the motion; none opposed. Motion carried. President Lord then asked for a motion to approve the minutes. Jon Wheeler (FL) moved that the minutes be approved. Christie Cameron (NC) seconded the motion. All present voted in favor; none opposed. Motion carried.

Committee Reports:

Before the committee reports were given, President Lord called for a motion to defer approval of the committee reports until Thursday, August 3, 2006. Fritz Ohlrich (CA) made such a motion, which was seconded by Trish Harrington (VA). All present voted in favor; none opposed. Motion carried.

Awards Committee:

Mike Yerly (CA) provided the report of the committee for Committee Chair Frankie Holt (TN). He thanked the members of the committee for their work, and announced that the J.O. Sentell Award would be given later in the week and that there would not be a recipient for the Morgan Thomas Award this year.

Bylaws Committee:

Norm Herring (DC) stated that there were no revisions to the bylaws this year.

Convention Assistance Committee:

Irene Bizzoso (PA) thanked the members of the committee for their hard work on this year's conference in helping Stephanie Lavake (TX), the host clerk. She said everything was ready to go for the conference.

Educational Fund/Strategic Planning Committee:

(Continued on page 10)

Dan Shearouse (SC) thanked the committee members and mentioned the art auction this year to raise funds for the Educational Fund. He also thanked all donors to the Educational Fund. He stated that the primary focus the past year was on developing a strategic plan, as recommended by a consultant to NCACC. A copy of the strategic plan was published in the June issue of *The Docket*. Future meetings will discuss how to obtain additional funding.

President Lord commented that the NCACC was well on its way in its fund raising plans by hiring a consultant and publishing a strategic plan. The next step will consist of interviews and a report to the Executive Committee in the fall. He also acknowledged the generosity of Mr. Dwight Opperman, who made a second \$25,000 contribution to the Educational Fund. The balance of the fund is now over \$65,000.

Finance and Investment Committee:

Marilyn May (AK) thanked the members of the committee and stated that the Operational Guidelines for the committee were amended to remove unnecessary language and other information, and that certificates of deposit that expired in 2006 were renewed at higher prevailing interest rates. The NCACC's overall financial condition is very good with over \$65,000 in the Educational Fund and over \$200,000 in overall assets. She also mentioned that the Executive Committee approved the purchase of cancellation insurance for the 2007 Annual Meeting in New Orleans.

Membership Committee:

Trish Harrington (VA) submitted the report for Chair Lanet Asmussen (NE). She thanked the members of the committee and said that the committee published an article in *The Docket* concerning the providing of information on retiring and departing clerks. Also a change was made to the committee's Operational Guidelines deleting the requirement for responsibility for the Pictorial Directory. She also stated that membership increased the past year by 13 members.

Nominating Committee:

Mike Yerly gave the committee report for Chair Carol Green (KS). He thanked the committee members and said nominations were solicited in *The Docket* and received from various members. The committee recommended the following persons for the offices indicated:

For Vice-President: Thomas Hall (FL)

For Secretary: Bessie Decker (MD)

For the Executive Committee: James Pelzer (NY), Christine Crow (LA), Colette Bruggman (ND)

Voting will take place on Thursday, August 3, 2006.

Past-Presidents Committee:

President Lord gave the report for Past-President Diana Pratt-Wyatt. He said the work of this committee the past few years has been to attempt to archive all of the materials that have been submitted from past conferences. The continuing work involves scanning materials for eventual placement onto the NCACC website.

Pictorial Committee:

Kelly McNeely (LA) indicated that the 2006 Pictorial Directory had been distributed to the members, and he requested to be notified of any errors or omissions. He also asked new members who are not in the directory to submit their information to him.

Program Committee:

Tom Hall (FL) said that Andrew Weber (TX) had been the Program Committee Chair, but that he had taken a job with a law firm, so Tom took over this work. He thanked the help of the committee members and stated the program this year was a good one. He asked for all to turn in evaluations and indicated forms for continuing legal education credit were available.

Public Relations Committee:

Laura Roy (MO) thanked the committee members and she described the purpose of the committee, which is to promote the conference. The committee sent press releases to the Texas legal and business communities as well as the Fort Worth Convention and Visitors Bureau. She volunteered to send releases to local outlets for members who request it.

Publications Committee:

President Lord stated that four issues of *The Docket* were published the past year, with the credit going to Diana Pratt-Wyatt and Brenda Stephens.

(President Lord indicated that the report of the Resolutions and Memorials Committee would be given on Thursday.)

Scholarship Committee:

Cynthia Rapp (DC) announced that the committee received three applications for scholarships, but one withdrew and another was court-funded. This left only one scholarship to fund in the amount of \$900. She thanked the members of the committee and added that there are ample funds available for future scholarships.

Site Selection Committee:

Christie Cameron (NC) thanked the committee members and announced that the committee recommended Sacramento, California, as the site for the 2009 NCACC Annual Meeting. She moved that this site be approved. Norm Her-ring seconded the motion. A vote on the motion was deferred until Thursday with the vote on all of the committee reports.

Technology Committee:

Mike Catalano (TN) stated that the committee conducted a survey of courtroom technology and electronic filing technology. The survey was available on the NCACC's website, and the results were posted on that website. The results provided information on several areas including methods of recording oral arguments. He thanked the members of the committee for their assistance.

Colette Bruggman informed the members of the work of the subcommittee called the Joint Application Development Team, which involves establishment of functional standards for case management systems.

Website Committee:

Rory Perry (WV) stated that the NCACC website is up and running well. In fact, there were 2,400 unique visitors to the website per month. Domain hosting has been funded for another year by the West Virginia Supreme Court of Appeals.

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At 2:15 p.m., President Lord announced the adjournment of the meeting until Thursday, August 3, 2006.

The Thirty-Third Annual Business Meeting resumed at 10:45 a.m. on Thursday, August 3, 2006, with a call to order by President Lord. David Beach, the Parliamentarian, noted the presence of a quorum.

Nominations:

President Lord repeated the names of the persons nominated for election to the offices indicated:

For Vice-President: Tom Hall

For Secretary: Bessie Decker

For the Executive Committee: James Pelzer, Christine Crow, Colette Bruggman

President Lord asked if there were any nominations from the floor. Hearing none, Jon Wheeler (FL) moved to close all nominations. Norm Herring (DC) seconded the motion. All present voted in favor; none opposed. Motion carried.

Mike Richie (OK) moved that the slate summarized by President Lord be elected by acclamation. Pete Fitzgerald (LA) seconded the motion. All present voted in favor; none opposed. Motion carried and those members were elected.

President Lord thanked the departing Executive Committee members.

Resolutions and Memorials:

Deena Fawcett (CA) thanked the committee members and presented resolutions for adoption by the NCACC to the individuals and organizations listed below for their contributions to a successful conference:

Stephanie Lavake , Host Clerk, 33rd Annual Meeting

Staff, Texas Court of Appeals, Second District

Andrew Weber, Chair of the Program Committee and the committee members (In the absence of Andrew Weber, Tom Hall was recognized for his assistance with the Program Committee)

Tom Hall, Vendor Show Coordinator

Irene Bizzoso, Chair of the Convention Assistance Committee and the members of the committee

Diana Pratt-Wyatt, Editor of *The Docket*, and her assistant, Brenda Stephens

Associations that supported the 33rd Annual Meeting of the National Conference of Appellate Court Clerks, which includes the State Bar of Texas, the Appellate Section of the State Bar of Texas, the Tarrant County Bar Association, the Appellate Section of the Tarrant County Bar Association, the Tarrant County Young Lawyers Association, and the Appellate Section of the Houston Bar Association on behalf of the Texas First and Fourteenth Courts of Appeals

Mr. Dwight Opperman of Key Investment, Inc.

Thomson West, represented by Dave George, Manager, Government Relations; Tom Leighton, Vice President, Content Acquisition; Tim Nixon, Director, Content Acquisition; Nancy Owens, Senior Content Acquisition Specialist, and Rob Mosimann, Senior Content Acquisition Specialist

Lexis Nexis represented by Nikki Daugherty, Director, Government Relations and Contracts; Anders Ganten, Director, Government Relations and Contracts; Dee Davis, Manager, Content Development and Operations; Tracy Doherty, Data Management Analyst; and Paul Wieser, Court Development Director

Bureau of National Affairs, Inc., represented by Karyn S. Bowie, Manager, Judicial Opinions

Renaissance Worthington Hotel, its staff, and Anne Masterson, Event Manager

Fort Worth Convention and Visitors Bureau, represented by April Montez

Fort Worth Stockyards and Texas Motor Speedway

National Center for State Courts, represented by Brenda Williams, Account Executive

The following corporate sponsors: Loislaw, represented by Sue Rogers; AmCad, represented by Kevin

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Deeley; Bull Services, represented by Michael Miller and Susan Laniewski; Counsel Press, LLC, represented by Jeff Parkhurst; CourtCall, LLC, represented by Sha Bowers; Evans Case Management Solutions, represented by Steve Lewis; Idea Integration, represented by Trey Johnson and John Sanner; LT Court Tech represented by Victor Von Klemperer, Manoj Jain, and Jamison Sarno; and Tybera Development Group, Inc., represented by Norm Anderson.

Deena Fawcett lastly presented a memorial in honor of James M. Flynn, Retired Clerk, Appellate Division, Superior Court, New Jersey.

She then respectfully requested that the foregoing resolutions and memorial be approved and adopted and entered into the minutes of the 33rd Annual Meeting of the National Conference of Appellate Court Clerks. Tom Kahn (GA) so moved, and Steve Lancaster (IN) seconded the motion.

Adoption of Committee Reports:

Jon Wheeler (FL) then moved to approve all of the committee reports, including that of the Resolutions and Memorials Committee. James Pelzer (NY) seconded the motion. All present voted in favor; none opposed. Motion carried.

Treasurer's Report:

Marilyn May announced that she had the printed Finance and Investment Committee Report and was going to have it placed on the website for review. She informed the membership that as of the end of May, 2006, the balance was \$187,841.87, which included \$65,431.50 in the Education Fund. She also indicated that the balance rose to over \$200,000 at the end of June, but that figure would be reduced to pay for conference expenses.

Deena Fawcett (CA) moved that this report be approved. John Olivier (LA) seconded the motion. All present voted in favor; none opposed. Motion carried.

CITOC and CATO:

President Lord stated that over a year ago, the National Center for State Courts formed an organization called the Consortium of Information Technology Officers of the Courts, or CITOC. The NCACC Executive Committee appointed Christie Cameron (NC) as NCACC's representative to CITOC.

Christie Cameron then spoke and indicated that NCACC had an important role in the formation of CITOC. She was a participant along with representatives of NACOM and the Conference of Chief Justices. CITOC was formed as a result of the formation of CATO. CITOC includes the chief information officers for both trial and appellate courts. CATO includes any IT specialists from only appellate courts. CITOC represents the decision makers for IT matters for courts nationally, and it is well organized.

President Lord followed by informing the membership that the Executive Committee had discussed the topic of where NCACC was with CATO. CATO's 2007 annual conference will also be in New Orleans, and we may do something with them. A discussion followed on whether NCACC should have a formal liaison with CATO, provide guidance to CATO, and attend its meetings. There was a general consensus to do so, and leave it up to the Executive Committee to work on further details.

The 2007 Annual Conference in New Orleans:

Chris Crow (LA), host Clerk for the 2007 annual meeting, made a presentation on next year's conference in New Orleans from August 5 to August 10, 2007.

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ART AUCTION

Trish Harrington (VA)



Due to the overwhelming success of last year's art auction to benefit the Education Fund, we will again be holding an auction at the conference in New Orleans. We cannot sell items in the Supreme Court building, however, so we will limit the event to a silent auction at the hotel on Sunday before the festivities at the Supreme Court building.

If, like me, your only artistic talent consists of matching your clothes when you dress in the morning, you can still be a valuable contributor to this event. Not only can you purchase items, you can donate items that were made by others. In other words, we aren't proud. We'll accept items for sale that were made by your mother, your brother-in-law, or some anonymous artist in Quebec.

I will be collecting the donated items on Saturday and Sunday morning. You can bring them with you when you register and give them to one of the smiling and helpful members of the Convention Assistance Committee. Any descriptive information you can give me would be appreciated. The items will then be displayed at the hotel, in the third floor area by the registration desk, from 1:45 p.m. to 5:15 p.m. on Sunday. The display will include a descriptive sheet for each item on which you can continue to increase your bids. Don't be embarrassed to bid against yourself – this is for a good cause!

The bidding will close at 5:15 p.m. on Sunday, when the welcome reception starts at the Supreme Court building. An announcement will be made Monday morning regarding the winning bids and you will have that day to bring me a check or cash for the amount of your winning bid. Thanks in advance for your participation in this important event.

Annual Meeting Schedule

August 4-10, 2007,
New Orleans, Louisiana

SATURDAY, AUGUST 4

- | | |
|----------------------|---|
| 9:00 a.m.— noon | Executive Committee Meeting (Breakfast) |
| 2:00 p.m.— 5:00 p.m. | Registration: 3rd Floor PreFunction Area
<i>Convention Assistance Committee</i> |
| 2:00 p.m.— 5:00 p.m. | Directory Photos: 3rd Floor PreFunction Area |

SUNDAY, AUGUST 5

- | | |
|------------------------|---|
| 10:00 a.m.— 12:00 p.m. | Registration: 3rd Floor PreFunction Area
<i>Convention Assistance Committee</i> |
| 2:00 p.m.— 5:00 p.m. | Silent Art Auction |

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2:00 p.m.— 2:30 p.m. **Welcome Meeting— New Members and First Time Attendees**

Sandra Skinner, President NCACC

2:30 p.m.— 4:00 p.m. **Roll Call of the States**

Business Meeting (Part I)

Sandra Skinner, President, NCACC

Host Clerks: Christine Crow, Diana Wyatt, Kelly McNeely, Kenneth deBlanc,

Danielle Schott, Peter Fitzgerald, John T. Olivier, Frans Labranche

Tom Hall, Program Chair

3:30 p.m.— 4:00 p.m. **Orientation for Families**

New Member & First Time Attendees' families encouraged to attend

(children welcome)

Clerks and Retired Clerks of Court

Louisiana Appellate Courts

4:00 p.m.— 4:15 p.m. **Break**

4:15 p.m.— 5:00 p.m. **Key Note Speaker**

5:30 p.m.— 7:30 p.m. **Welcome Reception at the Louisiana Supreme Court and
Fourth Circuit Building**

Welcome by Louisiana Appellate Courts' Chief Justice and Judges

(reception hosted by BNA and NCACC)

7:30 p.m.— 8:15 p.m. **Morgan Thomas Slide Show**

8:30 p.m. **Hospitality Suite Opens - Hotel**

MONDAY, AUGUST 6

7:30 a.m.— 8:30 a.m. **Continental Breakfast - Roundtable Discussions**

8:30 a.m.— 9:00 a.m. **Welcome to NCACC**

Sandra Skinner, President, NCACC

Louisiana Welcome Speaker TBA

9:00 a.m.— 10:45 a.m. **Emergenetics: Thinking and Behavior - A Meeting of the Minds**

*Harold Suire, President/CEO of Education, Research and Information
Services, Inc.*

10:45 a.m.— 11:00 a.m. **Break**

11:15 a.m.— 12:30 p.m. **Emergenetics**, continued

12:30 p.m.— 1:45 p.m. **Lunch**

1:45 p.m.— 3:30 p.m. **Emergenetics**, continued

3:30 p.m.— 3:45 p.m. **Break**

3:45 p.m.— 5:00 p.m. **Emergenetics**, continued

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6:00 p.m.— 9:00 p.m. **Reception and Buffet at National World War II Museum**

Hosted by Thomson West Publishing

TUESDAY, AUGUST 7

7:30 a.m.— 8:30 a.m. **Past Presidents' Breakfast** (Past Presidents only)

7:30 a.m.— 8:30 a.m. **Continental Breakfast - Roundtable Discussions**

8:30 a.m.— 8:45 a.m. **Announcements**

8:45 a.m.—10:15 a.m. **Professional Ethics**

Brian Spector, University of Miami, School of Law

10:15 a.m.—10:30 a.m. **Break**

10:30 a.m.—12:00 p.m. **Family Medical Leave Act**

Deborah Brown, Stetson University College of Law

1:30 p.m.— 6:00 p.m. **Annual Golf Tournament at TPC Louisiana**

WEDNESDAY, AUGUST 8

7:30 a.m.— 8:30 a.m. **Continental Breakfast—Roundtable Discussions**

8:30 a.m.— 8:45 a.m. **Announcements**

8:45 a.m.—10:15 a.m. **What's Bugging You, Tom Hall**

10:15 a.m.—10:30 a.m. **Break**

10:30 a.m.—11:15 a.m. **What's Bugging You, continued**

11:15 a.m.—12:00 p.m. **National Center for State Courts—Appellate Court Reporting**

12:00 p.m.— 1:30 p.m. **Vendor Lunch & Introductions**

12:00 p.m.— 5:00 p.m. **Vendor Show**

1:30 p.m.— 2:35 p.m. **Breakout Sessions and Showcase Presentations by Exhibitors**

Breakouts:

- A. **Practical Clerk's Office Problems—Death Penalty**
Panel Discussion with Christi Cameron, NC
Fritz Ohlrich, CA
Cynthia Rapp, DC
- B. **Demonstration—Oregon Case Management System**
- C. **Demonstration—California Case Management System**
- D. **CounselPress Showcase (1:30-1:55)**
- E. **Evans CaseLoad Showcase (2:05-2:30)**

2:40 p.m.— 3:45 p.m. **Breakout Sessions and Showcase Presentations by Exhibitors**

- A. **Managing Technology Transitions – Roundtable**

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- B. **Roundtable (topic to be determined)**
- C. **Imaging Issues - Roundtable**
- D. **Thomson West Showcase (2:40-3:05)**
- E. **Idea Integration Showcase (3:15-3:40)**

3:50 p.m.— 4:55 p.m. **Breakout Sessions and Showcase Presentations by Exhibitors**

Breakouts:

- A. **E-Filing issues - Roundtable**
- B. **Demonstration - Oregon Case Management System**
- C. **Demonstration - California Case Management System**
- D. **Exhibitor Showcase TBD (3:50-4:15)**
- E. **Exhibitor Showcase TBD (4:25-4:50)**

7:00 p.m.—10:00 p.m. **Mardi Gras Party at Blaine Kern's Mardi Gras World**

Hosted by Lexis/Nexis

THURSDAY, AUGUST 9

7:00 a.m. **NCACC Fun Run/Walk** (meet in hotel lobby)

7:30 a.m.— 8:30 a.m. **Continental Breakfast—Roundtable Discussions**

8:30 a.m.— 8:45 a.m. **Announcement**

8:45 a.m.— 10:00 a.m. **Justice at Stake—Defending Your Court from Partisan Attacks**

Roger Warren, Chair of the Board, Justice at Stake

10:00 a.m.—10:15 a.m. **Break**

10:15 a.m.—12:00 p.m. **E-Filing and Scanning—The New Frontier**

John Wilkerson, Clerk, Court of Appeals, Alabama

Lane Mann, Clerk, Court of Criminal Appeals, Alabama

12:00 p.m.— 1:00 p.m. **Annual Business Meeting, Part 2**

1:00 p.m.— 1:30 p.m. **Executive Committee Meeting**

6:00 p.m.— 10:00 p.m. **Banquet Reception and Annual Banquet**

Guest Speaker TBA

FRIDAY, AUGUST 10

8:30 a.m.—10:00 a.m. **Breakfast and Critique Session**



Does Your Court Allow Pro Se Argument?

AK	SupCt	Marilyn May	Yes	Yes, even inmates, telephonically. Anyone who wishes to participate telephonically in oral argument must file a motion.
AL	CofA-Crim	Lane Mann	Yes	No inmates.
CA	CofA-2nd Dist.	Joe Lane	Yes	As long as they are not in custody. We will not arrange for an inmate transfer.
CA	CofA-6th Dist.	Michael Yerly	Yes	
CA	SupCt	Fritz Ohlrich	Yes	Generally, the court appoints counsel, but we have had one non-attorney argue in the seven years I've been here.
CO	SupCt	Susan Festag	No	
CO	CofA	John Doerner	No	Not under any circumstances.
CT	SupCt	Michele Angers	Yes	
CT	CofA	Michele Angers	Yes	
FL	SupCt	Tom Hall	Yes	
GA	SupCt	Tee Barnes	Yes	Court allows all parties to argue upon request, including inmates. Pro se parties appear infrequently. Since the Court will not order an inmate to be transported here for argument, the net effect is that inmates rarely argue. (One in the last 10 years.)
GA	CofA	Bill Martin	Yes	Inmates may argue, but we do not order them transported. Since 1994, only one inmate has argued. He opposed the adoption of his child.
ID	SupCt	Steve Kenyon	Yes	No inmates.
IL	SupCt	Juleann Hornyak	Yes	No inmates.
IN	CofA	Steve Lancaster	?	Rules do not prohibit non-attorney arguments, but none in 11+ years.
KS	SupCt	Carol Green	Yes	No inmates.
KS	CofA	Carol Green	Yes	No inmates.
LA	SupCt	John Olivier	Yes	
LA	CofA-1st Cir	Chris Crow	Yes	
LA	CofA-2nd Cir	Diana Pratt-Wyatt	Yes	We hold them to the time limit and we will also let them read a pre-prepared statement. No inmates.
LA	CofA-3rd Cir	Kelly McNeely	Yes	If timely requested.

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MA	CofA	Ashley Ahearn	Yes	Incarcerated litigants argue by way of telephone conference. NB only 60% of our cases are afforded the opportunity to present oral argument.
MA	SupCt	Susan Mellen	Yes	Provided they file a brief.
MD	CofA	Bessie Decker	Yes	We encourage them to seek counsel, but if they do not wish to obtain counsel, we allow them to file briefs and argue before the Court. We usually only have one or two per year.
MN	SupCt	Fred Grittner	No	
MN	CofA	Fred Grittner	No	
MO	CofA W	Terence Lord	Yes	No inmates.
MO	CofA S	Sandra Skinner	Yes	No inmates.
MT	SupCt	Ed Smith	No	
NC	SupCt	Christie Cameron	Yes	We just had one do so in April. He actually did a very good job. We've had this happen one other time, and it also went fairly well.
ND	SupCt	Penny Miller	Yes	Even inmates; however, the Warden has a policy that he won't transport them for civil cases; and the Court has never interfered with that policy. (In ND, post-conviction proceedings are civil; however, the Warden does let them come for those.)
NE	SupCt	Lanet Asmussen	Yes	No inmates.
NE	CofA	Lanet Asmussen	Yes	No inmates.
NH	SupCt	Eileen Fox	Yes	
NJ	SupCt	Gail Haney	Yes	Our court permits, but does not encourage, pro se arguments. We try to persuade litigants to find counsel, and in the case of inmates (who cannot appear), occasionally get the PD to argue.
NM	SupCt	Kathleen Jo Gibson	Yes	New Mexico Supreme Court has had one occasion where pro se litigant, a respondent in a cert case, presented oral argument only because there were two other respondents who were represented by attorneys and the attorneys requested oral argument.
NY	SupCt	Stuart Cohen	Yes	Unless they are inmates.
NY	CofA 2nd	Jim Pelzer	Yes	No inmate transportation.
OH	SupCt	Amy Weinstock	Yes	
OK	SupCt	Michael Richie	?	As oral arguments are rarely scheduled before the Oklahoma Supreme Court, this issue has never arisen. There is nothing in our rules, however, which would prevent it.

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OR	SupCt	Scott Crampton	No	Attorneys Only.
OR	CofA	Scott Crampton	No	Attorneys Only.
PA	SupCt	Irene Bizzoso	No	
PA	Superior Crt	Karen Bramblett	Yes	No inmates.
SC	SupCt	Daniel Shearouse	Yes	No inmates.
TN	SupCt	Mike Catalano	Yes	Inmates are not permitted to orally argument.
TN	CofA	Mike Catalano	Yes	Inmates are not permitted to orally argument.
VA	SupCt	Trish Harrington	Yes	No inmates.
WA	SupCt	Ron Carpenter	Yes	Unless they are inmates.
WV	SupCt	Rory Perry	Yes	And sometimes win.
WY	SupCt	Judy Pacheco	Yes	Except prisoners. The court most often puts pro se cases on the expedited docket - which means submitted on briefs without oral argument.
DC	CofA	Garland Pinkston	Yes	But rarely. The court has a strong inclination to let people argue, but if a pro se's work indicates that he/she can't contribute any more to consideration of the issues in case, they say no. Also, not when in custody.
US	Fed Cir	Ed Hosken	No	Only attorney pro se.
US	CofA Vet Claims	Norman Herring	No	
US	CofA Armed Forces	Bill DeCicco	No	



The NCACC ListServe was very busy this quarter. Our membership participated in several surveys which, due to space limitations, are provided in this edition as inserts. Please be sure to review them and see how our courts compare, regarding case management systems, electronic filings and electronic records.