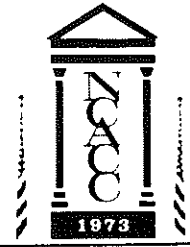


The Docket



News of the National Conference of Appellate Court Clerks

Vol. 21

Oct., 1992

No. 1

A CAPITAL OCCASION IN WASHINGTON

By William S. Fulton, Jr., Clerk
U.S. Army Court of Military Review

A capital time was had by all who attended our annual meeting in Washington, D.C., August 2-7, 1992! A near-record 86 active clerks, nine retired or former court clerks, and 15 sustaining members and representatives of ABA, NCSC, NACM, and COSCA, together with 96 family members, gathered in the Nation's Capital to celebrate NCACC's 20th anniversary as the professional forum for state and federal appellate court clerks. The active clerks represented the supreme court of 33 states and the United States, 40 state intermediate appellate courts, and five other federal appellate courts.

Arrangements with the superb staff of the Hyatt Regency Washington on Capitol Hill had been begun by Dick Hoffman, Clerk of the D.C. Court of Appeals. His move to the Administrative Office of U.S. Courts conferred the hostship on Bill Fulton of the U.S. Army Court of Military Review.

The week began with a Sunday evening welcoming reception hosted by Washington's own Bureau of National Affairs, followed by the annual slide show depicting our meeting activities of the year before. The slide show honors its originator, the late Morgan Thomas

(AKA Tootsie) of the Georgia Court of Appeals. It is now conducted with music and narration by Frans Labranche, Clerk of Louisiana's Supreme Court.

Monday was all work and learning, with the evening free for exploration of the sights, sounds, and cuisine of Washington. The grandly restored Union Station nearby had its share of visitors. Tuesday, after the day's educational program, the West Publishing Company was our host for a visit to the Supreme Court of the United States. There we were welcomed by Justice Anthony Kennedy, our own Clerk, Bill Suter, and his wife Jeanie, and a curator who gave us a most interesting lecture on the early history of the Court in the East Conference room, which is bedecked with portraits of the early Chief Justices. Justice Kennedy then joined us for West's bountiful reception in the Lower Great Hall.

Wednesday morning was all work and no play, but the afternoon was the opposite. Mead Data Central transported us to the Maryland Capital, Annapolis. There, costumed guides of Three Centuries Tours of Annapolis showed us such historical sites as the nation's oldest state capitol still in legislative use

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The President's Page
Joyce Goldsmith



Now that you have returned to your respective court from our 19th annual meeting (20th anniversary of the founding meeting held in Washington, D.C.), I am sure that you have reflected on the purpose of our meetings--sharing, learning, participating and professional growth. No doubt these ideas played a major role in the support and organizational effort of the National Conference of Appellate Court Clerks. In addition to the educational sessions, the annual meeting provides a platform for sharing ideas and solutions that may be applied to individual court needs.

I am impressed with the willingness of members to volunteer for committee assignments and the offers to assist "in any way possible." Unfortunately, it is not possible to assign members to every committee in which interest is expressed. I ask that if you were not placed on a committee, you renew your offer in future years. Don't let this stop you from sharing ideas and supporting the conference. If you have ideas for programs or lecturers for the annual meeting, contact the Program Committee; likewise for articles for THE DOCKET and other committees. I want to express my appreciation to those who were willing to chair committees--this participation is what makes the organization SO GREAT. If you have not volunteered for a committee, now is the time to start planning for 1993-94.

Having attended a solid educational program in D.C., we can look forward to the hospitality of Tennessee and yet another outstanding educational program put together by Tommy Lowe and the Program Committee. Look for additional information in the future issues of THE DOCKET.

The Docket

News of the National Conference of Appellate Court Clerks

President	Joyce A. Goldsmith (AZ)
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Vice-President	Ella Williams (MI)
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Midwest	Carol Green (913) 296-4376 (MO, KS, NE, IA, SD, ND, MN, WI)
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Northwest	Ed Smith (406) 444-3858 (WA, OR, ID, MT, WY, AK)

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

1300 Oak St., Kansas City, MO 64106-2970
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Thank you for your vote of confidence. The Executive Committee you have chosen is an excellent one, and we will strive to promote the best interests of NCACC.

(cont. from p. 1)

and the U.S. Naval Academy. After an interval for shopping or sipping, Mead Data moved us to Mike's Restaurant on the South River in Riva, Maryland, where those who did not already know learned the fine art of crab feasting. These outstanding local arrangements had been made for Mead Data by Al Cummings of the Maryland Court of Appeals, and Leslie Gradet of the Court of Special Appeals, assisted, we know, by their respective staffs.

NCACC's annual banquet, presided over by NCACC President Kevin Swanson, Clerk of California's 5th District Court of Appeals, was held Thursday evening in the magnificent Regency Ballroom. The pre-dinner reception was hosted by a donor who eschews publicity. The Honorable Winslow Christian, nationally-known former justice of the California Court of Appeals and Bank of America's senior vice president and director of litigation, was our delightful guest speaker and previously-selected recipient of our Morgan Thomas Award.

Reba Mims, Clerk of the South Carolina Court of Appeals, one of our most active and involved members, and host of our pre-Hurricane Hugo meeting in Charleston, received the coveted J.O. Sentell Award, named for our first president. Joyce Goldsmith, Clerk of Arizona's Court of Appeals, Division Two, was installed as our new president. Musical entertainment provided by Office Automation Consultants of New Orleans, included the Riverside Assembly, a barbershop quartet arranged by former D.C. Court of Appeals Clerk, Al Herman, (himself a member of the Society for Preservation of Barbershop Music.) Following dinner, we danced to the timely selections of DeeJay Peter King of Productions Unlimited. Afterwards, some repaired to the Hospitality Suite

where, however, we failed to dispose completely of the remaining stock, therefore adding to the stock for next year's opening night.

Friday morning's farewell breakfast was well-attended as was the traditional critique session following, where ideas for the next and future years' meetings were explored.

We would be remiss if we did not recognize the social (as well as educational) contributions made by the participation of Judge and Mrs. John H. Shepherd of the Michigan Court of Appeals and ABA Appellate Judges' Conference and by Presiding Justice and Mrs. Hollis Best of California's 5th District Court of Appeals, who celebrated their wedding anniversary with us.

The 13 members who attended for the first time have vowed to return. Like Washington, D.C., the very name of our meeting site for August 1993 has a magical quality: NASHVILLE. As Minnie Pearl would say, "How-Dee, Y'All come!"

SCHOLARSHIPS AVAILABLE

A brief reminder to begin thinking about applying for a scholarship to attend the 1993 NCACC Annual Meeting in Nashville, Tennessee.

The membership of the Scholarship Committee will not be finalized until the November Executive Committee Meeting. However, President Joyce Goldsmith has suggested that NCACC members may want to begin reviewing your budgets. Watch future issues of THE DOCKET and your mail for further information!

PRESIDENT GOLDSMITH APPOINTS 1992-92 NCACC COMMITTEES

AWARDS AND MEMORIALS

Solicit nominations, recommend a nominee, and procure the award for the J.O. Sentell Award; and prepare and arrange memorials for deceased members.

Ron Barrow, Chair
Jerry Carter
Beth McHaney
Glen Clark
Mike Yerly
Frank J. Habershaw
Cornelia Clark

BYLAWS

Receive and consider amendments to the Conference's Bylaws received from the membership, the Executive Committee or on the Committee's own initiative and make written recommendations to the Executive Committee by April 1st.

Glen Clark, Chair
Juleann Hornyak
Jerry Merritt
Jerrill D. Carter
Reba Mims
Elaine B. Goldsmith

CONVENTION ASSISTANCE

Provide practical guidance, advice and assistance to Clerks who are hosts to upcoming Annual Conferences.

William Fulton, Chair
Troy Bennett
Debbie Causseaux
Pete Fitzgerald
Reba Mims
Francis J. Drumm, Jr.
Frank J. Habershaw
Kevin A. Swanson

INVESTMENT

Consists of the Treasurer and two members of the Conference appointed by the Executive Committee; recommends investments to the Executive Committee.

Keith Richardson, Chair
Elaine Goldsmith
Clyde Davis

MEMBERSHIP

Solicits new members by mailings and other contact; prepares and distributes packets of information to those requesting membership information and to new members.

Ed Smith, Co-Chair
Ella Williams, Co-Chair
Lanet Asmussen
Yvonne Burnham
Debbie Causseaux
Danielle Schott
Mike Novack
Yvonne Burnham

NOMINATING

Members of the Nominating Committee will be selected and approved at the November 14th Executive Committee meeting in San Diego.

PLANNING AND IMPLEMENTATION

Solicit and evaluate ideas and proposals from the committee and from the membership at large. Recommend to Executive Committee plans with positive impact on Conference purposes and steps needed to implement the plans.

Frans LaBranche, Chair
Ella Williams (ex-officio)
Ancil Ramey
Hank Henson
William S. Fulton, Jr.
Glen D. Clark
Jean Kennett
Kevin A. Swanson

PROGRAM

Organize and present an educational program to further the objectives of the Conference; improve the skill and knowledge required of appellate court clerks and their staff, promote and improve appellate court administration, and improve the operation of offices of appellate court clerks.

Thomas Lowe, Chair
James Benway
Mike Yerly
Joseph Lane

Noel K. Dessaint
Elaine Goldsmith

PUBLIC RELATIONS

Solicit news items about Conference members for publication in The Docket and other professional publications and, conversely, supply news items of note about Conference members to their local newspapers.

Janice Clinkenbeard, Chair
Lanet Asmussen
Christee Price
Steve Kelly
Debbie Causseaux
Danielle Schott
Pete Fitzgerald
Marty Brownstein

PUBLICATIONS

Inform the membership of the activities of the Conference and bring new developments in particular jurisdictions to the attention of the entire membership; promote the growth and vitality of the NCACC and provide information to enhance the professionalism of appellate court clerks and their offices. Prepare and distribute a minimum of four issues of The Docket, the newsletter of the NCACC during the year.

Peggy Stevens McGraw, Chair
Stephen Townsend
Pat Davis
Mike Yerly
Frans LaBranche
Carol G. Green
Elaine Goldsmith
Leslie Steen
Ed Smith

RESOLUTIONS

Prepare appropriate resolutions for adoption by the Conference as formal expressions of the opinion, will or intent of the assembled group.

Louise Livingston, Chair
Cornelia Clark
Ron Barrow
Joe Lane
Debbie Causseaux
Robert N. Wilson

SCHOLARSHIP

Members of the Scholarship Committee will be selected and approved at the November 14th Executive Committee meeting in San Diego.

SITE SELECTION

Solicit potential hosts for future annual conference meetings; evaluate invitations from states, visit sites under serious consideration, and make appropriate recommendations to the Executive Committee.

Kenneth de Blanc, Co-Chair
Diana Heister, Co-Chair
Christee S. Price
Steve Kelly
Troy Bennett
Francis J. Drumm, Jr.
Jerry Carter

PAST PRESIDENTS

Composed of all living past Presidents of the Conference. Assists President and Executive Committee as needed.

Kevin Swanson, Chair
Jill Engel
Peggy Stevens McGraw
Glen Clark
Steve Townsend
Frans LaBranche
Jean Kennett
John Scott
John Wilkerson
Lou Dunn
Lew Carter
Ron Dzierbicki
Maryann Hopkins-Young
Alexander Stevas

SPECIAL COMMITTEE-- CODE OF CONDUCT

Juleann Hornyak, Chair
Frans LaBranche
Jerry Merritt
Tom Granahan
Noel Dessaint

Think Nashville!!!

WASHINGTON D.C. EDUCATION PROGRAM IN REVIEW

*By Nancy T. Foley, Clerk
Massachusetts Court of Appeals*

The 1992 Annual Meeting featured an educational program that was very well attended. Perhaps it was the lack of golf opportunities (no Desert Classic this year!), but the '92 Program Committee would like to believe that it was their special efforts that kept attendance high throughout the week.

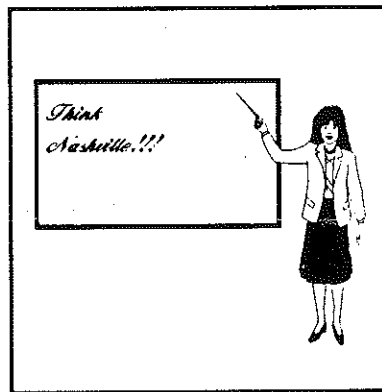
Judging from the critiques that were returned, it was clear that the major presentations-- Empowerment, Stress Management and Humor in the Workplace--were well received. As stress becomes increasingly intrusive on our professional lives, it was not surprising that Dr. Ann Ladd's session was one of the best attended and most requested for future programs on the critiques.

Professor Schaupp, Dr. Ladd and Margie Wood were all active speakers who also provided for small group exchanges, play acting and physical activity in their programs. This type of formatting received positive feedback.

The attempt at a different slant on legal ethics was, disappointingly, not as well received as some other presentations. Rather than yet another panel discussion of the NCACC Code of Ethics, it was a view of ethics on the other side of the Clerk's Office counter

- a review of the complex ethical problems currently facing the lawyers with whom we work everyday.

The workshop format was well received and many of the critiques requested even more workshop opportunities. One of the most popular workshops this August concerned pro se litigants presented by Joe Lane (CA) and Michael Yerly (CA). It was highly praised and more pro se programs were requested.



Of the many informative and educational presentations organized by the '92 Program Committee, perhaps the best remembered will be the celebrity press panel that Ed Smith (MT) put together. Renowned

journalists Carl Stern, Tony Mauro, Linda Greenhouse and Dick Carelli all volunteered their time to appear on the panel moderated by Supreme Court Public Information Officer, Toni House.

While the members of the Educational Program Committee deserve special thanks for the outstanding '92 program, the '93 committee is busily preparing Nashville's program. Any helpful ideas or comments should be sent to Tommy Lowe (TX), chairman of the '93 committee.

Watch This Space

J. Gregory Wallace

Management & Automation Consultant

It was great to see many of you at the Annual Meeting in Washington, DC. And, I particularly appreciate your kind words and the surprise resolution honoring our son, Nick's life and memory. The certificate is with our special keepsakes and the touching event remains in my most precious memories. Thank you.

When one writes articles for a quarterly publication, it is difficult to maintain the continuity that is needed to make sense of ideas that stretch across several issues. Nevertheless, I want to dive back into the components of the "O.S.C.A.R." list of organizational qualities. Remember them from way back when? **O**rientation, **S**ystematization, **C**ommunication, **A**mplification, and **R**ewards. They are qualities that I believe we need to nurture for a healthy and productive organization, but time to spend on them is easily lost in the daily battle against the urgent matters that we encounter at work.

This time, we will explore **Systematization**. The TQM guru, W. Edwards Deming suggests that workers work within a system that is beyond their control. It is the system -- not their individual skills -- that determines how they perform and how well. Deming says that if we want to improve our productivity, we must first understand and iron out our work systems.

TQM is the popular management theory of the 90s, and, I confess, I like its logic, though others have trod this field with less positive comments. If you listen to "Prof." Murphy and his laws that relate to systems of most any kind (e.g. *If anything can go wrong, it will go wrong*), or to C. Northcote Parkinson (*Work expands to fill the time available*), or to a fellow named John Gall, systems are impossible to control and manage.

Gall's book *Systemantics*, published in the mid-70s, is chocked full of examples of his theories about the absolute

uncontrollability of systems. His basic Theorem is that *Systems in general work poorly or not at all*. Some of his corollaries to this principle are: *New Systems Generate New Problems*; and *The Real World is Whatever is Reported to the System*; along with *A Complex System Cannot Be "Made" To Work, It Either Works or It Doesn't*.

I'll tell you the truth, when I finished Gall's book, I wanted to trash this whole idea and take up raising finches (we have a VERY prolific pair). But, though I can relate to a lot of what he offers, Gall writes from the position of one who is helpless to manage *anything*, and I just don't believe we have the luxury of that kind of surrender.

So, let us return once more to this variety of our basic viewpoint -- we must have ways (systems) to work towards the goals that reflect our organization's Orientation.

Every single one of us has standard and natural ways to do things: how cases flow in the door, through the office, and to the court and back again; how motions and petitions are processed; how bills of cost are prepared and sent; how equipment and supplies are ordered and accounted for; how personnel issues are treated.

So, how well do we design the operational and logical integrity of our systems to accomplish our organizational mission? Have we sat down as a staff

and written a description of the systems we now have in place or do we do them because they've always been done that way? Who does what, in what order, and why? That's the first step: identify the work systems now being used, intentionally or by default.

Do you have written descriptions for staff positions? Probably. Were they written with thought given to how that position fits into each operation of the office? How much of what one does during a day or a week is not anticipated in the plans and descriptions of your office? If the functions are necessary and legitimate, it would be wise to document the time and skills necessary to perform those duties before the money crunch hits and these "extras" are forgotten as everyone is scrambling to protect jobs and justify positions, operations, and budgets.

One law firm I worked with last year wanted to make better use of computers and the tools of automation in their practice. They were anxious to have a new system installed and I was asked to help them plan it. It was with great effort that I persuaded them to take the time first to outline their workflow systems and the way that they did business and kept their records. Automating an inefficient system just makes an automated inefficient system. But, they agreed, and the result was a striking overview of their firm's operations and a number of good ideas to

improve their systems, requiring little or no cash outlay.

Our obligation to our client-consumer (both to our unit of government and to those who come to the courts seeking redress of their grievances) is to seek continuous improvement of our product and our service, and that obligation and search never ceases. Dr. Deming says, "It is possible and in fact fairly easy for an organization to go downhill . . . even though everyone in the organization performs with devotion." Improvement is not a one-time effort, it must be continuous and it must be organization-wide.

I'll bet you can just imagine how debilitating (SAPPing -- remember my article a year or so ago about ZAPPING your people with empowerment?) it would be to employee incentive for serious efforts towards improvement by one department or section of the organization to be stymied by casual indifference in another department or section. We each have our role and the roles all fit together like the pieces of a puzzle to portray the operations and the orientation of the organization. All of our efforts at improvement must be supported by those at the top of the organization -- supported by their involvement, not just tacitly.

"OK, Greg, now that you have preached about continuous improvement and everybody's participation, how about some concrete steps to take"?

Remembering that everyone and every organization is different, and assuming that you have developed your organizational orientation, mission and vision, so you know where you want to go and what you want to be, here goes.

PLAN

1. Gather your operations manuals, rules and regulations, personnel position descriptions, and anything

that describes in as much detail as possible what your current systems are.

2. Take some time to confer with the rest of the staff (or at least with good representative groups), to brainstorm about how things *really* are done -- step-by-step -- noting all of the contacts with people (who does each step, where, who they need to confer with or get permission from, who needs to be advised about the step, etc.). Talk to people in other organizations about their operations. As Oliver Goldsmith said, "People seldom improve when they have no other model than themselves to copy." (I have often remarked about the similar essential nature of hospital records and records in appellate courts -- case basis, lots of people need convenient retrieval, long shelf-life, exhibits, etc.) Make diagrams of your systems of workflow and functions and start to plan where improvements could be made in your systems.

3. This part is a pain, but is necessary and can be revealing: keep logs of what you do, much like lawyers and paralegals do for their billable work. Log how long it takes for each person's work on each case. If you were going to attach a bill to the Smith case for the office processing, how much time did each person spend on it? And, just as important, how long did items languish in waiting for the next step in the processing (and where was/were the bottleneck(s)?)

4. Now, you can do some diagramming for a visual portrait of what is happening. Dr. Deming and his followers have offered many samples of diagram types. One book, with a good overview of the Deming system and an introduction to the use of data, as opposed to hunches or "experience," as the means on which to base decisions for improvement is *The Deming Management Method*, by Mary Walton (Perigee Books, 1986). Flow Charts and Cause-and-Effect

Diagrams can be used to brainstorm what is happening now, how the system is constructed, and how it can be modified. Pareto Charts are bar graphs showing the frequency of occurrence of events or actions. Run Charts, Histograms, Scatter Diagrams, and Control Charts are among the tools available to provide statistical pictures of your work. I'll not try to describe them here, but if you can't find the Walton book or one of the several others that concentrate on statistical evaluations, we can devote another article to these tools.

5. Compile a plan of improvement. Determine what actions need to be taken to realize the plan. Write your plan and implementation steps out and give them to everyone.

DO

6. Take the necessary actions to further the plan that you have developed. In software language, this would be the *beta* test period, where you try it out. But --

CHECK

7. Check the results of the actions by collecting data and using the diagramming tools to be sure that results are going in the right direction, that you are achieving what you planned.

ACT

8. Act by making changes to the plan that are needed to better achieve your organizational goals and to continue what you did that was successful. Initiate any necessary changes to the documents you used in step 1.

Then, start again at Step 1. ↻

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FACTS, FICTION AND FOOLISHNESS

By Leslie Steen, Clerk, Supreme Court of Arkansas



Chief Editor McGraw has asked me to be the "humor" correspondent for *The Docket*, and being such a subservient (how's that word for a boy from Arkansas?) person, I have agreed to serve. I plan to solicit material for this column from our membership, but I did not have time to mail the requests and get the returns before this issue of the newsletter went to press. However, the next edition will not be published until January, so please send your ideas to me at:

Office of the Clerk
Justice Building
625 Marshall Street
Little Rock, AR 72201

Although we are involved in a serious profession, some funny, amusing and entertaining happenings occur in our businesses and in our lives; and these are the types of items I would like to pass on to our readers. Here are a few examples I have witnessed or heard:

At one time, our court of appeals judges and law clerks collected misspellings, Freudian slips, and grammatical errors that were found in the legal briefs they were reviewing. We have indeed had juries that have been "squashed", people who have been shot with a "gung" (and not just one "gung", but several "gungs"), lower courts that have not only "errored" but have also "aired", abstracts that have been "fragrantly" deficient (does this makes any scents?), and a brother and sister who had a "tendency" in common. We have also had a young man whose father would bring women home and commit immoral sex acts in his "presents." Happy Birthday!

We have also found some court reporters that are more efficient than perceived by the bench and bar:

ATTORNEY: Okay, and --- the, I'm confused. Can I have a second to think a minute?

THE COURT: Okay. Do you mind if I kill this big ol' fly while you think?

ATTORNEY: No, sir.

THE COURT: Got him!

You see, it does not take much to amuse us here.

A. B. Neil likes to tell a story about a hillbilly woman who was working in her garden when she was approached by a U.S. Census Bureau agent. The young man introduced and identified himself, and the woman asked him what he wanted. He said, "I want to find out how many people live in this county." She replied, "Lord, I don't know. You'll have to go to the county courthouse to find that out!"

On the Arkansas bar exam, there is a section of definitions that must be answered. On seeing the term, "nunc pro tunc", one applicant wrote, "A city in South Vietnam." We now know where Bill Clinton served during the Vietnam War.

While driving my five-year-old daughter and her friend to a birthday party, my wife overheard my daughter say, "My dad gave me a drink of beer and its nasty!" (The truth was not in her this day) To this her friend relied, "Boys drink beer. Mommies and little girls like veggies."

Obviously, this little girl has not been to one of our conferences.

(cont. on p. 9)

(cont. from p. 8)

This excerpt was taken from the argument portion of an appellant's brief in which the attorney argued that his client was entrapped:

"The undercover agent told Appellant that his girlfriend would soon be in town wanting marijuana, and that the possibilities of a sexual relationship existed. Actually, the girlfriend was a state policeperson and the possibilities of a sexual relationship were minimal at best."

Once again, I seek, request, implore, and beg for your assistance with this column. A large cash prize for the funniest contribution is being sponsored by Frans Labranche and it will be awarded at our conference in Nashville this summer.

FUTURE PROGRAM IDEAS

One of our members has suggested some plausible ideas for NCACC future programs. They are:

1. **STAPLES** - round-point or sharp?
2. **LAW CLERKS** - if you can't ignore them, humiliate them.
3. **SEXUAL HARASSMENT** - the positive side.
4. 101 tips on leaking information
5. How to make your chief justice look bad.

All in good humor, of course!

OF NOTE . . .

Ella Williams, Michigan Court of Appeals, is considering holding settlement conferences in cases pending before the court. She is interested in hearing about the experiences of other courts with settlement conference programs. Please write her at P. O. Box 30022, Lansing, MI 48909 or call her at (517) 373-0786.

The Site Selection Committee is seeking invitations to host our 1996 annual meeting or any future annual meeting. If you are interested in hosting a conference in your city or state, please contact Ken deBlanc, co-chair of the Site Selection Committee, at Court of Appeal, Third Circuit, P. O. Box 3000, Lake Charles, Louisiana 70602 or call at (318) 433-9403.

PEOPLE, PLACES AND THINGS . . .

PEOPLE



We are fortunate to have eleven new members so far in 1992. Those new members are:

Carolyn Allen (TX)	Mary Ann Dix (OH)	Jon Wheeler (FL)
Diane Burke (U.S. Ct. of Appeals)	Gist Fleshman (IL)	Howard J. Zibel (NH)
Charles M. Calvo, Jr. (Northern Mariana Islands)	Rex J. Renk (MT)	
Tanya Carroll (FL)	Virginia Rossman (OR)	
	Herb Schaefer (TX)	

This is the first in a series of introductions of our new members:

FOCUS ON CAROLYN ALLEN

CAROLYN ALLEN, a new member of the NCACC, has been Clerk of the Twelfth Court of Appeals District in Tyler, Texas since 1991. That court is staffed by three judges, four attorneys, two legal secretaries, an accounting clerk, two deputy clerks, and Carolyn as Clerk. Prior to becoming Clerk, Carolyn had been a legal secretary with the court since 1969.

On a personal note, Carolyn and her husband have six daughters and twelve grandchildren. They live on a lake and enjoy boating, fishing, and entertaining.

Carolyn attended her first meeting of the NCACC in Washington this past August. Welcome Carolyn!

JOLINE WILLIAMS, retired Clerk of the Supreme Court of Georgia, must be enjoying her retirement since it is difficult to find her at home. According to the Clerk's office, she is splitting her time between Atlanta and Camilla, Georgia. Her address is P. O. Box 533, Camilla, GA 31730, and her telephone number in Camilla is (912) 336-5363.

SHERIE M. WELCH has been appointed interim clerk of the Supreme Court of Georgia.

JEAN KENNETT wishes to thank the membership for the flowers sent at the time of her mother's death and for all the expressions of sympathy she has received since. The caring thoughts of friends are very comforting indeed.

Past President KEVIN SWANSON suffered a mild heart attack on September 14, 1992. Kevin was hospitalized for a week and is now home resting, walking and recuperating. The possibility of surgery is still being evaluated. Kevin quickly adds that, no, his year as president did not cause his condition! Kevin sends a note of thanks and appreciation to all members of the conference for their thoughts and letters.

Think Nashville!!!

PLACES



The Supreme Judicial Court of Massachusetts is observing its tercentenary this court year. The highlight of the celebratory year will be the formal dinner sponsored by the Massachusetts Bar Association in late October. The honored guest will be Chief Justice William H. Rehnquist of the Supreme Court of the United States, who will address the expected 1500 guests. The next morning, Chief Justice Rehnquist will participate in a special educational program for Massachusetts school children entitled, "The Basis of Freedom, 1692-1992", which will be held in Boston's historic Faneuil Hall.

THINGS



The Supreme Judicial Court of Massachusetts may become the first state court in the country to issue an opinion in which an allegation that a state agency has violated the due process and equal protection provisions of the Americans with Disabilities Act is an issue. The case is Albert Williams & Others v. Secretary of Executive Office of Human Services & Another.

Plaintiffs claim that the Department of Mental Health (a division of the Executive Office of Human Services) is violating the ADA by operating an illegally segregated community residential services system; that is, one in which only other mentally disabled people live. Plaintiffs claim that mental disability is a disability under the Act and that the state's method of providing residential services under the present system is discriminatory.

The case was argued on October 6, 1992.

ABA CREATES PANEL TO STUDY APPEAL PREPARATION

The Judicial Administration Division of the American Bar Association has established a project entitled Preparing the Record on Appeal: Study and Guidelines for Solving Common Problems. A seven-member Study Committee will focus on record preparation as a source of appellate delay and will propose a set of guidelines to deal with the problem.

The project objectives are:

1. To develop solutions, including procedures in statutes and rules, as well as management approaches, for common and recurrent problems in record and transcript preparation;
2. To encourage courts to adopt these solutions in order to enhance the efficiency of the record and transcript preparation process, eliminating unnecessary delay;
3. To add to the body of knowledge, as well as existing literature, that examines sources of delay and potential solutions;
4. To raise awareness of the existence of methods and techniques to control and manage record and transcript preparation; and
5. To eliminate the need for individual courts to repeat the process of analyzing and posing solutions to similar problems.

The Study Committee will operate under the supervision of the ABA's Task Force on Reduction of Litigation Cost and Delay. Douglas Somerlot of the ABA is Project Director. Doyal McLemore of the ABA is Assistant Project Director. Membership on the Committee includes William T. Session, Esquire, of Kansas City, Judge Burton Scott of the Judicial College at Reno, Robert M. Baldwin, State Court Administrator of Virginia, Robert Day, Esquire, of Carlisle, Iowa, Samuel Shelton, of Wisconsin's Sixth Judicial District, and Judge Richard Lamb of Michigan. NCACC representation on the Committee is provided by Stephen Townsend of New Jersey, who was designated by President Joyce Goldsmith.

The Committee expects to file its report prior to the summer meeting of the ABA.

Members of the NCACC who have suggestions, comments, problems, or solutions are encouraged to communicate with Steve Townsend at CN 970, Trenton, NJ 08625.

... CLERKS CONFER ...

(This is the first in what we hope will be a series of articles expressing areas of concern and request for suggestions from our readers who may have experienced similar situations or have an idea for solving a problem. If you have a problem and would like to have some help in solving it, please send your problem to the editor. The inspiration for this column came from Publications Committee member, Patricia Davis).

I, as clerk, am responsible for the supervision of all court personnel except for the judges, their secretaries and law clerks. My court is fully computerized and each member of the staff has a personal computer and printer. However, the clerk's office and, in particular, my secretary is the only person with a laser printer which makes high quality documents. Recently, several of the judges' law clerks and other attorneys in the office have asked my secretary to print resumes for them and expect her to drop all of her other work and do theirs immediately. One law clerk has even asked her to type resumes for him and his wife and expects her to print the copies using court paper. When I confronted the law clerk he told me that his judge said it was O.K. to do this. How should I handle this situation?

Please mail your responses to the editor. Your response will be passed on to the clerk with the question and will then be printed in the next issue of the Docket.

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