

("San Antonio", cont. from front page)

Wednesday night's social agenda includes a Mexican fiesta at LaVillita – the original town of San Antonio. LaVillita is on the banks of the San Antonio River and is adjacent to the Hilton. The Fiesta will feature Mexican food and mariachis.

Thursday night is our traditional annual banquet followed by the Friday morning breakfast/critique.

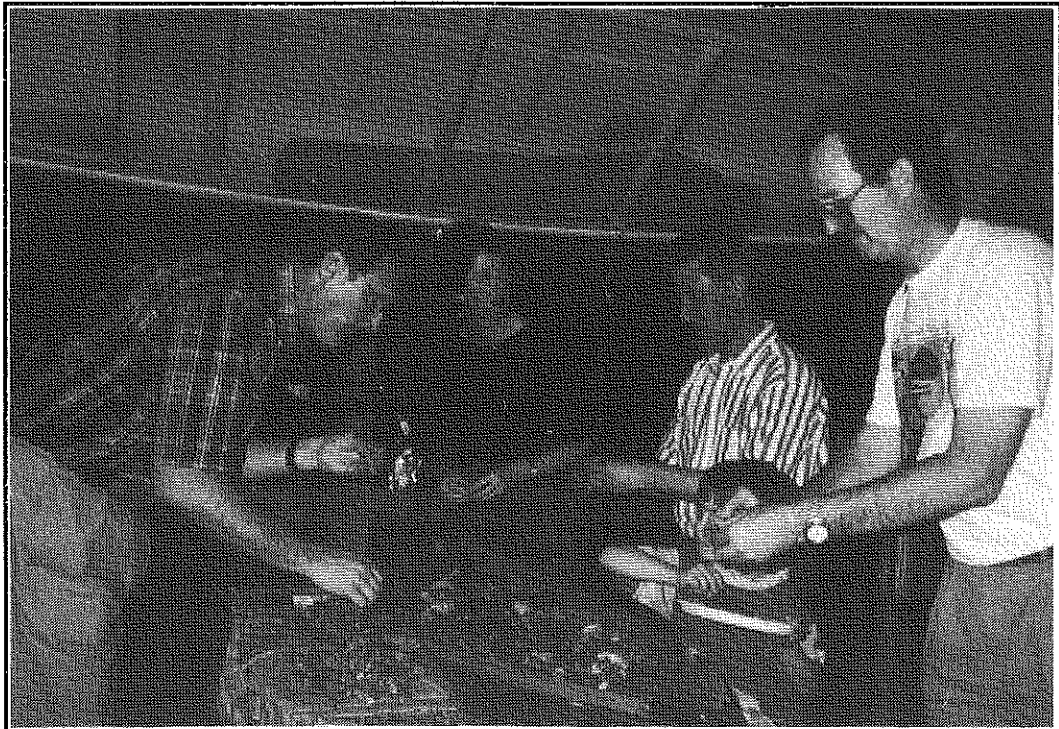
For those of you who arrive early, the Houston Oilers or Dallas Cowboys (which is yet to be determined) will play an exhibition game on Sunday, August 6th. For the more culturally minded, San Antonio will host the Texas Folk Life Festival on the grounds of the Institute of Texas Cultures the week prior to our conference. Attendees may also enjoy visiting San Antonio's SeaWorld and horse races.

Registration packets will be sent out the last of May so watch your mail for the details. Room rates at the Hilton will be \$115.00 per night – a great rate given the location of our hotel on the famous San Antonio Riverwalk. Mark your calendars for August 6th through August 11th and come join the Texas Fiesta!!

A FEAST AT "DESTINY"



Frans Labranche displays a crawfish to the camera and curious onlookers (Kate Lane, Phil Foley & David Beach)



Bill Suter and John Olivier demonstrate the intricacies of eating crawfish—suck the heads and pinch the tails!

The Docket

News of the National Conference of Appellate Court Clerks

Vol. 23

April, 1995

No.3

PROGRAM COMMITTEE
HARD AT WORK ON
EDUCATIONAL
PROGRAM

By Leslie Gradet, Clerk
Maryland Court of Special Appeals

From the theoretical aspects of the court system and interpersonal dynamics to the nuts and bolts of managing an appellate court, the educational program for San Antonio will challenge our thinking and help us to perform our jobs better. Leading us through the sessions will be professionals from within and outside the court system, including many of our own NCACC members.

Legalization vs. Criminalization of
Drugs

Our program will begin on Monday morning with an interactive presentation by Judge James P. Gray of California's Orange County Superior Court on how our drug laws have failed and what options are available for a more workable and effective approach to the problem.

Ethics

Monday afternoon, Bill Fulton (United States Court of Military Review) will lead a
(See "Program", cont. on p.9)

SAN ANTONIO WILL
HOST THE 1995 ANNUAL
CONFERENCE

San Antonio and our host, Herb Schaefer, are eagerly preparing for our arrival in the city of the Alamo. The social agenda for our week-long conference is shaping up and conference attendees are in for a true taste of Texas hospitality.

DUES INCREASE
NOTICE!!!

NOTE: Effective July 1, 1995, dues will increase to \$75 per year in accordance with the decision made at the annual meeting in San Diego. Dues paid before July 1, 1995 will remain \$50 for the coming year. Enjoy the reprieve and pay your dues at the old rate prior to July 1.

Registration will begin on Sunday, August 6, 1995, at the conference hotel, the Hilton Palacio Del Rio. Our host is planning an opening reception that evening at the Hilton Palacio.

Monday evening after a full day of our educational program, attendees will have a free evening to stroll the Riverwalk, hail a water taxi or take a trolley to the El Mercado, the Mexican market, for some souvenirs and Mexican food.

Tuesday night we will travel to the Fiesta Texas theme park for a barbeque dinner and an evening of family fun. The adventurous can ride the rides and the timorous can enjoy being entertained at the various shows throughout the park. The grand finale will include fireworks and a lazer light show featuring the history of Texas.

(see "San Antonio, cont. on last page)

The President's Page Ella Williams



We need your assistance. We are trying to update our pictorial directory but are unable to do so without your help. Our membership Chair, Ken DeBlanc, is in the process or has already sent a follow-up request for pictures and updated information. **PLEASE RESPOND.** The old directories have been depleted and we are in need of an updated version. This directory is sent to new members upon request and there are several outstanding requests that we cannot fill. Your prompt response is appreciated.

At the annual meeting in August you voted to increase the dues. However, the National Center was inadvertently not notified in time for the notices. To make the change as efficiently as possible and without undue hardship, the increase will become effective on July 1, 1995. The notice of this change is on the front page of this edition of The Docket.

As committee assignments wind down, I thank each committee member for their efforts and the chair of each committee for providing me with reports for the Spring meeting. From the reports, it is evident that you are working continuously to improve the conference. I commend you for your commitment although you are busy with your daily workload.

After the Executive Committee meeting on Saturday, we were treated to Louisiana Hospitality. We were bussed to Destiny - the home of Frans and Del Labranche. We feasted on Louisiana fare and enjoyed all of the hospitality of Del and Frans and the entire Louisiana delegation.

On behalf of the Long Range Planning and Program Committee members as well as the Executive Committee members - thank you for a wonderful weekend in New Orleans. I know that we would all enjoy a return to New Orleans in the future.

The Docket News of the National Conference of Appellate Court Clerks

President	Ella Williams (MI)
President-Elect	David B. Beach (VA)
Vice-President	Marilyn Graves (WI)
Immed. Past-President	Ron Barrow (CA)
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	Leslie D. Gradet (MD)
	Joseph Lane (CA)
	Penny Miller (ND)

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Tom Granahan (DC)	(202) 272-1448 (DC, NY, VT, NH, ME, MA, RI, CT, NJ, DE)
Jon Wheeler (FL)	(904) 488-6151 (FL, GA, SC, NC, TN, AR, LA, MS, AL)
Hank Henson (MI)	(313) 358-2456 (MI, MN, WI, IA, MO, ND, SD)
Gist Fleshman (IL)	(815) 434-5050 (IL, IN, KY, VA, WV, OH, PA)
Michael Yerly (CA)	(408) 494-2518
Victoria Hernandez (CA)	(209) 445-5789 (CA, NV, UT, AZ, NM, OK, TX, HI)
Ed Smith	(406) 444-3858 (AK, WA, OR, ID, MT, WY, CO, NE, KS)
Editor	Peggy McGraw (MO)

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

1300 Oak St., Kansas City, MO 64106-2970
Phone (816) 889-3600 FAX (816) 889-3668

easily", and "touch lives in a more positive way".

Who are the people in the recipients' lives that were sources of inspiration, persons who by example were an impetus for the award winners to mirror? Parents were quickly the first persons mentioned, and fathers and mothers shared equal billing. Some named a grandfather or a teacher, while almost all found judges -- many different judges -- to be a strong positive influence in their lives. Several found in their young years that a boss (not related to them) was a very special person who greatly encouraged them, took them under their wings, and demonstrated a strong personal interest in their lives.

Achieving the Award and Future Goals

Of some insight into recipients of the J.O. Sentell Award is a review as to why they believe they were the recipient of it. Collectively, those surveyed said the following after a period of reflection to consider that question: "I won I guess because someone thought I represented the contributions to judicial administration of a small rural state"; "I was fortunate to be active in a group of great friends for a long period of time"; "I was simply the president of the Conference during a year of great financial crisis during which many people worked so hard to solve"; and "to this day I can't figure out why I was selected because I just didn't give enough to the Conference to warrant this award".

Future goals of award winners show they desire to continue to give to those around them and to their community. Some of their stated goals are the following: to become a local or a state legislator, to play a musical instrument (piano, guitar or harmonica) and entertain resident-care home patrons; to make a difference with their life; to pursue writing fiction; to give more time both to the Conference and to their family.

Those retired recipients that were surveyed demonstrate through the conduct of their daily lives that they continue to give of themselves. They are involved with many fund-raising projects in their communities; belong and actively participate in civic and church organizations; work part-time in the private sector that causes contact with some trial courts in the state; and assist in planning the National Prayer Breakfast program. Most agreed that although these involvements may get in the way at times of their want to travel around the country and to find greater time to enjoy their retirement, they really wouldn't have it any other way, for they are giving of themselves in a way similar that caused them in earlier years to become J.O. Sentell Award winners.

[NOTE: the author was pleased to have travelled down Memory Lane with recipients as oral interviews were gathered; most are charter members of the Conference. It is clear that the Conference's judgment in selecting J.O. Sentell Award recipients leaves little or no room for improvement.]

None of those surveyed was an only child. Some were the oldest, some the middle, but most were the youngest child. Collectively, the award winners surveyed had nine brothers and nine sisters while two-thirds of them were the baby of the family. Few of their parents had gone to college: just one father and three mothers. Instead, fathers were busy making a living and mothers were busy raising a family. It is clear from collective comments that the family was significant social unit and the focal point of the formative years of each of the recipient's lives.

Favorite relatives were mostly women: if not sisters, then mothers or aunts. A couple of grandfathers and uncles also made the list. All of the award winners praised their parents' role in their upbringing and recognized the sacrifices their parents made for them. A message that all recipients learned from their parents first and reinforced by family members was that hard work pays off.

What type of work did their parents do? One mother was a teacher, one helped in the family store, while fathers were busy in banking, farming, journalism, engineering, and being business merchants.

The college experience of recipients contrasted sharply with their parents as at least two-thirds of the recipients went to college. Half of the recipients surveyed went on to become lawyers, one without even having a college background!

Qualities of Recipients and Their Perspectives

Collectively, J.O. Sentell award winners have a wealth of experience in working in our state courts, both on the trial and the appellate level. When one award winner recently retired, he was replaced by not one, but two separate people--one to serve as clerk of that state's court of appeals and the other to serve as clerk of its supreme court!

What position did recipients who became award winners hold immediately before their selection as Clerk of the court they served? Most all were deputy clerks with many years of experience, although several were attorneys and not deputy clerks when taking the Clerk's position. With one exception, all were hired from "within" the court they served as its Clerk.

As to the recipients' personal qualities, each surveyed were most modest with their comments. The following words are collectively those of the recipients surveyed: "set and achieve goals"; "strive"; "do all you can to give the best of you"; "be diligent"; "love the work you do"; "follow through"; "be committed"; "be sensitive to your fellow man"; "demonstrate patience, sound judgment, diplomacy".

When it came time to mention weaker qualities, those they found troublesome or those they considered their 'flaws', they mentioned the following: "be a better listener"; "build consensus more"; "focus on family life more"; "be patient and understanding"; "communicate better"; "be someone not to be taken advantage of so

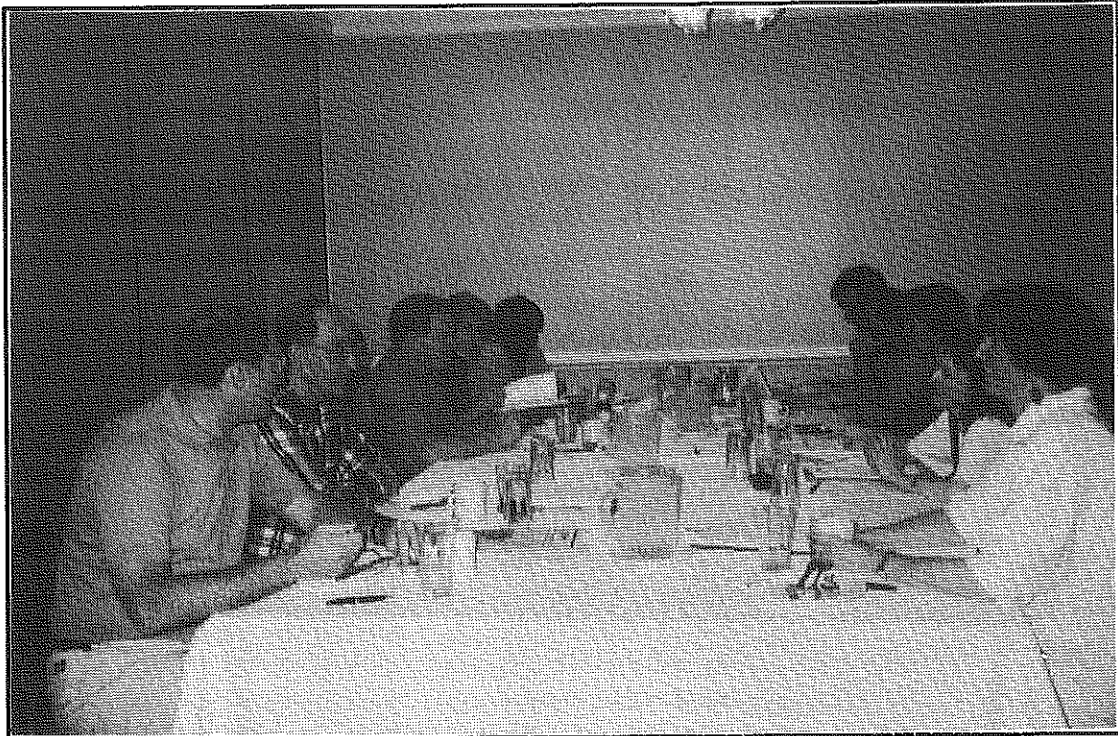
EXECUTIVE COMMITTEE MEETS IN NEW ORLEANS

*By Nancy Foley, Clerk, Appeals Court
Commonwealth of Massachusetts*

In the charming setting of New Orleans' French Quarter, the Executive Committee

Dr. Ray). Among other responsibilities, Dr. Ray directs strategic and futures planning for the San

agreed that he will be a dynamic, interesting presenter in San Antonio.



Left to right: Bill Suter, Tom Granahan, David Beach, Leslie Gradet, Ella Williams, Joe Lane, Ron Barrow, Nancy Foley, Danielle Schott and Marilyn Graves.

attended two days of meetings. On Friday, March 24, 1995, a special joint meeting was held with the Long Range Planning and Program Committees. That meeting, which addressed program needs for "futures" planning, also included a presentation by Dr. Ramon de Arrigunaga (hereinafter

Antonio Transportation Department. He will be a featured speaker at the Annual Meeting this summer. All the members in attendance at this special meeting agreed that Dr. Ray's presentation helped them obtain the foundation necessary to begin "futures" planning. The group also

The Executive Committee met on Saturday, March 25, 1995, and attended to the business of the Conference. Prior meeting minutes were reviewed. Twelve committee reports were presented and discussed. The committee benefited from the personal presentation of reports by

(See "Exec. Committee", cont. on next page)

("Exec. Committee, cont. from prev. page)

certain chairpersons who were in New Orleans for Friday's special joint meeting. These included Publications chairperson, Peggy McGraw, and her camera! Pictures will surely follow in THE DOCKET. President Williams summarized her attendance at the COSCA Mid-year meeting and reviewed the proposal of the "Appellate Court Performance Committee" of which she is a member. Other reports and old and new business were reviewed. The Executive Committee Meeting adjourned charged by President Ella Williams with many duties and responsibilities in preparation for the Annual Meeting in San Antonio.

Now that it has been made clear that there was a lot of serious Conference work completed, you should know that the windowless meeting room was not all the members experienced. In fact, the charms of New Orleans which included sunny, 80 degree, gentle breeze weather, even motivated some members to venture out at 6:30 a.m. for a walking tour of the Garden District with its amazingly beautiful homes and gardens. The walk was

conducted by Ken De Blanc and included location details for fans of author, Anne Rice. Members also enjoyed delicious cajun and creole creations and strolls to the beat of Bourbon Street.

Although the French Quarter provided an extraordinary array of delights, the social highlight of the New Orleans visit was the Saturday evening gathering hosted by the Louisiana Clerks and held at "Destiny" (Frans and Del's sprawling country estate). In an exotic setting with hanging moss, music and festive lights, the feeding frenzy began. The first savory event included crawfish dip and seafood sausages and was followed by 45 pounds of steamed and spiced crawfish (a/k/a mud bugs) served in a four foot boat called a piroque. Lessons on the correct method of eating crawfish were kindly supplied by the natives. There was a couchon de lait (a whole pig) roasting in a cajun microwave (ask Frans to explain), a professional chef conducting a cooking class on the intricacies of preparing an outstanding seafood gumbo, and a semi-professional chef (Fran's son-in-law, Eddie) showing the group how to prepare a

delicious chicken, ham and sausage spicy jambalaya (recipe to follow, we hope). Rounding out the feast were casseroles of crawfish supreme, garden salad and bread pudding with praline sauce. Some members enjoyed playing a volleyball game while the rest of us were amused watching the game or roasting marshmallows over the campfire.

Leaving New Orleans was difficult (mostly because clothes no longer fit) but it was a special time both in the achievements of conference business at the joint and Executive Committee meetings and the splendid hospitality and special efforts of the Louisiana clerks and their spouses. Our many thanks to Frans & Del Labranche, Diana and Johnny Wyatt, Peter and Tani Fitzgerald, Danielle Schott and Chuck Ponder and Ken De Blanc. We also acknowledge with appreciation the Louisiana Supreme Court for their kind assistance with Saturday's transportation.

See y'all in August for an outstanding educational program and great social events in San Antonio!!



J.O. SENTELL AWARD WINNERS: A PROFILE

By Kevin Swanson, Clerk, California Court of Appeal, Fifth District

THE NATIONAL CONFERENCE OF APPELLATE COURT CLERKS was born from a meeting held in August, 1973, and its first President was J.O. Sentell, the Clerk of the Supreme Court of Alabama. Mr. Sentell was an inspiration to many who worked hard to bring fruition to the goal of forming the organization. Beginning in 1979, the Conference established what has come to be the prestigious J.O. Sentell Award, our organization's equivalent of the Academy Award's "Oscar", which has been presented annually to a member whose continuous and numerous contributions and accomplishments in the Conference have been the shining example for all to emulate. Its presentation at the banquet during the annual meeting is the focal point of the meeting week's activities. Since 1979, the J.O. Sentell Award has been presented 16 times, and of its recipients, more than half are either deceased or retired. But, as you will see, all living award winners lead very active lives.

What qualities do J.O. Sentell award winners share in common? Are there trends or patterns in their family, education or employment backgrounds or in their lives in terms of their development of moral standards, value systems and so forth? What personal qualities were imprinted in their lives when and by whom that contributed to their later selection as J.O. Sentell award winners? It was fun trying to find those answers.

A formatted questionnaire form was used to conduct oral interviews with 10 of the award winners. Responses were categorized and then tabulated, from which a profile may be somewhat formed of the "typical" award winner.

There were three main focuses to the project: the first spotlighted their family background, seeking answers to questions related to the nature of their parents' education and employment, the subject's upbringing, the number of their siblings, who their favorite relative was and why; the second spotlighted their perspective of some personal qualities and identification of mentors and others who were sources of inspiration to their lives; and the last spotlighted their wonder over receipt of the J.O. Sentell Award and their future goals.

Review of Family Background

Unlike contemporary life which sees a pattern of single-parented families, most all of the recipients surveyed were raised by both their mother and father in the family home. Exceptions to this trend were only because (with one exception) of the death of a parent when the award winner was a child. The exception is worth commenting on: that recipient had to be relocated to a relative's home as a result of the Great Depression when his father moved to another state for employment; his sister was placed in a separate relative's home in another state as well. This recipient lived in five different states before he graduated from high school!

- ("Varieties", cont. from previous page)*
- (2) *for completeness only, or*
 - (3) *not required at all by some states.*

Enforcement of the requirements of the rules is:

- (1) *by the Trial Court on its own order, or by motion of the attorney, or*
- (2) *by the Appellate Court on appellant's motion or it's own motion, or*
- (3) *by some agency other than the court (Iowa has a shorthand reporters board with enforcement powers), or*
- (4) *left to appellant's counsel. (Several states allow an appeal to proceed without transcript if counsel can agree upon some statement of the facts.)*

Payment of the reporters for transcription services is:

- (1) *established by Statute,*
- (2) *established by State Court rules,*
- (3) *established by local court rules, or*
- (4) *not regulated.*

Video copies of the trial court proceedings have been filed in California's 1st District and the court has equipment to review the video proceedings. It hasn't happened enough yet to permit informed comment.

Massachusetts is contemplating accepting electronic copy of the transcript as soon as they figure out how to feed it into the court's imaging system. In Michigan, the Appellate Defenders office is accepting electronic copy and has offered to share it with the court. Nothing has yet been implemented in that regard.

Other things learned while researching the above include the fact that the District Courts of Appeal in California and Missouri have specific authority to adopt and publish local court rules. It is what I call the Burger King "Have it your way" approach to appellate rule making. It appears that most

of the rest of us follows McDonalds and don't allow variety in that manner.

As to the more personal matters, Penny Miller's volleyball team made it to the state quarter-finals since our last report. Congratulations to you, Penny, and to your team. You can tell them their accomplishments have been noted in the national press. And Chris and I recently previewed five of the golf courses in the San Antonio area. The course at Fort Sam Houston had lots of water and shade trees which might be appreciated in August. (It was not appreciated when I took five %\$* penalty strokes in February.)



PEOPLE, PLACES AND THINGS



That fleet young man leading the way in the "First Annual NCACC Run/Walk" was **DAN POTTER**, one of the newest members to the National Conference of Appellate Court Clerks. Dan is the Chief Deputy Clerk for the Second District Court of Appeal in Los Angeles. He was appointed to that position in January, 1992, succeeding Joe Lane. Prior to his appointment, Dan served as a deputy clerk for the Second District and was a deputy clerk for the Los Angeles County Municipal Court from 1976 to 1980. Dan and his wife Patricia are expecting their first child in August.

"Sitting in at the business meeting I came to realize the seriousness of this organization" Dan said when asked of his first impression of the group. His favorites among the group sessions were "You be the Judge" and Public Speaking. "Managing Stress" and "Clerk's Office Security" were his favorite breakout sessions. Dan was very impressed with the Beach Party and Zoo trip as evidenced by his frequent trips to the food table.

Dan would like to express his appreciation to the N.C.A.C.C. for a great and memorable experience for a first timer like him. Thank you, Dan, for the Fun Run!

MIKE YERLY, Clerk of the Court of Appeal of California, Sixth District, (San Jose) relates the following story:

The Sixth District Court of Appeal in San Jose, California, has experienced drought, an earthquake, and most recently

floods--can pestilence be far behind? After a nonstop January of rain, March began the same cycle of rain everyday. The court is located near several small rivers in the downtown area of San Jose. The rivers, which are normally not more than a trickle during the summer months, began rising and soon overflowed their banks flooding the neighborhood areas. Convinced that the waters would not be a threat to our building, I attended a meeting on court security with the California State Police. The meeting was interrupted by a secretary who advised that if we did not get our cars out of the building at once, we may not be able to get out at all. I rushed to the first floor only to find the building surrounded by three feet of water and the building maintenance men sandbagging the front entrance. The parking entrance was soon blocked with cars stalled in water at the exit. I soon realized that I would not be leaving in my car that day. With the permission of the acting presiding justice, I posted notice that the office would be closed due to the flooding. The floors were checked to make sure everyone had escaped and the two remaining employees and I were transported to high ground in the back of a pickup truck.

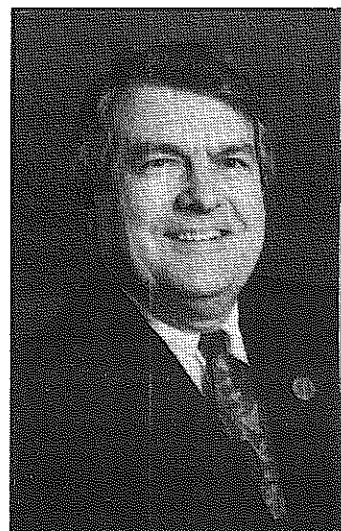
ELIZABETH A. SAUNDERS has recently been appointed as Chief Deputy Clerk for the Supreme Court of Texas. Elizabeth attended the University of Texas at Austin and before being appointed as Chief Deputy, was employed by a large law firm in Austin for almost ten years as Records Manager. She is a member of the Association of Records Managers and Administrators, serving on the Legal Services Industry Action Committee. Elizabeth replaces **PEGGY LITTLEFIELD**, who was employed by the Supreme Court for almost twenty-five years, the last ten years as Chief Deputy Clerk. Peggy retired January 31, 1995.

(More People, Places, etc. cont. on next page)

(People, Places, etc., cont. from previous page.)

JOHN C. SCOTT, Clerk of the Supreme Court and Court of Appeals of Kentucky, retired March 1, 1995 following more than 38 years service with the Executive and Judicial branches of the Commonwealth of Kentucky.

The Frankfort (KY) native was appointed Clerk of the Supreme Court in 1979 and Clerk of the Court of Appeals in 1977, serving as the first Clerk of Kentucky's new intermediate appellate court. From 1964 to 1977, he was Chief Deputy Clerk of the old Court of Appeals (now the Supreme Court).



"It is with much regret that I have accepted the resignation of my old and dear friend, John Scott, as Supreme Court Clerk," said Chief Justice Robert F. Stephens. "In this day of increasing public skepticism of public servants," continued

Stephens, "this state and country needs more people like John Scott."

Chief Judge Charles B. Lester of the Court of Appeals said, "John's excellence and ability not only as a clerk and administrator was exceeded only by his friendship with every judge and staff member. He will be deeply missed."

Scott is a former president and charter member of the National Conference of Appellate Court Clerks (NCACC), serving as the organization's president in 1984-85, and received its J.O. Sentell Award in 1988. He was host of NCACC's first conference in Louisville in 1974 and its twelfth conference in Lexington in 1985.

He is married to the former Carla Jean Strange. The Scott family consists of four children and five grandchildren.¶

WE NEED YOUR HELP-- PICTORIAL DIRECTORY STILL INCOMPLETE

Many members have not provided biographies or pictures. A letter has gone out to all members from Ken DeBlanc requesting information. Please respond ASAP.

NOTE that the standard bio form does not ask for a FAX number, but **please include yours**. **ALSO:** if you have an address on the INTERNET, please provide that as well.

IF YOU HAVE NOT ALREADY PROVIDED A PHOTOGRAPH, OR DID NOT HAVE ONE TAKEN IN SAN DIEGO, A PHOTOGRAPHER WILL BE AVAILABLE IN SAN ANTONIO. THIS IS OUR LAST CHANCE. PLEASE RESPOND. AN UP-TO-DATE DIRECTORY IS INVALUABLE.

Joe Lane, California Court of Appeal, 2nd District

MORE ON THE VARIETIES OF OUR EXPERIENCE

By Hank Henson, Assistant Clerk, Michigan Court of Appeals

How and when do we obtain the trial court record for an appeal? As with most of the rest of our common business, there seems to be several ways of subdividing the question and two or more answers for every question. Those of us who have responsibility for reviewing and suggesting rule changes may find interesting the

following outline of the various ways the question is answered. (In the schoolyear of 1901-1902, William James delivered a series of Lectures at Edinburgh College in Scotland which were later published under the title of "The Varieties of Religious Experience". Please don't confuse these notes with his.)

The Transcript. (A discussion of trial court files will be covered in a later issue.)

Transcription of the reporter's notes is initiated by:

- (1) request of Appellant's counsel prior to filing the Claim of Appeal (Michigan), or within a certain number of days after filing the Notice of Appeal in several states, or
- (2) ordered by the trial court by service of a copy of the order which also appoints counsel for indigent defendants (Michigan), or
- (3) directed by state court rules. (California's rules require transcription by court reporters upon completion of all criminal cases, and South Dakota and others require transcription upon service of a copy of the notice of appeal).

Certification of the request for the transcript is:

- (1) filed by the stenographer at the Appellate Court (Michigan), or
- (2) a required element of the Appellant's docketing statement (Wisconsin), or
- (3) not required (Illinois).

The time for filing the transcript is the same for all appeals in some states, and varies by type of appeal in others. The transcript is filed in:

- (1) the Trial Court, or
- (2) the Appellate Court, or
- (3) in some states, is appended to the appellant's brief.

Certification of the contents of the transcript is:

- (1) for completeness and accuracy, or

(See "Varieties", cont. on next page)

("Program", cont. from previous page)

Success Stories - Carol Green (Supreme Court and Court of Appeals-KS), Jean Kennett (Supreme Judicial Court-MA) and Sandy Roos (American Bar Association) will provide us with a forum to hear about the practices and policies of our fellow clerks' offices that have improved efficiency and raised staff morale in their courts.

Courts and the Media

We will complete the educational portion of the annual conference on Thursday morning with a panel discussion on courts and

the media, featuring Chief Judge Martin M. Doctoroff of the Michigan Court of Appeals. Other panelists will be announced in the June issue of *The Docket*.

I thank all of the Program Committee members--Jill Engel, Bill Fulton, Carol Green, Jean Kennett, Frans Labranche, Joe Lane, Diana Wyatt, and Jon Wheeler, and honorary committee member Sandy Roos for their work in putting the educational program together. I feel confident that after you have attended the conference in San Antonio, you will appreciate their efforts, too!!

COURT TECHNOLOGY COMMITTEE CREATED IN CALIFORNIA

By Joseph Lane, California Court of Appeal, 1st Appellate District

The state of California has established a permanent panel to study and improve technology in the state courts. This Court Technology Committee was created to "promote, coordinate, and facilitate acquisition and implementation of information and communications technologies useful and appropriate" to the state's courts.

The 16 member committee consists of two appellate justices, three superior court judges; three municipal court judges; four court clerk/administrators, at least one of whom is a clerk/administrator for the appellate courts; two members of the Legislature, one from the Senate and one from the Assembly; one member representing the executive branch; and one member of the State Bar.

The committee's duties include:

Recommending standards to insure compatibility in the application of information and communication technology in the judicial branch;

Engaging in continuing oversight of court technology projects funded in whole or in part by state funds;

Proposing rules and legislation to balance the interests of privacy, access and security in relation to court technology; and

Assisting all courts in the acquisition and development of technologies useful to the courts.

For more information, contact either Ron Titus, with the California AOC at (415) 396-9331 or Joseph Lane, with the California Court of Appeal at (213) 897-2421.

Joseph Lane is currently a member of this committee and is chair of a subcommittee to develop a statewide data element dictionary. He asks that anyone with such a statewide standard contact him. The idea is that all the courts in the state would use the same coding, thus facilitating the transfer of data and the compilation of statistics.

FACTS, FICTION AND FOOLISHNESS

By Leslie Steen, Clerk, Supreme Court of Arkansas



In the October, 1994 edition of *THE DOCKET*, I borrowed a humor column from *THE TEXAS BAR JOURNAL* written by U.S. District Judge Jerry Buchmeyer. A note from Judge Buchmeyer invited me to "feel free to use any of my columns in *The Docket*." He just opened the door to blatant plagiarism, but I am without material or pride.

Here are some excerpts from some of his columns entitled "Et cetera."

THE VERDICT

This conclusion to an assault/bodily injury trial.

The Court: Would you please hand the verdict form to the bailiff for inspection by the court. At this time, I'll ask the defendant to please rise. The verdict form is signed by Becky Summer Stroope as presiding juror. At this time, I'll read the verdict to the defendant. "We the jury, find the defendant not guilty as charged."

Presiding Juror: Damn! I signed the wrong one.

Same Song, Second Verse

(Some time ago I wrote about a burglar who testified, "I didn't break in, I just let myself in." This is the Texas version.)

This excerpt is from a sentencing hearing where the defendant gave his view of an earlier Alabama conviction.

Defendant: That's the reason I escaped from Alabama, if you

want to call it escape. I just made arrangements to leave.

How Long Were You Dead?

This testimony is from a criminal trial - a telemarketing case in which the defendants had cheated "old people throughout the country by telling them they had won big prizes, but had to pay the tax." One of the victims, a "little wizened lady" from California, who was about 80, took the stand. The judge inquired as to her name, her address and her occupation. She gave her name and her address and then . . .

Court: And your occupation?

Witness: I'm retired.

Court: And what are you retired from?

Witness: My husband and I both retired in 1977. We were in a very bad car wreck. I was dead for three months. I was brought back to life, and have not worked since that time.

The judge wisely turned the questioning over to the prosecutor and the five defendants' attorneys . . . and the matter was never mentioned again.

My Red Bull Air Mity Dam Blew

(This handwritten demand letter was sent to Humble Exploration in June 1979.)

Mr. Ferguson:

*Down on my place on creek
where yo have boxes with a lot
(See Facts, cont. on next page)*

(Facts, cont. from previous page.)

of wheels my bull fell in one and the gas blowed him out Wensday. And he air not did but he mount as well be. I want your straw boss repot him ded and pay me. He mash out bofe his seeds leafing mity little to his bag. His tared out his skin for a feet square twixt his seeds and nabul. He air totally onqualified to be a bull and he air to dam tuf for beef - so I want him repote ded and pay for me.

You Sincerely,

P.S. He air a red bull but he stand around looking mity dam blew these days.

I would continue but I'm standing around looking mity dam blew!

CALIFORNIA COURT MOVES TO CATCH-UP WITH THE REST OF THE WORLD

By Ron Barrow, California Court of Appeal, 1st Appellate District

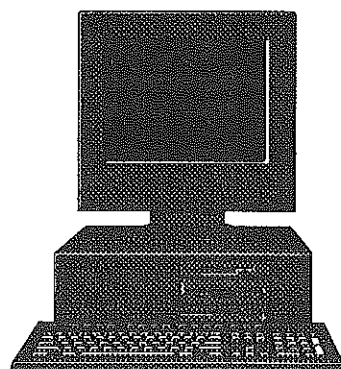
Back in 1979, California's First Appellate District in San Francisco decided to jump knee-deep into the world of technology and begin to use computers to update and monitor its caseload. Unfortunately, little in the way of software was available for appellate courts. With the help of the California AOC, a program originally designed for use in a prosecutor's environment (PROMIS) was redesigned for use in the district courts of appeal. By today's standards, the program is very basic and a nightmare to reconfigure because of its COBOL language and file based structure. However, PROMIS has served the First well for more than 15 years and been the workhorse software for the six districts in California for more than a decade. Combined with WANG word processing, we have done well enough.

Five or six years ago, we began the quest to find an adaptable word processing program suited to chambers needs and a data processing program adaptable to clerk's office functions. The quest became a project and the project came to be called CAPIS

(California Appellate Information System). Over the years ideas came and went as did project directors and staff. Fortunately, all comes to he (or she) who waits.

I am happy to report that most districts have adopted Microsoft Word for Windows, the LANs (Local Area Network) were installed and are working well, and thanks to a little known company (Relational Semantics) that is responsible for the software design used by Jean Kennett, Clerk of the Supreme Judicial Court in Boston, we are on the brink of the implementation of FORECOURT in the First District in San Francisco. The program is going through the process of fine tuning and should be on the line some time in May. We'll keep you informed on our progress.

If you would like more information on this new data processing program for appellate courts, call Victor Rowley, Administrative Office of the Courts at (415) 396-9271.



("Program, cont. from p.1)

panel of our members in a discussion of ethical dilemmas facing non-judicial court personnel in their work-related and outside activities. The panel's discussion will follow the viewing of a new videotape prepared by the American Judicature Society, in which dramatized scenarios are shown. There will be plenty of opportunity for audience participation, so we can all share our insights.

Myers-Briggs Type Indicator

Our program Tuesday will be an all-day Myers-Briggs Type Indicator seminar. Robin Marcovsky and Dee Campbell, our MBTI facilitators, will explain MBTI to us--how our personality preferences influence the manner in which we communicate and perceive our world. Through a series of small and large group exercises based on the results of questionnaires we will all fill out, we will learn why we think and behave the way we do, and how to maximize the advantages of similarities and differences between ourselves and the people we communicate with--our judges, staffs, attorneys, and the general public. Even if you have participated in Myers-Briggs seminars before, this seminar will teach you even more and will enable you to apply the questionnaire results to your professional and personal relationships.

YOU WILL RECEIVE YOUR MBTI QUESTIONNAIRES SHORTLY AFTER YOU SEND IN YOUR REGISTRATION MATERIALS. PLEASE COMPLETE IT PROMPTLY SO THAT THE FACILITATORS CAN TAILOR THE SEMINAR TO OUR GROUP'S NEEDS AND SO THAT YOU CAN GET THE MOST OUT OF THAT SEMINAR.

Overview of Futures Planning

We will begin early Wednesday morning with our first annual Future of the Courts seminar. Just as we have an ethics component in each conference program, this

year we will introduce a strategic planning component to the annual program. This year's half-day program, planned with the combined efforts of the Program Committee and the Long Range Planning Committee, to be facilitated by Dr. Ramon De Arrigunaga and Frans LaBranche (Supreme Court-LA), will introduce us to the concepts of futures planning--identifying the trends of a changing society (demographics, technology, science, the economy, the environment, and politics), developing scenarios of how the courts might function in the future, creating a vision of how we want the courts to function in the future, and adopting strategies to implement the overall plan. We will learn why long range planning is crucial for our courts and we will learn the ingredients for a viable long range plan. (As Dr. de Arrigunaga expressed it, our goal is to know what time it is. First we must learn how to build a clock). We also will begin to examine how the NCACC can best meet our future needs, and how we can make the changes necessary to accomplish that goal.

Breakout Sessions

Wednesday afternoon we will have an opportunity to attend several hour-long breakout sessions on a variety of topics:

Americans With Disabilities Act - Diana Pratt Wyatt (Court of Appeals, Second Circuit-LA) will bring us up-to-date on interpretations and applications of this recent legislation that affects every aspect of our managerial tasks as clerks.

Videoconferencing - Jon Wheeler (First District Court of Appeal-FL) will present a session on the videoconferencing of oral arguments, which his court has recently begun.

Electronic Filing and Bulletin Boards - Gloria (Jill) Engel (Supreme Court-SD) will inform us of how courts throughout the country are using these tools.

(see "Program", cont. on next page)