

By Ed Smith (MT)



THE DOCKET

News of the National Conference of Appellate Court Clerks

WE ARE PUBLIC SERVANTS!



My friends, I have been honored to be your president. I remember with great respect and affection my predecessors and other friends I have made throughout my sixteen years in this fine association. The National Conference of Appellate Court Clerks is a very special professional organization because of our individual continuity as Clerks of Court and the great bonds of affection that we develop through the years. You, my colleagues, are treasures, and on many occasions I have called upon a number of you for assistance and you have never let me down. I am

grateful for this opportunity to have served you. It has been a wonderful experience to guide and promote our conference this year.

The Office of Clerk of Court is an historic and honorable one; in fact the Clerk is the oldest officer in our courts. The role our position has played throughout the centuries is essential -- and it is an integral part to our judicial system and the public it serves. Our jobs are not easy because we are the link between the public and the court -- and sometimes we get squeezed a little! We are also placed in a unique role because we work at the appellate level, which for many people and attorneys is the court that is least understood.

Clerks of Court provide direct public service to the people. We should never take this role for granted. The professionalism and respect we show our fellow citizens is paramount in fostering the high principles in which our judicial system must be anchored. Our offices and staffs play a vital role in building public confidence in our appellate courts. Remember we are the human contact in difficult times for many citizens, and we, and our staffs protect both the public and the courts. In every sense of the word we are public servants!

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CALL FOR THE ANNUAL MEETING

President Ed Smith, through Secretary Bill DeCicco, and pursuant to the provisions of Article V, Section 5, of the Bylaws, hereby issues the call for the 31st annual meeting of the National Conference of Appellate Court Clerks to be held at the Anchorage Hilton Hotel, Anchorage, Alaska, beginning Sunday, August 8, 2004, and continuing through Friday, August 13, 2004.

Respectfully submitted,
Bill DeCicco, Secretary

NCACC Website:
<http://ncacc.ncsconline.org/>

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President Ed Smith (MT) and
Judy Pacheco (WY) at the Lincoln Memorial.

NEW ADDRESS: To Remit NCACC Membership Dues:
National Center of State Courts
300 Newport Avenue
Williamsburg, VA 23185

THE DOCKET

News of the National Conference of Appellate Court Clerks

President	Ed Smith (MT)
President Elect	Diana Pratt-Wyatt (LA)
Vice-President	Terence Lord (MO)
Immed. Past President	Christi S. Cameron (NC)
Secretary	Bill DeCicco (DC)
Treasurer	Sherie Welch (GA)

Executive Committee	Stuart M. Cohen (NY)
	Thomas Hall (FL)
	Marilyn May (AK)
	Daniel R. Schuckers (PA)
	Susan Stokley Clary (KY)
	Charles K. McNeely (LA)

Regional Reporters:

Leslie W. Steen (AR)	(501) 682-6849 AR, LA, MS, AL, GA, FL, SC, NC, OK
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Mike Yerly (CA)	(408) 494-2518 CA, NV, UT, AZ, NM, CO, TX, HI
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Robert Mangan (IL)	(847) 695-3750 IL, PA, NY, VT, NH, ME, MA, CT
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Lanet Asmussen (NE)	(402) 471-3017 NE, IA, WI, MI, IN, OH, RI, DC
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Jerry Merritt (WA)	(360) 357-2077 WA, OR, ID, WY, MT, ND, SD, MN, AK
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Carol Green (KS)	(785) 296-3229 VA, KS, MO, TN, KY, WV, MD, DE, NJ,
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Leslie W. Steen (AR)	Volunteer Columnist
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Diana Pratt-Wyatt (LA)	Editor
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Brenda Stephens (LA)	Assistant
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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 !!



(President's page continued from page 1)

I want to say a big "thank you" to my committee chairs and all of you who have participated in the committees. The success the NCACC has achieved is a direct result of our hands on approach. Please sign up for the committees in Anchorage. Diana Pratt-Wyatt needs your help!

Some of the objectives I laid out at the beginning of my term have been met, while others remain ongoing. In looking to the future, I see the need for the conference to continue developing our educational fund, update the operational guidelines, conduct a new technology survey, and revise and update our website.

This past year I have enjoyed working with the able officers and executive committee members. With our national diversification there is always thoughtful discussion in the stewardship of the conference. I have thoroughly enjoyed working with Marilyn May on our upcoming Anchorage annual meeting. I also wish to recognize Brenda Stephens from Louisiana who is the Assistant Editor of *The Docket*. She has been invaluable to me and to our membership for her tireless efforts to produce this newsletter. A special "thank you" to you, Brenda, for all you do for us!

Anchorage is almost here! What can I say -- I can hardly wait to get up there! Marilyn May has worked incredibly hard to make this 31st annual meeting just awesome! The program, events, and scenery will make a complete week. We will even have a banquet speaker this year, Dr. Ted Mala, who will speak to us about Alaska native culture. I have decided, because we are in the premier outdoor capitol of the United States, our banquet attire will be casual. No formal dress is required! Leave the dress clothes home! If Marilyn or myself can answer any questions you might have between now and then, give us a call.

In closing I ask all of you to continue being advocates for justice, to promote civility in our public discourse, and to be of humble heart. And finally, I salute each of you for your dedication, and wish you well.

See you soon in the "Land of the Midnight Sun!"

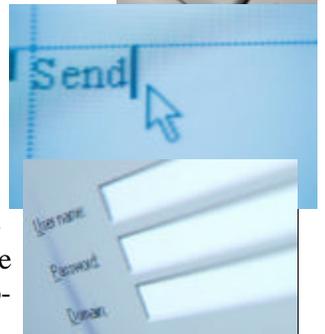
TECHNOLOGY COMMITTEE

Colette Bruggman (ND), Chair

T

he Technology Committee continues to work on the Functional Standards for Appellate Courts. The Committee provided comment on the Functional Standards by December 31, 2003; the Committee's biggest concern is that the Functional Standards for Appellate Courts are written like trial court standards. This concern is legitimate since the Appellate Standards were crafted directly from the Functional Standards for Civil Trial Courts.

Dale Kasperek from the National Center for State Courts has agreed to assist us with compiling the comments and re-working the document. With receiving almost 100% commentary from the Committee, Dale believes that we are at a point where the matter should be submitted to a JAD (Joint Application Development) Team. This Team, ideally, would have person to person meetings, and would include three NCACC members (recommended by the President and Executive Committee), as well as one or two technology people who come from appellate courts with experience in this area. The other members of the JAD Team would most likely be recommended by the Joint Technology Committee (COSCA/NACM). Generally, COSCA puts these JAD teams together; we are hoping that COSCA will approve the request for a JAD Team, and commit resources to finalizing the Functional Standards for Appellate Courts.



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THE GREAT LAND WELCOMES YOU!

Marilyn May (AK)



Plans are fairly complete for the 2004 annual conference in Anchorage. Steve Lancaster's committee has assembled a terrific educational program, Christine Crow is lining up a great group of vendors, and our sponsors have devised some wonderful activities for us. You don't want to miss out!

Hotel: The only glitch so far is that our conference hotel, the Hilton Anchorage, is running out of room. We blocked the same number of rooms as usual, but since this is such a popular tourist destination, the hotel has booked nearly all of the rooms outside of our block. If you don't already have room reservations, you may not be able to get all of the dates you want at the Hilton. Two good choices are the Anchorage Hotel (next door to Hilton): (907)272-4553 and the Ramada Inn (2 blocks away): (907) 272-7561. Or call or email me and I'll give you a list of other nearby hotels. If you are on the listserv, you already know this and have received the list of alternate hotels. If you are not on the listserv, you should be!!

Side Trips: You still have plenty of time to sign up for the optional side trips put together by Logistics. They will join us at registration to take last-minute reservations. However, some events may have to be canceled if we don't have enough interest ahead of time. As with the hotel, vendors can't leave a lot of vacant spaces for the last minute, when most of these trips would otherwise sell out. This is definitely true of the Whale Fat Follies on Aug. 10 — it sells out every night, so they can't allow us to hold seats back till the last minute. If you want to attend that one, contact Logistics by **July 9** to ensure you get a seat. It's bawdy but fun!

Babysitters: We will have babysitters available during the banquet on Thursday night. We will order pizza, show kid-friendly videos, and have some games available. Please let me know if you wish to use this service so we'll know how many to expect. If you need a sitter for any other time, you may contact Megan Alletson at (907) 344-3002 or email: megan_renee_05@hotmail.com. Megan is the daughter of our representative from Logistics. She will provide you with resumes of some teenage girls who are experienced sitters and will make arrangements with you directly.

What to Wear: Expect highs in the 60's and lows in the 40's or 50's. You might need anything from shorts to hats and gloves! Bring clothes you can layer. Our social events take place on the water by a glacier, and on top of a mountain where there is likely to be some snow. You don't have to play in it, but you might want to, so come prepared. August can be rainy in Alaska, but the rain in Anchorage is normally just drizzle. If you are headed for other parts of Alaska, you might get into "real" rain. **Banquet Dress:** President Ed Smith has decided that our banquet attire will be casual, since Alaska is an unpretentious kind of place. You will have more room in your luggage for layers because you don't need to pack anything fancy!

What to Bring: Don't forget the raffle to benefit the Educational Fund. You don't need to bring a whole basket (though you are welcome to!) — just an item from your state, or something you have created yourself.

Can't wait to see you all.

TREASURER'S REPORT

June 2004

QUARTER	INCOME	EXPENSES	BALANCE
December 2001	21,890.44	2,040.13	115,549.07
March 2002	761.68	4,157.75	112,153.00
June 2002	16,105.56	3,822.70	124,435.86
September 2002	2,636.75	6,381.39	123,880.26
December 2002	3,672.30	11,239.47	116,313.09
March 2003	1,680.02	3,686.79	114,306.32
June 2003	15,911.61	5,454.19	124,763.74
September 2003	9,756.05	10,266.96	124,252.83
December 2003	14,496.42	10,106.76	128,642.48
March 2004	2,192.70	2,743.93	128,091.26

As of March 31, 2004, the NCACC portfolio consisted of:

Cash	4,826.05
Merrill Lynch Ready Assets (.51%)	15,791.79
CD: Chesapeake Bank	
3.1% matures 6/7/04	20,000.00
3.1% matures 6/7/04	20,000.00
2.32% matures 3/20/05	20,000.00
3.5% matures 6/29/06	25,000.00
CD: NetBank	
4.0% matures 10/2/08	15,098.59
Interest receivable	47.55
Advance to Marilyn May (04)	2,000.00
Advance to Thomas D. Hall (05)	5,000.00
Advance to Windham Casa Marina	1,000.00
Advance to Hyatt Regency Chicago	459.50
Total	129,571.76

Educational Fund balance: 7,275.50



Sherie M. Welch, Treasurer
Clerk, Supreme Court of Georgia

2004-2005 NOMINATIONS

Lou Costa (IL), Chair

SANDRA L. SKINNER (MO)

Vice-President

Sandra L. Skinner is the Clerk of Court of the Missouri Court of Appeals, Southern District. Sandra graduated with a J.D. from the University of Missouri-Columbia in 1976 and with a B.A. in Political Science from Southwest Missouri State University in 1973, *cum laude*. Sandra had a private law practice for 13 years prior to being appointed Clerk of Court in May 1989. Sandra is active in the Springfield Metropolitan Bar Association and Missouri Bar Association. Sandra is married to Dennis Budd and they have two daughters, Hayley and Katie. Sandra enjoys music, nature trails, and traveling. Sandra served on the 1998-2000 Executive Committee.

WILLIAM A. DeCICCO (DC)

Secretary

William A. DeCicco is Clerk of Court for the United States Court of Appeals for the Armed Services. Bill has a B.A. (1971) from St. Mary's College in California, a J.D. (1975) from the University of San Francisco, and an L.L.M. (1985) from George Washington University. Bill served in the Navy Judge Advocate Generals' Corps from 1976 to 2001, retiring in the grade of Captain. Bill and his wife, Claudia, have two children.

DANIEL E. SHEAROUSE, JR. (SC)

Executive Committee

Daniel E. Shearouse, Jr., is Clerk of Court for the Supreme Court of South Carolina. Dan received his B.S. in Mechanical Engineering in 1976 from Clemson University and his J.D. in 1979 from the University of South Carolina. Dan served three years on active duty in the Judge Advocate General's Corps of the United States Army before being hired in 1983 as a staff attorney for the South Carolina Supreme Court. Dan was appointed chief of staff in 1985 and served in that position until he was appointed Clerk of Court in November 1998. Dan is a member of the United States Army Reserve and currently serves as the Commander of the 12th Legal Support Organization at Fort Jackson, South Carolina. Dan and his wife, Rebecca, have four daughters, Katie, Jackie, Danielle, and Jennifer.

BESSIE M. DECKER (MD)

Executive Committee

Bessie M. Decker is the Chief Deputy Clerk for the Court of Appeals of Maryland. Bessie has received an AA degree in Paralegal Studies. Bessie has served as Chief Deputy Clerk from May 1999 to the present. Bessie has served as deputy clerk from 1984 to 1999 and as Administrative Aide to the Rules Committee from January 1983 to July 1984. Bessie is married to Darwin E. Decker and they have one daughter, Nicole Elizabeth, and one granddaughter, Mackenzie Nicole. Bessie has served within the NCACC on various committees and was chairperson of the Awards Committee (2001-2002).

FREDERICK K. (FRITZ) OHLRICH (CA)

Executive Committee

Frederick K. Ohlrich is Clerk/Administrator of the California Supreme Court. Prior to his appointment to the court in 2000, Fritz served as the court administrator of the Los Angeles Municipal Court, the nation's largest limited jurisdiction court. Fritz began his government service in 1965 in the Ventura County Sheriff's Department where he served until becoming the assistant executive officer of the Ventura County Municipal Courts in 1974. Between 1976 and 2000, Fritz served in the Los Angeles County court system where he advanced to the position of administrator of the Los Angeles Municipal Court (110 judges and 23 commissioners). Fritz has served, or currently serves, on a number of state and national committees and organizations that address a variety of court management issues including judicial education, automation, budget, ethics, funding, and trial court performance standards. Fritz is currently an advisory member of the Judicial Council of California.

**NATIONAL CONFERENCE OF APPELLATE COURT CLERKS
THIRTIETH ANNUAL MEETING
ASHEVILLE, NORTH CAROLINA
SUNDAY, AUGUST 3, 2003
TO
THURSDAY, AUGUST 7, 2003**

Call to Order:

President Christie Cameron (NC) called the Thirtieth Annual Meeting to order at 3:00 p.m. on Sunday, August 3, 2003.

Roll Call of States:

Secretary Mary Ann Dix (OH) called the roll of states, recognizing each member registered and present. At the request of the Parliamentarian, David Beach (VA), President Cameron acknowledged the presence of a quorum of regular members. She then introduced the Officers and Executive Committee members.

Introduction of New Members:

President Cameron introduced seventeen new members and first time attendees of the conference. She also paired each new member with an Executive Committee member who would provide assistance to the new member during the conference.

Minutes:

President Cameron, noting that the minutes were published in the June 2003 issue of *The Docket*, called for a motion to waive the reading of the minutes of the Twenty-Ninth Annual Meeting held in Bloomington, Minnesota. Kenneth deBlanc (LA) moved to waive the reading of the minutes. William Suter (DC) seconded the motion. All present voted in favor; none were opposed. The motion carried and the minutes of the Twenty-Ninth Annual Meeting were approved as published.

President's Report:

President Cameron mentioned the names of special guests who would be making appearances at the conference, including the Chief Justice and several associate justices of the North Carolina Supreme Court. She also identified the staff from the Supreme Court who would be assisting at the conference.

For her report, President Cameron reviewed the relationships between the NCACC and other organizations and associations involved in court-related functions and the NCACC's involvement with them over the past year. Among other things, President Cameron mentioned that the National Center for State Courts provides association services, such as collection of membership fees. In addition, it provides an opportunity for an assembly of approximately 40 associations and their presidents for discussion of current issues. President Cameron also described the important issues pending before the Conference of Chief Justices, including budget strategy and security. She discussed the roles of the Conference of State Court Administrators (COSCA), the Conference of Appellate Staff Attorneys (COASA), the Conference of Court Public Information Officers (CCPIO), and the National Association of Court Managers (NACM). President Cameron announced that reference materials from the above groups and her notes and reports from the meetings she attended would be available for review by members during the conference.

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(Minutes continued from page 7)

Host Committee Report:

Conference host Frankie Holt (TN) welcomed the conference attendees and acknowledged the contribution of co-host Christie Cameron (NC) in the planning of the conference. The Conference Host reviewed the schedule of events and activities for members and their families. She also thanked the Convention Assistance Committee, chaired by Louise Pearson (TX).

Introduction of Retired Members:

President Cameron introduced the retired members in attendance and recognized the ways in which their continued participation benefits the conference. She identified William Fulton (VA) and Frans Labranche (LA) as the current chairs of the Retired Members Committee.

Committee Reports:

President Cameron called for the committee reports to be made.

Program Committee:

Terence Lord (MO), Chair, mentioned a few changes to the program that had to be made when scheduled speakers were not able to attend the conference. Stuart Cohen (NY) organized a pro se litigation panel in substitution for the scheduled session on document management. Also, Laura Roy (MO) was recruited as a substitute speaker for Theresa Owens (WI), in the breakout session on Appellate Settlement Conferences.

The Chair thanked each of the members of the Program Committee, including Steve Lancaster (IN), who organized the Vendor Show. He also expressed his appreciation to those members, including retired members, for their willingness to serve as speakers and moderators. The Chair expressed gratitude to Christie Cameron (NC) and Frankie Holt (TN) for their ideas and assistance with planning the program. He also thanked members of the conference who provided program ideas through the listserv, through their evaluations of prior programs and their responses to surveys.

Awards Committee:

The Chair, William Suter (DC), thanked the members of the Committee, especially Kathleen Kempsey (AZ), who arranged for plaques to be produced. He also reported that the Committee's recommendations for the Morgan Thomas award (to be presented on Tuesday night) and the J.O. Sentell award (to be presented on Thursday night) were adopted by the Executive Committee. The Chair expressed his gratitude to the United States Supreme Court for its contributions in providing the awards.

The President commented on the effective and committed manner in which the committees of the NCACC operate.

Convention Assistance Committee:

Louise Pearson (TX), Chair, reported that the Committee had met its duty to review the bylaws and operational guidelines throughout the year but did not have any recommendations for changes to make to the Bylaws Committee this year. The Chair explained that the Committee would be providing assistance with registration, the fun-run walk, the Thursday night banquet and the Fellowship Suite. She thanked all the members of the Committee, including ex officio members, for their efforts. She also announced that anyone with questions should feel free to contact a member of the Committee for assistance.

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Finance and Investment Committee/Alternative Funding Committee:

Treasurer Sherie Welch (GA) presented the Treasurer's Report. She pointed out that the Education Fund, under the Liabilities and Fund Balance section, increased from last year's total of \$200 to a current total of \$1,155. She explained that the Fund was increasing due to fund-raising efforts occurring at the conference, such as the sale of shirts, hats and pins and the silent auction. The Treasurer reminded the members of the loss of certain funds from the American Bar Association (\$10,000 annually to cover programming at the annual conference) and that a strategy to replace that loss included the establishment of a restricted, education fund. It is hoped that the fund-raising efforts will also enable the conference to solicit funds for its educational programs from other sources. Treasurer Welch explained that donations to the Education Fund are tax deductible and purchases are tax deductible for any amount above the value of the item purchased.

President Cameron recognized Sherie Welch (GA) and Past-President Penny Miller (ND) for their foresight and efforts in establishing alternative funding to support the continued vitality of the educational program.

Long Range Planning Committee:

John Lowe (MI), Chair, reported on the committee's work on surveying members' opinions in the past year. The Committee, in response to a request of the President, first collated and summarized the results of a survey conducted last year. Then the Committee promulgated a second survey and focused on more specific areas, including the listserv, the web site and exchange of information generally. The Chair thanked members for their responses and input and advised the members that the Committee would use the survey results to address long-range planning issues.

President Cameron mentioned that the Executive Committee had reviewed the survey summary in detail at the Executive Committee meeting. She predicted that the work of the Long Range Planning Committee would assist the Executive Committee in setting objectives for the coming year.

Membership Committee:

William DeCicco (DC), Chair, thanked the committee members for their efforts this year. He reported that the membership stands at 261, an increase from 249 at the same time last year. The membership includes 217 active members, 34 retired members and the remaining 10 are other members. The Chair reported that, in response to a request from the President, the Committee had directed special effort to the recruitment of federal clerks and deputy clerks, and clerks and deputy clerks from states that were not currently represented. The Committee sent an application package, along with a letter from William Suter, Clerk of the United States Supreme Court, to each of those clerks and deputy clerks.

Past Presidents Committee:

Chair Penny Miller (ND) reported that the committee's efforts to organize the historical records retrieved from the National Center for State Courts is continuing. She credited Leslie Gradet (MD) with expending a great deal of effort in archiving seven boxes of documents. The committee will continue these efforts to organize and archive the records in the coming year.

Pictorial Directory:

Chair Kenneth deBlanc (LA) reported that the pictorial directory was mailed to members previously and that extra copies were available. He thanked his committee members and especially his Chief Deputy Clerk, Charles McNeely, who did much of the work to complete the Directory. The Chair reminded all members to update their biographical
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(Minutes continued from page 9)

information. He urged members who do not have a picture in the directory to submit their original photographs (in color or black and white but not digital).

Publications Committee:

Thomas Hall (FL) reported in the absence of Diana Pratt-Wyatt (LA), Chair, that this year's issues of *The Docket* were published on time. He commended Diana and her assistant, Brenda Stephens, for their efforts to ensure publication of *The Docket* and expressed gratitude to members who provided articles. He also mentioned that the Executive Committee had discussed the possibility of sending *The Docket* electronically in lieu of mailing copies.

Public Relations:

Judy Pacheco (WY), Chair, discussed proposed changes to the bylaws to redefine the focus of the Public Relations Committee and to permit more members on the committee. She reported that the committee had re-written guidelines to account for the organizational changes and to provide more flexibility in what the Committee can do to further the work of the conference. The committee is working to establish better communication with other organizations and to identify target audiences. The Chair also asked if members could locate the committee's notebook that should be passed on from the previous chair. She thanked the members of her committee.

Retired Members (select) Committee:

Frans Labranche (LA) and William Fulton (VA) reported on the activities of the committee during the past year, including the preparation of a panel presentation by retired clerks for this year's conference. Also, members of the committee wrote articles for each issue of *The Docket*. Jean Kennett (MA) composed two articles and John Scott (KY) and William Fulton (VA) each wrote one.

The committee has been operating in close association with the President and therefore suggested that a liaison with the Executive Committee is not essential. In addition, the retired members proposed that, if the committee is continued, it be limited to retirees.

Scholarship Committee:

Juleann Hornyak (IL), Chair, reminded the members that the guidelines for scholarship assistance were amended and published in the January issue of *The Docket*. Among other things, the \$750 cap on individual scholarships was removed and the Scholarship Committee now has the authority to recommend to the Executive Committee up to \$5,000 in scholarships annually. Also, unused scholarship funds can be rolled over to next year's scholarship fund. The Chair reported that this year there were two applications received and awarded – one for full and one for partial scholarship. The Chair thanked Stuart Cohen (NY) who served as the committee's liaison to the Executive Committee.

President Cameron encouraged members to take advantage of the scholarship fund especially during times of state budget crises.

Site Selection Committee:

Chair Paul McGill (CA) expressed gratitude to his committee members. He announced that the conference in 2006, following the conference in Key West in 2005, would be in Fort Worth, Texas. The Chair also reported that the committee actively sought other future venues, including Sacramento, California, Las Vegas, Nevada, New Orleans, Louisiana, and Philadelphia, Pennsylvania. The committee report concluded with a video presentation on the Fort Worth site.

Technology Committee:

(Continued on page 11)

(Minutes continued from page 10)

John Olivier (LA), Chair, reported that the Committee continues to be involved with the Joint Technology Committee established by the Conference of State Court Administrators and the National Association of Court Managers. The Joint Technology Committee is developing court technology standards, including standards for case management and case tracking. The committee's functional standards have been endorsed by the Conference of Chief Justices.

The Chair reported that the court technology committee's plan to have a meeting to review the technology standards was not funded; however, some court administrators may get funding. It is possible that the standards may be disseminated for comments prior to any meeting.

Nominating Committee:

Michael Yerly (CA), Chair, thanked the members of his committee. He then submitted the committee's nominations for officers and executive committee members as follows:

Terence Lord (MO) for the office of Vice President;

Sherie Welch (GA) for the office of Treasurer;

Mary Ann Dix (OH) for the unexpired term of Secretary; and

Susan Clary (KY), Charles McNeely (LA), and Dan Schuckers (PA) for two-year terms on the Executive Committee.

President Cameron called for nominations from the floor and hearing none, announced that the vote would be taken on Thursday during the second session of the business meeting.

Bylaws Committee:

Steven Lancaster (IN) made the committee report on behalf of Chair Theresa Owens (WI). The committee's proposed amendments to the bylaws, related to the establishment of the Education Fund, were published as required in *The Docket*. The committee's proposed amendments related to the Public Relations Committee were not published in advance as required by Article XI:

Article XI, Procedures for Amending Bylaws. If a proposed amendment is not submitted to the Executive Committee by the April 1 deadline set forth in Article XI, Section 1, the membership may consider the late Amendment pursuant to Article XI, Section 2, which provides: Notwithstanding the foregoing provision, amendments to the Bylaws submitted after April first may be considered by the membership at the annual business meeting provided that the membership consents to a suspension of the provisions of Article XI, Section 1, by a vote of seventy-five percent (75%) of the members then present and entitled to vote, and provided further that the quorum requirements of Article IV have been met.

Pursuant to Article XI, Frank Drumm (CT) moved and Penny Miller (ND) seconded a motion to suspend the provisions of Article XI, Section 1. The motion carried unanimously.

President Cameron announced that the vote on the proposed amendments would be taken on Thursday, at the second session of the business meeting. She then announced the conclusion of the Committee Reports and proceeded to Other Business.

(Continued on page 12)

Special Reports:

Ed Smith (MT) directed members to the committee sign-up sheets. He also announced that Steve Lancaster will serve as the next Chair of the Program Committee and that Christine Crow (LA) will serve as the Vice-Chair.

It was announced that the reception to follow the meeting would be sponsored in part by fees, BNA, and the North Carolina Bar Association.

At 4:45 p.m., President Cameron announced adjournment until Thursday, August 7, at 11:15 a.m.

The Thirtieth Annual Business Meeting resumed at 11:15 a.m. on Thursday, August 7, 2003, with a call to order by President Cameron. She noted the history of the NCACC gavel and sounding block. Each was hand-made by Paul W. Mims of South Carolina, husband of NCACC member Reba Mims (SC), and presented to the NCACC. The gavel and block were made from a desk that was located in South Carolina's State Capitol Building prior to 1886.

President Cameron then called for a show of hands of regular members, and the Parliamentarian, David Beach (VA), noted the presence of a quorum.

President Cameron reported that Treasurer Sherie Welch (GA) will submit an update in *The Docket* to reflect the funds raised during the conference but there was no further report from the Treasurer.

President Cameron then called for the Nominating Committee to continue its report from Sunday, August 3, 2003.

Nominating Committee Report (continued):

The Chair of the Nominating Committee, Michael Yerly (CA), submitted the nomination of Terence Lord for Vice President. President Cameron called for nominations from the floor and, hearing none, Jon Wheeler (FL) moved that the nomination be closed and the nominee elected by acclamation. Colette Bruggman (ND) seconded the motion. All present voted in favor; none opposed. Motion carried.

The Chair submitted the nomination of Mary Ann Dix (OH) for the unexpired term of Ashley Ahearn (MA) as Secretary. President Cameron called for nominations from the floor and, hearing none, Joe Lane (CA) moved that the nomination be closed and the nominee elected by acclamation. Judy Pacheco (WY) seconded the motion. All present voted in favor; none opposed. Motion carried.

The Chair submitted the nomination of Sherie Welch (GA) for Treasurer. President Cameron called for nominations from the floor and, hearing none, William Suter (DC) moved that the nomination be closed and the nominee elected by acclamation. Phil Urry (AZ) seconded the motion. All present voted in favor; none opposed. Motion carried.

The Chair submitted the nominations of Susan Clary (KY), Charles "Kelly" McNeely (LA), and Daniel Schuckers (PA) for the Executive Committee. President Cameron called for nominations from the floor and, hearing none, Joe Lane (CA) moved that the nominations be closed and the nominees elected by acclamation. Peter Fitzgerald (LA) seconded the motion. All present voted in favor; none opposed. Motion carried.

Bylaws Committee Report (continued):

President Cameron called for Steve Lancaster (IN) to proceed with the discussion of the amendments proposed by the Bylaws Committee. He submitted, as published, the proposed amendment regarding the Educational Fund Commit-

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tee, that was timely submitted by the Executive Committee and published as required by Article XI, Section 1.

President Cameron called for discussion, and hearing none, called for a motion to approve the amendments as presented. Kenneth deBlanc (LA) so moved, and Norman Herring (DC) seconded the motion. All those present voted in favor; none were opposed. Motion carried.

The following amendment was then submitted, having the vote of the conference to suspend the provisions of Article XI, Section 1:

Article VII, Section 3(c)(15) Public Relations Committee. The purpose of this Committee is to promote the mission and objectives of the NCACC by providing information about the Conference to the CCJ, COSCA, and other national organizations focused on court management. The Public Relations Committee shall be composed of nine members of the Conference.

Thomas Hall (FL) moved to amend the committee's proposal with “, and its members” at the end of the first sentence. The motion was seconded by Jon Wheeler (FL).

A motion to adopt the Committee's amendment was made by Stuart Cohen (NY) and was seconded by James Flynn (NJ). The motion by Thomas Hall (FL) was accepted as a friendly amendment and the final proposed amendment was verified by the President. Hearing no further discussion, the President called for a vote. All present voted in favor; none were opposed. The motion carried.

Resolutions and Memorials:

Chair of the Committee, Carol Green (KS), recognized the contributions of the committee members and the committee's liaison to the Executive Committee, Marilyn May (AK). On behalf of the Committee, she then moved that resolutions for the following be approved as read:

- ♦ *The Docket* Editor Diana Pratt-Wyatt and her assistant Brenda Stephens
- ♦ West Group represented by John Nelson, David George, Alicia DeGroff, Rick Wheeler, and Beth Nielsen
- ♦ Lexis-Nexis represented by Nikki Daugherty, Kenneth Hoover, and Sherry Robinson
- ♦ Bureau of National Affairs represented by Janis Keough
- ♦ Vendor Show Coordinator Steve Lancaster (IN)
- ♦ Court Smart Digital Systems, Inc., represented by Andrew Treinis
- ♦ Real Legal represented by Jeff Parkhurst
- ♦ Jefferson Audio Video Systems (JAVS) represented by David Green
- ♦ Main Street Technologies, Inc., represented by Steven Farr and Dalton Sirmans
- ♦ Oliver-Walrath represented by Julia Walrath
- ♦ Verilaw Technologies, Inc., represented by Brett Amdur, Joseph Helfrich, Jake Lamotta, Paul Wieser, and Larry Jacobs
- ♦ Enabling Industries, Inc., represented by Paul Moran
- ♦ Government Micro Resources represented by Chelsea Schalton
- ♦ SunSpree Resort General Manager Stephanie Dutcher and staff members Ellen Pettigrew, Nedra Vazquez, and Connie Nuckolls
- ♦ Jane Whilden with the Western Governor's Mansion Staff of Governor Michael Easley
- ♦ Convention Assistance Committee Chair Louise Pearson (TX) and members of the Committee
- ♦ Program Committee Chair Terry Lord (MO) and members of the Committee
- ♦ Staff of the North Carolina Supreme Court Clerk's Office: Shaula Brannan, Carol Templeton, Ashley Joyner, Sam Craven, Jerimiah Matthews, Marguerite Dean, Joan Davis, Joyce McFarland, and Mary Rose Knight

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- ♦ 30th Annual Meeting co-hosts Christie Speir Cameron (NC) and Frankie Holt (TN)

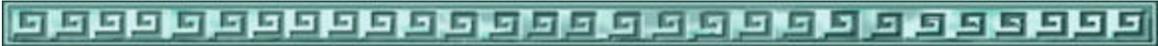
The motion was seconded by Bessie Decker (MD). All present voted in favor; none opposed. The motion carried.

President Cameron then addressed a few items of Other Business. At the request of the Executive Committee, the President recognized the efforts of the National Center for State Courts in assisting the organization with secretariat and association services. She also recognized the special contributions that the staff of the North Carolina Supreme Court made to the success of the conference. The President also mentioned that the organization is now able to support memorials and honorariums through the Education Fund and that cards will be purchased that can be sent on behalf of the organization.

President Cameron invited Marilyn May (AK), the host of the 2004 conference in Alaska, to present information about the next conference. As part of the presentation to the membership, a short video on Anchorage was shown.

There being no further business, the meeting was adjourned.

Respectfully submitted the 7th day of August, 2003.



MEMBERSHIP REPORT

Rob Phelps (GA), Chair

The membership committee identified those appellate clerks who were not members of the NCACC and in December 2003 mailed to each a letter of invitation to join, along with a copy of the DOCKET, a membership pamphlet, and a complimentary copy of the membership directory. In the Spring 2004 another letter was sent with information about the upcoming conference in Anchorage, a copy of the April 2004 DOCKET, and was followed by personal letters or contacts by members of the committee within geographical proximity.

Also in the Fall 2003 the membership rolls were reviewed by the Executive Board and it was decided to eliminate the names of those who had not paid dues or made any contact with the NCACC for several years. After dropping approximately 40 names from the rolls, we remain strong at 231 members, with 13 new members joining in the past year as of May 1, 2004.



NCACC EDUCATION FUND DONORS

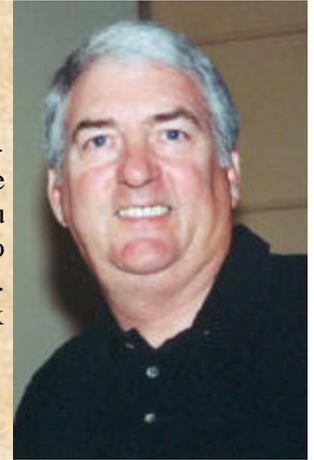
Contributions have been received from the following members December 1, 2003 through May 17, 2004. Thank you for your generosity and belief in the educational goals and objectives of NCACC!

David A. Anderson
Colette Bruggman
Robert F. Comeau
Col. William S. Fulton, Jr.
Edward W. Hosken, Jr.
Frans J. Labranche, Jr.
Reba D. Mims
Daniel R. Schuckers
Diana Pratt Wyatt

Irene M. Bizzoso
Glen D. Clark
Nancy Turck Foley
Leslie D. Gradet
Jean M. Kennett
Penny Miller
Frederick K. Ohlrich
Sherie M. Welch

Facts, Fiction, & Foolishness

By Leslie Steen (AR)



As most of you know, this is the edition of **The Docket** where we usually provide our annual travel advisory for the upcoming conference. Because we are pilgrims like most of the rest of you, we do not have any useful information to pass on about Alaska except to tell you to remember when the ship is sinking, it is women and children first. However, as you also know, it is a very rare time indeed that we do not have some advice or suggestions to share. Here are a few we think you may wish to use either in Alaska, your office, or your own back yard.

- ◇ If you are choking on an ice cube, don't panic. Simply pour a cup of boiling water down your throat and presto! The blockage will be almost instantly removed.
- ◇ Clumsy? Avoid cutting yourself while slicing vegetables by getting someone else to hold them while you chop away.
- ◇ High blood pressure sufferers: simply cut yourself and bleed for a while, thus reducing the pressure in you veins.
- ◇ A mouse trap, placed on top of your alarm clock, will prevent you from rolling over and going back to sleep when you hit the snooze button.
- ◇ Have a toothache? Simply hit your thumb with a hammer and you will forget all about your tooth.
- ◇ You only need two tools: WD40 and duct tape. If it doesn't move and it should, use WD40; if it does move and it shouldn't, use duct tape.
- ◇ Retirement advice: Think of this. If you bought \$1,000 of Nortel stock one year ago, it would now be worth \$49. With Enron, you would have \$16.50, and WorldCom, \$5. But, if you had purchased \$1,000 worth of beer and drank all the beer, then turned in the cans for the aluminum recycling price, you would have \$214. Based on the above, the current advice is to drink heavily and recycle. We call it the 401-Keg plan.
- ◇ And, finally, life is not a journey to the grave with the intention of arriving safely in a pretty and well preserved body, but rather to skid in broadside, thoroughly used up, totally worn out, and loudly proclaiming -- "WOW -- what a ride!!"

We do not want you to think of us as being just wise and prudent and trusted advisors; we are also very deep thinkers. We have pondered:

- ◇ If Wile Coyote has enough money to buy all that Acme stuff, why doesn't he just buy dinner?
- ◇ If electricity comes from electrons, does morality come from morons?
- ◇ Do illiterate people get the full effect of Alphabet Soup?
- ◇ Does pushing an elevator button more than once make it arrive faster?

If you have the answer to any of these questions, please do not wait until we arrive at Anchorage to tell us. Please call or email us immediately.

We are also currently searching Miss Manners's articles to see if she has any advice on the proper way to eat whale blubber. We can wait until we reach Alaska for answers to this question. As the noted philosopher Johnny Horton said, "North to Alaska, go north, the rush is on." We hope to see you there.

National Conference of Appellate Court Clerks
Diana Pratt-Wyatt, Editor
430 Fannin Street
Shreveport, LA 71101



(Technology continued from page 3)

“...the Committee's biggest concern is that the Functional Standards for Appellate Courts are written like trial court standards.”

At this time, several members have been appointed to the JAD Team, but there is room for a few more. Ed Smith has appointed John Olivier, Supreme Court of Louisiana, Colette Bruggman, North Dakota Supreme Court, and Rory Perry, West Virginia Supreme Court, as the NCACC members of the JAD Team. As I understand it, the JAD Team will probably meet three times covering 2.5 days. Once the functional standards are finalized by the JAD Team, they will be presented to the NCACC for its endorsement. Thereafter, the functional standards will be submitted to the COSCA/NACM Joint Technology Committee for adoption. Dale Kasperek presented this information to the Joint Technology Committee earlier this spring.

Finally, Steve Lancaster has enlisted the services of Rory Perry, an NCACC member as well as a member of the Technology Committee, to do a presentation on managing technology at the conference in Anchorage. Rory has agreed to do this and we are excited to hear what he has to say. With all of this, the Technology Committee has not had adequate time to put together a survey of case management systems used by the various appellate courts as requested earlier.

