



2006 - 2007 J.O. Sentell Award Presentation



In 1979, the National Conference of Appellate Court Clerks established an award in honor of its founding member, J.O. Sentell. This award is the most prestigious for a member and is presented to those whose contributions and accomplishments have been an example for others to recognize and emulate. This award is presented to those who demonstrate extraordinary devotion to duty, unfailing support for our justice system and generosity in service to others. The recipient for this year's J.O. Sentell Award was appropriately awarded to Joseph A. Lane (CA).

Joseph received his B.A. from California State University at Northridge in 1975. He served as a deputy clerk with the Court of Appeal, Second Appellate District, Los Angeles, from 1979 to 1987, and as chief deputy clerk from 1988 to 1991. He was appointed Clerk of the Court in January 1992 and Clerk/ Administrator in January 1997. He is the seventh person to serve as Clerk of the Court since the court's creation in 1904.

Joseph is a member and past-president of the California Appellate Court Clerks Association and has been a member of the National Conference of Appellate Court Clerks (NCACC) since 1988. He was NCACC President 1998 – 1999, served on the Executive Committee 1993 – 1995, co-hosted the 2000 Annual Conference of the NCACC in Newport Beach; and chaired the Program Committee for the annual conference in 1994 and 1999, in addition to serving or chairing other committees.

He has also served as an advisory member to the California Judicial Council from 1997-1999; memberships; Appellate Advisory Committee and chair of Education Subcommittee 1992 -1996; Court Technology Committee, 1993-1996 and 2002 - 2005; Judicial Administration Institute of California, 1994-1998; National Associate of State Judicial Educators, 1993 & 1998; California Judicial Administration Conference Planning Committee (CJAC) 1999 and 1994; Point Panic Bodysurfing Club, Honolulu HI, 1998.

Joseph Lane has two children, Peter and Alison. His hobbies include golfing and surfing.

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who take care of our building 24/7. You see what happens elsewhere and security is of paramount importance. When we do the road trips, we work with our own security and with the host location security. Several years ago, we had an attack on the building, fortunately, it was not directed at any individuals. We had someone spray the front of the building with a noxious substance. He was brought to justice and served time for the vandalism. That was a real lesson to us.

CT: How do you feel about technology in the courthouse?

SC: "Technology is important. We are working on upgrading our case management system. We have tried to tweak our existing system as best we can. We have put up a website that has been a tremendous benefit to the bar and the public; it gives people a lot of information at their convenience. We would like to provide more in the future.

"The main thing for us in the future is upgrading our case management capabilities. We have an old system right now which we have had to work hard on to accommodate the many changes in our practices over the year. When we have a new system in place it will streamline our operations and make it easy to get the information out to the bar and the public." *CT*

THE DOCKET

News of the National Conference of Appellate Court Clerks

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Brenda Stephens (LA)	Assistant

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

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HELP KEEP US INFORMED!!



To Remit NCACC Membership Dues:

National Center of State Courts
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Williamsburg, VA 23185

The President's Page

By Sandra Skinner (MO)



As I begin to write this, my first contribution to the President's Page, there is a touch of fall in the air. All the things I thought I would do in June as summer was just getting started I will now try to do in September as fall is just getting started.

One of the first things I would like to do is say thank you very much to Stephanie Lavake for a great Ft. Worth conference. Stephanie may not have had control of the HOT weather but she sure had control of everything else. The flow of the conference from the main room to the breakout rooms, the convenience of a downtown hotel and the social events all went very smoothly thanks to her obvious planning and hard work. Andrew Weber and Tom Hall on the Program Committee gave us educational sessions that were interesting and useful. From Lewis & Clark to inter-generational management to "What's Bugging You", we can always take something home to implement or ponder. I have to note that I am hopeful someday we will not have so many clerks who, from personal experience, can tell us how their COOP worked during their natural or man-made disaster. I am grateful for their knowledge which allows us to prepare for what hopefully will never come. Finally, congratulations to a most-deserving Joe Lane for receiving the J.O. Sentell award.

Committee assignments have been made and a full list of the committees and their chairs appear in this issue. Many people volunteered for committee work at the annual conference. Year after year a commitment to the conference is seen in the time and energy given by its members. Several new members volunteered to serve on committees and to you I give extra thanks. By serving on a committee you

have shown an interest in becoming an integral part of the conference from the very beginning.

After the hard work of the Strategic Planning and Educational Fund Committees preparing and presenting its Strategic Plan to the conference, we are now going to the next step. For the next several months, Michael Guillot of Virtual Development Group will be conducting interviews of approximately 30 – 40 individuals. Some of these individuals are current or retired members of the NCACC; some are long-time friends of the conference and some are individuals with unique knowledge of associations similar to ours. This is a feasibility study to assess the potential of conducting a fundraising program to increase the investment in our Educational Fund. Mr. Guillot will be presenting his findings at our November 18 Executive Committee meeting in Pittsburgh. Our Past President Terry Lord touched on this last year and I want to stress it again this year. As we approach potential donors, we have to be able to tell them that the members of the NCACC support the goals of the strategic plan. We have to put our money where our mouth is. (Is that a sentence?) Anyway, if you contributed to the Educational Fund last year, please think about doing it again. If you have not yet contributed, please put us on your list and contribute this year. We try to make contributing fun, i.e., raffles, silent auctions, loud and raucous auctions and art fairs. However, don't wait for us to come to you. Contribute to something that will benefit the conference now and for years to come.

Now, just hand me a hammer and a paintbrush and I'll get started on those things I thought I would do in June. Maybe they will get done by the time I write my next President's Page.

BOO, HISS & CONGRATS!

By Carol Green (KS) and Christie Cameron (NC)

Sherie Welch (GA) is retiring at the end of the month after a mere 31 years with the Supreme Court of Georgia. I know they are going to miss her, but I think we may miss her even more! Her work with the Educational Foundation, as Treasurer for the organization, and on our Executive Committee for many years have produced real benefits to our organization. Besides all that, what will her foursome do at the annual golf tournament??? Well, on that, she said that she is missing Ft. Worth, but she'll help us out in New Orleans!

Happy Retirement, Sherie ... and THANKS!

2010 CONFERENCE BIDS

By Ed Smith (MT)

Can you believe we are into planning for the 2010 NCACC annual meeting? Your site selection committee is seeking proposals from our membership to host the 2010 conference. If any of you are interested in hosting, please provide the committee with your proposal, including location of the hotels and their rates, meeting space, and event possibilities.

All members are encouraged to promote their home states, and the committee will fairly assess all proposals. If you have questions, please contact me or any member of the site selection committee. Previous hosts can also assist in answering your questions.

We look forward to hearing from you.

Where We've Been... Where We're Going

1973	Washington DC	1991	St. Louis, MO
1974	Louisville, KY	1992	Washington, DC
1975	Flagstaff, AZ	1993	Nashville, TN
1976	Tarrytown, NY	1994	San Diego, CA
1977	Coeru D'Alene, ID	1995	San Antonio, TX
1978	Mackinac Island, MI	1996	Des Moines, IA
1979	Monterey, CA	1997	Point Clear, AL
1980	Orlando, FL	1998	Columbia River Gorge
1981	Jackson Hole, WY	1999	Portsmouth, NH
1982	Boston, MA	2000	Savannah, GA
1983	New Orleans, LA	2001	Newport Beach, CA
1984	Seattle, WA	2002	St. Paul, MN
1985	Lexington, KY	2003	Asheville, NC
1986	Austin, TX	2004	Anchorage, AK
1987	Hartford, CT	2005	Key West, FL
1988	Helena, MT	2006	Ft. Worth, TX
1989	Charleston, SC	2007	New Orleans, LA
1990	Tucson, AZ	2008	Pittsburg, PA
		2009	Sacramento, CA

FROM THE NOMINATING COMMITTEE

By Pete Fitzgerald (LA)

The positions for nomination at the 2007 Annual Conference are:

1. Vice-President, currently held by Tom Hall
2. Treasurer, currently held by Marilyn May
3. Three Executive Committee positions, currently held by Garland Pinkston, Trish Harrington, and Irene Bizzoso

Nomination forms will be included in the winter edition of *THE DOCKET*. Start thinking now about potential nominees, including the possibility of self-nomination. The Nominating Committee relies heavily on names which come from the membership. If you have questions or suggestions, please contact Pete Fitzgerald at 504-376-1400 or via email at pfitzgerald@fifthcircuit.org.

NCACC AWARDS COMMITTEE REQUESTS YOUR SUGGESTIONS

Now is the time for you to submit your suggestions to the Awards Committee for the person or persons you wish to consider for the **J. O. Sentell Award** at the next annual conference in New Orleans, LA. Although our guidelines do not require solicitation of suggestions for the **Morgan Thomas Award**, we are, nevertheless, asking for your ideas again this year.

The **J. O. Sentell Award** is given to recognize distinguished service by a member of the National Conference of Appellate Court Clerks who has contributed substantially to the objectives of the conference. Our objectives according to Article II of our By-Laws include improving skill and knowledge through conferences, seminars or other educational programs; promoting and improving the contribution of appellate court clerk offices within the area of effective court administration; and collecting and dissemination of information and ideas concerning the operation and improvement of the offices of appellate court clerks. According to Senator Heflin's tribute entered into the Congressional Record, James Oscar Sentell, Jr. was born in Alabama in 1909. He practiced law in Alabama. In 1967, he was appointed deputy clerk of the Alabama Supreme Court. A year later he became clerk of that court, serving until 1982. He was one of the founders and first president of the National Conference of Appellate Court Clerks. According to Senator Heflin, Mr. Sentell made immeasurable contributions to Alabama's justice system as clerk of the Supreme Court of Alabama. Senator Heflin further described J. O. Sentell as a great public servant possessing a keen and analytical mind with perceptive insight and integrity beyond reproach.

Past recipients of the **J. O. Sentell Award**, the year of the award and the location of the conference are as follows:

<u>RECIPIENT</u>	<u>COURT</u>	<u>CITY</u>	<u>CONFERENCE YEAR</u>
J. O. Sentell	Alabama Supreme Court	Monterey, CA	1979
Ronald L. Dzierbicki	Michigan Court of Appeals	Orlando, FL	1980
Wilfried J. Kramer	California Court of Appeals Third District	Jackson Hole, WY	1981
Morgan Thomas	Georgia Court of Appeals	Boston, MA	1982
Lewis Carter	Kansas Supreme Court and Court of Appeals	New Orleans, LA	1983
Mary Ann Hopkins- Young	Arizona Supreme Court	Seattle, WA	1984
Alexander L. Stevas	Supreme Court of United States	Lexington, KY	1985
Luella Dunn	North Dakota Supreme Court and Court of Appeals	Austin, TX	1986
Jean Kennett	Supreme Judicial Court Commonwealth of Massachusetts	Hartford, CT	1987
John Scott	Kentucky Supreme Court and Court of Appeals	Helena, MT	1988

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Joline Williams	Georgia Supreme Court	Charleston, SC	1989
Frans LaBranche	Louisiana Supreme Court	Tucson, AZ	1990
Jill Engel	South Dakota Supreme Court	St Louis, MO	1991
Rema Mims	South Carolina Court Appeals	Washington, D.C.	1992
Steve Townsend	New Jersey Supreme Court	Nashville, TN	1993
Peggy Stevens McGraw	Missouri Court of Appeals	San Diego, CA	1994
Kevin Swanson	California Court of Appeal Fifth District	San Antonio, TX	1995
Glen D. Clark	Arizona Court of Appeals, Division One	Des Moines, IA	1996
William S. Fulton, Jr.	U.S. Army Court of Criminal Appeals, Retired	Point Clear, AL	1997
Ella Williams	Michigan Court of Appeals, Retired	Skamania, WA	1998
Joyce A. Goldsmith	Arizona Court of Appeals, Division Two	Portsmouth, NH	1999
John H. Wilkerson, Jr.	Alabama Court of Appeals	Savannah, GA	2000
R. Keith Richardson	Iowa Supreme Court and Court of Appeals	Newport Beach, CA	2001
Marilyn L. Graves	Wisconsin Supreme Court and Court of Appeals	Minneapolis, MN	2002
David B. Beach	Supreme Court of Virginia	Asheville, NC	2003
Penny L. Miller	North Dakota Supreme Court	Anchorage, AK	2004
Kenneth J. DeBlanc	Louisiana Court of Appeals, Third Circuit (Retired)	Key West, FL	2005
Joseph Lane	California Court of Appeal Second Appellate District	Ft. Worth, TX	2006

☆☆☆☆☆

(Awards continued on page 8)

Facts, Fiction, & Foolishness

By Leslie Steen (AR)



Doctors' handwriting and signatures have been taken to task over the years for being unreadable and illegible. Numerous jokes have been told about their lack of penmanship skills and late night hosts like to gig them whenever they can about their lack of pen control. Has anyone ever paid any attention to judges' handwriting? Have there ever been any jokes pointed at them for unreadable opinions and unrecognizable signatures?

It has been my pleasure over the years to receive outside income reports annually from all our circuit judges. Once upon a time, they did not have a line to print their names before they signed the form. After hours of struggling and hair pulling and cussing trying to decipher the names, I asked the Administrative Office to include an extra line for them to print or type their names. I think you will understand when you look at them. If anyone out there can correctly guess the name of any of these judges, you will win a prize of extraordinary value. And, people wonder why the laws are screwed up. Try this one.

A handwritten signature that appears to be "Joey McCat".

Oh, don't give up so easily. You are getting warmer!! Warmer!!! No, that is not Rumpelstiltskin, and that is not Judge Joey McCat - that is the signature of Judge Gordon W. "Mack" McCain, Jr. Now, wasn't that simple?? Let's try another just for fun.

A handwritten signature that appears to be "John H. Wright".

That's right. The first letter is a "J" - now sound it out, "Jjjjjjjjjjjjjjjssssssssssssmmmmmmmm".

Oh, good try, but too bad. Judge John H. Wright. Don't give up so easily. The rest are going to be more difficult. See what you can do with this husband and wife team.

A handwritten signature that appears to be "Wayne Gruber".

A handwritten signature that appears to be "Rita Gruber".

A clue: they really do have the same last name. Oh, that's right - the first initial is a "W"!! Congratulations. And, no, it is not "William" or "Williams." Look at the second name. Does that help you? Of course it doesn't. They are in a bad writing contest. "Rick," right? No, "Rick," wrong. Give up?? Judges and Mr. and Mrs. Wayne and Rita Gruber. Too bad.

Try the next four. At least you can get an initial right here.

A handwritten signature that appears to be "Kirk D. Johnson".

A handwritten signature that appears to be "Collins Killgore".

A handwritten signature that appears to be "Richard N. Moore, Jr.".

A handwritten signature that appears to be "Rice VanAusdall".

Good guess. Yes, the first initial of the first name is a "K." How many names start with "K?" You are right, too many for guessing. And the second one begins with "C" and third one is indeed an "R" and the fourth one is an "R". Come on, at least try. Don't you guys see 'Kirk D. Johnson,' 'Collins Killgore,' 'Richard N. Moore, Jr.,' and 'Rice VanAusdall' here? You guys are pathetic. And you call yourselves clerks. Okay, one last try. And if you can even guess one initial here, I'll shave my head for the next conference.

A handwritten signature that appears to be "Tim Fox".

A handwritten signature that appears to be "Russell Rogers".

As you can probably tell, the first name is very short. And, yes, the second name is longer - that is obvious due to all the extra work that went into it. Come on!! Don't give up on me. Now, do you understand why I asked for the line for the judges to print their names? Okay, okay, I'll put you out of your misery. That is Judge Tim Fox and Judge Russell Rogers. I know you are hanging your heads in shame because you did not get one of these right. Welcome to the club.

The **Morgan Thomas Award** is for recognition of an individual other than a regular member of the NCACC who has made distinguished contributions to enhancing professionalism and supporting the goals of the NCACC as a body and of its members individually. The award may, but need not, be given each year. Past recipients have been:

MORGAN THOMAS AWARD RECIPIENTS

1990	Charles Nelson	West Publishing Co.
1992	Justice James Duke Cameron Justice Harry A. Spencer Justice William A. Grimes	(AZ) Retired, (NE) Retired, and (NH) Retired
1995	Sandra M. Roos	American Bar Association
1996	Jane Sanchez Lew Tippet	Bureau of National Affairs Lexis/Nexis
1997	Michael J. Whetstone	West Publishing Co.
2003	Dwight D. Opperman	Former Chief Executive Officer West Publishing Co.
2005	Brenda Stephens	Administrative Assistant Louisiana Court of Appeals, 2 nd Cir.

Please provide your suggestions to us today by emailing or completing the separate insert and mailing it to:

Bill DeCicco
Clerk of Court
U.S. Court of Appeals for the Armed Forces
450 E. Street, NW
Washington, DC 20442
Fax Number (202) 761-1448
Bill.decicco@armfor.uscourts.gov

The deadline for submitting your suggestions is February 15, 2007.

**Submitted by:
Awards Committee**

Bill DeCicco (DC)	
Joseph Lane (CA)	Keith Richardson (IA)
Bill Suter (DC)	Christie Cameron (NC)
Kathleen Kempley (AZ)	Mike Yerly (CA)
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This committee consists of all retired members who wish to continue their participation in the NCACC.

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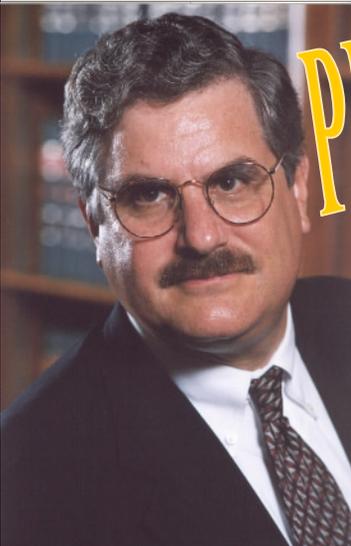
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Jim Pelzer (NY) Executive Committee Liaison



PROFILE

An interview with Stuart Cohen, (NY) in “*Court’s Today*” by Keith W. Strandberg, Editor-in-Chief, is reprinted, with permission.

CT: How did you become the clerk of the court of appeals?

SC: “I was a history major and I graduated from NYU School of Law. Before being clerk (I became clerk in 1996), I was deputy clerk. I also served as a law clerk here at the court of appeals. I was also a lawyer and an instructor at a school of law. I began my career as an appellate law research assistant.

“I’ve always been drawn to public service. I was drawn to the law clerk side of the justice system because I thought it would provide an opportunity to do something different. It allowed for more public contact, as well as contact with lawyers and judges.”

CT: What exactly does the Clerk of Courts do?

SC: “My primary function is case management. I have a staff of 80 people and we schedule the cases, keep track of the deadlines and make sure everything coming in complies with the court’s rules. We do a lot of threshold analysis—we look for potential problems with the papers and we get them in front of the court right away to resolve any issues. We have a central research staff and we maintain the building ourselves. The chief judge, by state statute, has custody and control of the building and grounds.

“We also do special projects. Last year, we completed a lengthy revision of our rules of practice, which took a couple of years. We also recently completed a renovation of our building, which dates back to the 1840s. We have also done some road trips—we travel and the court sits in other locations throughout the state. The original reason came from the renovation project, because the offices had to move outside the building, so we wanted to get out of the building and let the construction people work. We went to Brooklyn in 1992 and sat for a week. We had capacity crowds every day, lines out the building to get in, and the court really enjoyed it. In 2005, the court went to Buffalo and this year we went to Suffolk County on Long Island. It is a great opportunity for the local bars to see our court in action. It really helped foster a lot of understanding of how the courts work.

“My office is in charge of the moves. We do an advance trip and work with the local people working to coordinate the events and the security. Each of the trips requires a lot of preparation, both on our part and on the part of the hosting location. The trips have been wonderful and I think we will be doing more of these as well.”

CT: What do you think you do well?

SC: "I think I deal well with the public, the attorneys and the judges. We have a lot of disappointed litigants—every case has a winner and a loser, after all. I think it's important for the losers to understand the process and to know that their arguments were considered. We help people navigate through the rules. We help bring them their cases to the court. This helps them realize that the court has given their case proper consideration and they have received due process."

"We get a lot of people who are self represented and they present a special challenge and a real satisfaction in helping them navigate the system a little bit."

CT: What do you like about being clerk of courts?

SC: "I like working with the public and the bar. The other thing I really like about my job is that I think of myself as someone who helps important people do important things. It's a privilege to work so closely with the judges and to help them as much as I can in doing their very important work. I like being privy to their deliberations and their work."

"I am always present during the oral arguments before the court and I am always present during the deliberation conferences to assist the judges in any way I can."

CT: What don't you like?

SC: "When things pile up and I'm trying very hard to keep up with all the demands, that can be difficult. Some people are less pleasant to deal with than others, the disappointed litigants in particular."

CT: What is your biggest challenge?

SC: "My biggest challenge is keeping up with all the competing demands. The case management side presents a lot of challenges, as does keeping up the judges' needs, as well as the business side, the security side, the building side. As you can tell, there are a lot of balls to keep in the air."

CT: What are the unique problems facing your court?

SC: "One of the things we faced recently was the revival of capital punishment a few years ago and that meant creating a new structure to deal with these cases. We had to create a whole new case management structure, new rules. Other courts who have the death penalty have had it for some time, but it was a challenge to me and for our court."

"The renovation was challenging and my role was a unique challenge. We have a lot of help, thankfully, both in the court and outside. What gets the job done is everyone working together."

CT: Do you think the criminal justice system has improved since you've been on the job?

SC: "I think in a lot of ways, the system does run more smoothly from our point of view and I think that's because of the way cases are managed. We have a computer system but there is still a lot of hands-on scanning of paper. A lot of our business is done the old fashioned way. A lot of our work involves close examination of papers brought by attorneys and litigants."

CT: Are you optimistic about courts today?

SC: "I am very optimistic. I think the courts are really trying to keep up with the latest technology in case management. The dedication I see among the judges and the staff is really what keeps the whole thing going. Keeping up with the trends and technology, to the extent our budgets allow bodes well for improvement in the future."

"Our budget situation has been pretty good. The courts in New York State are dependent on the legislature for their funding. The court system has done pretty well, because the requests have been limited to what they have needed."

CT: How important is courthouse security in your mind?

SC: "I think it's very important. I do feel secure in our building. We have a well trained staff of security people"

Laughter is Lawful!

By Cathy Lusk (TX)

J.B. Smith, an eighth-grade dropout, cotton picker and sawmill sharecropper's step-child, licensed forensic hypnotist, ballroom dance instructor and country DJ, sometime bus driver and one-time salesman of Mary Kay cosmetics, is the longtime sheriff of Smith County, Texas.

When Texas Sheriff J.B. Smith stepped up to the microphone and delivered his speech, "Laughter is Lawful", as the featured speaker at the banquet ending this years' annual conference in Fort Worth, his message was clear: lighten up, laugh it up...or lose out!

Working the room like a stand-up comic, he reduced his audience to near helpless laughter with his tales of Texas lawmen. His stories of country cops and bubba bad guys truly are the stuff of his daily life. The Sheriff told his audience, "I look at things a little weird, You gotta remember: I run a jailhouse."

J.B. thoroughly enjoys his daily adventures as sheriff. "I get to help more people in 24 hours than a lot of folks do in a lifetime," he said. "Every day is totally different. Everything that walks through the door is different." What walks through often ends up in his favorite speeches. His speeches are quite a mixture of Hee-Haw and TV cop drama -- a kind of performance art on the absurdities of being a Texas Sheriff. He acts out showing off during a drug raid by leaping through a window, only to hit burglar bars. He crouches to tell of squatting behind a patrol car in a shootout, only to have the rookie he warned to take cover jump in the car and drive it away.

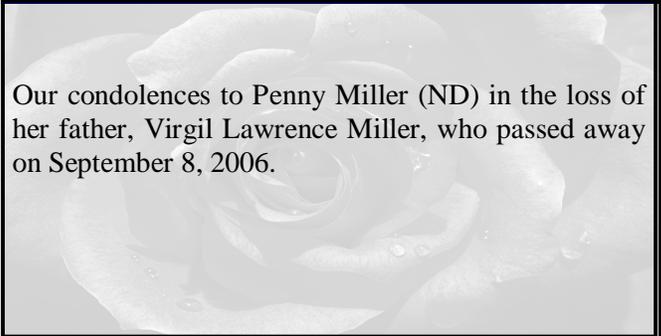
He always delivers the same message: the joy of letting a good story fly and sharing a laugh - especially at your own expense. "You go out there and mess up, you pull some Bubba stuff, and that makes a story. Nothing goes the way it's supposed to. You wind up doing some crazy, chaotic things, and later on, it becomes funny," the sheriff says. "It's amazing to me to be able to tell a story, with a good punch line, and look out to watch people die laughing."

J.B. freely admits, "I never really learned how to read well; I still to this day can't spell. I can't write script except to sign my name." He is "always excited about doing something new," and the Sheriff's latest "new thing" is his first attempt authoring a novel of true crime. You can purchase "The Christmas Day Murders" from his web site, www.sheriffjbsmith.com or from your local Barnes & Noble. (You can also request the Sheriff's appearance for a speaking engagement at his web site.)



Thank You

Thank you notes have been received from Steven K. Hayes, Director, Tarrant County Bar Association, and Brenda Williams, Association Manager, National Center for State Courts, thanking the membership for the Resolutions in their honor.



Our condolences to Penny Miller (ND) in the loss of her father, Virgil Lawrence Miller, who passed away on September 8, 2006.

We Want YOU!

Included as an insert to this issue of The Docket, is an information form for the directory. If you are a new member, please provide this information along with a 3X5 or 4X6 photo.

Current members may also use this form to update their information and submit an updated photo, if you wish. Please look at the 2005 directory to make sure your information is correct, and submit any changes that need to be made. Please give special attention to email addresses, as this is becoming a more preferred method of communication.

