

2014 Annual Conference

Richmond, Virginia

July 12 - 18, 2014

Trish Harrington (VA), Host



THE DOCKET
News of the National Conference of Appellate Court Clerks

Please mark your calendars for next year's NCACC annual meeting to be held in Richmond, Virginia. The conference will start with registration on Saturday, July 12, 2014 and continue through to the Critique Breakfast on Friday, July 18, 2014. We will be staying at the beautiful Omni Richmond Hotel, located in downtown Richmond. It is a short walk from the hotel to the Virginia Capitol, various state and federal courthouses, and many great restaurants. In addition, the hotel offers a shuttle that can transport you to many shops, museums, and local attractions. Richmond is rich in history, as it was the site of numerous critical events during the Revolutionary and Civil wars. Colonial Williamsburg is only 40 miles east and historic Charlottesville is approximately 70 miles northwest. Richmond and the surrounding areas also contain various activities for families and children of all ages. So, put the dates on your calendar now and make every effort to join us in Richmond. More details will be provided in future issues of *The Docket*.



<http://www.appellatecourtclerks.org/>

Inside This Edition:

2014 Annual Conference	Page 1
The President's Page Deena Fawcett (CA)	Page 3
2013 - 2014 NCACC Leadership	Page 4
Facts, Fiction, and Foolishness Leslie Steen (AR)	Page 5
Human Trafficking in the United States Catherine Wolfe (CA)	Page 6
Civics Education Catherine Wolfe (CA)	Page 6
Letter from Jean Kennett (MA)	Page 7
Legal Ethics Go to the Movies Amy Reitz (OH)	
2013 - 2014 Committees	Page 9



Help Keep Our Directory Updated!

Our directory is an important tool in networking with other members throughout the nation but it is only useful if the information is correct. Please take a moment to send your updated photos and information to:

Kelly McNeely 337-493-3012
NCACC Pictorial Directory
kmcneely@la3circuit.org
P. O. Box 16577
Lake Charles, LA 70615

THE DOCKET

News of the
National Conference of Appellate Court Clerks

President	Deena Fawcett (CA)
President Elect	John Olivier (LA)
Vice-President	Blake Hawthorne (TX)
Immed. Past President	Rory Perry (WV)

Secretary	Sherry Williamson (TX)
Treasurer	Christine Crow (LA)

Executive Committee	Polly Brock (CO)
	Eileen Fox (NH)
	Edythe A. Gaiser (WV)
	Tracie Lindeman (NV)
	Heather Smith (IN)
	Ruth Willingham (AZ)

Publication Committee

Leslie W. Steen (AR) Chair and Editor	(501) 682-6849 les.steen@arkansas.gov
--	--

Brenda Stephens (LA) Assistant Editor	bstephens@la2nd.org
--	--

Lillian Richie (LA)	lrichie@la2nd.org
---------------------	--

Patricia Harrington (VA)	pharrington@courts.state.va.us
--------------------------	--

Paula Garcia (CA)	paula.garcia@jud.ca.gov
-------------------	--

Kevin Lane (CA)	kevin.lane@jud.ca.gov
-----------------	--

Larry Royster (MI)	lroyster@courts.mi.gov
--------------------	--

Tracie Lindeman (NV)	tlindeman@nvcourts.nv.gov
----------------------	--



HELP KEEP US INFORMED!!

To Remit NCACC Membership Dues:

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

From the President's Desk

Deena Fawcett (CA)

Can you believe that we have a little over two months until New Year's Eve?! It seems like only yesterday that we celebrated the transition from 2012 to 2013. And, our 2013 conference seems like only yesterday, too, but it was over two months ago. I was surprised how quickly the deadline came for my first report to you. Time really does fly!

I want to send a heartfelt thank you to Rory Perry for his incredible leadership and hard work as our President this past year. I especially want to recognize his talents in maintaining and improving our website. He has contributed many hours to transforming our face to the public and making our website more user friendly.

What a fabulous conference! I commend our hosts, Tom Hall, Marilyn May, and Vickie VanLith, for planning, organizing, and executing such a successful conference. My burning question is...how exactly do you host when the hosts are located in Alaska and Florida, and the conference is in the State of Washington? This is a wonderful example of the knowledge and talents that our members possess. I hope this encourages other members to submit an invitation to host a conference even though you may not be located in the same city, or state, in which the conference will be held. It can be done!

At each conference the host designs a commemorative T-shirt. Since it was a very special year, our 40th Annual Meeting, our hosts designed a T-shirt with Seattle highlights on the front of the shirt. However, I was delighted with the back of the shirt because it listed the year and location of every conference beginning with our first conference in 1973 in Louisville, Kentucky, to our 40th conference in Seattle. Now I can pull out my T-shirt every time that I attempt to recall the year and location of a conference. And, more often than not, I need assistance in recalling the details of our past conferences. Such is life.

The focus of our annual meeting is our educational program. I realize that while we all enjoy the activities that accompany our program, we are there for the education. I extend a very special thank to Amy Reitz and the Program Committee for putting on an outstanding educational program. This committee is by far one of the hardest working committees. The committee members usually begin working on the program more than a year before the annual meeting. The sessions were very worthwhile and informative. Various articles included in this issue will recap the

sessions.

My gratitude is extended to Bloomberg BNA, LexisNexis, and Thomson Reuters. The reception (which always reminds me of a class reunion), the Edgewater Hotel and The Beatles (sound-alikes), and the Museum of Flight and the flight simulators, were a

great deal of fun and very memorable. Thank you so much for your continued support.

As President, I am fortunate to be invited to other conferences to represent the NCACC. The first invitation arrived from the Council of Chief Judges of the State Courts of Appeal which will be held in St. Louis, Missouri. Since the Executive Committee Meeting in Snowbird, Utah, conflicts with this conference, I requested Terry Lord, Past President, to attend in my place. Terry agreed to attend and will represent us. I believe it is extremely important for the NCACC to continue to interact with other national organizations which strengthens our relationships with them. We all benefit by learning from each other.

Speaking of how time flies, our 2014 annual conference will be upon us earlier than usual. The conference is scheduled for July 13-18 in Richmond, Virginia. Trish Harrington has been diligent in securing our conference location. Richmond is the capital of the Commonwealth of Virginia, which means it is an independent city and not part of any county. Please add this to your calendar and possibly include additional time to explore our country's heritage. It is truly an exciting city.

I am honored that you selected me to serve as your President. I am very excited by your support and encouragement. This is evident by the members that have volunteered to serve on and chair committees. Also, I welcome our new Executive Committee members: Edyth Nash Gaiser, Ruth Willingham, and Christine Crow, Treasurer. We will work together to accomplish the goals of the NCACC. I look forward to a productive and an enjoyable year.

(Continued on page 7)



2013 - 2014 Leadership

At the 2013 Annual Conference held in Seattle, Washington, the membership elected new officers and board members.



**Deena Fawcett, President
Clerk/Administrator
California Court of Appeal
Third District.**



**John T. Olivier, President Elect
Clerk of Court
Louisiana Supreme Court**



**Blake Hawthorne, Vice President
Clerk of Court
Supreme Court of Texas**



**Sherry Williamson, Secretary
Clerk of Court
Texas Court of Appeals
Eleventh District**



**Chris Crow, Treasurer
Clerk of Court
Court of Appeal, First Circuit
State of Louisiana**



**Rory Perry, Past President
Clerk of the West Virginia
Supreme Court of Appeals**

Executive Committee Members



**Polly Brock
Deputy Clerk
Colorado Court of Appeals**

**Eileen Fox
Clerk of Court
New Hampshire Supreme Court**



**Edythe Gaiser
Deputy Clerk
West Virginia Supreme
Court of Appeals**



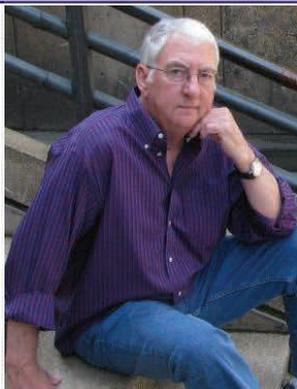
**Tracie Lindeman
Clerk of Court
Supreme Court of Nevada**



**Heather Smith
Deputy Clerk
Indiana Supreme
Court**



**Ruth Willingham
Clerk of Court
Arizona Court of
Appeals, Division One**



Facts, Fiction, and Foolishness

Les Steen (AR)

Over the years, genuine answers from the GED have re-circulated and they show up again from time to time. Most of the time they are “actual answers for the GED in Arkansas” or “actual answers from the GED in Mississippi.” Strange but the answers are usually the same from both states - ironic. In times past, I have used the material in FFF. A list has appeared again - this time from Texas. Although I am a cynic and don’t believe these are “genuine,” they are still funny. Remember, if these are indeed true, these youngsters are in the gene pool.

- Q. Explain one of the processes by which water can be made safe to drink?
A. Flirtation makes water safe to drink because it removes large pollutants like grit, sand, dead sheep, and canoeists.
- Q. What guarantees may a mortgage company insist on?
A. If you are buying a house, they will insist you are well endowed.
- Q. What causes the tides in the oceans?
A. The tides are a fight between the earth and the moon. All water tends to flow towards the moon because there is not water on the moon, and nature abhors a vacuum.
- Q. In a democratic society, how important are elections?
A. Very important. Sex can only happen when a male gets an election.
- Q. What are steroids?
A. Things for keeping carpets still on the stairs.
- Q. What happens to your body as you age?
A. When you get old, so do your bowels and you get intercontinental.
- Q. What happens when a boy reaches puberty?
A. He says goodbye to his boyhood and looks forward to his adultery.
- Q. Name a major disease associated with cigarettes?
A. Premature death.
- Q. What is a fibula?
A. A small lie.
- Q. What does “varicose” mean?
A. Nearby.
- Q. What is the most common form of birth control?
A. Most people prevent contraception by wearing a condominium.
- Q. Give the meaning of “caesarian section.”
A. A caesarian section is a district in Rome.
- Q. What is a terminal illness?
A. When you get sick at an airport.

- Q. Name the four seasons.
A. Salt, pepper, mustard, and ketchup.

You can probably understand why I am cynical, but you have to admit, some of these are funny.

HUMAN TRAFFICKING in the UNITED STATES



Dr. Dana Raigrodski, Assistant Director, Asian Law Center, University of Washington School of Law

Dr. Sutapa Basu, Executive Director and co-chair of the Human Trafficking Task Force, University of Washington Law School

Anita Ramasastry, D. Wayne, and Anne Gittinger, Professors of Law, University of Washington Law School

Velma Veloria, co-chair of the Human Trafficking Task Force, University of Washington Women's Center

Catherine Wolfe (CA)

Human trafficking - the forcible economic exploitation of individuals - is more pervasive than many Americans recognize. The practice affects approximately 20.9 million people (55% females and 45% males) each year and generates \$32 Billion/yr in profits. In addition, exploited persons lose \$21 Billion/yr in wages and illegal recruitment fees. In addition to sexual exploitation, American industries, in which trafficking is prevalent, include: domestic service, agriculture, manufacturing, janitorial services, hotel and hospitality, construction, health and elder care, and hair/nail salons.

This is an appropriate topic for the NCACC to address this year because Washington State was the first state to pass legislation that criminalizes trafficking. Washington remains in the forefront of efforts to address the problem

by implementing the four "Ps": prosecution, protection, prevention and partnership. Since 1995, when the presenters first addressed exploitation, the problem has grown due to globalization, the increasing deepening of poverty in the world and the development of migration trends.

Because exploitation relies upon the powerlessness and isolation of each individual who is trafficked it is very difficult to prosecute traffickers in a systemic way. Victims are afraid to come forward for fear of retribution. In the time it takes to prosecute a trafficker or pimp, a victim may move on and their testimony is lost.

The legal community's recognition of trafficking as an important legal issue will assist in educating society at large to its presence in the rural areas, small towns and urban centers across America.

Civics Education:

Reviving an Appreciation for the Three Branches of American Government

Catherine Wolfe (CA)

Justice Andrea Lynn Hoch, California Third District Court of Appeal and Frank McGuire, Court Administrator and Clerk, Supreme Court of California described California's many initiatives to educate young people and adults across the state about the work of the judiciary. In particular, the program materials they prepared provide courts considering public education programs a road map for planning and holding education events. Justice Hoch's account of events held at schools and the state fair



demonstrated that students and adults are very much interested in courts and the judges who decide cases.

Book signing, essay contests, historic themes, and teacher recognition awards were among the initiatives that were most successful. Clerks from other states mentioned programs they

have conducted along the model established by retired United States Supreme Court Justice Sandra Day O'Connor and "We the People."

From the desk of Jean Kennett (MA)

**TO
THE NATIONAL CONFERENCE OF APPELLATE COURT CLERKS
CONGRATULATIONS!**

How often we say “Where has the time gone?” For me, truer words could never be spoken, and these words were the first ones that flittered through my mind when my friend Ed Smith asked if I would send a few words of historical perspective along to commemorate NCACC’s Fortieth Anniversary.

Our directory, so generously produced by West Publishing Company, lists our Organizational Meeting as being held in Washington, D. C. in 1973. There were about 25 of us there that hot summer day. But before that, in 1971, Chief Justice Warren Burger asked Honorable Winslow Christian to take a leave of absence from the California appellate courts to become the first Director of the National Center for State Courts. With the full support of Chief Justice Burger, in 1972 Justice Christian brought together clerks of appellate courts from different parts of the country. After a day long meeting at the Dolley Madison House in Washington, D. C., those appellate clerks met over the next several months with the Education Committee of the ABA’s Appellate Judges Section.

Those of you who are Deputy or Assistant Clerks might be interested to know that there were a few clerks and one or two appellate judges who felt strongly that membership in the new organization should be limited to clerks only, and preferably only clerks who were lawyers. It was during one of these discussions with the appellate judges that a cough drop saved the day for the deputy or assistant clerks of the appellate world. I was an assistant clerk at the time and because I also took shorthand my clerk always took me along to these meetings. Justice William Grimes of the New Hampshire Supreme Court had a very bad cough that kept bothering him; as a smoker I always carried cough drops so passed them along to him. When his cough was under control, the justice asked “How far down the ladder do we have to go to make you eligible, Jean?” There was a genuine fear on the part of a few clerks that the deputies and assistants would take over the organization. After that, the form that an organization of appellate court clerks should take began to fall into shape. Finally, in the summer of 1973 we began.

That is where we chose our name. That is where we decided there should be a President, a President-Elect, a Vice President and a Secretary-Treasurer, an Executive Committee of six non-officer members and eventually a past president. That structure has stayed pretty much the same for forty years, the only change being the separation of the position of Secretary-Treasurer into two positions.

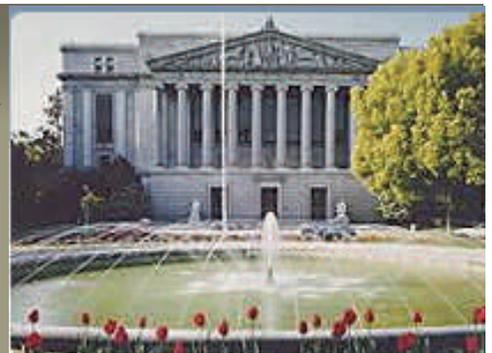
This is where I should say, “The rest as they say is history.” And it is. But the years that followed were the best ones. Help was always at the end of a telephone (at first) and then emails! Friendships were formed that were kept and nourished even after we moved on to other chapters in our lives; we watched the children who came to the Conference each year with a parent grow up and become parents themselves; and we were saddened when dear Conference friends passed away. Our numbers grew to include federal appellate court clerks, clerks of military appellate courts, as well as from as far away as Guam.

I am proud that I was witness to the seminal days and months of this wonderful organization and have been able to watch it grow and flourish over the years.

Congratulations NCACC – forge ahead into the next forty!

(Continued from page 3)

Since my next message to you will follow after the holidays, I wish you good health, happiness, love, and the best that life has to offer!



Legal Ethics Go to the Movies

Paul Bergman, Author, and Professor of Law Emeritus,
UCLA School of Law
Amy Reitz (OH)



On August 4, Paul Bergman, author of *Reel Justice: The Courtroom Goes to the Movies*, kicked off the educational component of the NCACC's 40th Annual Meeting, in Seattle, Washington. Paul shared several movie clips with us and explained that what people see in the movies regarding the legal system often becomes how they believe the legal system actually works. People remember the message but not its origin. Filmmakers reflect popular attitudes, including the concept that it is the attorney's job to sell his case to the jury. Paul shared clips of the 1942 movie *Roxie Hart* and the musical *Chicago*, which was based on *Roxie Hart*, as examples of trials full of showmanship and selling the story.

Paul also shared a movie clip from the 1932 movie *The Mouthpiece*, based on William Fallon's career. Mr. Fallon was an attorney who was considered the "mouthpiece for the mob." In the scene that Paul shared, William Fallon drank the poison that was submitted as an exhibit to prove that his client did not commit murder using the poison. Mr. Fallon then began to closely monitor the time on his watch, leading movie watchers to wonder why he was so focused on the time. The jury returned a not-guilty verdict, and immediately, Mr. Fallon exited the building and had his stomach pumped. This clip illustrates the image of lawyers as tricksters. In real life, William Fallon represented 126 clients accused of murder and got every one of them acquitted.

Paul shared several additional clips during his session. This session was an interesting and engaging way to kick off the educational program for the week.

WE WOULD LOVE TO VISIT YOU IN 2017!!

The Site Selection Committee is looking for members to host our Conference in 2017 to showcase their state. This invitation to host is open to all members who want to host including past hosts. If you have thought about hosting, now is the time to put in your bid. If you have any questions about submitting a bid proposal, please feel free to contact me. We would love to visit your beautiful state in 2017.

Sandra Skinner, Chair
417 895-6811
Site Selection Committee
sandra.skinner@courts.mo.gov

2013-2014 NCACC Committees

AWARDS COMMITTEE

Laura Roy (MO) - Chair
Ed Hosken (Retired, VA)
Joseph Lane (CA)
Christie Roeder (NC)
Polly Brock (CO) - Liaison

BYLAWS COMMITTEE

Jim Pelzer (Retired, NY) - Chair
Ed Hosken (Retired, VA)
Penny Miller (ND)
Daniel Shearouse (SC)
Charlene Ynson (CA)
John Olivier (LA) - Liaison

CONTRACTS COMMITTEE

Bill DeCicco (DC) - Chair
Susan Carlson (WA)
Eileen Fox (NH)
Steve Kenyon (ID)
Penny Miller (ND)
Heather Smith (IN) - Liaison

CONVENTION ASSISTANCE COMMITTEE

Heather Smith (IN) - Chair and Liaison
Polly Brock (CO)
Lisa Collins (UT)
Deena Fawcett (CA)
Eydie Gaiser (WV)
Petra Hulm (ND)
Claudia Jenks (TX)
Tracie Lindeman (NV)
Scott Mitchell (AL)
Rory Perry (WV)
Rex Renk (MT)
Mike Richie (OK)
Kevin Smith (IN)
Mac Squires (VA)
Les Steen (AR)
Carol Thompson (WY)
Renee Townsley (WA)
Deana Williamson (TX)



EDUCATIONAL FUND COMMITTEE

Eileen Fox (NH) - Chair and Liaison
Chris Crow (LA) - Treasurer
John Olivier (LA) - President-Elect

FINANCE AND INVESTMENT COMMITTEE

Chris Crow (LA) - Chair and Liaison
Irene Bizzoso (PA)
Ed Hosken (Retired, VA)
Marilyn May (AK)
Laura Roy (MO)

MEMBERSHIP COMMITTEE

Carol Anne Harley (TX) - Chair
Joseph Lane (CA)
Marilyn May (AK)
Scott Mitchell (AL)
Jon Wheeler (FL)
Deana Williamson (TX)
Eileen Fox (NH) - Liaison



NOMINATING COMMITTEE

Colette Bruggman (CA) - Chair
Susan Clary (KY)
Bill DeCicco (DC)
Steve Lancaster (IN)
Terry Lord (MO)
Marilyn May (AK)
Amy Reitz (OH)
Christie Roeder (NC)
Polly Brock (CO) - Liaison

PAST-PRESIDENTS' COMMITTEE

Rory Perry (WV) - Chair and Liaison
Marilyn May (AK)
William DeCicco (DC)
Susan Clary (KY)
Tom Hall (FL)
Steven Lancaster (IN)
Sandra Skinner (MO)
Terrence G. Lord (MO)
Ed Smith (MT)
Christie Roeder (NC)
Penny Miller (ND)
Michael Yerly (CA)
Leslie Gradet (MD)
Joseph Lane (CA)
Keith Richardson (IA)
Marilyn Graves (WI)
David Beach (VA)
Ella Williams (MI)
Stephen Townsend (NJ)
Frans Labranche (LA)
Jean Kennett (MA)
John Wilkerson (AL)

PICTORIAL DIRECTORY COMMITTEE

Kelly McNeely (LA) - Chair
Debbie Autrey (TX)
Joseph Lane (CA)
Jim Pelzer (Retired, NY)
Chris Prine (TX)
Rex Renk (MT)
Lillian Richie (LA)
Sandra Skinner (MO)
Deena Fawcett (CA) - Liaison

(Continued on page 10)

(Continued from page 9)

PROGRAM COMMITTEE

Blake Hawthorne (TX) - Chair and Liaison
Eydie Gaiser (WV) - Vice Chair and Vendor Chair
Greg Block (DC)
Polly Brock (CO)
Tim Gudas (NH)
Mary Carolyn Hackney (NC)
Jenny Kitchings (SC)
Tracie Lindeman (NV)
Amy Reitz (OH)
Doug Robelen (VA)

PUBLIC RELATIONS COMMITTEE

Kevin Lane (CA) - Chair
Janet Johnson (AZ)
Deana Williamson (TX)
Ruth Willingham (AZ) - Liaison

PUBLICATION COMMITTEE

Les Steen (AR) - Chair
Paula Garcia (CA)
Trish Harrington (VA)
Kevin Lane (CA)
Lillian Richie (LA)
Larry Royster (MI)
Tracie Lindeman (NV) - Liaison

RESOLUTIONS AND MEMORIALS COMMITTEE

Joseph Stanton (MA) - Chair
Eydie Gaiser (WV)
Ed Hosken (Retired, VA)
Tracie Lindeman (NV) - Liaison

SCHOLARSHIP COMMITTEE

Debbie Autrey (TX) - Chair
Susan Clary (KY)
Ed Hosken (Retired, VA)
Ruth Willingham (AZ) - Liaison

SITE SELECTION COMMITTEE

Sandra Skinner (MO) - Chair
Paula Garcia (CA)
Kevin Lane (CA)
Cathy Lusk (TX)
Rex Renk (MT)
Christie Roeder (NC)
Dan Shearouse (SC)
Ed Smith (MT)
Vickie Van Lith (FL)
Eydie Gaiser - (WV) - Liaison



STRATEGIC PLANNING COMMITTEE

Steve Lancaster (IN) - Chair
Greg Block (DC)
Colette Bruggman (CA)
Ed Hosken (Retired, VA)
Charlene Ynson (CA)
Blake Hawthorne (TX) - Ex-Officio and Liaison

TECHNOLOGY COMMITTEE

Jenny Kitchings (SC) - Chair
Greg Block (DC)
John Doerner (Retired, CO)
Tim Gudas (NH)
Tom Hall (FL)
Cynthia Rapp (DC)
Joseph Stanton (MA)
Renee Townsley (WA)
Rory Perry (WV) - Liaison

Congratulations!



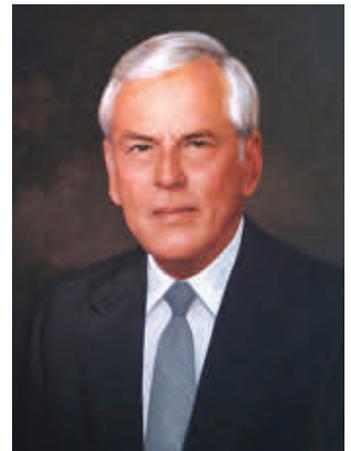
Congratulations to Thomas D. Hall who retires this month after thirteen years as Clerk of Court for the Supreme Court of Florida.

The Court appoints John A. Tomasino to become the next Clerk of Court and will begin serving on November 1, 2013.



Robert G. Esdale, Sr. retired in June, 2013 after serving the Supreme Court of Alabama for nearly thirty years as Clerk. Congratulations!

Julia Jordan Weller is selected as the new Clerk of the Supreme Court of Alabama.



Good times with good friends in Seattle!

