



THE 42ND NCACC ANNUAL CONFERENCE IN SNOWBIRD, UTAH—AUGUST 2 - 7, 2015 **SNOWBIRD WILL LEAVE YOU SMILING!!!**



NCACC's Forty-second Annual Meeting will be held August 2-7, 2015, at the Snowbird Resort's Cliff Lodge. The Cliff Lodge is out of our allotted rooms, but they have opened up rooms at their West Village property. Please make reservations today!!! For shuttle service from the airport, please contact Canyon Transportation, 801-255-1841, or book online, www.canyontransportation.com. Rates are \$39.00 one-way. or \$76.00, round trip.

In August, average temperatures at Snowbird range from 70°F to 45°F. It can be chilly at night, so please remember to pack a jacket or sweater. Temperatures in Salt Lake City, a mere 30 minutes down the canyon, average a high of 93°F and low of 67°F. Remember that Snowbird is at a higher elevation, much higher than many cities, and some may experience elevation sickness. To guard against elevation sickness, be sure to stay hydrated and get plenty of rest.

Our program features a few outdoor events including an evening event at Utah Olympic Park. 47 people have signed up to ride the Bobsled on the 2002 Olympic Sliding Track. Don't miss this ride of a lifetime! The golf tournament will be held at Old Mill Golf Course, and the hike to Cecret Lake will never be forgotten.

Please don't forget your auction item – we're aiming for 100% participation this year! All proceeds from the silent and live auction will go to the Education Fund.

The Program Committee has put together an outstanding program. The social events will be fun, and the views spectacular! I'm excited to have you visit Utah and I can't wait to catch up with everyone!

Lisa Collins (UT)

CALL FOR THE ANNUAL MEETING

President John Olivier, through Secretary Sherry Williamson, and pursuant to the provisions of Article V, Section 5 of the Bylaws, hereby issues the call for the annual meeting of the National Conference of Appellate Court Clerks to be held at The Cliff Lodge, Snowbird, Utah, beginning August 2, 2015, and continuing through Friday, August 7, 2015.

Respectfully submitted,
Sherry Williamson

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THE DOCKET

News of the National Conference of Appellate Court Clerks

President	John Olivier (LA)
President Elect	Blake Hawthorne (TX)
Vice-President	Irene Bizzoso (PA)
Past President	Deena Fawcett (CA)
Secretary	Sherry Williamson (TX)
Treasurer	Christine Crow (LA)
Executive Committee	Gregory O. Block (DC) Polly Brock (CO) Edythe A. Gaiser (WV) Petra Mandigo Hulm (ND) Larry S. Royster (MI) Ruth A. Willingham (AZ)
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Deana Williamson (TX)	deana.williamson@txcourts.gov

COME JOIN US IN SNOWBIRD!!!



THE PRESIDENT'S PAGE

JOHN OLIVIER (LA)



Ten years ago, in her President's message, Diana Pratt Wyatt began with:

“My grandmother once told me that time is your most valuable gift. ‘When you are young it often seems there is too much, yet when you mature there is never enough.’ How true her wise words are for me. August will be here before we know it and we are headed to the Florida Keys for a week full of opportunity and fellowship. It seems as though the year has only begun, yet the year is growing close to an end.”

This message resonates with me on so many levels. Diana was the Clerk of the Court of Appeal, Second Circuit in Louisiana who succumbed to cancer, much too early in her life. She and Johnny lived a very full life, which they shared with many of our members. Our program this summer will include a session on succession planning. We should all be planning for the future both personally and professionally. A program at the conference in Key West was preparing Continuity of Operation Plans. Again, preparing for the future and in Louisiana's case, the conference in Key West was followed a few weeks later by Hurricane Katrina! Some of what I learned at that conference was utilized in dealing with Katrina and through my relationship with Tom Hall, the Florida Supreme Court Clerk of Court, I was able to borrow satellite phones for my court. Likewise, this summer's program includes a COOP session. Hopefully, no one will need to implement their plan anytime soon. Finally, in addition to what I learn or am exposed to in the formal sessions of our conference, the sharing and fellowship reinvigorates me (and hopefully you, too) for another year in the trenches. If you are not able to join us in Snowbird, a couple of the sessions will be recorded and will be available on our website.

We are an organization of volunteers. We don't have paid event planners and staff that work throughout the year doing the work of the conference. It is your officers, executive committee, committee chairs and members who get the job done. I want to thank each of you for your efforts this year. Additionally, I want to offer a special thanks to our Host Lisa Collins, Program Chair Eydie Gaiser and Vendor Chair Eileen Fox. Lisa, as a relatively new member, jumped in with both feet to host our conference in Snowbird. The venue and planned events are sure to excite everyone! (As of last week our registration consisted of 70 members, 6 retirees, 74 spouses/guest/children and 14 vendor/speakers.) Eydie and her committee have put together an excellent educational program. It covers practical items, like succession planning

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THE PRESIDENT'S PAGE *(Continued)*

JOHN OLIVIER (LA)



and COOP mentioned above, as well as current legal issues, such as marijuana and same-sex marriages. You cannot get much more current with the SCOTUS just handing down the same-sex marriage case. Eileen has a full line-up of vendors anxious to show us their goods and pick our brains for improvements. Please join us for the vendor shows and get your passports stamped...nice prizes to give away! I cannot say enough of the efforts of Chris Crow, Sherry Williamson, Kevin Lane, Isaac Counts and Heather Smith who keep our books straight and communication moving.

The committees have been hard at work this year and will be presenting their reports at the annual meeting. I learned last year that making committee assignments and charging the committees with responsibilities for the upcoming year was quite a task. I suggest that you take a look at the directory or the website to see with which committee you might be interested in working. I've suggested to Blake that he start collecting names now, so that he can be ready to hit the ground running following our meeting. If you are not able to attend the meeting or even if you can, you should let Blake know of your interest to serve. There will be sign-up sheets at the annual meeting, but advance notice will be helpful.

It has been pleasure and honor to serve as your President. I look forward to seeing you in Snowbird....and joining the Past President Committee!!!

PS - Please bring items for our Educational Fund auction.

**“KEEP CALM AND
CLERK ON!”**

See you in Snowbird!

LET'S GET WITH THE PROGRAM!

Eydie Nash (WV)

The education program begins once again this year on Sunday afternoon with a geographically relevant session structured to educate our members, together with family members and guests. Steve Kenyon, Clerk of the Idaho Supreme Court and Latter Day Saints Bishop, will present a historical tour of the Mormon migration across the intermountain west to the Utah territory. We will also be given an opportunity to study the legal battles the State of Utah encountered as they pursued statehood in a presentation by L. Rex Sears, Ph.D., Attorney at Law.

On Monday morning, we will begin with Shauna Strickland from NCSC updating us on the Court Performance Measures statistical project. A session titled "Fundamentals for Appellate Court Clerk Staff: Ideas for Teaching Due Process to Enhance Services" will follow, led by Nancy Fahey Smith, PIMA County Field Trainer. Nancy provides a unique twist to assist those with cases before the court understand the process. Upon returning from lunch, we will resume the educational sessions with a panel discussion on emergency preparedness. Steve Kenyon, Clerk of the Idaho Supreme Court, John Tomasino, Clerk of the Florida Supreme Court, and Christine Crow, Clerk of the First Circuit Court of Appeals in Louisiana, will provide us with information on how to prepare and respond to a myriad of disasters. Immediately following that panel discussion, James Pelzer, (Retired) Clerk of the New York Supreme Court, Appellate Division, Second Department, and Steve Lancaster, Administrator of the Indiana Court of Appeals, will lead a discussion on succession planning. We will conclude Monday's educational sessions with helpful advice from Dr. Patricia Mann on health and wellness and managing stress in the office.

Tuesday morning begins with a lesson on professionalism and "Court'esy" delivered by Pam Harvit, the 2015 Opperman Speaker. The ever popular and helpful "What's Bugging You?" **members only** session will follow, moderated by Scott Mitchell, Clerk of the Alabama Court of Criminal Appeals. Tuesday's educational sessions will conclude with a timely topic titled "Utah's Kitchen v. Herbert: The Post-Windsor Domino" presented by attorneys James Magleby and Peggy Tomsic, with their client Kody Partridge.

On Wednesday morning, Lyle Cayce, Clerk of the U.S. Court of Appeals for the Fifth Circuit, will share with us his brainchild, the "iPad Hyperlink App." We will then be educated by Martha Newton, Rules Attorney of the Supreme Court of Texas, and the Honorable Alan M. Loeb, Chief Judge of the Colorado Court of Appeals, who will make certain we have the most current and relevant information for the drafting of rules for electronic filing. Both of these presentations will be videotaped for viewing via the web. The vendor showcases will take place midday on Wednesday. Following, we have the opportunity to receive workplace security training with a focus on active shooter security, from Assistant Chief Timothy Hughes of the U.S. Marshals Service Judicial Security Division.

On Thursday morning, we will conclude the educational sessions with an opportunity to receive ethics credits by studying recently enacted marijuana laws. Ron Nemirow, Attorney at Law, will discuss the practical effects of marijuana legalization on our rules of ethics.

Please plan to attend many of the 17 ½ hours of education being offered. They are designed to offer practical and current information to assist in our unique role as clerks.

Support Our Vendors and Win!

Eileen Fox

With the annual meeting in Snowbird, Utah around the corner, the vendor show, which will be held on Wednesday, August 5, is taking shape. Please support our participating vendors by visiting their booths during the vendor exhibition from 10:30 a.m. to 4:00 p.m. We have also planned three showcase sessions during this period, so that vendors have an opportunity to demonstrate their products and their applicability to appellate courts.

Once again this year, you will receive a passport listing all of the participating vendors, and you are encouraged to have your passport stamped each time you visit a vendor booth or attend a vendor showcase. Members who visit all of the booths and attend the three showcase sessions will be entered into a drawing for prizes, which will held during the vendor happy hour beginning at 4:00 p.m. Prizes include an iPad mini and a Kindle Voyage.

Our vendors help to make our annual meeting a success. Please join me in supporting our vendors and in making the vendor day a fun and successful experience for all.



Who will be the lucky person to take this cute guy home this year????

The auction to benefit the Educational Fund will be held on Sunday evening after the BNA reception. I hope all of you are gathering your item(s) to donate for this exciting time! Remember, it can be homemade, bought, a treasured heirloom, or anything you think another NCACC member cannot live without! It is always fun to see what items show up from across the country. Please support the Educational Fund by bringing a donation.

Sherry Williamson

CHRISTINE L. CROW IS RETIRING!!!

By: Danielle Schott

On November 1, 1998, Chris Crow was appointed Clerk of Court for the Louisiana Court of Appeal, 1st Circuit, in Baton Rouge. She had been a senior attorney for the Louisiana Senate, prior to joining the First Circuit.

Chris has been very active with the NCACC, serving as Program Chair in 2005 and a member of the Executive Committee from 2007-2008. In 2008, she co-hosted the Annual Meeting in New Orleans. In 2012-2013, she served as Chair of the Contracts Committee. In 2013, she was elected Treasurer, the office she is presently holding. She has always been active, having served on most, if not all, of our committees.



Chris is very active with our State. She has been assisting the committee that handles the Uniform Rules of the Courts of Appeal, attending meetings with the judges, and preparing reports and proposed rule changes. Whenever we have legislative issues, Chris is our liaison when action is needed. She is very active with the Louisiana Clerks of Court Association, frequently speaking or organizing sessions at their meetings.

She has been a friend, always welcoming to sit with her at meetings, and is always responsive to phone calls and e-mails. She is the perfect “mentor” for new members in all of the organizations to which she belongs.

Chris is an avid golfer and lives on a golf course. I am told that she is a great driver and is a wonderful putter.

She will be missed by all of us in Louisiana and in the NCACC. We wish her well as she makes the decision to spend more time with her family.

**THE NOMINATING COMMITTEE
PRESENTS
THE FOLLOWING CANDIDATES:**

VICE-PRESIDENT: EILEEN FOX (NH)

Eileen Fox received a B.A. in Political Science from Loyola University of Maryland in 1976. She received a J.D. from the University of Cincinnati in 1982. After law school, Eileen served as a judicial clerk to then Chief Justice John W. King of the New Hampshire Supreme Court. After completing her clerkship, Eileen entered private practice, focusing her practice on insurance coverage and insurance-related litigation. In 1994, she returned to the New Hampshire Supreme Court as a staff attorney, and she held this position for four years, before being appointed counsel to the court. In 2001, Eileen was appointed clerk.



Eileen has served on several NCACC committees. In 2010-2011, she chaired the NCACC membership committee. She served on the Executive Committee from 2012 to 2014.

Eileen is married to Tom Getz and has two adult stepsons.

TREASURER: TRACIE LINDEMAN (NV)



Tracie K. Lindeman currently serves as Clerk of the Nevada Supreme Court and Court of Appeals. She received her J.D. from Gonzaga University in 1993, and her B.A. from Stanford University in 1989. She has worked at the Nevada Supreme Court for over 20 years, first as a law clerk, and then as a staff attorney prior to her appointment as clerk. Tracie is admitted to the Bar in both Nevada and California.

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EXECUTIVE COMMITTEE MEMBERS



Position 1: Lillian Richie (LA)

Lillian Evans Richie was appointed Clerk of Court/Judicial Administrator for The Second Circuit Court of Appeal, Shreveport, Louisiana in November 2009. Lillian has twenty-eight years of prior legal experience: fifteen years as a judicial appellate staff attorney and an additional thirteen years of active law practice. She earned a Non-Credit Certificate in Judicial Administration from Michigan State University in February 2015.

A native of Natchitoches, Louisiana, Lillian was a 1977 graduate of Northwestern State University in Natchitoches in History and Spanish, and received her Juris Doctorate degree from Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, Louisiana in 1981.

Lillian is a member of the Louisiana State Bar Association, Shreveport Bar Association, and the Women's Section of the Shreveport Bar Association. She is also a member of the Louisiana Clerks of Court Association, National Conference of Appellate Court Clerks and Louisiana Court Administrators Association.

Being a Charter Member and Incorporator of Krewe of Centaur, Inc., Lillian was elected first Queen and received the Captain's Award for outstanding dedication to the organization. She has served the Krewe as Secretary, Royalty Chairman, and a Float Lieutenant.

Lillian is married to Shreveport attorney, Vernon Richie. Their daughter, Margaret, is an associate attorney practicing general civil law with Richie, Richie and Oberle, LLP. Lillian enjoys travel, crafts and holiday baking.



Position 2: Joseph Stanton (MA)

Joseph Stanton is the Clerk of the Massachusetts Appeals Court, which is the state's intermediate appellate court and consists of twenty-five justices. The justices appointed Joe as an assistant clerk in 1999, and as the Clerk in 2009. Prior to joining the Appeals Court, Joe worked as a law clerk and the chief clerk of the Massachusetts Superior Court, a staff attorney at the Massachusetts Supreme Judicial Court, and a litigation associate at Sloane and Walsh LLP. He currently serves on several committees of the Massachusetts Supreme Judicial Court and Massachusetts Trial Court, including the advisory committees on the rules of civil, criminal, and appellate procedure, and he chaired a subcommittee that drafted the courts' interim electronic filing rules. He is the reporter to the Supreme Judicial Court advisory committee on Massachusetts evidence law, which prepares the annual *Massachusetts Guide to Evidence*, and he is co-chair of the Trial Court advisory committee on impoundment law and procedure. Since joining the NCACC in 2010, Joe has been active in the organization, attending three annual conferences and serving on several committees, including the Bylaws Committee (2010-11; chair 2011-12 and 2012-13), Publications Committee (2010-Present), Technology Committee (2011-Present), Memorials and Resolutions Committee (chair 2013-14), and Convention Assistance Committee (Utah). Joe is a graduate of New England School of Law and Boston College.



Position 3: Jenny Kitchings (SC)

Jenny Abbott Kitchings received a Bachelor of Arts from Converse College with a major in Modern Languages, including Spanish, Italian, and French. She graduated from the University of South Carolina School of Law with a Juris Doctor and from the top-ranked Moore School of Business with an International Masters of Business Administration.

Upon graduation, Jenny came to work in the judicial system as a law clerk for the Honorable Daniel F. Pieper, then a trial judge. She transitioned to private practice upon Judge Pieper's election to the Court of Appeals. She later returned to the court system as a law clerk at the Court of Appeals, until her appointment as Clerk of Court on January 25, 2012.

Jenny and her husband, Craig, are lucky enough to be the parents of two wonderful daughters.

TREASURER'S REPORT

by Christine L. Crow (LA)

The Treasurer's Financial Report consists of year-end 2014 documents, including the Comparative Balance Sheet (2014 and 2013), a Comparative Income Statement (2014 and 2013), and an Income Statement by Project Detail (2014).

During this past year, I have been working with the Finance and Investment Committee (*F&I Committee*) to complete some unfinished business:

Consolidation of NCACC bank accounts at one nationally-prominent banking institution provided all the organization's assets remain FDIC insured—

Thus far, all accounts have been consolidated at NCACC's banking institution for its operating account, SunTrust, except for only one certificate of deposit account transfer currently in progress with NCSC as of the publishing date of this article. The F&I Committee's next immediate task will be to consider whether to recommend that NCACC accounts and investments be maintained with SunTrust or moved to Wells Fargo.

Website postings for a "Treasurer's Cove"—

The F&I Committee will be considering what information would be appropriate for posting to the NCACC website, members-only section. Some suggestions include past financial reports, perhaps for a designated rolling time period of five to ten years, and materials properly redacted for sensitive information that needs to be passed on from Treasurer to Treasurer.

Budget and Chart of Accounts—

A goal of mine for the current year was for the F&I Committee to hone the budget and chart of accounts for NCACC with definitions for each account so that budget and accounting entries can be entered consistently from one year to the next to make financial report comparisons more meaningful. This project is ongoing and I hope to have a draft from the F&I Committee ready to report to the Executive Committee at the meeting in Snowbird.

Host responsibility for reporting financial activity for the annual meeting and conference—

Financial activity from the annual meeting and conference needs to be reported by the host for two purposes: a) to comply with IRS rules and regulations; and b) to provide information to be shared with future hosts about the finances of the event. A spreadsheet is provided by the Treasurer to the host each year so there is a reporting format to be followed as closely as possible, but with flexibility for the host to footnote exceptions or caveats.



*National Conference of Appellate Court Clerks
Comparative Financial Report 2014 and 2013*

Balance Sheet

	2014	2013
<i>Assets</i>		
Cash in Bank - Williamsburg	\$ 138,078.98	\$ 89,412.67
Money Market - Education Fund	71,154.75	13,811.07
Money Market - Technology Fund	18,405.82	18,400.31
Ascencia CD	-	26,479.46
Merrill Lynch Ready Assets	-	6,309.63
Accounts Receivable	4.94	10,119.45
Interest Receivable	-	-
Prepays and Advances	2,500.00	-
Investments - Chesapeake Bank	20,000.00	77,392.28
<i>Total Assets</i>	<u>\$ 250,144.49</u>	<u>\$ 241,924.87</u>
Total Assets	<u><u>\$ 250,144.49</u></u>	<u><u>\$ 241,924.87</u></u>
<i>Liabilities</i>		
Accounts Payable	1.44	\$ 220.06
Accrued Fees and Income	-	(1.00)
<i>Total Liabilities</i>	<u>\$ 1.44</u>	<u>\$ 219.06</u>
<i>Net Assets</i>		
Education Fund	\$ 110,573.53	\$ 94,740.81
Technology Fund	18,381.05	18,381.02
Unrestricted Fund Balance	121,188.50	128,583.98
<i>Total Net Assets</i>	<u>\$ 250,143.08</u>	<u>\$ 241,705.81</u>
Total Liabilities and Net Assets	<u><u>\$ 250,144.52</u></u>	<u><u>\$ 241,924.87</u></u>



**National Conference of Appellate Court Clerks
Comparative Financial Report 2014 and 2013**

Income Statement	2014	2013
Income Statement		
<i>Revenue</i>		
Membership Dues	\$ 19,525.00	\$ 23,012.50
Donations	60,311.23	10,753.49
Interest/Investment Income	230.23	803.46
Interest - Education Fund	71.95	64.19
Interest - Technology Fund	5.51	5.51
Fees/Registrations	32,630.00	35,180.00
Sales & Other Income	18,951.00	92,066.80
Total Revenue	\$ 131,724.92	\$ 161,885.95
<i>Expenses</i>		
Executive Committee Meeting	\$ 820.75	\$ 601.16
Travel	10,463.79	4,625.14
Honoraria	2,700.00	3,000.00
Audio Visual	3,933.54	7,868.81
Food and Beverage	73,726.13	102,053.62
Conference Expenses	11,701.54	11,188.82
President's Discretionary		-
Office Expenses	2,632.28	2,250.21
Licenses and Fees	777.43	1,255.45
Scholarship/Awards/Contrb.	6,737.22	7,161.70
Admin.Supp/Contract Fee	9,795.00	9,564.00
Total Expenses	123,287.68	149,568.91
Current Gain (Loss)	8,437.24	12,317.04

National Conference of Appellate Court Clerks

Annual Financial Report 2014



Income Statement by Project Detail 2014

<i>Projects</i>	General Operations	Annual Conference	Education Fund		Chart of Accounts
<i>Revenue</i>					
Membership Dues	\$ 19,530.51			\$ 19,530.51	A400-01 thru 04
Donations		54,077.23	\$ 6,234.00	\$ 60,311.23	A405-01, A405-06
Interest/Investment Income	230.23			\$ 230.23	A410-01
Interest - Education Fund			\$ 71.95	\$ 71.95	A410-04
Interest - Technology Fund				\$ -	A610-01??
Fees/Registrations		32,630.00		\$ 32,630.00	A420-01
Sales & Other Income		18,951.00		\$ 18,951.00	A425-01, A430-01, A435-01
Total Revenue	\$ 19,760.74	\$ 105,658.23	\$ 6,305.95	\$ 131,724.92	
<i>Expenses</i>					
Executive Committee Meeting	\$ 300.00	\$ 520.75		\$ 820.75	A506-01
Travel	2,348.27	8,115.52		\$ 10,463.79	A510-00 thru 03 and 05; A510-05
Honoraria			\$ 2,700.00	\$ 2,700.00	A514-01
Audio Visual		3,933.54		\$ 3,933.54	A516-01
Food and Beverage		73,726.13		\$ 73,726.13	A518-01, A518-40, A518-50, A518-60, A518-70, A518-80, A518-90
Conference Expenses		11,701.54		\$ 11,701.54	A509-01, A515-01, A520-01, A520-03 thru 06
President's Discretionary				\$ -	
Office Expenses	1,908.25	724.03		\$ 2,632.28	A529-01, A530-01, A535-01, A540-01, A545-01, A560-01, A595-01
Licenses and Fees	25.00	697.25	\$ 55.18	\$ 777.43	A550-01, A555-01
Scholarship/Awards/Contrib.	6,737.22			\$ 6,737.22	A565-01, A585-01 thru 04
Admin.Supp/Contract Fee	9,795.00			\$ 9,795.00	A575-01
Total Expenses	\$ 21,113.74	\$ 99,418.76	\$ 2,755.18	\$ 123,287.68	
Current Gain (Loss)	\$ (1,353.00)	\$ 6,239.47	\$ 3,550.77	\$ 8,437.24	



*National Conference of Appellate Court Clerks
Comparative Financial Report 2014 and 2015, through April*

Balance Sheet		<i>Through April</i>	
	2014	2015	<i>Difference</i>
<i>Assets</i>			
Cash in Bank - Williamsburg	\$ 138,078.98	\$ 151,757.60	\$ 13,678.62
Money Market - Education Fund	71,154.75	71,161.77	\$ 7.02
Money Market - Technology Fund	18,405.82	18,407.63	\$ 1.81
Ascencia CD	-	-	\$ -
Merrill Lynch Ready Assets	-	-	\$ -
Accounts Receivable	4.94	-	\$ (4.94)
Interest Receivable	-	-	\$ -
Prepays and Advances	2,500.00	7,500.00	\$ 5,000.00
Investments - Chesapeake Bank	20,000.00	20,000.00	\$ -
<i>Total Assets</i>	<u>\$ 250,144.49</u>	<u>\$ 268,827.00</u>	<u>\$ 18,682.51</u>
Total Assets	<u>\$ 250,144.49</u>	<u>\$ 268,827.00</u>	<u>\$ 18,682.51</u>
<i>Liabilities</i>			
Accounts Payable	1.44	-	\$ (1.44)
Accrued Fees and Income	-	824.33	824.33
<i>Total Liabilities</i>	<u>\$ 1.44</u>	<u>\$ 824.33</u>	<u>\$ 822.89</u>
<i>Net Assets</i>			
Education Fund	\$ 110,573.53	\$ 109,625.44	\$ (948.09)
Technology Fund	18,381.05	18,377.32	(3.73)
Unrestricted Fund Balance	121,188.50	139,999.91	18,811.41
<i>Total Net Assets</i>	<u>\$ 250,143.08</u>	<u>\$ 268,002.67</u>	<u>\$ 17,859.59</u>
Total Liabilities and Net Assets	<u>\$ 250,144.52</u>	<u>\$ 268,827.00</u>	<u>\$ 18,682.48</u>

NATIONAL CONFERENCE OF APPELLATE COURT CLERKS

FORTY-FIRST ANNUAL MEETING

Richmond, Virginia

Sunday, July 13, 2014
through
Thursday, July 17, 2014

Call to order:

President Deena Fawcett called the Forty-first Annual Meeting of the National Conference of Appellate Court Clerks to order at 1:20 p.m. on Sunday, July 13, 2014. She welcomed everyone to the conference. David Beach (VA) was introduced as the parliamentarian for the meeting, and confirmed that a quorum was present.

Roll Call of States:

Secretary Sherry Williamson (TX) called the roll of states, recognizing each person registered and present. President Fawcett then welcomed the new members and first-time attendees.

Approval of minutes:

President Fawcett noted that the names of the retirees receiving awards at the 2013 NCACC conference were not included in the minutes, and she requests they be added. John Olivier (LA) moved that the minutes, as amended, be approved; Bill DeCicco (DC) seconded; motion carried.

Moment of Memorial Silence:

President Fawcett paused the meeting for a moment of silence in memory of Glen D. Clark (AZ).

President's Report:

President Fawcett reported that it has been quite a year! The Executive Committee met in Snowbird, Utah for the fall meeting with Lisa Collins as the host, and in Little Rock, Arkansas for the spring meeting, with Les Steen hosting. Retirees will be recognized at a later time during the conference, but at this time she wanted to recognize a few key changes. Carol Green (KS) has served as the listserv administrator for many years, but has now retired. Heather Smith is the new clerk of the Kansas Supreme Court and Court of Appeals, and will serve as the listserv administrator. Les Steen retired June 30, and has served as the Editor of *The Docket* for several years. Kevin Lane (CA) has volunteered to serve as the new Editor. Brenda Stephens (LA) also retired June 30, and was the Assistant Editor of *The Docket* for many years. Sherry Williamson (TX) will serve as the new Assistant Editor.

Committee Reports

Awards Committee:

Laura Roy (MO) thanked the members of the committee. She reported that the J.O. Sentell award and the Thomas Morgan award will both be presented this year. On Thursday, awards will be presented to six retirees.

Bylaws Committee:

James Pelzer (NY) reported that several years ago, proposals were made to shift the billing of dues from several times per year to once a year. However, this was never implemented because of the NCSC accounting system. The Bylaws have now been revised and will be presented to the membership for a vote at the business meeting on Thursday. The proposed Bylaws were published in the April edition of *The Docket*. Dues that are payable August – December of 2014 will be deferred until March 1. Dues that are payable from January – July of 2015 will be payable of March 1. This change allows the transition of several billings to one billing.

Contracts Committee:

Bill DeCicco (DC) thanked the members of the committee. He reported that the committee completed the review of hotel contracts for the fall Executive Committee meeting at Snowbird, Utah and for the spring Executive Committee meeting at Little Rock, Arkansas. The committee drafted Operational Guidelines. With the help of Rory Perry (WV), the committee was able to post on the website in the members-only section the hotel contracts dating back to 2007. This will be a great reference tool for future hosts. The committee drafted liquidated damages provisions in the event a hotel cancels future conference dates.

Convention Assistance Committee:

Heather Smith (KS) stated that the committee is excited to assist during the conference. She introduced the committee members in order for everyone to recognize them when needing assistance. Trish Harrington (VA) and Sirena Kestner (VA) were recognized for the great job they have done on getting everything ready for the conference.

Educational Fund Committee:

Eileen Fox (NH) reported that the committee has spent a lot of the year looking at what the goals should be going forward. The Educational Fund currently has a balance of approximately \$95,000. Since the fund was established to set up a fund for educational expenses, it is recommended that some regular expenditures begin to be paid. The Executive Committee agreed to pay the Dwight Opperman speaker annually, and other expenses as deemed necessary. She encouraged donations from members and for participation in the auction.

Finance and Investment Committee:

Chris Crow (LA) reported that NCACC has had a very good year. She thanked the members of her committee. Several members went to the NCSC on Friday before the conference and learned how the Center works and deals with the organization's finances. She stated that a financial report was included in the June edition of *The Docket*. As of May 2014, the balances are approximately: Educational Fund -- \$108,000, Technology Fund -- \$18,000, and Unrestricted Fund -- \$126,600. In past years, there have been several individual accounts for cash, investments and money market accounts. The Executive Committee has approved the consolidating of all accounts into one institution, which will probably be SunTrust or Wells Fargo. The plan is to maintain \$30,000 in the operating account, which will be reviewed on a quarterly basis and money transferred as necessary.

Pictorial Directory Committee:

Joe Lane (CA) reported that the new NCACC directory has been mailed out. He encouraged all members to review his/her listing to ensure accuracy in the directory. There is an online directory in the members-only section of the NCACC website.

Membership Committee:

Eileen Fox (NH) reported that the membership remains steady. The Membership Committee worked with the Bylaws Committee to get the annual dues on a single-billing system. The membership application form has been updated and posted on the website.

Nominating Committee:

Colette Brugman (CA) thanked the members of the committee and offered the following slate of officers for the upcoming year:

Vice-President – Irene Bizzoso (PA)

Secretary – Sherry Williamson (TX)

Executive Committee Members – Greg Block (DC)

Petra Hulm (ND)

Larry Royster (MI)

Membership will vote on Thursday.

Program Committee:

Blake Hawthorne thanked the committee members and recognized Edythe Gaiser (WV) for her work as the Vendor Chair. He said everyone has worked hard to provide a great program.

Marilyn May (AK) moved that all committee reports presented today be accepted; Ron Carpenter seconded; motion carried.

President Fawcett thanked all the past presidents for developing officer guidelines, which are now published in the NCACC directory. This will be helpful to all officers in the future. She is compiling a Presidential binder, including all samples, instructions, and agendas to hand down to future presidents. President Fawcett thanked Joseph Lane (CA), Christie Cameron Roeder (NC), and Eileen Fox (NH) for their work on the Model Time Standards for State Appellate Courts.

Trish Harrington (VA) made a motion that the meeting be adjourned until Thursday, July 17, 2014; Steve Lancaster (IN) seconded the motion; motion carried. The meeting was adjourned at 2:20 p.m.

The Forty-first Annual Business Meeting resumed at 11:45 a.m. on Thursday, July 17, 2014 with a call to order by President Deena Fawcett (CA). Steve Lancaster (IN), Parliamentarian, noted the presence of a quorum.

President Fawcett thanked the retired members for being such an important part of NCACC. She said each one is a wealth of knowledge and the foundation of this organization. The ones attending the 2014 conference are:

David Beach (VA), Stuart Cohen (NY), John Doerner (CO), George Geoghegan (KY), Leslie Gradet (MD), Tom Hall (FL), Victoria Hernandez (CA), Ed Hosken (DC), and James Pelzer (NY).

The members who have retired since the last conference are:

Lanet Asmussen (NE)
Carol Green (KS)
Tom Hall (FL)
Les Steen (AR)
John Wilkerson (AL)
Mike Yerly (CA)

President Fawcett again emphasized how much the retirees are appreciated. Paperweights will be presented to each one as a token of appreciation.

Public Relations Committee:

Kevin Lane (CA) thanked the committee members. The biographies of the new officers will be posted to the NCACC website and prepared for news releases.

Publications Committee:

On behalf of Les Steen, Kevin Lane (CA) reported all publications were sent on time and all requirements were met.

Scholarship Committee:

Debbie Autrey (TX) thanked the committee members. She reported that the original allocation for scholarships was \$5,000, and the Executive Committee allocated an additional \$2,500. Six applicants were awarded a total of \$5,821.44

Site Selection Committee:

Sandra Skinner (MO) thanked the committee members. She stated that the committee received one bid for the 2017 conference from Tracie Lindeman at Lake Tahoe, and the Executive Committee approved the bid.

Strategic Planning Committee:

Steve Lancaster (IN) thanked the committee members. Steve reported that the committee was assigned a number of tasks, and completed all but one. 1) The committee reviewed the operational guidelines, made a few changes, and the Executive Committee has approved the revisions; 2) Using the listserv, a list of all topics covered in the educational programs of the past conferences has been compiled and will be used for future Program Committees; 3) Retirees, if employed in the court system or as a consultant, should not be required to follow any specific guidelines. The Bylaws are very broad, and specific issues should be addressed by the Executive Committee on a case-by-case basis; and 4) A succession plan checklist was to be compiled. However, a request was sent out, but only received two answers. Next year's committee will complete this task.

Technology Committee:

Blake Hawthorne (TX) reported that the committee has worked on the e-filing whitepaper, updating the information. Also, comments on the statewide filing initiatives are being gathered during the conference. Two sessions of the conference will be videoed and put on the website.

Bylaws Committee:

James Pelzer (NY) presented a formal resolution for adoption. This resolution is listed below, and was published in the April 2014 edition of *The Docket*. At the business meeting of the 2010 annual conference, the membership voted to amend the Bylaws regarding 1) the billing of membership dues, 2) the duties of the secretary, and 3) the procedures for amending Bylaws. Regarding No. 1, the NCSC accounting system could not prorate the dues and the system could not be changed, so the annual billing of dues was never implemented. Regarding Nos. 2 and 3, the technical amendments are to allow transmittal by electronic methods. The resolution as offered is:

NATIONAL CONFERENCE OF APPELLATE COURT CLERKS *Resolution Implementing Single Annual Billing of Dues & Making Miscellaneous Changes*

WHEREAS at the annual business meeting of the National Conference of Appellate Court Clerks held in Whitefish, Montana, on August 12, 2010, the membership of the Conference voted to amend Article III, § 4, of the Bylaws to move from a system in which the dues of members were payable on the annual anniversary of the date they joined the Conference to one in which the dues of all members would be payable on January 1st and would be considered delinquent if not paid by July first of each year; and,

WHEREAS the system envisioned by Article III, § 4, of the Bylaws as amended in 2010 has not been implemented; and,

WHEREAS the membership of the Conference desires to clarify and thereupon implement the dues system envisioned in 2010 and to make other corrections to the Bylaws,

NOW THEREFORE it is:

RESOLVED that Article III, § 4, of the Bylaws of the National Conference of Appellate Court Clerks is amended as follows (deletions in ~~strikethrough~~, new matter in brackets):

4. Membership Dues. ~~Memberships are renewable by payment of annual dues.~~ The annual dues shall be \$150.00 for regular members, \$25.00 for retired and associate members and \$150.00 for sustaining members. ~~Dues that are payable for calendar year 2010 shall be due on the anniversary date on which the individual member joined the Conference. Beginning in 2011 Dues shall be payable on January 1 and become delinquent on July 1 of the year in which dues are payable.~~ Dues for those who join the conference for the first time after an [prior to the] annual [business] meeting shall be payable with the membership application. [Dues for new members who join after the annual business meeting and for members renewing their membership shall be payable on March first and become delinquent if not paid by July first.] A membership that has lapsed for non-payment of dues [before] July 4[first] of the current year may be reinstated without affecting a member's eligibility for office under Section 3 of this Article if the delinquent dues are paid prior to the ~~expiration of one year from the due date or the annual business meeting, whichever first occurs.~~ [The names of members whose dues have not been paid within one year of the date they fell due shall be removed from the membership rolls.] On its own motion or on the application of a member, the Executive Committee may waive the payment of dues for good cause shown.

And it is further,

RESOLVED that Article V, § 5, of the Bylaws is amended as follows:

5. Duties of Secretary. The Secretary shall be responsible for the taking of the minutes of the Executive Committee and the annual business meeting or any called meeting and for distributing them to the Executive Committee and the National Center for State Courts. The minutes of the annual business meeting or any called meeting of the full conference shall be ~~mailed~~ [transmitted] to the members of the conference with the call of the next annual business meeting; this requirement may be met by publication in *The Docket*, the NCACC newsletter. The Secretary shall be responsible for overseeing the billing of every member of the Conference for annual dues no later than ~~March 1~~ [January fifteenth] of each year, ~~the issuance of membership cards to all members upon payment of their dues,~~ and the maintenance of a list of all members in good standing.

Supreme Court of Virginia Information Technology employees: Sharon Cocchiola, Rob Robertson, Bob Kelley, Chris Allen (they will be setting up the audio visual equipment, monitoring sound, and recording sessions)

Volunteer graphic designer for the T-shirts and tote bags: Shandell Taylor

Omni Hotel Staff: Michele Moker, Johnathan Flores

Program Committee Chair Blake Hawthorne

and Members of the Committee: 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)

Vendor Show Coordinator Eydie Gaiser

Education Program Speakers:

Dwight D. Opperman, Mark Greenough and Steven Edenbo

Roger Bilodeau

Andrew Phelan

Justice William C. Mims

Jeff Apperson

Honorable Laurie Zelon

Lisa Jaskol

Glenn Rawdon

Michael Truesdale

Honorable Russell Carparelli

Honorable Rogelio Flores

Jorge Basto

Casey Kennedy

John Reynolds

Ron Bowmaster

Barbara Bintliff

Brian Carver

Harlan Yu

Honorable William Moorman

Shauna M. Strickland

The Docket Publication Committee:

- Leslie W. Steen (AR), Chair and Editor

-Brenda Stephens, Assistant Editor (LA)

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Tyler Technologies represented by Eric Cullison

Wolters Kluwer represented by Crystal Bryant

MEMORIALS

Glen D. Clark. Chief Clerk of the Court of Appeals, Division 1, Arizona

Joseph Lane (CA) made a motion to approve the resolutions and memorials as read; Frank McGuire (CA) seconded; motion carried.

President Fawcett stated that this concluded the committee reports. Mike Ritchie (OK) moved that the committee reports be accepted and approved; John Olivier (LA) seconded; motion carried.

2015 Host Presentation:

President Fawcett stated that the 2015 NCACC Conference will be held in Snowbird, Utah. She introduced the host of the conference, Lisa Collins (UT). Lisa gave a presentation about Snowbird, encouraging everyone to attend. The conference will be back in the normal time slot, August 2 – 7, 2015.

Other Discussion Topics:

President Fawcett asked if there were any other topics for discussion. Joseph Lane (CA) emphasized trying to get fellow clerks in each state to become members. He also encouraged all members to sign up for committees. He requested the Executive Committee to consider extending the time for presenters to stay throughout the conference to make it possible for members to visit with them.

There being no further business, John Olivier (LA) made a motion that the meeting be adjourned; Irene Bizoso (PA) seconded; motion carried. The meeting was adjourned at 12:30 p.m. on July 17, 2014.

Respectfully submitted,

Sherry Williamson
NCACC Secretary



AMENDMENTS TO BYLAWS

Pursuant to Bylaws, Article XI, 1., the following amendments are proposed and offered for consideration at the 2015 NCACC Conference:

Bylaws, Article VII, Committees, (13) Pictorial Directory Committee: “The purpose of this committee is to update and maintain the pictorial directory of the Conference, ~~including the annual meeting summaries contained therein.~~”

Bylaws, Article V, Officers, 5. Duties of Secretary: The Secretary shall be responsible for the taking of the minutes of the Executive Committee and the annual business meeting or any called meeting and for distributing them to the Executive Committee and the National Center for State Courts. The minutes of the annual business meeting or any called meeting of the full conference shall be **mailed** transmitted to the members of the conference with the call of the next annual business meeting; this requirement may be met by publication in *The Docket*, the NCACC newsletter. The Secretary shall be responsible for overseeing the billing of every member of the Conference for annual dues no later than March 1 of each year, the issuance of membership cards to all members upon payment of their dues, and the maintenance of a list of all members in good standing. **When any future revisions to the Bylaws or Operational Guidelines are made, the Secretary shall submit the complete revision to the Executive Committee, Chair of the Pictorial Directory Committee for publication in the NCACC Directory, and to the webmaster of the NCACC website, including an amended date.**



Snowbird

National Conference of Appellate Court Clerks
42nd Annual Meeting • August 1-7, 2015 • Salt Lake City, Utah

Saturday, August 1, 2015

8:30 a.m. – 12:30 p.m.	Executive Committee Meeting	Board Room
2:00 p.m. – 5:00 p.m.	Registration	Top of Escalator

Sunday, August 2, 2015

9:30 a.m. – 12:00 p.m.	Registration	Top of Escalator
1:00 p.m. – 8:00 p.m.	Silent Auction	Primrose
11:00 a.m. – 11:30 a.m.	Orientation For New Members & First Time Attendees	Wasatch A
11:30 a.m. – 12:00 p.m.	Orientation For Family & Guests	Wasatch B
1:00 p.m. – 1:15 p.m.	Welcome The Honorable Carolyn B. McHugh, Judge, U.S. Court of Appeals for the Tenth Circuit	Ballroom 1
1:15 p.m. – 2:30 p.m.	Roll Call of the States & Business Meeting (Session I)	Ballroom 1
 BREAK: 15 MINUTES		
 2:45 p.m. – 4:15 p.m.	When Law and Religion Collided: The History of the Settlement of Utah & the Intermountain West L. Rex Sears, J.D., Ph.D. Steve Kenyon, J.D., Clerk of the Idaho Supreme Court	Ballroom 1
5:00 p.m. – 8:00 p.m.	Reception and Buffet Dinner Hosted by Bloomberg BNA	Primrose
7:00 p.m. – 8:30 p.m.	Live Auction & Morgan Thomas Slideshow	Primrose
 9:30 p.m. – 12:00 a.m.	Hospitality Room Opening Night	Location TBD

 Educational Session
 Business Meeting
 Vendor Show
 Event/Activity
  Filmed Session

Monday, August 3, 2015

	7:30 a.m. – 8:30 a.m.	Continental Breakfast (Members Only)	Ballroom 1/Lobby
-60-	8:30 a.m. – 9:30 a.m.	Court Performance Measures Shauna Strickland, NCSC	Ballroom 1
-75-	9:30 a.m. – 10:45 a.m.	Fundamentals for Appellate Court Clerk Staff: Ideas for Teaching Due Process to Enhance Services Nancy Fahey Smith, PIMA County Field Trainer	Ballroom 1
	BREAK: 15 MINUTES		
-60-	11:00 a.m. – 12:00 p.m.	Fundamentals for Appellate Court Clerk Staff: Ideas for Teaching Due Process to Enhance Services Nancy Fahey Smith, PIMA County Field Trainer	Ballroom 1
	LUNCH BREAK: 1 HOUR		
-90-	1:00 p.m. – 2:30 p.m.	Emergency Preparedness: A Day in the Life of an Appellate Court Clerk Catherine O'Hagan Wolfe, Clerk of the U.S. Court of Appeals for the Second Circuit Steve Kenyon, J.D., Clerk of the Idaho Supreme Court John Tomasino, J.D., Clerk of the Florida Supreme Court Christine Crow, J.D., First Circuit Court of Appeal, Louisiana	Ballroom 1
-60-	2:30 p.m. – 3:30 p.m.	Keep Calm and Clerk On: Succession Planning James Pelzer, (Retired) Clerk of the New York Supreme Court, Appellate Division, Second Department Steve Lancaster, Administrator of the Indiana Court of Appeals	Ballroom 1
	BREAK: 15 MINUTES		
-60-	3:45 p.m. – 4:45 p.m.	Health/Wellness and Managing Stress in the Office Dr. Patricia Mann, Ph.D.	Ballroom 1
	6:00 p.m. – 10:00 p.m.	Museum of Natural History Hosted by West, a Thomson Reuters business	
	10:00 p.m. – 12:00 a.m.	Hospitality Room	Location TBD

Tuesday, August 4, 2015

	7:30 a.m. – 8:30 a.m.	Continental Breakfast (Members Only)	Ballroom 1/Lobby
	7:30 a.m. – 8:30 a.m.	Past Presidents' Breakfast	Board Room
-60-	8:30 a.m. – 9:30 a.m.	Bringing "Court"esy to your Jurisdiction Pam Harvit, MS CEA 2015 Opperman Speaker	Ballroom 1
-75-	9:30 a.m. – 10:45 a.m.	What's Bugging You? (Members Only) Moderator: Scott Mitchell, Clerk of the Alabama Court of Criminal Appeals	Ballroom 1

	BREAK: 15 MINUTES		
-90-	11:00 a.m. – 12:30 p.m.	Utah’s Kitchen v. Herbert: The Post-Windsor Domino Peggy Tomsic, J.D. James Magleby, J.D. Kody Partridge	Ballroom 1
	1:00 p.m.	Golf Tournament Old Mill	
	1:30 p.m. – 4:00 p.m.	Hike	
	9:30 p.m. – 12:00 a.m.	Hospitality Room	Location TBD

Wednesday, August 5, 2015

	7:30 a.m. – 8:30 a.m.	Continental Breakfast (Members Only)	Ballroom 1/Lobby
-60-	8:30 a.m. – 9:30 a.m.	iPad Hyperlink App Lyle Cayce, Clerk of the U.S. Court of Appeals for the Fifth Circuit	Ballroom 1
-45-	9:30 a.m. – 10:15 a.m.	E-filing Rules Panel Martha Newton, Rules Attorney, Supreme Court of Texas Catherine O’Hagan Wolfe, Clerk of the U.S. Court of Appeals for the Second Circuit The Honorable Alan M. Loeb, Chief Judge of the Colorado Court of Appeals	Ballroom 1
	10:15 a.m. – 10:30 a.m.	Vendor Introductions & Opening of Vendor Show Eileen Fox, Clerk of the Supreme Court of New Hampshire	Ballroom 1
	10:30 a.m. – 4:00 p.m.	Vendor Show	Superior Lobby
	10:30 a.m. – 11:00 a.m.	Vendor Showcase I	
	11:00 a.m. – 11:30 a.m.	Vendor Showcase II	
	11:30 a.m. – 1:00 p.m.	Vendor Lunch Buffet	Superior Lobby/Eagles Nest
	1:00 p.m. – 1:30 p.m.	Vendor Showcase III	
-105-	1:45 p.m. – 3:30 p.m.	Protecting Your Court – U.S. Marshals Service Perspectives on Judicial Security Assistant Chief Timothy Hughes, U.S. Marshals Service Judicial Security Division	Ballroom 1
	BREAK: 30 MINUTES		
	4:00 p.m. – 5:00 p.m.	Vendor Happy Hour	Superior Lobby/Eagles Nest
	6:00 p.m. -10:00 p.m.	Olympic Park Hosted by Lexis	

Educational Session
Business Meeting
Vendor Show
Event/Activity
 Filmed Session

	10:30 p.m. – 12:00 a.m. Hospitality Room	Location TBD
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Thursday, August 6, 2015

	7:30 a.m. – 8:30 a.m. Fun Run/Walk	
	7:30 a.m. – 8:30 a.m. Past Hosts Breakfast	Board Room
	7:30 a.m. – 8:30 a.m. Continental Breakfast (Members Only)	Ballroom 1/Lobby
-120-	8:45 a.m. – 10:45 a.m. Marijuana Legalization: Policy and Ethical Problems Ron Nemirow, Esq., Shareholder, Nemirow Perez P.C.	Ballroom 1
	BREAK: 45 MINUTES	
	11:30 a.m. – 12:30 p.m. Business Meeting (Session II)	Ballroom 1
	12:30 p.m. – 12:45 p.m. Executive Committee Meeting	Board Room
	5:00 p.m. – 6:00 p.m. Reception 6:00 p.m. – 9:00 p.m. Annual Banquet	Primrose
	9:00 p.m. – 12:00 a.m. Hospitality Room Awards Night	

Friday, August 7, 2015

	8:30 a.m. – 10:00 a.m. Critique Breakfast	Wasatch
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