



THE DOCKET

News of the National Conference of Appellate Court Clerks



The 43rd Annual NCACC Conference in Denver, Colorado July 31-August 5, 2016

Come peek into Denver at the 2016 Annual Conference in the Heart of Downtown Denver! Our hotel is right

off the free 16th Street Mall Shuttle that can take you from the Colorado State Capitol (the only one with an actual gold dome) to the exciting revitalized LoDo historic district 1.5 miles away. You will be able to easily access the new Ralph L. Carr Judicial Center, the Denver Art Museum, the Denver Performing Arts Complex, the State Capitol, the Rockies home—Coors Stadium, Elitch Gardens Amusement Park and a host of small batch brew pubs and restaurants. Check out the scene: <https://youtu.be/rbYZdj9spD4>

The A Line from Denver International Airport directly into downtown Denver is set to open by May 2016 — (everyone cross their fingers) —which will be \$9 ticket price. Our hotel will be fully renovated by March 2016—in plenty of time for our arrival.

On Sunday, we will celebrate the opening of the 43rd Annual Meeting at the home of the Colorado Supreme Court and Court of Appeals, the Ralph L. Carr Judicial Center. In addition to programs, we will have tours of our interactive Judicial Learning Center. We have lots of other excitement planned, so mark your calendars.



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

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THE PRESIDENT'S PAGE

BLAKE HAWTHORNE (TX)



It is an honor to serve as President of the National Conference of Appellate Court Clerks for 2015–2016. I attended my first conference in Fort Worth—making the drive up to the conference the day after I was sworn in as Clerk of the Supreme Court of Texas. And I am glad that I did, because spending time with the members of the NCACC has been the best part of being an appellate court clerk. Not only have I learned a lot from you all, but my family and I have made many friendships and had memorable experiences in some of the most beautiful parts of the United States.

This year, Lisa Collins took us to new heights—hosting us in the cool mountain air of Snowbird, Utah. We saw a moose, pot guts, marmots, deer, and of course spectacular mountain views. And the visits to the Natural History Museum and the Olympic Park were both great experiences (I never thought I would have a chance to ride in a bobsled going seventy miles–per–hour!).

The program chair, Eydie Gaiser, and her program committee put together an excellent educational program in Utah, with outstanding presentations from some of our members, including Steve Kenyon, John Tomasino, Christine Crow, Jim Pelzer, Steve Lancaster, and Scott Mitchell. And new member Lyle Cayce, the Clerk of the U.S. Fifth Circuit, gave us all something to think about with his presentation about his court’s iPad app and hyperlinking software—which automatically sync case files to each judge’s iPad and hyperlinks citations to online legal research services. Speaking of online legal research services, Eileen Fox did an outstanding job of putting the vendor show together and introducing us to some new service providers.

THE PRESIDENT'S PAGE

BLAKE HAWTHORNE (TX) *(Continued)*

I also want to thank John Olivier for his outstanding service as President last year. John's spirit and generosity are typical of his hometown New Orleans, where everyone knows the terms *lagniappe* and *laissez les bon temps rouler*. Thanks for all you've done for the conference, John.



Thank you also to all of you that signed up for committees. The work of the committees is what makes the conference so valuable to our members. In this edition of *The Docket* and posted on the website you will find the committee rosters. If you did not sign up for a committee and want to, it is not too late to get involved. Some committees have limited spaces available, but if you'd like to get involved please let me know. We can always use more help. And committee work is a great way to get to know other members.

The Executive Committee will be meeting later this month in Lake Tahoe, the site of our 2017 conference. Tracie Lindeman, the host of the 2017 conference, has been hard at work making arrangements for our visit (and as our Treasurer!). Next year's conference is in Denver and we look forward to working with our host Polly Brock to put together another outstanding week of learning and comradery in the Mile High City.

Finally, thanks to the staff of Kevin Lane, Sherry Williamson, and all the other members who help put together *The Docket*. We appreciate your good work.

MARILYN MAY RECEIVES THE J.O. SENTELL AWARD

Each year the National Conference of Appellate Court Clerks (NCACC) recognizes a member of the organization who has exhibited extraordinary leadership, service and devotion to the organization, while furthering the Conference's professional objectives in support of the advancement of the judicial system and dedication to public service. This year the NCACC honored Marilyn May, the Clerk of the Appellate Courts of Alaska, with its highest award at its annual meeting held in Snowbird, Utah, during the week of August 2, 2015. Established in 1979, the award is named for the Conference's first President and one of its founding members, J.O. Sentell, Clerk of the Alabama Supreme Court.

Marilyn has provided outstanding service and leadership to the NCACC. She served as the chair of numerous committees, as an officer of the Executive Committee, Vice President, and President. She was also the host of the 2004 conference in Anchorage, Alaska, and along with Tom Hall and Vickie Van Lith of Florida, she was the co-host of the 2013 conference in Seattle, Washington. The NCACC thanks Marilyn for her dedication, hard work, and enthusiasm.



Phone and Tablet Apps For Use in the Clerk's Office

*by Joseph Stanton and Tiffany Knapp, Massachusetts Appeals Court,
On behalf of the Technology Committee*

There are a number of applications for smart phones and tablets designed specifically for lawyers that may be utilized by Clerk's Office personnel. These include court-created applications for attorneys and litigants, applications to assist with legal research, and general productivity tools designed to organize information and scheduling.

Court and Lawyer Apps

Applications created by state courts are usually free and include a variety of different functions, including: the ability to search case dockets, view court calendars, linking to Google Maps so that users can find court facilities, providing email and telephone connections directly in the application, ability to search and sometimes view court records, and much more. Some states, such as Kansas, have retained the payment methods within the application—charging a fee per search and per case returned as a result of the search. Some of the applications, like those offered in Louisiana, reach outside the judicial branch to include access to election results for various offices within the state as well as judicial functions, such as allowing citizens to check on, reschedule, or file an exemption from jury duty. The free mobile application available in Nevada additionally allows users to watch live webcasts of the state's supreme court oral arguments. A few, such as those provided in Ohio and Virginia, allow users to pay court costs, fines, or fees. For more information regarding the applications available in a variety of states and the services they offer, see the [NCSC collection](#).

Also, as we learned during the 2015 NCACC Annual Conference, some courts have developed internal apps for case and document management on iPads. The Fifth Circuit uses an application named Cims4iPad, which allows judges within the system to view everything on the court's docket, such as the record and pleadings. It also contains support for Westlaw and Lexis for judges to look at cited authority. It contains an embedded PDF viewer in order to view documents within the application, with internal links preserved and the capability to highlight within the documents read. The application also loads the necessary files for a judge when they are assigned a case, and removes those tiles when the case is complete. Pages that are hyperlinked (the Court uses a program to recognize record citations and create links to the appropriate page within the record) are fully functional within the application, allowing a judge to see the relevant portion of the record simply by following the link.

Of course, if you are dreaming of a custom app for your office, you need to consider the cost. The expense depends on numerous factors, including the contractor (internal or external), the functionality, how complicated the back-end of the databases are (because the apps might need to be able to access the court's existing CMS and DMS databases to function), etc. Cost calculators are available that estimate the basic needs (e.g., back-end connectivity, login authentication, offline functionality, etc.). See [FORMOTUS](#) and [KINVEY](#). The cost for a custom court app could range from \$50,000 to over \$300,000.

Phone and Tablet Apps For Use in the Clerk's Office (Continued)

The Federal court system also offers some useful applications for case participants and clerks. PacerMonitor allows searching federal court case dockets and filings for district court civil cases and bankruptcy cases. There's also Federal Courts (though this is not a free application; it's \$2.99 on the Android market), which has the full text of federal rules of procedure and local rules for all the federal courts, including the courts of appeal.

There are also a variety of applications designed to assist attorneys with legal research while on the go. CaseMaker is a free legal research tool available for download on a phone or tablet. This tool provides the ability to search through case law, statutes, some administrative rules, and legislative history. Documents that are found through the application can be emailed from within the app. There are also two free applications created by The Oyez Project at Chicago-Kent College of Law. PocketJustice provides past information concerning the constitutional jurisprudence of the Supreme Court, providing a historical database of case abstracts, opinions, and audio of arguments. OyezToday focuses on the Court's present activities and contains United States Supreme Court cases from 2010, including audio of oral arguments. In addition, Lexis and Westlaw both have mobile applications, though a paid for account is required for use.

Scheduling.

There are a number of existing applications that assist in scheduling. To start, there is the free Google Calendar application, which is incredibly useful for managing calendar information. From within the application and the web-based interface, users can create events and invite others to attend them. There is the ability to have multiple, color-coded calendars to make creating, maintaining, and viewing calendars for different things (such as oral arguments schedules, a meetings schedule, and a personal schedule) much easier to handle. There is also the ability to share calendars with others (so that the entire office knows when meetings or oral arguments are scheduled, for example) and control the type of access that person gets (whether they can also add events to the calendar, or can simply view it). For each event, you can set reminders to be sent via email, text message, or as a popup on the computer screen. This is a nice way to manage a busy court schedule in an easily accessible, and viewer-friendly interface. A Gmail account is required for use.

In addition, both major phone types (iPhone and Android devices) offer support of time and/or location based reminders. Using Siri or the Google Now on Android, you can tell your phone "Remind me to take the trash out when I get home," and, using your GPS settings, will create a notification that will go off when you arrive at home. This allows a busy person to create a notification when they think of something, rather than having to remember all of their chores in the moment.

Other scheduling applications specifically made for attorneys are also available. There is the free Dike trial: Calendar 4 Lawyers which is available for Android users. This application

Phone and Tablet Apps For Use in the Clerk's Office (Continued)

is specifically designed to be a management tool for practicing attorneys, but it could be easily used to manage oral argument schedules, etc., by clerks.

Document Workflow.

There are a number of free services that allow the easy transfer of documents between mobile devices and the computer. AirDroid, a free application, allows for the easy transfer of documents to an Android device over a WiFi connection. For those who use iPads or iPhones, there is also AirDrop and TunesGo, which also allow for the transfer of documents over a WiFi connection. A paid application, Air Display, allows a user to use their tablet or smartphone as another monitor for their PC. PushBullet is another free application that allows a user to share links, pictures, files, notes, and other items between a tablet or smartphone and the Chrome internet browser (it is limited to use with the Chrome browser).

CamCard and CamScanner, both of which have free versions and paid versions (the paid versions have more features), also allow for the conversion of physical documents into digital counterparts. CamCard allows the "scanning" (via taking a picture with your mobile device) of a business card, the information from which is then added to your contacts on your phone. CamScanner allows for the scanning of documents with a phone via taking a photograph and converting the photograph into a PDF document.

There are also a number of general purpose applications that could help with work flow. Though not a mobile application, the website www.pdfescape.com is incredibly useful in the clerk's office. This web-based program has both free and paid versions. With free use, a user can upload a PDF and edit the document by adding text, pictures, blocks (white ones or black ones can be placed over text to white it out or indicate it is redacted), and more. In addition, pages can be removed from PDF files, and multiple PDF files can be merged together using the "append" function. PDFs can also be annotated with sticky notes, highlighting, and inserting or striking out material (this does not insert inline, but uses editing marks to indicate where things should be inserted or deleted).

In the mobile application realm, Cloud Print is available for Android devices. This allows a networked printer to be enabled for printing from anywhere, from your cell phone. This would require someone to set up a networked printer within the office, but the capabilities after that are incredible. It would be possible for someone anywhere (literally) to print on the office printer—provided they had been given access. There are a number of Android and iPhone apps that also allow for cloud printing that are specific to the printer manufacturer. Google also offers Translate, which allows for the translation from one language to another via a cell phone. A user can speak into the phone in one language, and the phone will create audio of the translating language to play to someone else.

Phone and Tablet Apps For Use in the Clerk's Office *(Continued)*

Finally, for those inclined to work from home or vacation, LogMeIn (a paid application, at \$29.99) allows a user to remotely access their desktop computer from a tablet or smartphone. It requires being downloaded on the desktop of your work computer. This may present security concerns in some courts, or may violate IT computer use policies, however, so be careful before using.

Big Changes in Silicon Valley

By: Kevin Lane

There's more news happening in the Silicon Valley other than Google, Apple and Facebook. There have been some big changes at the Court of Appeal. Corrine Pochop had been with the California Court of Appeal, Sixth District, since 1984. She was the Asst. Clerk Administrator for many years before retiring in 2012. She couldn't give up the dream and came back on a limited schedule, until she became the Clerk Administrator. She retired one last time on April 10, 2015, with plans to take on her new grand-parenting duties.

Fortunately, Danny Potter who has been with the 2nd District Court of Appeal in Los Angeles since 1980 was available and became the new Clerk Administrator on April 13, 2015. Danny has worked his way up from the Deputy Clerk position and has been very involved with technology in the courts. He is now being put to the test by implementing e-filing for the court.



*Best of luck to both
Corrine and Danny!*

THE UNITED STATES FIFTH CIRCUIT COURT OF APPEALS iPAD APP AND HYPERLINKING SOFTWARE

By: Blake A. Hawthorne



Lyle Cayce, the Clerk of the United States Court of Appeals for the Fifth Circuit, brought two of his court's technological innovations to the conference: (1) an iPad app that automatically synchronizes the judges' dockets to their iPads; and (2) hyperlinking software that automatically identifies legal citations and links them to the user's preferred online legal research database. With these two innovations, the Fifth Circuit may currently have the most judge-friendly electronic docket.

Both the iPad app and the hyperlinking software were created in-house by the 5th Circuit's IT team. The iPad app provides an intuitive way for judges to consume electronic briefs and legal memos on their iPads. The app automatically downloads their case materials to the iPad from the court's case management system. And the user interface makes it easy for the judges to locate the documents they are looking for. The app also provides the ability to make annotations and highlights on PDF files.

The hyperlinking software automatically identifies legal citations in the documents contained on the iPad and hyperlinks those citations to the user's preferred online legal research database. The user picks whether to link to Westlaw, Lexis or Google Scholar and the software then links to that particular database. For those systems that require a user identification and password, the user can enter those credentials and tell the browser to remember their credentials so that they do not have to login each time. Once these preferences are saved, the user has a seamless means to easily look up legal citations in briefs, opinions, and legal memorandum.

These two systems together give the judges of the 5th Circuit an unparalleled system for reading and annotating briefs and legal memorandum. Their entire docket is literally at their fingertips—easily transportable and readable. No doubt we will continue to see more innovations like these that focus on helping judges make the transition to electronic filing.

Facts, Fiction and Ghouliness

Kevin Lane

With the hot days of summer behind most of us, it's time to turn our attention to Fall with our special Halloween edition of Facts, Fiction and Ghouliness.

There are three things I have learned never to discuss with people: religion, politics and the Great Pumpkin.

- Linus from "It's the Great Pumpkin, Charlie Brown"

72.2% of those surveyed by the National Retail Federation will hand out candy, 46.3% will carve a pumpkin, 20.8% will visit a haunted house, and 11.5% will dress up their pets.

Because the movie Halloween (1978) was on such a tight budget, they had to use the cheapest mask they could find for the character Michael Myers, which turned out to be a William Shatner Star Trek mask. Shatner initially didn't know the mask was in his likeness, but when he found out years later, he said he was honored.



The largest pumpkin ever measured was grown by Norm Craven, who broke the world record in 1993 with a 836 lb. pumpkin.

Ireland is typically believed to be the birthplace of Halloween.

Dressing up as ghouls and other spooks originated from the ancient Celtic tradition of townspeople disguising themselves as demons and spirits. The Celts believed that disguising themselves this way would allow them to escape the notice of the real spirits wandering the streets.

The National Retail Federation expects consumers to spend \$66.28 per person—which would be a total of approximately \$5.8 billion—on Halloween costumes, cards, and candy.

Boston, Massachusetts, holds the record for the most Jack O'Lanterns lit at once (30,128).

One quarter of all the candy sold annually is for Halloween night averaging 2 billion dollars in the United States. A whopping 90 million pounds of chocolate candy is sold during Halloween week.

Court Technology Conference 2015 Highlights

By: Jeffrey Travers, Deputy CIO

Appellate Technology, Massachusetts Judiciary

This year's Court Technology Conference was held September 22-24 at the Minneapolis Convention Center in Minneapolis, Minnesota. A program book, with videos of some of the main speaker events and information about every presentation and panel, is available here: [Program Book](#). The Conference offered sessions on a variety of topics, including judicial tools, policy considerations, e-records, email, and mobile applications. There were six "[tracks](#)" offered with different presentations for each track, which were geared towards specific topics or court personnel, including "Tools for the 21st-Century Judge," "Managing Electronic Records," "Access to Justice," and "The Judiciary in a Virtual, Mobile, Social World." These sessions were also streamed live on the CTC 2015 website. Videos of some of the speakers as well as the [presentation materials](#) for most of the sessions can be found on the website.

As a first-time attendee, my largest takeaway was the unique solutions being sold and developed to allow courts to address their specific case management needs. As the courts continue to go paperless, they need to develop or implement solutions that allow court staff to quickly adapt to a paperless environment.

Vendor technology is also helping courts to transition to a paperless environment. [Mentis Technology's aiSmartBench](#) is vendor-neutral and promises to provide a single judicial interface that will integrate with any case or document management system. Other notable solutions include [Lexum's Decisia](#) which allows courts to enhance their current public-facing website, as well as better manage and self-publish decisions and related documents.

Not very long ago, a judicial "case management system" fulfilled the primary needs of the court; however, we must now consider additional components when contemplating requirements for e-Filing, public access to judicial records, external access for staff, and other issues presented by the digitization of courts. In that vein, multiple vendors were offering solutions, including [enhanced imaging](#) to allow for the capture of a digital signature. Many official record system providers provide all-in-one solutions, including Tyler, Courtview, GreenCourt, Pioneer Technology Group, and McGirrTech, to name only a few.

Additionally, courts are expanding their access to the public by developing self-help services for litigants. [The Superior Court of California of Orange County](#) and [Minnesota](#) have developed public self-help portals to deliver enhanced customer service. These services not only increase efficiency within the courthouse, but also provide valuable metrics to apply toward future improvements for the public.

Court Technology Conference 2015 Highlights *(Continued)*

By: Jeffrey Travers

Judicial tools were also showcased. These tools are not just another case management system. Court technology departments need to understand what judges want and need from a toolset with the object of improving case flow and efficiency. Many states are developing their own customized dashboards to address specific needs for enhanced case flow management. Missouri, for example, developed [eBench](#), Minnesota has developed [BenchWorks](#), and Wisconsin also has developed its own [dashboard](#). However, there are also many vendors offering commercial solutions to integrate multiple case management systems together, such as [Mentis's aiSmartBench](#).

A number of commercial vendors are also offering a variety of tools to streamline case processing, case management, and create easily accessible digital documents. For example, solutions offered by companies such as [RevolutionaryText, LLC](#), make transcription of court proceedings easier by offering the virtual presence of a transcriber. There are also a number of solutions utilizing video conferencing technology, such as providing the option for remote arraignments. Further, vendors offer solutions for eAccess to records and decisions. For example, Decisia allows for the self-publishing of court decisions, and a number of solutions now make it easier for courts to self-publish their decisions in the cloud. There are also some vendors looking to advance jury management by leveraging text messaging, the internet, and more.

In addition, privacy concerns continue to challenge government agencies when publishing material online. Improvements in redaction technology allow courts to automate multi-layered approaches to document security, offering an efficient and streamlined approach to protecting sensitive material, thus allowing for public access to sensitive court material while preserving privacy. Multiple tools allow for the seamless integration into existing e-Filing and CMS platforms, such as [Intellidact Extract Systems](#).

Finally, legal research vendors are offering tools to make the drafting process and case management easier. Thomson Reuters' product "[Drafting Assistant](#)" integrates directly into Microsoft Word and allows for the verification of citations directly within the application. Thomson Reuters also offers the [C-Track](#) case management system which is agnostic and integrates with other solutions.

The next opportunity for those interested in Court Technology to gather will be at the [e-Courts conference](#), December 12-14, 2016.



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**FUN
IN
SNOW-
BIRD!!!**

