



2016 Denver

Denver Colorado July 31st – August 5th, 2016 Forty-Third Annual Meeting

Mark Your Calendars!

By Polly Brock

Welcome to Denver! We promise that you will have an amazing time. We hope you explore all of Denver and the Rocky Mountain Front Range. During the conference, we are going to highlight Denver's urban core and all its amenities—historical, cultural, and athletic. We are staying in the heart of Denver at the Crowne Plaza Hotel. The room rate is \$172 per night (plus taxes), which is the federal per diem rate. Reservations must be made by July 1, 2016. You may make reservations now at 1-866-227-6963. Say you are with NCACC. Please check the NCACC website for various transportation options from Denver International Airport. The conference schedule will be posted to the NCACC website on Monday, May 2, 2016.



Some highlights—On Sunday, Bloomberg BNA will be hosting our reception and dinner at the Colorado Supreme Court and Court of Appeals home, the Ralph L. Carr Judicial Center. Tour the building and our learning center, learn about Governor Ralph L. Carr, the principled politician our building is named after, and start enjoying Denver. Monday, August 1st, is Colorado Day (we became a state on August 1, 1876—the Centennial State). What better way to celebrate than at the Colorado History Center with our hosts at Thomson-Reuters. On Tuesday, you can avail yourself of all kinds of culture events in downtown, or you can join the group at a Rockies Baseball Game—there is no better view of the sunset over the Rockies than over the outfield at Coors Field. Wednesday is a dance party hosted by our friends at Lexis-Nexis. Bring your best 80's feathered bangs and broad-shoulder pads (do you think Blake would look good with a Flock of Seagulls wig?).



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

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THE DOCKET

News of the National Conference of Appellate Court Clerks

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NCACC MASCOT

**Who will take our friend
home this year?
Start getting your auction items
ready for Denver!**

THE PRESIDENT'S PAGE

BLAKE HAWTHORNE (TX)

In my last report, I told you about several projects that we were working to complete by the end of my term as President: (1) consolidating several committees to improve efficiency and communication; (2) updating the NCACC logo; and (3) examining the ethics of our relationships with vendors. I am pleased to report that our members have been hard at work on all of these projects and have made significant progress.



The Executive Committee held the spring meeting in Miami Beach, Florida where we discussed these projects and many other issues. I was especially impressed with the progress that the Bylaws Committee has made on changes necessary to consolidate the Awards and Resolutions and Memorials, Publications and Publicity, and Membership and Pictorial Directory committees. Each of these committees has also done an outstanding job of drafting proposed consolidated guidelines. And the Past Presidents and Strategic Planning Committees looked at the proposed consolidations and agreed that they logical combinations. The Executive Committee has now reviewed the proposed changes and provided its feedback to the committees. We plan to publish the proposed changes in the next edition of *The Docket* so that you all will have a chance to evaluate them before voting on the proposed Bylaw changes during the second half of the business meeting in Denver. One thing that I hope is clear about these changes is that we do not plan to reduce the opportunities for members to participate in a committee—rather we hope to improve communication amongst committee members in order to improve the overall efficiency and quality of our committee work.

The Executive Committee also approved a plan to proceed with putting a proposed logo change to a vote at the next business meeting. In this edition of *The Docket*, you will find an article written by Rory Perry, Clerk, Supreme Court of Appeals of West Virginia, which explains the history and purpose of this project. When he was President of the NCACC, Rory put a lot of hard work into this project—but for a variety of reasons, it has not yet come up for a vote. As Rory explains in his article, he has set up an online survey that will allow everyone to weigh in on the proposed logo change. The survey results will be used to inform the discussion of this proposed change at the business meeting, where we will vote on whether to change the logo. I fully support Rory's efforts to modernize our logo—and I hope that you will, too.

THE PRESIDENT'S PAGE

BLAKE HAWTHORNE (TX) *(Continued)*

Finally, as I wrote about in my last report, a special committee has been looking at the ethical implications of solicitation and acceptance of funds from persons doing business with the courts. See Advisory Opinion No. 91, *Solicitation and Acceptance of Funds from Persons Doing Business with the Courts*, Judicial Conference of the United States Committee on Codes of Conduct, dated June 2009. The Special Committee made several recommendations to the Executive Committee regarding the Conference's relationship with vendors, which we are actively working on implementing. Those recommendations include the following:

- Ensure that profits from vendor solicitations and the vendor fair are channeled into specific activities, so they can be identified as vendor supported;
- Disclose NCACC vendor solicitation practices and Opinion 91;
- Identify vendor sponsored events and activities on the schedule for the upcoming educational conference;
- Discuss financial arrangements with vendors to develop, if possible, the ability for members to pay the per capita cost of attending major events (i.e. a "buy-out option").

In addition, I proposed to the Executive Committee that we look at whether it would be possible to donate any profits from the vendor show to charity so that those funds are not intermingled with other Conference funds. We will have to discuss this proposal further to see if it is practical, but I am optimistic that we can implement this change, as well as the Special Committee's proposals, so that we can ensure that all of our members are comfortable with the Conference's relationship with vendors.

In closing, I want to leave you with two philosophical thoughts from my grandmother and grandfather on my father's side. Whenever some calamity would befall me and I sought comfort from my grandparents, my grandmother would always say, "this too shall pass." This ancient saying means that all things, both positive and negative, are only temporary. But my grandmother repeated this adage only in the positive sense—that tomorrow will be a better day. My grandfather, on the other hand (a regular salt-of-the-earth Horatio Algiers who spent his youth in itinerant oilfield work camps in Oklahoma and Texas before starting his own successful business) had no patience for those that wallowed in self-pity. He would take one look at me and say, "I've had worse in my eye!" Put these two thoughts together (all things are temporary, nothing is forever; and there are those that suffer more than us) and you have a foundation for facing the personal and professional challenges that lie ahead.

Until we meet again, may the road rise up to meet you, may the wind always be at your back, may the sun shine warm upon your face, and rains fall soft upon your fields.

-Blake

Logo Redesign To Be Considered

– by Rory Perry –

At the 40th annual meeting in Seattle, I reported to the membership about an effort to refresh the NCACC logo. The original logo was derived from a pencil drawing when the organization was first formed in 1973. The design tools available at that time were more limited than those available today. The original logo incorporates two American flags, which is slightly contrary to our new membership policy on international members. The typography of the original logo is also a little dated. A cleaner, more updated logo will help to signal that the organization is modern and vital, while retaining the elements of trust and confidence in the courts that we have built up over the years. Both of the new designs will work well in print, on the web, and in items such as t-shirts and bags. The logo redesign work was graciously donated by Marty Gregg of Art House Designs in Denver, Colorado, and we are especially grateful for the donation.

The Executive Committee narrowed down the new designs to two choices, which are set out below. In addition, retaining the existing logo will also be an option. Long-term members have understandably grown attached to the original logo, and may wish to see it remain unchanged in order to preserve the historical legacy. This is an important issue, and we want to get as much input as possible. The final vote will take place at the business meeting in Denver this summer. However, because all the members will not be able to attend the annual meeting in Denver, we will also have an online survey available. The results of this survey will be made available to the membership at the annual meeting and will inform the final vote. A link to the survey will be posted on the home page of the website, but is also available here:

<http://goo.gl/forms/wK6Tq5187L>



A



B



C

From Down the Road by Ron Carpenter



By the time you read this, my status, at least according to my darling wife, Carol, will have changed to “unemployed bum”. I, for one, prefer “Officially Retired on April Fool’s Day 2016”, but maybe our differing perspectives are simply an example of men being from Mars and women being

from Venus. The previous occasion on which she referred to me as such was during the period of time of April 15-16, 1990—the two-day period after my resignation as a partner in a four-man law firm in Colfax, Washington on April 14 until the date of commencing my duties as Deputy Clerk/Chief Staff Attorney with the Washington State Supreme Court on April 17, 1990. Fortunately, I dodged the bullet and a repeat of such a reference when I was appointed Clerk effective January 1, 2007 – there being no break in my service time.

So what, if anything, have I learned in the nearly 26 years of hiding out at the Temple of Justice in Olympia you might ask? Let me be so bold as to offer, if not some pearls of wisdom (although Olympia is famous for its small oysters), some thoughts on what the journey may have taught me. If you are a seasoned appellate clerk, you may want to stop reading at this juncture—no doubt you already know more than I. But if you are newer to the clerk’s trade, perhaps something I have to say, if not helpful, might at least be interesting.

First, let me say that during my 45 years as an attorney, the 26 years spent at the Washington State Supreme Court has been like being a “Lotto Winner”. Early on I told my wife, only half-jokingly, that she “should send me to Western State Hospital for a mental status evaluation if I even remotely indicated an intention to leave the Court before retirement.” But, equally significant is the simple truth that one of the best decisions I ever made during my professional life was made the day I applied for membership with the National Conference of Appellate Court Clerks (NCACC). Oddly, without reservation I was afforded membership, presumably not based on any evaluation of merit, but a decision that the organization could use the dues money, in spite of my lack of sterling credentials.

I did not get a chance to attend my first NCACC Annual Conference until 1998, but when I did, I was immediately impressed with the extremely high quality of the professional educational programs offered, and of equal importance, the great opportunity to work with many genuinely really nice people that membership afforded. In the intervening years, I have managed to attend all but three of the annual conferences. After all these years, I am still amazed how every year’s conference never disappoints. Not only are the programs engaging, but the fellowship, and yes, the friendships one develops, are truly priceless.

From Down the Road

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So, if you are reading this article, but are not yet a member of the NCACC, then I strongly recommend that you don't hesitate and immediately submit your membership application. If you are a member already, then all I can say is don't miss the opportunity to receive the full value of that membership. Attend as many of the annual conferences as possible, dollar for dollar, it is money well spent; arguably as great a deal as the \$1.50 Costco dog and drink. You will learn a lot, and will have the opportunity to both be mentored and be a mentor to other members through your input. By the way, the "What's Bugging Me" segment of the program is always extremely informative. Attending the conferences also serve as a reality check where attendees get to compare what they are doing and/or problems they are experiencing with fellow clerks in the trenches. It helps one feel less alone and lost. Participating in such a great professional organization is very therapeutic and reassuring. As an extra bonus, attending the conferences affords the opportunity to visit some wonderful conference sites—cities you might otherwise never get a chance to explore. While attending the conference, also remember to sign up to serve on at least one committee each year. NCACC does not maintain a professional staff, so throughout the year the daily duties, responsibilities and tasks that need to get done are accomplished via the efforts of committee members and by our elected officers and other members of the Executive Committee. Through the years, I have served as Chair of several committees and have been a member of numerous others; which has hopefully allowed me to make some meaningful contributions to the good of the order, but additionally has proven to be both a very informative and educational process. If you need some financial assistance to attend, don't overlook the opportunity to apply for a scholarship, which can help with part of your attendance expenses. Also as a bonus to yourself, sign-up on the NCACC listserve (ncacc@lists.washlaw.edu). The messages and exchange of ideas on process, procedure, how to address common issues and problems faced by all of us is extremely beneficial. It is one of the primary ways that members inform and assist other members throughout the year. Seems almost daily that I find myself responding to a listserve inquiry. It is a free service that benefits all that use it.

From an office management perspective, here are a few observations. First, guard against being defined by your job—better to control it, and not let it control you. Treat your staff like family, and be devoted to their well-being. Empower everyone on your staff equally and set up a system of "peer review" where all the folks involved in the processing of a matter are encouraged to question what is being done and how. It is a way that you can try to ensure that the final product leaving your office is perfect. Encourage staff by having an open door policy where they feel free to come into your office and point out anything they feel can be improved, down to the smallest details in a letter you have composed. We all benefit from others editing and questioning our work product. Although you must take your job and the work you do very seriously, remember to guard against taking yourself too seriously. You can do this by

From Down the Road

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actively working at spreading appropriate humor through the workplace. For me, it is mostly making lame groan-worthy puns—but find what works for you and is not offensive to others, and use it to build a positive team spirit. The integration of humor makes it a nicer place to work for everyone. In our office, we maintain a second-family atmosphere—after all, we all spend more waking hours at work than we normally do at home, at least Monday through Friday. But remember, there is no place in the workplace for political, religious or sexual comments. I always try to remember to apply the “fix the problem-not the blame” approach when things go wrong or a staff member makes a mistake. This approach goes a long way to ensure a smoother operating office and allows you in a positive way to determine if a staff member needs more training, simply some guidance, or you need to change an office practice or procedure to catch and prevent such a mistake from reoccurring. Also, from time to time, remind staff to slow down so they make less mistakes. In that regard, I often remind staff about my wife’s favorite saying: “If you don’t have time to do it right, when will you have time to do it over?” Don’t forget to embrace electronic processes and procedures to the extent you are able. It is a great way to save time, money, and increase efficiency.

Don’t forget to take care of your personal well-being. Take some time each day to get in some exercise. Even a little is better than nothing. In recent years I have gone for a walk or a bike ride almost every day – not always at the same time, but carve the time out sometime during the day as the work flow and commitments allow. Often in bad weather or during the high pollen season, I drive up to the local mall to walk. You will be amazed how a little intermittent exercise infused into your day will restore you and how much more productive you will be for the balance of the work day. A momentary break from the incessant demands of the job will not only reduce your stress level, but will allow your subconscious to address pending concerns, and most likely the answer will almost magically pop into your head during the exercise or shortly after you arrive back at work. Also, don’t sit too long. Slightly more than a year ago I was reluctantly talked into getting a stand-up desk. The transformation has been remarkable. Most days I probably don’t sit down more than 20 minutes while at work. I feel better, more energized, and have substantially less back pain - and the process burns more calories than sitting. So, seriously consider trying a stand-up desk.

Don’t forget your financial well-being. If you have access to a deferred compensation or similar plan through your work, get started contributing. I started small at first, then once my three children graduated college and my daughter was married (none of these were small expenses), I started contributing the maximum yearly amount allowed by the IRS regulations (an even larger contribution is allowed the last few years before your retirement eligibility date).

From Down the Road

(continued)

Because your contributions are treated as pre-tax dollars, you save taxes—only paying taxes on the money when you take it out during retirement - when presumably you will be being taxed at a lower rate because of having a smaller yearly adjusted gross income. In my case, it has also allowed me to buy back five additional years of retirement service credit by transferring the necessary funds out of my deferred compensation account into my retirement account (a tax-free transaction). The resulting extra monthly retirement payment is substantially more a month than what a comparable annuity would yield. Also, the resulting increased monthly retirement payment amount counts towards satisfying the mandatory distribution required by the IRS that I need to take each year starting this year (the year I turn 70 ½ - yes, I have managed to cheat death for slightly more than seven decades, but still consider myself younger than dirt).

So will I continue to follow my own advice? You bet! For example, I plan to attend this year's annual conference and stay active in the association for the foreseeable future. Accordingly, I fully expect to see many of you in Denver this summer. So **“Keep Calm and Clerk On!”**, and take care until I see you again slightly further down the road.

SCHOLARSHIP ASSISTANCE DEADLINE APPROACHING

If you are uncertain whether or not your court will fund your attendance at the annual meeting in Denver, Colorado, consider applying for a scholarship. The application is posted on the NCACC website and the scholarship criteria are detailed in the NCACC directory – Committee Operational Guidelines/NCACC Scholarship Committee.

Please submit your scholarship application by email or postal mail to Barry Forrest, National Center for State Courts, by May 9, 2016. If you apply for a scholarship and later discover that funding is available for your trip, please advise the Scholarship Committee.

Feel free to contact Lisa Matz, Scholarship Committee Chair, at lisa.matz@5th.txcourts.gov, if you have any questions or comments.



PROGRAM COMMITTEE

By: Eileen Fox

This year, the NCACC conference will be held in Denver from Sunday, July 31 to Thursday, August 4, 2016. The educational program will begin on Sunday. We will visit the Ralph L. Carr Colorado Judicial Center, the new home of the Colorado appellate courts. During our visit, Adam Schragger, an author and news anchor, will give a talk on Governor Ralph Carr, Colorado's governor in the early 1940s. As governor, Ralph Carr opposed the internment of Japanese Americans, and he is remembered as a public servant who was devoted to the principles of equality and freedom. Following the presentation, tours will be offered of the Judicial Center and the Learning Center. The Learning Center, which will be discussed in a presentation on Monday, is an innovative and engaging learning environment designed to build an understanding and appreciation for the rule of law and the role of the judiciary in our society.

On Monday morning, we will hear a presentation by Scott Berkun, this year's Opperman speaker. Mr. Berkun is the author of several books, worked as a manager at Microsoft and was co-host of CNBC's show, The Business of Innovation. Mr. Berkun's presentation will be on the subject of project management. Following his presentation, a number of people involved in the development of the Learning Center at the Ralph L. Carr Colorado Judicial Center will talk about their development and management of that project and about lessons they learned from their experience.

On Monday afternoon, John Olivier will lead a panel discussion about "Managing Pro Se Appeals". He will be joined by Betsy Shumaker, the Clerk of the U.S. Court of Appeals for the 10th Circuit, and Attorney Sean Slagle, the Self-Represented Litigant Coordinator for the Colorado Appellate Courts. Later that afternoon, Brittany Kaufman, the Director of the Rule One Initiative at the Institute for the Advancement of the American Legal System, will discuss the need to change the culture within courts to create more efficient and affordable courts. John Doerner, of the National Center for State Courts, will discuss the results of the NCSC's recent survey on innovation in appellate courts.

On Tuesday, the focus will be on hiring, and retaining court staff. Eric Brown and Mindy Masias of the Colorado State Court Administrator's Office will make a presentation on Recruiting, Hiring and Retaining Court Employees. The "*What's Bugging You*" program is also scheduled for Tuesday.

PROGRAM COMMITTEE

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On Wednesday, the focus will be on technology. Justice Daniel Crothers of the North Dakota Supreme Court will discuss ethical issues that arise with the use of social media and other technology. This will be followed by the vendor show. After the vendor show, Christopher Ryan, the Clerk of the Colorado Supreme Court, and Daniel Cordova, the Colorado Supreme Court Librarian, will tell us about Colorado's innovative project to provide a data base of court resources, including non-published opinions, through a subscription service. The last program on Wednesday will be about legislative response to judicial decisions by Callie Dietz of the Washington State Administrative Office of the Courts and Stephanie Bantzen of the Kansas Courts.

We end the week with presentations on two interesting and timely topics. On Thursday morning, Dr. Ulrich Herrmann, of the German Federal Court of Justice (Bundesgerichtshof) will make a presentation on the use of technology by European courts. Dr. Herrmann is the technology liaison for his court, and he will discuss e-filing and the challenges that European courts face in implementing technology. We will then hear from Professor Anne Klinefelter of the University of North Carolina School of Law, who has done cutting-edge research on the nature of sensitive or confidential information in the records of the North Carolina Supreme Court. She will share the results of her research and her recommendations for developing policies to identify and protect confidential information.

As you can see, members of the Program Committee have arranged for speakers on a range of topics that members should find interesting and useful. We are looking forward to a great conference, and we hope that you plan to join us.





Conference Registration Instructions

Go to: <https://www.regonline.com/ncacc43rd-Denver>

The online registration site has been customized with information about the Denver conference. You can pay online and choose options for you and your guests. Because our hosts are volunteers, using online registration will assist them a great deal with administration of the conference. Please note there will be no fee to use the online registration this year. If you are paying all the registration costs yourself, the process will be straightforward. However, some members prefer to pay the basic conference registration cost for one or more court employees with a government-issued credit card or check, and then pay for other costs such as merchandise, agenda events, or guests with personal credit card or check. This requires a two-step registration process.

STEP 1. Select the "Full Conference Registration" level, and completely fill out the personal information form, including the days of the conference you plan on attending. Leave the guest information blank for now. Continue to the check-out screen. Skip the agenda events and merchandise pages for now, because you will come back to them later. Once at the check-out screen, complete check-out by paying only for the basic registration and transaction fee.

STEP 2: Return to online registration at any time to add guests, agenda events, and merchandise. Follow the screens to check-out again, this time paying for the added costs with a secondary form of payment like personal credit card or check. Keep in mind that the check-out screen will show records of all transactions, as well as a running total of costs, paid and unpaid. If you are paying for more than one court employee, modify STEP 1 by clicking the "Add Another Person" button at the bottom of the personal information screen, and fill in the second registrant's information. Repeat as needed. It is important to provide a unique contact email address for each registrant. Each registrant will receive a confirmation e-mail, but will need the password created by the master registrant to modify their personal registration and pay items with personal funds.

NOTE: Not all agenda items have a cost associated with them, and some may have a cost associated with them depending on the registration level of registrant. To view or change your registration information, click the main link in the confirmation email sent to you by the system.

QUESTIONS? For questions about the online registration process, please contact Isaac Counts at the West Virginia Supreme Court (304) 558-6836 or isaac.counts@courts.wv.gov, or Polly Brock at the Colorado Court of Appeals (720) 625-5164 or polly.brock@judicial.state.co.us.

Host Wanted for 2019!

It is still not too late to volunteer to be the host for the NCACC Conference in 2019! This invitation to host is open to all members, including past hosts.

Being a host is an incredibly enjoyable and rewarding experience. While hosting does involve a significant investment of time and energy, it is not as daunting as many assume, and there are many former hosts and others who are willing to provide advice and assistance to ease the burden. Further, as most recently demonstrated by Tom Hall (FL) and Marilyn May (AK) during the excellent conference in Seattle, members can jointly host a conference which allows the burden to be shared. Whether you are a long time member or just a recent addition to the NCACC family, I would encourage you to submit a bid.

If you have any questions about being a host or submitting a bid to be a host, please feel free to contact me. I hope that we can visit your jurisdiction in 2019!

Dan Shearouse (SC)
Chair, Site Selection Committee
dshearouse@sccourts.org
803-734-1080

Technology and Mobility Wedge into Every Facet of Courts

By: Brian Cotta

Technologist / Assistant Administrator
Court of Appeal, Fifth Appellate District
Fresno, CA

With constant advancements in global technology as well as a growing presence of Gen X's and Millennials in the Court/Legal industry, there are at least two strong concepts that courts will want to embrace in order to be highly successful in keeping up with technology and satisfying the crave to stay up with "the latest": 1) Mobility and 2) Commercial off-the-shelf (COTS) or out-of-the-box (OOTB) products/implementations. To provide a little background and correlation between these two concepts, let's first identify what they each mean and how they strongly relate. In the technology industry, the term "mobility" is best described as the ability for users to access or use an electronic system/app from almost any device, from just about anywhere and without the need to use heavy remote access tools such as VPN. Compare that to the dictionary definition: "the ability to move or be moved freely and easily". Combining those two definitions together, it is conclusively clear that for technology mobility to exist, the number of breaking points in any technology implementation must be kept tight with scope, creep under extreme control so that mobility can be fostered and systems remain both agile and adaptive to changing business requirements. That is exactly where the COTS concept marries perfectly, as COTS products can be semi-customized (tuned) to fit most business needs, they typically cannot, or should definitely not be customized or creep to an extent where the product is exponentially more difficult or expensive to support, upgrade or move in the future. While this is tied into a much bigger concept of "buy vs. build", it's true that a COTS product will often come with apps or other capabilities allowing for mobility, and if not, almost always include tie-in functionality for a mobile app or portal to be developed. As the needs and desires for mobile functionality increase, the more courts with limited resources (staff, time and money) should consider implementing COTS products. After initial implementation, the application(s) can be kept updated much more easily than a custom-built solution, with less staffing resources, and mobile functionality will automatically be improved over time to include new features and support new devices. Obviously, this requires clear communication between technology leaders and executive management so that a balance can be found between business process change and technology customization.

Let's face it, we can't hide from smart phones, tablets, computers and other devices that fill up store fronts, ads, billboards, magazines, commercials and almost any other types of marketing mechanisms that one could fathom. Like it or not, we as human beings are immersed in it! Although there are many others, that fact alone heavily contributes to breeding a growing tech-hungry culture within each court, not only with declining generations, but particularly so

Technology and Mobility Wedge into Every Facet of Courts

(continued)

with the newer generations that are starting to fill our courts. Justices, employees and the public have growing needs and expectations of being able to conduct business whenever and wherever, and often simply from their phones! The demands for mobility are strengthened further by society's increasing embracement of technology and unquenchable desire to accomplish things faster.

The California Court of Appeal, Fifth Appellate District (5DCA) in Fresno, California has covered quite a bit of ground over the past two years with steps taken to mobilize its Justices and various departments. The results of these accomplishments have increased efficiencies and provided better overall visibility within each department. Furthermore, they have significantly reduced inefficient use of time, paper and error. A number of projects completed within the last two years are outlined below that demonstrate how well mobility and a COTS posture can benefit courts.

COURT OPERATIONS AND JUSTICES:

Credit Card Payments: In 2015, the 5DCA implemented counter and back-office credit card payments technology. The system allows for attorneys and the public to make Point-of-Sale (POS) payments in person using a typical credit card or with their smart device using Near Field Communication (NFC) technology, such as Apple Pay and Android Pay. Additionally, it allows the Clerk's office to take payments over the phone using a cloud-based transaction portal in which the customer is provided with an automated electronic receipt through email. The 5DCA has found that a majority of customers prefer to use a credit card over checks and cash. Being that credit card data is not kept onsite, but rather through a contracted and secure merchant service provider, Payment Card Industry (PCI) compliance requirements are kept to an extreme minimum making implementation easy and doable.

Products:

Elavon (a merchant service through US Bank)

Ingenico credit card payments terminal with NFC/EMV technology

Technology Highlights: Cloud based, secure/encrypted, Apple Pay, Android Pay, OOTB

E-Filing EFM: As of 2016, the California Supreme Court and Courts of Appeal (all six districts) are in the middle of deploying E-Filing at each court, with one central E-Filing Service Provider (EFSP). The project is being accomplished in phases, with one court E-Filing Manager (EFM) being rolled out after another. The 5DCA was the second California Appellate Court to go live with its E-Filing EFM deployment. The software is thin on each computer, allowing for minimal IT support and the ability for users to install the software on their own without IT assistance or software management system(s). The software also has a mobile app which allows for near-full mobile functionality on or off premises. This mobile functionality

Technology and Mobility Wedge into Every Facet of Courts (continued)

allows Justices, Managers and Supervisors to monitor and manage EFM queues, route filings and documents back and forth, as well as approve EOTs and perform other actions requiring authorization or interaction from Justices. This small, but very beneficial, feature set is part of a powerful E-Filing solution delivered through a single, lightweight application.

Product: Hyland OnBase (via ImageSoft)

Technology Highlights: Mobility (app), Cloud based, secure/encrypted, OOTB

Electronic Signatures: Consider the processes within many courts and other businesses still in transition between the electronic and paper worlds. If your court was anything like the 5DCA was, you might be typing orders, then physically passing them around in folders to chambers for signatures, to then scan them back into electronic so that they can be uploaded into your case management system, in addition to being physically filed on a shelf somewhere. The 5DCA wanted to change the landscape and push away from the (electronic-to-paper-to-electronic-plus-filing) model and simplify the entire scope to just electronic. The 5DCA deployed an on-premises electronic signing solution that allows for anyone within the organization to upload any electronic document, place role required and optional fields within the document (i.e. signature, date, checkboxes and etc.) and then route the document to one or more signers to complete. Upon workflow completion, the completed electronic document is sent directly back to both the original sender and any optional recipients. The system is highly secure, uses standard computer/network credentials and works flawlessly on all computers and mobile devices via a very intuitive app. The implementation has been a huge win for the court and allowed for court operations and Justices to accomplish tasks faster, whether on or off premises.

Product: Barracuda CudaSign (formerly SignNow)

Technology Highlights: Mobility (app), Cloud or on-premises options, OOTB

Electronic Writs: An electronic writ (eWrit) application was built in-house at the 5DCA using Microsoft SharePoint approximately 5 years ago. The solution was and still is a huge success, allowing for all writ activities to occur electronically. The system allows for electronic collaboration with notes and sharing of documents between attorneys and Justice panels, while giving judicial assistants what they need to carry the writ forward to completion. The 5DCA recently upgraded SharePoint from 2010 to 2013 and added layers of redundancy to strengthen the reliability of the system. While the eWrit system and its functionality were executed very well from the start, there was one piece missing: Mobility! During the upgrade process, the 5DCA took efforts to mobilize the eWrit system, which now allows Justices and attorneys to access it offsite from any computer or mobile device. The mobility component has instilled a new

Technology and Mobility Wedge into Every Facet of Courts (continued)

breath of life into the system and eliminated the need to use complicated VPN remote-access connections.

Product: Microsoft SharePoint
Technology Highlights: Mobility, COTS

Courtroom: The 5DCA needed a reliable and enterprise-ready solution to allow for justices, attorneys and judicial assistants to watch oral arguments in the courtroom without the need of having to sit in the courtroom and consume unnecessary time away from their desks. A solution by Granicus was selected that is also used by the California Supreme Court. All court Justices and users can sit at their desks, click on a simple URL and stream a live feed of high definition (HD) video and audio of the courtroom. The streaming feed is 100% compatible with computers and mobile devices and allows for streaming both on and off premises. The court is working toward providing a feed of the live stream on the Internet as many other states have done. This will ultimately contribute to the goal of public transparency and easy access to justice, even while mobile!

Product: Granicus
Technology Highlights: Mobility, Cloud with local mirror, OOTB

To be continued.....

Stay tuned for the June edition where Facility and IT related COTS technologies harnessing mobility are highlighted!



**THE NCACC OFFICERS
AND EXECUTIVE COMMITTEE
AT THE NCACC SPRING MEETING IN
MIAMI BEACH, FLORIDA**

