



2016 **Denver**

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

JOIN US IN DENVER!
Denver, Colorado
July 31 – August 5, 2016



As host of the 43rd annual conference in beautiful downtown Denver, I would like to personally invite you to attend. My first conference was 9 years ago in New Orleans.

While I spent most of my legal career with the appellate court, I was new to the clerk's office. I remember clearly how great it felt to meet and talk with people who understood what I did and who were so encouraging. If you are a regular conference attendee, you know how valuable the conference can be to expand your knowledge base, connect with your peers, and to develop new and maintain lifelong friendships. If you are new or never have been able to attend, I promise that you will not only bring back valuable insight and information for your court, but you will make lifetime connections with other clerks that will aid you in your career. Our program committee, headed by Eileen Fox, Clerk of the New Hampshire Supreme Court, has put together a terrific slate of topics and speakers. When we are not learning, we will have a great time with each other and the family and friends that join us in the heart of Downtown Denver.

CALL FOR THE ANNUAL MEETING

President Blake Hawthorne, 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 Crowne Plaza Hotel, Denver, Colorado, beginning July 31, 2016, and continuing through Friday, August 5, 2016.

Respectfully submitted,
Sherry Williamson

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THE DOCKET

News of the National Conference of Appellate Court Clerks

President	Blake Hawthorne (TX)
President Elect	Irene Bizzoso (PA)
Vice-President	Eileen Fox (NH)
Past President	John Olivier (LA)
Secretary	Sherry Williamson (TX)
Treasurer	Tracie Lindeman (NV)
Executive Committee	Gregory O. Block (DC) Petra Mandigo Hulm (ND) Jenny Abbott Kitchings (SC) Scott Mitchell (AL) Lillian Richie (LA) Larry S. Royster (MI)

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Greg Pachmayr (IN)	greg.pachmayr@courts.in.gov
Joseph Stanton (MA)	joseph.stanton@appct.state.ma.us
Deana Williamson (TX)	deana.williamson@txcourts.gov

ATTENTION:
**Don't forget to bring your
auction items to support
the Educational Fund! It
is more fun when everyone
participates!!!!**

THE PRESIDENT'S PAGE

BLAKE HAWTHORNE (TX)

The annual meeting in Denver is quickly approaching. If you have not already registered for the meeting and made your hotel reservations, please do not delay. We have an excellent educational program planned and lots of fun events for you and your family as well. You won't want to miss it!

We will be staying at the newly renovated Crowne Plaza Hotel in the heart of downtown Denver. Host Polly Brock has done an outstanding job of planning our stay—including a trip to the ballpark on Tuesday night to see the Colorado Rockies take on divisional rivals the Los Angeles Dodgers. Program chair Eileen Fox and her team have put together one of the best programs ever—with sessions that are sure to be both informative and directly applicable to what we all do as clerks. Vendor chair Rex Renk is making sure that we have a wide array of vendors offering the latest technology and other solutions for courts available to demonstrate and discuss products with us to help keep you on the cutting edge of developments in our nation's courts.

Thanks to everyone for all of their hard work this year to help improve the conference and to make being a member of the conference such a great experience. Officers Irene Bizzoso, Eileen Fox, John Olivier, Sherry Williamson, and Tracie Lindeman, and executive committee members Greg Block, Petra Mandigo Hulm, Jenny Abbott Kitchings, Scott Mitchell, Lillian Richie, and Larry Royster, have all given dedicated service to the conference, giving a great deal of their time and energy to us. We owe all of them a debt of gratitude for their selflessness and sacrifice.

I also want to thank all of the members that stepped forward to chair a committee and for the many members that served on those committees. The committees do the lion's share of the work. And this year the committees have been especially active.



THE PRESIDENT'S PAGE

BLAKE HAWTHORNE (TX) *(Continued)*

In this issue you, will find proposed amended Bylaws and guidelines for consolidating the Membership and Pictorial Directory Committees, the Awards and Memorials & Resolutions Committee, and the Publications and Public Relations Committee. The Bylaws Committee has done an outstanding job on drafting the amendments necessary to make these changes to the Bylaws. And the committees have in turn worked together to draft proposed new guidelines for these consolidated committees. The Past Presidents Committee and the Strategic Planning Committee have both reviewed these proposals. I hope you will take some time to review them as well, because we will be voting on the Bylaws changes at the annual meeting. Please rest assured that these changes will not reduce the opportunities to get involved in committee work—which I hope everyone will take advantage of. My sincerest thanks to everyone that worked so hard on these improvements.

It has been a great honor to serve as the conference President. Thank you all for your friendship and support. I look forward to seeing you in Denver!

@NCACC Goes #Social

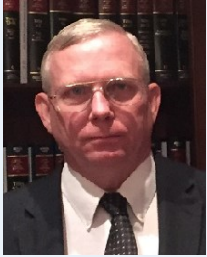
The NCACC has joined the social media world. The Executive Committee recently approved the establishment of a Twitter account for the NCACC. Our president and communications committee chairman will maintain the account and will be “tweeting” on behalf of the organization. By using social media, we can share news about NCACC members and our courts, promote the organization’s activities, and publicize our organization to those who may be interested in our work.

If you have a Twitter account, please make sure to follow us; our username is @NCACCCorg. If you tweet a matter of interest to the Conference, please make sure to include @NCACCCorg in your tweet.

Hashtags also provide an easy way for us to share photos and information with each other. If you post pictures to social media (Twitter, Facebook, or Instagram) during our annual meetings or if you ever have a picture that might be of interest to the membership, please include the hashtag #NCACCCorg with your pictures so we can all enjoy them.

THE NCACC NOMINATING COMMITTEE PRESENTS THE FOLLOWING CANDIDATES:

Vice President: Dan Shearouse (SC)



Dan Shearouse received a B.S. Degree in Mechanical Engineering in 1976 from Clemson University and J.D. degree in 1979 from the University of South Carolina. He was admitted to practice law in South Carolina in November 1979.

After serving three years on active duty in the Judge Advocate General's Corps of the United States Army, he was hired in 1983 as a staff attorney for the Supreme Court of South Carolina, and was subsequently appointed as the Chief Staff Attorney in 1985. He served in this capacity until he was appointed as the Clerk of the Supreme Court of South Carolina in October 1998. Dan has served on numerous NCACC committees and was our host clerk in Charleston.

In October 2008, Dan retired from the United States Army Reserve after completing over thirty-two years as a commissioned officer. His last assignments were as the Staff Judge Advocate for the 108th Training Command (formerly Division) in Charlotte, North Carolina, and as the Commander of the 12th Legal Support Organization at Fort Jackson, South Carolina.

Dan and his wife, Rebecca, have four daughters: Katie, Jackie, Danielle and Jennifer.

Secretary: Sherry Williamson (TX)



Sherry Williamson was appointed as Clerk of the Eleventh Court of Appeals, Eastland, Texas in 1995. Since starting her employment with the court 40 years ago, she has also worked in the positions of Deputy Clerk, Accountant, and Appellate Secretary. Sherry has served as the Secretary of NCACC for the last six years. Since joining in 2001, she has previously served the organization as a member of the Executive Committee and Convention Assistance, Nominating, Public Relations, Publications, Membership, Pictorial and Technology Committees. Sherry has two grown children, Dusty and Deana. Dusty and his wife, Vera, are expecting Sherry's first grandchild in July!

EXECUTIVE COMMITTEE MEMBERS

Lisa Collins (UT) - Two-year term



Lisa Collins began her career with the Court of Appeals in 2002. She was appointed Clerk of Court June 1, 2005. In 2009, Lisa assisted in the design and implementation of the Transcript Management System and received the Record Quality Award from the Utah State Courts and the Justice Achievement Award from the National Association of Court Managers in 2010. Lisa was the host of the 2015 conference in Snowbird, Utah.

Lisa is educated as a Paralegal and received her certification from Michigan State University in Judicial Administration.

Janet Johnson (AZ) - Two-year term



Janet Johnson was appointed Clerk of Court of the Arizona Supreme Court in May 2012. Previously, Janet served as the Director of the Court Services Division of the Arizona Administrative Office of the Courts for 12 years and prior to coming to Arizona, as the Assistant Director of the Court Services Division at the Missouri Administrative Office of the Courts. Other previous experience in Missouri includes Chief Deputy Juvenile Officer, program and policy development specialist, and child protective services. Janet holds a master's degree in Social Work from the University of Missouri-Columbia with an emphasis in planning and administration and is a Fellow of the Institute for Court Management.

Scott Mitchell (AL) - Two-year term



Scott Mitchell has served as the Clerk of the Court of Criminal Appeals of Alabama since August 2012. Prior to his appointment as Clerk, he served as a staff attorney on both the Court of Criminal Appeals and the Supreme Court of Alabama. He also served as the Chief of Staff and the Legislative Liaison for former Chief Justice Sue Bell Cobb. Before working with the appellate courts, he was an associate with a civil defense litigation firm in Montgomery.

Scott received his undergraduate degree from Erskine College in South Carolina and his J.D. from the University of Alabama School of Law. He is married to the former Mary Martin Majors.

Due to the resignation of Joseph Stanton from the Executive Committee, a one-year term on the Executive Committee becomes vacant at the end of the 2016 Annual Meeting. The Nominating Committee, therefore, nominates:

Jakob Trierweiler (AZ) - One-year term



Jakob Trierweiler has been with the Arizona Court of Appeals since May of 2007, moving from Michigan (where he worked for a short time for that state's Court of Appeals Third District, located in Grand Rapids, and he's still upset that GR decided to wait and appoint themselves 'Beer City USA' after he left). He became the Court's Operations Manager in 2009, and since that time has worked with Ruth Willingham, Clerk of the Court, to supervise the Clerk's Office and provide correct information and assistance to our Judicial Staff of 16

Judges. For entertainment, Jakob holds season tickets to two theatres in Phoenix, as well as the Arizona Cardinals, because he's all about balance in his life. He's excited to be considered for this position and looks forward to working within the NCACC for years to come.

***Passports and a Pool Party:
It's a Rocky Mountain Vendors Show!***
Rex Renk (MT)

With a little over a month and a half until the annual meeting in Denver, the vendors show, slated for Wednesday, August 3, is really taking shape. Our nine showcase slots are already filled and we have commitments from exhibitors from across the country--some returning and some new to the conference. Please plan on supporting our participating vendors by visiting their booths during the vendor exhibition from 10:30 a.m. to 4:00 p.m. As mentioned, we have three showcase sessions during the day which allow vendors to have the opportunity to demonstrate their products and their applicability to appellate courts.

This year we are again handing out passports listing all of the participating vendors, and you are encouraged to have your passport signed each time you “travel” to 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 at the vendor happy hour, which is being planned for a poolside venue at the hotel beginning at 4:30 p.m. Please join me in welcoming and supporting our vendors and help make this “Vendors Day in the Rockies” a fun and successful experience for all.



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



2016 Denver

Denver Colorado July 31st-4th, 2016 Forty-Third Annual Meeting

Saturday, July 30, 2016 – Crowne Plaza

	8:30 a.m. – 12:30 p.m.	Executive Committee Meeting	Concierge Lounge
	2:00 p.m. – 5:00 p.m.	Registration	Crowne Plaza

Sunday, July 31, 2016 – Crowne Plaza and Ralph L. Carr Colorado Judicial Center

	9:30 a.m. – 12:00 noon	Registration	Crowne Plaza
	11:00 a.m. – 11:30 a.m.	New Members and First Time Attendees Orientation	Crowne Plaza
	11:30 a.m. – 12:00 noon	Family and Guest Orientation	Crowne Plaza
	1:00 p.m. - 2:15 p.m.	Roll Call of the States and Business Meeting (Session I)	Crowne Plaza Urban Grand Ballroom
	2:30 p.m. – 2:45 p.m.	Conference Welcome Hon. Nancy Rice, Chief Justice, Colorado Supreme Court Hon. Alan Loeb, Chief Judge, Colorado Court of Appeals	Ralph L. Carr Colorado Judicial Center
75 min.	2:45 p.m.– 4:00 p.m.	The Ralph Carr Story Adam J. Schrager, The Principled Politician, The Ralph Carr Story	Ralph L. Carr Colorado Judicial Center
	4:00 p.m. – 5:00 p.m.	Tours of Ralph L. Carr Colorado Judicial Center and Learning Center	Ralph L. Carr Colorado Judicial Center
	5:00 p.m.– 8:00 p.m.	Reception Hosted by Bloomberg BNA	Ralph L. Carr Colorado Judicial Center
	5:00 p.m. – 8:30 p.m.	Education Fund Silent Auction and Live Auction	Ralph L. Carr Colorado Judicial Center
	9:30 p.m. – 12:00 midnight	Hospitality Room Opening Night	Crowne Plaza



Monday, August 1, 2016 - Crowne Plaza

	7:30 a.m. – 8:30 a.m.	Continental Breakfast	Urban Grand Ballroom
60 min.	8:30 a.m. – 9:30 a.m.	Effective Project Management Scott Berkun Opperman Speaker	Urban Grand Ballroom
Break: 15 minutes			
90 min.	9:45 a.m. – 11:15 a.m.	Lessons Learned About Effective Project Management Colorado Judicial Branch Project Management Presentation on Planning and Development of Learning Center	Urban Grand Ballroom
	11:15 a.m. – 12:00 noon	Site Selection Committee Presentation	Urban Grand Ballroom
Lunch on your own: 1 hour			
60 min.	1:00 p.m. – 2:00 p.m.	Managing Pro Se Appeals John Olivier, Clerk, Supreme Court of Louisiana Betsy Shumaker, Clerk, U.S. Court of Appeals for the 10 th Circuit Ms. Sean Slagle, J.D. Self-Represented Litigant Coordinator Colorado Appellate Courts	Urban Grand Ballroom
Break: 15 minutes			
75 min.	2:15 p.m. – 3:30 p.m.	Courts and the Culture of Change Brittany Kauffman, Director, Rule One Initiative, Institute for the Advancement of the American Legal System	Urban Grand Ballroom
60 min.	3:30 p.m. – 4:30 p.m.	Appellate Innovations Project Update John Doerner, NCSC	Urban Grand Ballroom
	6:30 p.m.	History Colorado Center Hosted by Thomson Reuters/West	History Colorado Center
	9:30 p.m. – 12:00 midnight	Hospitality Room	



2016 Denver

Denver Colorado July 31st-4th, 2016 Forty-Third Annual Meeting

Tuesday, August 2, 2016 – Crowne Plaza

	7:30 a.m. – 8:30 a.m.	Continental Breakfast	Urban Grand Ballroom
75 min.	8:30 a.m. – 9:45 a.m.	Recruiting, Hiring and Retaining Court Employees Eric Brown and Mindy Masias Colorado State Court Administrator's Office	Urban Grand Ballroom
	9:45 a.m. – 10:45 a.m.	Legal Considerations in Hiring John Lowrie, Director U.S. Equal Employment Opportunity Commission, Denver Field Office	Urban Grand Ballroom
Break: 15 minutes			
75 min.	11:00 a.m. – 12:15 p.m.	What's Bugging You (Members Only) Moderator: Jenny Abbott Kitchings, Clerk of South Carolina Court of Appeals	Urban Grand Ballroom
	1:00 p.m.	Golf Tournament	Homestead Golf Course, Lakewood
		Rockies Baseball Game	Coors Stadium
	9:30 p.m. – 12:00 midnight	Hospitality Room	

Wednesday, August 3, 2016 – Crowne Plaza

	7:30 a.m. – 8:30 a.m.	Continental Breakfast	Urban Grand Ballroom
	7:30 a.m. – 8:30 a.m.	Breakfast for Potential Hosts	Urban Grand Ballroom
120 min.	8:30 a.m. – 10:30 a.m.	Real Ethics in a Virtual World Justice Daniel Crothers, North Dakota Supreme Court	Urban Grand Ballroom
	10:30 a.m. -10:45 a.m.	Vendor Introductions	Urban Grand Ballroom
Break: 15 minutes			
	11:00 a.m. – 11:30 a.m.	Vendor Showcase I	Crowne Plaza



2016 Denver

Denver Colorado July 31st-4th, 2016 Forty-Third Annual Meeting

Wednesday, August 3, 2016 – Crowne Plaza (continued)

Break: 10 minutes

	11:40 a.m. – 12:10 a.m.	Vendor Showcase II	Crowne Plaza
	12:15 p.m. – 1:30 p.m.	Vendor lunch	Crowne Plaza
	1:30 p.m. – 2:00 p.m.	Vendor Showcase III	Crowne Plaza

Break: 15 minutes

60 min.	2:15 p.m. – 3:15 p.m.	Colorado Library Publishing Project Daniel Cordova, Colorado Supreme Court Librarian Christopher T. Ryan, Clerk of Court, Colorado Supreme Court and Court of Appeals	Urban Grand Ballroom
60 min.	3:15 p.m. – 4:15 p.m.	Backlash – Legislative Responses to Judicial Branch Decisions Callie Dietz, Washington State AOC and Stephanie Banten, CFO, Kansas Courts	Urban Grand Ballroom
	4:30 p.m. – 5:30 p.m.	Vendor Happy Hour	Poolside
	6:30 p.m.	Kevin Taylor's at the Opera House Hosted by Lexis/Nexis	Denver Center for the Performing Arts
	9:30 p.m. – 12:00 midnight	Hospitality Room	

Thursday, August 4, 2016 – Crowne Plaza

	7:30 a.m. – 8:30 a.m.	Fun Run/Walk	
	7:30 a.m. – 8:30 a.m.	Continental Breakfast	Urban Grand Ballroom
	8:30 a.m. to 8:45 a.m.	Announcements	Urban Grand Ballroom
90 min.	8:45 a.m. – 10:00 a.m.	Technology Initiatives in European Courts Dr. Ulrich Herrman, The Federal Court of Justice (Bundesgerichtshof)	Urban Grand Ballroom

Break: 15 minutes



2016 Denver






Denver Colorado July 31st-4th, 2016 Forty-Third Annual Meeting

Thursday, August 4, 2016 – Crowne Plaza (continued)

75 min.	10:15 a.m. – 11:30 a.m.	Privacy and Court Records Prof. Anne Klinefelter, University of North Carolina School of Law	Urban Grand Ballroom
	11:30 a.m. – 12:30 p.m.	Business Meeting (Session II)	Urban Grand Ballroom
	12:30 p.m. – 1:00 p.m.	Executive Committee Meeting	Urban Grand Ballroom
	5:00 p.m.- 9:00 p.m.	Reception and Annual Banquet	Crowne Plaza
	9:00 p.m. – 12:00 midnight	Hospitality Room	

Friday, August 5, 2016 – Crowne Plaza

	8:30 a.m. – 10:00 a.m.	Critique Breakfast	Crowne Plaza
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 Educational Session	 Business Meeting	 Vendor Show	 Vendor Sponsored	 Filmed Session
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ARNIE, The Armadillo a/k/a NCACC Mascot

By Deena Fawcett

Every year at the conference, we all look forward to the silent and live auction. One of the stars of the live auction is “Arnie the Armadillo.” He has gained quite a reputation over the last few years for raising a healthy sum of money for the Educational Fund. Have you ever wondered about Arnie’s history? I have. So, I finally asked Arnie’s dad, Les Steen, retired Clerk of the Arkansas Supreme Court and Court of Appeals. He was happy to share Arnie’s life story.

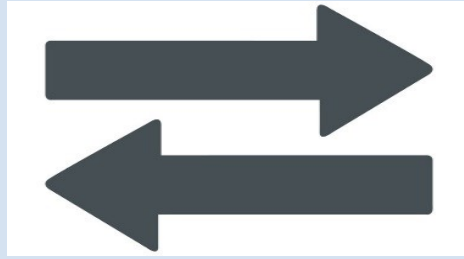
More years ago than I can count, Les began a white elephant gift exchange party at his office. I believe he referred to it as a “Dirty Santa” party. The staff would draw something out of a “hat” and select a gift. Poor Arnie was one of the gifts that nobody wanted--except Les. Les knew that Arnie would be that perfect addition to his collection of strange and unusual items in his office, e.g., odd games, statues, animal figures, etc. One of the residents in Les’s office was a gargoyle that his daughter, Meagan, brought him from Paris. Les decided that the ideal place for Arnie was beside the gargoyle on the captain’s table in front of his desk, where they lived happily together for quite some time.

If you will recall, Les always donated “unique” items to the auction. One year a turkey foot back scratcher appeared, which Les made. Another year he donated his BBQ sauce with his very own personal label. Prior to the conference when Arnie made his first appearance, Les searched his office for something “tacky to donate to the conference.” After much consternation, he selected Arnie. I don’t ever recall seeing such an odd and goofy auction item. However, Arnie became the hit of the live auction! Every year there is an exhilarating and competitive bidding war for Arnie. The successful bidder must take Arnie home and put him on display for all to see--for only one year. Arnie then returns to the auction the next year and the exciting performance is repeated.

Les said that he is thrilled that Arnie has become such a star of the conference and that Arnie continues to reappear every year! Arnie has “created good vibes and good money to go with it,” added Les. Thank you, Les, for sparking the fun at the live auction with Arnie the Armadillo!

Would you like to take Arnie home with you this year? If so, please help raise money for our Educational Fund and participate in the live auction for frivolity, laughter, and merriment!





COMINGS AND GOINGS

The following people have retired from the Courts and we wish them a long and happy retirement:

Ron Carpenter— Washington Supreme Court

Chris Crow — Louisiana Court of Appeal, First Circuit

Peggy Culp — Seventh Court of Appeals, Texas

Deena Fawcett — California Court of Appeal, Third District

Cathy Lusk — Twelfth Court of Appeals, Texas

Christie Cameron Roeder — North Carolina Supreme Court

Danielle A. Schott – Louisiana Court of Appeal, Fourth Circuit

Welcome to the new members joining our organization including:

Bryan Boyd – North Carolina Supreme Court

Susan Carlson – Washington State Supreme Court

Diane Cuellar – Court of Criminal Appeals, Texas

Pam Estes — Twelfth Court of Appeals, Texas

Clarissa Hodges — Second Court of Appeals, Texas

Meredith Montgomery — Alaska Appellate Courts

Larry L. Morris — Court of Appeals of Indiana

Douglas Shima – Kansas Appellate Courts

**NATIONAL CONFERENCE OF APPELLATE COURT CLERKS
FORTY-SECOND ANNUAL MEETING**

Snowbird, Utah

**Sunday, August 2, 2015
through
Thursday, August 7, 2015**

Call to order:

President-Elect Blake Hawthorne, standing in for President John Olivier, called the Forty-second Annual Meeting of the National Conference of Appellate Court Clerks to order at 1:30 p.m. on Sunday, August 2, 2015. He welcomed everyone to the conference. Steve Lancaster (IN) 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-Elect Hawthorne then welcomed the new members and first-time attendees.

Approval of minutes:

President-Elect Hawthorne asked for the approval or amendments to the minutes of the 2014 NCACC Annual Meeting, which were published in the June edition of *The Docket*. Deena Fawcett (CA) moved that the minutes be approved; Marilyn May (AK) seconded; motion carried.

Moment of Memorial Silence:

President-Elect Hawthorne read an obituary of Bill Fulton. A moment of silence was observed in memory of Mr. Fulton, as well as the family of President Olivier, who lost his mother suddenly two days earlier.

President's Report:

President-Elect Hawthorne presented the report for President Olivier, who in the last year attended the COSCA-CCJ meeting, the Rehnquist Dinner and awards ceremony, two Executive Committee meetings in Denver, Colorado and Oakland, California, and the NACM and COSCA meetings. It was a busy year for the President.

Committee Reports

Awards Committee:

Lillian Ritchie (LA) thanked the members of the committee. She reported that nominations were solicited and received for the J.O. Sentell Award. The Morgan Thomas Award will not be presented this year. On Thursday, awards will be presented to two of the three retirees.

Bylaws Committee:

James Pelzer (NY) reported that there are no Bylaw changes.

Contracts Committee:

Penny Miller (ND) thanked the members of the committee. She stated that the Committee was quite active this year. Contracts for Denver, Lake Tahoe and San Diego have all been signed, sealed and delivered. She mentioned that the Contracts Committee also needs to review the hotel contracts for the Executive Committee meetings.

Convention Assistance Committee:

Heather Smith (KS) introduced the members of the committee. She stated that all committee members are ready to assist during the conference. She asked for difficult travel stories from members, so the Trailblazer Award may be given.

Educational Fund Committee:

Larry Royster (MI) thanked the members of the committee. He reported that focus is being given to the Dwight Opperman speaker, making it more prominent at the conference each year. The Opperman Speaker fees are paid from the Educational Fund. The Operational Guidelines will be amended next year to reflect this emphasis.

Finance and Investment Committee:

Chris Crow (LA) reported that the organization is in good financial shape. One major accomplishment this year is that all funds have been consolidated into one bank. A decision still needs to be made regarding whether to stay with SunTrust or move the funds to Wells Fargo. All past financial documents are in the process of being scanned in for placement on the NCACC website. Chris thanked the members of the committee from last year and this year. The method of collecting membership dues was changed successfully this year. The majority of dues were collected in January, February and March.

Membership Committee:

Carol Anne Harley (TX) reported that there are 204 active members. All membership dues have been collected, except for 15 delinquent members. She thanked the committee members. Carol Anne stated that the new online membership form is working successfully and helped on getting the data set up correctly. However, email addresses are needed from everybody.

Nominating Committee:

Ed Smith (MT) thanked the members of the committee and offered the following slate of officers for the upcoming year:

Vice-President – Eileen Fox (NH)

Treasurer – Tracie Lindeman (NV)

Executive Committee Members – Jenny Kitchings (SC)

Lillian Richie (LA)

Joseph Stanton (MA)

Membership will vote on Thursday.

Past Presidents Committee:

Deena Fawcett (CA) reported that Frans Labranche is digitizing pictures from the past conferences and Morgan Thomas slideshows, and Leslie Gradet is sorting through boxes of historical documents. Deena stated that she has now completed the first President's binder.

Pictorial Directory Committee:

James Pelzer (NY) reported that all changes to the Bylaws and Operational Guidelines are published in the 2015 NCACC Directory. This directory has been sent out to all NCACC members. Joe Lane (CA) emphasized the need for current pictures and biographies of each member.

Program Committee:

Eydie Gaiser (WV) reported that there will be 17.5 hours CLE available at the conference this year. She thanked the members of the committee for their hard work this year. All of the materials are online, and she demonstrated how to access them. The conference schedule and educational schedule are also online. The new feature this year is the online evaluation. She also demonstrated how to access it. She asked the membership to complete an evaluation after each session, as well as the conference evaluation. Eydie told everyone that each speaker will receive a gift bag at the conclusion of the speaker's presentation. One gift bag has been donated to the Live Auction. Eydie thanked Lisa Collins for hosting the conference. Also, the Utah Court of Appeals will be providing a pizza lunch on Monday.

Public Relations Committee:

Kevin Lane (CA) thanked the committee members. The news releases for the nominated officers and members of the Executive Committee have been prepared, and will be publicized and posted on the NCACC website at the conclusion of the conference.

Publications Committee:

Kevin Lane (CA) thanked all the committee members, with a special recognition of Sherry Williamson (TX), Assistant Editor. He reported all editions of *The Docket* were published on time and all requirements were met. Kevin encouraged all members to submit articles throughout the year.

Scholarship Committee:

Amy Reitz (OH) reported that the Committee received seven applications, but one applicant withdrew prior to the conference. Over \$7,300 was awarded this year. The Executive Committee also approved the advance reimbursement of purchasing the airline tickets. A scholarship guideline timeline is now posted on the NCACC website. Note: One more applicant was not able to attend the conference, which lowered the amount awarded to \$6080.60.

Site Selection Committee:

Dan Shearouse (SC) thanked the committee members. He announced that the 2018 Annual Conference will be held in San Diego, California, with Kevin Lane as Host. Dan emphasized the need of bids for the conference each year, and gave a presentation to encourage members to host. He said that since everything is electronic now, the record-keeping is much easier. Also, he said to get a co-host if you do not want to do it alone.

Strategic Planning Committee:

Irene Bizzoso (PA) thanked the members of her committee. The committee is charged with a Succession Planning Checklist. After a conference call, the committee realized that this will be more than a checklist, and will be an ongoing project. A session will be offered during the conference to bring a report of the project at this time.

Technology Committee:

Blake Hawthorne (TX) reported that one of the main advantages of NCACC is to utilize the listserv. However, after a question is posted, it is very helpful to compile a summary of the responses in a spreadsheet and share it with everyone. Also, please send it to Rory Perry (WV) for him to post it on the website.

President-Elect Blake Hawthorne recognized the Officers and members of the Executive Committee who served during the last year.

President-Elect Blake Hawthorne adjourned the business meeting at 2:30 p.m., and announced that the business meeting will resume on Thursday, August 6, 2015 at 10:30 a.m.

The Forty-second Annual Business Meeting resumed at 10:44 a.m. on Thursday, August 6, 2015 with a call to order by President-Elect Blake Hawthorne (TX). Steve Lancaster (IN), Parliamentarian, noted the presence of a quorum.

Resolutions and Memorials Committee:

Lisa Matz (TX) read the language for the following resolutions and memorials:

RESOLUTIONS

37th Annual Meeting Host: Lisa Collins, Clerk

Elissa Collins, Daughter of Lisa Collins

Snowbird Resort Cliff Lodge, represented by Wendy Adamson and Patrick Lumadue

Program Committee Chair – Eydie Gaiser (WV), and members of the committee – Mike Richie (OK), Bill DeCicco (CA), Tim Gudas (NH), Eileen Fox (NH), Steve Kenyon (ID), Catherine Wolfe (NY), Tracie Lindeman (NV), Greg Block (DC), Andrea Martinez (UT), Scott Mitchell (AL), and Blake Hawthorne (TX)

Educational Program Speakers:

The Honorable Carolyn B. McHugh, Judge, U.S. Court of Appeals for the Tenth Circuit

L. Rex Sears, J.D., Ph.D.

Steve Kenyon, J.D., Clerk of the Idaho Supreme Court

Shauna Strickland, NCSC

Nancy Fahey Smith, PIMA County Field Trainer

Catherine O'Hagan Wolfe, Clerk of the U.S. Court of Appeals for the Second Circuit

John Tomasino, J.D., Clerk of the Florida Supreme Court

Christine Crow, J.D., Clerk of the First Circuit Court of Appeal, Louisiana

James Peizer, (Retired) Clerk of the New York Supreme Court, Appellate Division, Second Department

Steve Lancaster, Administrator of the Indiana Court of Appeals

Dr. Patricia Mann, Ph.D.

Pam Harvit, MS CEA

Scott Mitchell, Clerk of the Alabama Court of Criminal Appeals

Peggy Tomsic, J.D.

Laurie Wood

James Magleby, J.D.

Kody Partridge

Lyle Cayce, Clerk of the U.S. Court of Appeals for the Fifth Circuit

Martha Newton, Rules Attorney, Supreme Court of Texas

The Honorable Alan M. Loeb, Chief Judge of the Colorado Court of Appeals

Assistant Chief Timothy Hughes, U.S. Marshals Services Judicial Security Division

Ron Nemirow, Esq., Shareholder, Nemirow Perez P.C.

RESOLUTIONS (continued)

Vendor Show Coordinator – Eileen Fox, Clerk of the Supreme Court of New Hampshire

Bloomberg BNA represented by Karen Bowie and Laura Falacienski

Decisia by Lexum represented by Joseph Khayat

Extract Systems represented by Troy Burke and Al Paoletti

GeoNorth, LLC represented by Bob Johnson

JAVS represented by Shelly Knoph

Journal Technologies represented by Jacoba Poppleton

LexisNexis represented by Nikki Daugherty

TheRecordXchange represented by Eric Lige and Steve Townsend

Thomson Reuters represented by Jackie Black, Tom Leighton, Manoj Jain, and Rob Mosimann

Tybera Development represented by Norm Anderson

Tyler Technologies represented by Annie Boutwell

Convention Assistance Committee Chair, Heather Smith (KS), and members of the committee - Deena Fawcett (CA), Carol Thompson (WY), Kevin Smith (IN), Lisa Collins (UT), Tracie Lindeman (NV), Polly Brock (CO), Debbie Autrey (TX), Joe Stanton (MA), Eydie Gaiser (WV), Andrea Martinez (UT), Scott Mitchell (AL), and Deana Williamson (TX)

Publication Committee – Kevin Lane (CA), Sherry Williamson (TX) and members of the committee Petra Mandigo Hulm (ND), Paula Garcia (CA), Patricia Harrington (VA), Joe Stanton (MA), Greg Pachmayr (IN), and Deana Williamson (TX)

Retirement Certificates

Christine Crow

Steve Lancaster

Corinne Pochop

MEMORIAL

Bill Fulton

President-Elect Blake Hawthorne stated that this concluded the committee reports. Eydie Gaiser (WV) moved that the committee reports be accepted and approved; Rex Renk (MT) seconded; motion carried.

Nominating Committee:

Ed Smith offered the following slate of officers:

Vice-President – Eileen Fox (NH)

Treasurer – Tracie Lindeman (NV)

Executive Committee Members – Jenny Kitchings (SC)

Lillian Richie (LA)

Joseph Stanton (MA)

President-Elect Blake Hawthorne opened the floor for further nominations, but there were none. Ed Smith (MT) made a motion to approve the slate of nominations offered by the Nominating Committee; Marilyn May (AK) seconded; motion carried.

Special Committee:

President-Elect Blake Hawthorne reported that he had one final matter of business, and it is to inform the membership of a Special Committee that was formed by President John Olivier. The purpose of this committee is to research potential ethical issues with accepting donations from vendors, and whether any of the NCACC members are affected. A report will be provided to the President, outlining any action which the committee recommends. The charge will be continued into the next year. President-Elect Blake Hawthorne asked the membership if there was any discussion on this subject. There was none.

There being no further business, Ruth Willingham (AZ) made a motion that the meeting be adjourned; Chris Crow (LA) seconded; motion carried. The meeting was adjourned at 10:55 a.m. on August 6, 2015.

Respectfully submitted,

Sherry Williamson
NCACC Secretary



Treasurer's Report

This year, the Treasurer's Report (which includes our Balance Sheet and Income & Expense statement) will be sent out via the Listserv.

NCACC BYLAWS

(As amended through **July 17, 2014**) August 2016)

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**BYLAWS
OF
THE NATIONAL CONFERENCE OF APPELLATE COURT CLERKS**

ARTICLE I

Name

The name of this organization is the National Conference of Appellate Court Clerks.

ARTICLE II

Objects

The objects of this Conference are: to improve the skill and knowledge required of those performing the duties of appellate court clerks by conferences, seminars or other educational programs; to promote and improve the contribution of the offices of appellate court clerks within the area of effective court administration; to maintain facilities for the collection and dissemination of information and ideas with regard to the operation and improvement of the offices of appellate court clerks.

ARTICLE III

Membership

1. Types of Members.

(a) **Regular Members.** Regular membership shall be open to all clerks, assistant clerks or deputy clerks, or other similar positions bearing different titles of courts of last resort or intermediate appellate courts.

(b) **Retired Members.** Retired membership shall be open to all retired clerks, assistant clerks or deputy clerks, or other similar positions bearing different titles of courts of last resort or intermediate appellate courts.

(c) Associate Members. Associate membership shall be open to any person whose eligibility for regular membership has ceased for reasons other than retirement. Associate membership also shall be open to the surviving spouse of a deceased regular, retired, or associate member.

(d) Sustaining Members. Sustaining membership shall be open to any individual, unit of government, corporation, association, or organization upon invitation of the Executive Committee provided that thirty days prior to the invitation the Executive Committee has referred the name of any such individual, unit of government, corporation, association, or organization to the general membership for consideration and comment.

2. Eligibility Upon Retirement or Termination As Court Employee. Upon the retirement or termination of a regular member's service with an appellate court, should he or she accept employment with a public or private organization within the legal field, vendor or other justice related agency, while so employed he or she may not participate in the list serve and may be excluded from any programs where the free exchange of information by regular members is inhibited due to the current employment of the retired member. A regular member of this Conference may continue as a member upon retirement or termination of his or her service with an appellate court without the noted limitations if not employed in the aforementioned capacities. A retired member shall not be eligible to hold office, except that the immediate past president, if not employed with a public or private organization within the legal field, may continue to serve as a member of the Executive Committee as provided in Article VII, Section 2(b), even though no longer serving with an appellate court.

3. Eligibility for Elective Office. Eligibility for office is limited to regular members in good standing with the Conference for the two years immediately proceeding the election or an appointment to fill a vacant elective office.

4. Membership Dues. The annual dues shall be \$150 for regular members, \$25 for retired and associate members and \$150 for sustaining members. Dues for those who join the conference for the first time 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 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 annual business meeting. 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.

ARTICLE IV

Meeting and Voting

1. Annual Business Meetings, Seminars and Educational Programs. The annual business meeting and all seminars or other educational programs of the Conference shall be held at such times and places as may be fixed by the Executive Committee.

2. Special meetings. Special meetings may be held at such times and places as may be designated by the Executive Committee. Except in cases of emergency, at least ten days notice shall be given to members of the special meetings.

3. Quorum for Meeting of Conference. Thirty-Five regular members of the Conference at the annual business meeting or any called meeting of the full conference shall constitute a quorum.

4. Voting. All matters coming before any meeting of the Conference shall be determined by a majority vote of the members present and entitled to vote. Subject to Article III, Section 2, regular and retired members who are in good standing by virtue of the payment of dues pursuant to Article III, Section 4, shall be entitled to vote. Associate and sustaining members shall not be entitled to vote.

5. Rules of Order. The most current version of Robert's Rules of Order shall govern the conduct of all business meetings of the Conference except as provided otherwise in these Bylaws.

ARTICLE V

Officers

1. Officers of Conference. The officers of the Conference shall be President, President-Elect, Vice-President, Secretary, Treasurer, and Past-President.

2. Term of Office. The officers shall serve until the close of the annual business meeting following that in which they have been elected or succeeded to the office pursuant to Section 3 of this Article, except that the Secretary and the Treasurer shall serve for two years.

3. Election and Succession of Officers. The President-Elect shall succeed to the office of the President at the expiration of the term as President-Elect. The Vice-President shall succeed to the office of President-Elect at the expiration of the term as Vice-President. The President shall succeed to the office of Past-President at the expiration of the term as President. At each annual business meeting, the Vice-President shall be elected by a vote of a majority of the members present at the meeting and entitled to vote; the Secretary and the Treasurer shall be elected for two-year terms, the Secretary in even-numbered years and the Treasurer in odd-numbered years. The Treasurer and the Secretary shall be eligible for reelection.

4. Filling of Vacancies. In case a vacancy occurs in the office of President or President-Elect, the next officer in the order of succession as stated in Section 3 of this Article shall succeed to such office and shall serve for the unexpired term and for the following year. In case a vacancy occurs after the annual business meeting in the office of Vice-President, Secretary, Treasurer, or Past-President, the Executive Committee shall choose a successor who shall serve until the close of the next annual business meeting. If the vacancy filled is that of the Vice-President, it shall be an interim appointment and an election shall be held at the next annual business meeting for the offices of President-Elect and Vice-President. If the vacancy filled is that of Secretary or Treasurer, an election shall be held at the next annual business meeting to fill the unexpired term, if any. If the vacancy to be filled is in the office of Past-President, the Executive Committee shall appoint an eligible former President of the Conference to complete the unexpired term. Eligibility shall be determined by reference to Article III, Section 3 and Article VI, Section 5.

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 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 January fifteenth of each year and the maintenance of a list of all members in good standing.

6. Duties of Treasurer. The Treasurer shall be responsible for overseeing the receipt by the National Center for State Courts of all dues and other monies paid to the Conference. The Treasurer shall be responsible for the investment of funds and the finances of the conference as the Executive Committee deems proper. The Treasurer shall serve as the chairperson of the Finance and Investment Committee. The Treasurer shall serve as a member of the Educational Fund Committee and shall be responsible for overseeing the receipt and deposit of revenues into the Educational Fund which is a restricted educational account maintained for the Conference by the National Center for State Courts. The Treasurer shall be responsible for furnishing all members with a financial report by the annual business meeting each year; this requirement may be met by publishing the financial report in The Docket, the NCACC newsletter.

ARTICLE VI

Office of the President

1. Duties of the President. The President shall serve as the chief executive officer and shall preside at all meetings of the Conference and its Executive Committee.

2. Power of President to Appoint Committee Members; Parliamentarian. The President shall appoint or reappoint members of all committees, including the filling of vacancies, and shall designate or redesignate the Chairperson for each committee, except as provided in Article VII. The President may appoint a regular or retired member as Parliamentarian, to serve at his or her pleasure.

3. Agenda Distribution for Executive Committee Meetings. Two weeks prior to each meeting of the Executive Committee, the President shall prepare and distribute an agenda to all officers and members involved. The agenda should be a clear and reasonably explicit list of the topics to be discussed and should be accompanied by necessary and pertinent supporting materials.

4. Voting Restriction of Presiding Officer. The Presiding Officer shall have a vote in all matters coming before the Executive Committee and in all matters at the annual business meeting of the Conference if: (1) a vote is by written ballot or (2) when necessary to decide a tie non-written vote by the members present and eligible to vote pursuant to Article IV, Section 4.

5. Eligibility for Office After Being President. Two years from the expiration of a term as Past-President, a member shall be eligible for election or appointment to any office in the Conference, provided the requirements of Article III, Section 3, have been met.

6. President as Official Representative of the Conference. The President shall serve as the official representative of the conference when attending meetings that relate to the business of the Conference. With the approval of the Executive Committee, the reasonable expenses incurred in connection with attending such meetings shall be borne by the Conference. The President may designate a Conference member as the representative of the Conference. Expenses incurred by such a designee shall be paid in the same manner as those of the President.

7. Authority of the President. Unless specifically enumerated, nothing in this Bylaw shall be construed to limit the authority of the President to perform such tasks as may be reasonably necessary to promote the goals and objectives of the Conference.

8. Absence of Officers.

(a) Absence of President. In the absence of the President, the President-Elect shall preside.

(b) Absence of President and President-Elect. In the absence of the President and President-Elect, the Vice-President shall preside.

(c) Absence of President, President-Elect and Vice-President. In the absence of the President, President-Elect, and Vice President, the most immediate Past-President in attendance shall preside.

ARTICLE VII

Committees

1. Statement of Committees' Work. The executive and administrative work of the Conference is conducted in its committees. Conference committees shall include an Executive Committee, standing committees, **select committees** and special committees. Standing committees **and the Educational Fund Committee, a select committee**, shall have Committee Operational Guidelines. Proposed changes to these guidelines will be made in writing to the Executive Committee by April first for approval. The chairperson of each standing, **select** and special committee shall submit a written status report for dissemination at the spring Executive Committee meeting.

2. Executive Committee.

(a) Powers and Duties. The Executive Committee is the Board of Directors. It shall direct the affairs of the Conference and shall meet annually prior to the annual business meeting of the Conference and at other times at the call of the President or seven members of the Committee. All matters before the Executive Committee shall be determined by a majority vote of those present. Seven members of the Executive Committee shall constitute a quorum. The Executive Committee shall decide any question raised on the interpretation and application of these Bylaws.

(b) Composition. The Executive Committee shall consist of the five officers, the immediate past President who shall serve for one year, and six members of the Conference who shall each serve for two years. Three members of the Conference shall be elected in even-numbered years and three shall be elected in odd-numbered years at the annual business meeting by a majority of the members present and entitled to vote. In case a vacancy occurs among the six members after the annual business meeting, the Executive Committee shall choose a successor who shall serve until the close of the next annual business meeting. The successor so chosen shall be eligible at the next annual business meeting for election to that or any other vacant position on the Executive Committee. Members elected to one of the six member positions on the Executive Committee shall not be eligible for election to another term thereon until one year after the expiration of their term.

3. Standing Committees.

(a) Duties. Standing Committees are constituted to perform a continuing function of the Conference.

(b) Creation and Termination. Standing Committees may be created by specific provision of these Bylaws or by resolution of the Conference at any meeting called pursuant to Article IV of these Bylaws and shall remain in existence permanently, or until terminated in like manner.

(c) Composition. Except as otherwise provided herein, as noted in (2), (3), (4), (6), (10), and (12) of this subsection, standing committees shall consist of at least three members, no more than nine members, one of whom shall be designated by the President as the Chairperson. The membership of the Program Committee shall also include a Vice-chairperson appointed by the President-Elect. The Finance and Investment Committee shall include the Treasurer who shall serve as the Chairperson. The term of the members, the Chairperson and, when applicable, the Vice-chairperson, of a standing committee shall be one year. The Executive Committee, upon request of the President or the committee Chairperson, or upon its own initiative, may remove a member of a standing committee for good cause.

(d) List of Committees

(1) Awards, and Resolutions and Memorials Committee. The purpose of this committee is to recommend to the Executive Committee nominees for the J.O. Sentell Award and Morgan Thomas Award, to prepare appropriate resolutions for adoption by the Conference as formal expressions of its will and intent and to prepare memorials for deceased members.

(2) Bylaws Committee. The purpose of this committee is to consider amendments to these Bylaws and to make written report to the Executive Committee each year by April first. The Bylaws Committee shall consist of no more than five members, including the Chairperson and any ex-officio members.

(3) Communications Committee. The purpose of this committee is to:

(a) inform the membership of the activities of the Conference, to provide information to enhance the professionalism of appellate court clerks and their offices, and to publish the NCACC newsletter at least quarterly, and

(b) promote the mission and objectives of the NCACC by providing information about the Conference and its members to appropriate individuals and groups.

(4) Contracts Committee. The purpose of this committee is to review any contract referred to it by the President or the Executive Committee. The committee shall report its recommendation to the President and the Executive Committee.

(5) Convention Assistance Committee. The purpose of this committee is to provide practical guidance, advice and assistance to Clerks who are hosts of upcoming annual meetings. The Convention Assistance Committee shall consist of an unlimited number of members.

(6) Educational Fund Committee. The purpose of this committee is to develop sources of income to be invested in a restricted fund, the proceeds of which shall be used for educational purposes as more fully set out in the Operational Guidelines. The Educational Fund Committee shall be composed of the President-Elect, the Treasurer, and one Executive Committee member to be named by the President. The President shall appoint one of these members as Chairperson.

(7) Finance and Investment Committee. The purpose of this committee is to recommend finances and investments to the Executive Committee. The Finance and Investment Committee shall consist of the Treasurer, who shall serve as its Chairperson, and four members appointed by the Executive Committee.

(4) Strategic Planning Committee. The purpose of this committee is to review and evaluate ideas and suggestions referred to it by the executive committee and based upon its review and evaluation recommend to the executive committee courses of action the executive committee should adopt. The Strategic Planning Committee shall consist of no more than nine members, including its Chairperson and any ex-officio members. The Vice-President of the Conference shall serve ex-officio on this committee.

(8) Membership and Pictorial Directory Committee. The purpose of this committee is to:

(a) solicit new members and distribute information about the Conference and its activities to new or prospective members, and

(b) to update and maintain the pictorial directory of the conference, including the annual meeting summaries contained therein, and

(c) maintain and promote participation in the NCACC list serve.

(9) Nominating Committee.

(a) Purpose and Membership. The purpose of this committee is to recommend the nomination of regular members to office. The Nominating Committee shall consist of at least five but no more than nine members, including its Chairperson, and shall be appointed by the President, with the approval of the Executive Committee, at least six months before the annual business meeting.

(ba) Nominating Timetable. Nomination timetable. At least thirty days before the annual business meeting, the Nominating Committee shall report to the members its nominations for the offices of Vice-President, Secretary, Treasurer and members of the Executive Committee to succeed those individuals whose terms will expire at the close of the annual business meeting and to fill other Executive Committee vacancies then existing or vacancies that may be created as a result of the Nominating Committee's nominations. In the event the office of Vice-President becomes vacant, the Nominating Committee shall submit nominations for the offices of President-Elect and Vice-President. In the event the offices of President-Elect and Vice-President both become vacant, the Nominating Committee shall submit nominations for the offices of President, President-Elect and Vice-President. Nominations made for anticipated vacancies shall be specified as such in the Nominating Committee's report. In the event a member declines the nomination after the committee has reported its nominations to the members, the committee shall submit the nomination of another member as soon as possible and shall report to all members before or at the annual business meeting.

(10) Past-Presidents' Committee. The purpose of this committee is to assist the President and Executive Committee as needed. The Past-Presidents' Committee shall be composed of all living past presidents of the Conference.

(1197) Program Committee. The purpose of this committee is to organize and present an educational program at the annual meeting of the Conference to further the objectives of the Conference and to enhance the skill and knowledge of appellate court clerks.

(109) Resolutions and Memorials Committee. The purpose of this committee is to prepare appropriate resolutions for adoption by the Conference as formal expressions of its will and intent, and to prepare and arrange memorials for deceased members.

(1210) Scholarship Committee. The purpose of this committee is to recommend recipients of scholarships to the Executive Committee. The Scholarship Committee shall consist of three members, including its Chairperson, and shall be appointed by the Executive Committee.

(13)(121) Site Selection Committee. The purpose of this committee is to solicit potential hosts for future annual meetings, to evaluate invitations from states, and to make appropriate recommendations to the Executive Committee.

(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.

(14)(13) Strategic Planning Committee. The purpose of this committee is to review and evaluate ideas and suggestions referred to it by the executive committee and based upon its^{t's} review and evaluation recommend to the executive committee courses of action the executive committee should adopt. The Strategic Planning Committee shall consist of no more than nine members, including its Chairperson and any ex-officio members. The Vice-President of the Conference shall serve ex-officio on this committee.

(15)(14) Technology Committee. The purpose of this committee is to provide technical support and advice to appellate court clerks and their staffs and to coordinate communications between the Conference and other organizations regarding technology issues.

4. Select Committees.

(Select Committees are constituted to perform a continuing function of the Conference.

(a) Creation and Termination. Select Committees may be created by specific provision of these Bylaws or by resolution of the Conference at any meeting called pursuant to Article IV of these Bylaws and shall remain in existence permanently, or until terminated in like manner.

(b) Composition. Select committees are made up of members specified in these Bylaws or appointed by other than the President.

(1) Past-Presidents' Committee. The purpose of this committee is to assist the President and Executive Committee as needed. The Past-Presidents' Committee shall be composed of all living Past-Presidents of the Conference.

(2) Educational Fund Committee. The purpose of this committee is to develop sources of income to be invested in a restricted fund, the proceeds of which shall be used for educational purposes as more fully set out in the Operational Guidelines. The Educational Fund Committee shall be composed of the President-Elect, the Treasurer, and one Executive Committee member to be named by the President. The President shall appoint one of these members as the Chairperson.

4.5. Special Committees. Special Committees may be constituted by the Conference, the President or the Executive Committee, as the need arises, to carry out a specified task in furtherance of the purposes of the Conference. At the completion of the task, or the presentation of the special committee's final report to the Conference, the special committee automatically ceases to exist.

ARTICLE VIII

Host Clerk

1. Assigned Duties. A host clerk shall have the obligation to establish a separate financial account for registration fees and any other incoming funds for the annual meeting. The account may be reviewed by the Treasurer at any time. The host clerk shall prepare, with the assistance of the Treasurer, a detailed budget and accounting of income and expenses that relate to the management of the annual meeting. The financial statements shall be made a part of the reports by the Treasurer to the Executive Committee.

2. Alternate Duties. Other responsibilities may be assumed by the host clerk as provided in the procedures developed by the Convention Assistance Committee.

ARTICLE IX

Secretariat

The National Center for State Courts (hereinafter "Center") shall serve as the Secretariat of the Conference. The President, with the approval of the Executive Committee, shall negotiate a contract with the Center annually for the calendar year. The contract shall delineate what services the Center will provide and specify the costs to be borne by the Conference. Secretariat services will cover, as a minimum, the following: membership; distribution of publications; annual corporate reports; billing and collection of revenue; disbursement of expenses; accounting and reporting; monthly and yearly reports; tax returns; investment of funds; use of Center facilities; and fees, billing, and payment.

ARTICLE X

Dissolution Clause

Upon the dissolution of the corporation, the Executive Committee shall, after paying or making provision for the payment of all of the liability of the corporation, dispose of all assets of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable or educational purposes, as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law), as the Executive Committee/Board of Directors shall determine.

ARTICLE XI

Amendments

1. Procedures for Amending Bylaws. These Bylaws may be amended at the annual business meeting of the Conference by a majority vote of the members of the Conference present and entitled to vote, provided that each amendment to be considered shall have been submitted to the Executive Committee by postal or electronic mail to the Secretary no later than April first of that year. The text of each amendment to be considered shall be included in the call for the annual business meeting; this requirement may be met by publication in the NCACC newsletter.

2. Procedures for Considering Late Amendments to Bylaws. Notwithstanding the foregoing provision, amendments to the Bylaws submitted after April first may be considered by the membership at the annual business meeting provided that the membership consents to a suspension of the provisions of Article XI, Section 1, by a vote of seventy-five percent (75%) of the members then present and entitled to vote, and provided further that the quorum requirements of Article IV have been met.

3. Effective Date of Amendments. Amendments to these Bylaws become effective on the adjournment of the annual business meeting of the Conference at which the amendments are adopted unless an earlier time is specified by the Conference at the time an amendment is adopted.

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(As amended through August 2016)

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**BYLAWS
OF
THE NATIONAL CONFERENCE OF APPELLATE COURT CLERKS**

ARTICLE I

Name

The name of this organization is the National Conference of Appellate Court Clerks.

ARTICLE II

Objects

The objects of this Conference are: to improve the skill and knowledge required of those performing the duties of appellate court clerks by conferences, seminars or other educational programs; to promote and improve the contribution of the offices of appellate court clerks within the area of effective court administration; to maintain facilities for the collection and dissemination of information and ideas with regard to the operation and improvement of the offices of appellate court clerks.

ARTICLE III

Membership

1. Types of Members.

(a) Regular Members. Regular membership shall be open to all clerks, assistant clerks or deputy clerks, or other similar positions bearing different titles of courts of last resort or intermediate appellate courts.

(b) Retired Members. Retired membership shall be open to all retired clerks, assistant clerks or deputy clerks, or other similar positions bearing different titles of courts of last resort or intermediate appellate courts.

(c) Associate Members. Associate membership shall be open to any person whose eligibility for regular membership has ceased for reasons other than retirement. Associate membership also shall be open to the surviving spouse of a deceased regular, retired, or associate member.

(d) Sustaining Members. Sustaining membership shall be open to any individual, unit of government, corporation, association, or organization upon invitation of the Executive Committee provided that thirty days prior to the invitation the Executive Committee has referred the name of any such individual, unit of government, corporation, association, or organization to the general membership for consideration and comment.

2. Eligibility Upon Retirement or Termination As Court Employee. Upon the retirement or termination of a regular member's service with an appellate court, should he or she accept employment with a public or private organization within the legal field, vendor or other justice related agency, while so employed he or she may not participate in the list serve and may be excluded from any programs where the free exchange of information by regular members is inhibited due to the current employment of the retired member. A regular member of this Conference may continue as a member upon retirement or termination of his or her service with an appellate court without the noted limitations if not employed in the aforementioned capacities. A retired member shall not be eligible to hold office, except that the immediate past president, if not employed with a public or private organization within the legal field, may continue to serve as a member of the Executive Committee as provided in Article VII, Section 2(b), even though no longer serving with an appellate court.

3. Eligibility for Elective Office. Eligibility for office is limited to regular members in good standing with the Conference for the two years immediately proceeding the election or an appointment to fill a vacant elective office.

4. Membership Dues. The annual dues shall be \$150 for regular members, \$25 for retired and associate members and \$150 for sustaining members. Dues for those who join the conference for the first time 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 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 annual business meeting. 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.

ARTICLE IV

Meeting and Voting

1. Annual Business Meetings, Seminars and Educational Programs. The annual business meeting and all seminars or other educational programs of the Conference shall be held at such times and places as may be fixed by the Executive Committee.

2. Special meetings. Special meetings may be held at such times and places as may be designated by the Executive Committee. Except in cases of emergency, at least ten days notice shall be given to members of the special meetings.

3. Quorum for Meeting of Conference. Thirty-Five regular members of the Conference at the annual business meeting or any called meeting of the full conference shall constitute a quorum.

4. Voting. All matters coming before any meeting of the Conference shall be determined by a majority vote of the members present and entitled to vote. Subject to Article III, Section 2, regular and retired members who are in good standing by virtue of the payment of dues pursuant to Article III, Section 4, shall be entitled to vote. Associate and sustaining members shall not be entitled to vote.

5. Rules of Order. The most current version of Robert's Rules of Order shall govern the conduct of all business meetings of the Conference except as provided otherwise in these Bylaws.

ARTICLE V

Officers

1. Officers of Conference. The officers of the Conference shall be President, President-Elect, Vice-President, Secretary, Treasurer, and Past-President.

2. Term of Office. The officers shall serve until the close of the annual business meeting following that in which they have been elected or succeeded to the office pursuant to Section 3 of this Article, except that the Secretary and the Treasurer shall serve for two years.

3. Election and Succession of Officers. The President-Elect shall succeed to the office of the President at the expiration of the term as President-Elect. The Vice-President shall succeed to the office of President-Elect at the expiration of the term as Vice-President. The President shall succeed to the office of Past-President at the expiration of the term as President. At each annual business meeting, the Vice-President shall be elected by a vote of a majority of the members present at the meeting and entitled to vote; the Secretary and the Treasurer shall be elected for two-year terms, the Secretary in even-numbered years and the Treasurer in odd-numbered years. The Treasurer and the Secretary shall be eligible for reelection.

4. Filling of Vacancies. In case a vacancy occurs in the office of President or President-Elect, the next officer in the order of succession as stated in Section 3 of this Article shall succeed to such office and shall serve for the unexpired term and for the following year. In case a vacancy occurs after the annual business meeting in the office of Vice-President, Secretary, Treasurer, or Past-President, the Executive Committee shall choose a successor who shall serve until the close of the next annual business meeting. If the vacancy filled is that of the Vice-President, it shall be an interim appointment and an election shall be held at the next annual business meeting for the offices of President-Elect and Vice-President. If the vacancy filled is that of Secretary or Treasurer, an election shall be held at the next annual business meeting to fill the unexpired term, if any. If the vacancy to be filled is in the office of Past-President, the Executive Committee shall appoint an eligible former President of the Conference to complete the unexpired term. Eligibility shall be determined by reference to Article III, Section 3 and Article VI, Section 5.

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 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 January fifteenth of each year and the maintenance of a list of all members in good standing.

6. Duties of Treasurer. The Treasurer shall be responsible for overseeing the receipt by the National Center for State Courts of all dues and other monies paid to the Conference. The Treasurer shall be responsible for the investment of funds and the finances of the conference as the Executive Committee deems proper. The Treasurer shall serve as the chairperson of the Finance and Investment Committee. The Treasurer shall serve as a member of the Educational Fund Committee and shall be responsible for overseeing the receipt and deposit of revenues into the Educational Fund which is a restricted educational account maintained for the Conference by the National Center for State Courts. The Treasurer shall be responsible for furnishing all members with a financial report by the annual business meeting each year; this requirement may be met by publishing the financial report in The Docket, the NCACC newsletter.

ARTICLE VI

Office of the President

1. Duties of the President. The President shall serve as the chief executive officer and shall preside at all meetings of the Conference and its Executive Committee.

2. Power of President to Appoint Committee Members; Parliamentarian. The President shall appoint or reappoint members of all committees, including the filling of vacancies, and shall designate or redesignate the Chairperson for each committee, except as provided in Article VII. The President may appoint a regular or retired member as Parliamentarian, to serve at his or her pleasure.

3. Agenda Distribution for Executive Committee Meetings. Two weeks prior to each meeting of the Executive Committee, the President shall prepare and distribute an agenda to all officers and members involved. The agenda should be a clear and reasonably explicit list of the topics to be discussed and should be accompanied by necessary and pertinent supporting materials.

4. Voting Restriction of Presiding Officer. The Presiding Officer shall have a vote in all matters coming before the Executive Committee and in all matters at the annual business meeting of the Conference if: (1) a vote is by written ballot or (2) when necessary to decide a tie non-written vote by the members present and eligible to vote pursuant to Article IV, Section 4.

5. Eligibility for Office After Being President. Two years from the expiration of a term as Past-President, a member shall be eligible for election or appointment to any office in the Conference, provided the requirements of Article III, Section 3, have been met.

6. President as Official Representative of the Conference. The President shall serve as the official representative of the conference when attending meetings that relate to the business of the Conference. With the approval of the Executive Committee, the reasonable expenses incurred in connection with attending such meetings shall be borne by the Conference. The President may designate a Conference member as the representative of the Conference. Expenses incurred by such a designee shall be paid in the same manner as those of the President.

7. Authority of the President. Unless specifically enumerated, nothing in this Bylaw shall be construed to limit the authority of the President to perform such tasks as may be reasonably necessary to promote the goals and objectives of the Conference.

8. Absence of Officers.

(a) Absence of President. In the absence of the President, the President-Elect shall preside.

(b) Absence of President and President-Elect. In the absence of the President and President-Elect, the Vice-President shall preside.

(c) Absence of President, President-Elect and Vice-President. In the absence of the President, President-Elect, and Vice President, the most immediate Past-President in attendance shall preside.

ARTICLE VII

Committees

1. Statement of Committees' Work. The executive and administrative work of the conference is conducted in its committees. Conference committees shall include an Executive Committee, standing committees, and special committees. Standing committees shall have Committee Operational Guidelines. Proposed changes to these guidelines will be made in writing to the Executive Committee by April first for approval. The Chairperson of each standing and special committee shall submit a written status report for dissemination at the spring Executive Committee meeting.

2. Executive Committee.

(a) Powers and Duties. The Executive Committee is the Board of Directors. It shall direct the affairs of the Conference and shall meet annually prior to the annual business meeting of the Conference and at other times at the call of the President or seven members of the Committee. All matters before the Executive Committee shall be determined by a majority vote of those present. Seven members of the Executive Committee shall constitute a quorum. The Executive Committee shall decide any question raised on the interpretation and application of these Bylaws.

(b) Composition. The Executive Committee shall consist of the five officers, the immediate past President who shall serve for one year, and six members of the Conference who shall each serve for two years. Three members of the Conference shall be elected in even-numbered years and three shall be elected in odd-numbered years at the annual business meeting by a majority of the members present and entitled to vote. In case a vacancy occurs among the six members after the annual business meeting, the Executive Committee shall choose a successor who shall serve until the close of the next annual business meeting. The successor so chosen shall be eligible at the next annual business meeting for election to that or any other vacant position on the Executive Committee. Members elected to one of the six member positions on the Executive Committee shall not be eligible for election to another term thereon until one year after the expiration of their term.

3. Standing Committees.

(a) Duties. Standing Committees are constituted to perform a continuing function of the Conference.

(b) Creation and Termination. Standing Committees may be created by specific provision of these Bylaws or by resolution of the Conference at any meeting called pursuant to Article IV of these Bylaws and shall remain in existence permanently, or until terminated in like manner.

(c) Composition. Except as otherwise provided herein, standing committees shall consist of at least three members, one of whom shall be designated by the President as the Chairperson. The membership of the Program Committee shall also include a Vice-chairperson appointed by the President-Elect. The Finance and Investment Committee shall include the Treasurer who shall serve as the Chairperson. The term of the members, the Chairperson and, when applicable, the Vice-chairperson, of a standing committee shall be one year. The Executive Committee, upon request of the President or the committee Chairperson, or upon its own initiative, may remove a member of a standing committee for good cause.

(d) List of Committees

(1) Awards, Resolutions and Memorials Committee. The purpose of this committee is to recommend to the Executive Committee nominees for the J.O. Sentell Award and Morgan Thomas Award, to prepare appropriate resolutions for adoption by the Conference as formal expressions of its will and intent and to prepare memorials for deceased members.

(2) Bylaws Committee. The purpose of this committee is to consider amendments to these Bylaws and to make written report to the Executive Committee each year by April first. The Bylaws Committee shall consist of no more than five members, including the Chairperson and any ex-officio members.

(3) Communications Committee. The purpose of this committee is to:

(a) inform the membership of the activities of the Conference, to provide information to enhance the professionalism of appellate court clerks and their offices, and to publish the NCACC newsletter at least quarterly, and

(b) promote the mission and objectives of the NCACC by providing information about the Conference and its members to appropriate individuals and groups.

(4) Contracts Committee. The purpose of this committee is to review any contract referred to it by the President or the Executive Committee. The committee shall report its recommendation to the President and the Executive Committee.

(5) Convention Assistance Committee. The purpose of this committee is to provide practical guidance, advice and assistance to Clerks who are hosts of upcoming annual meetings. The Convention Assistance Committee shall consist of an unlimited number of members.

(6) Educational Fund Committee. The purpose of this committee is to develop sources of income to be invested in a restricted fund, the proceeds of which shall be used for educational purposes as more fully set out in the Operational Guidelines. The Educational Fund Committee shall be composed of the President-Elect, the Treasurer, and one Executive Committee member to be named by the President. The President shall appoint one of these members as Chairperson.

(7) Finance and Investment Committee. The purpose of this committee is to recommend finances and investments to the Executive Committee. The Finance and Investment Committee shall consist of the Treasurer, who shall serve as its Chairperson, and four members appointed by the Executive Committee.

(8) Membership and Pictorial Directory Committee. The purpose of this committee is to:

- (a) solicit new members and distribute information about the Conference and its activities to new or prospective members,
- (b) update and maintain the pictorial directory of the conference, including the annual meeting summaries contained therein, and
- (c) maintain and promote participation in the NCACC list serve.

(9) Nominating Committee.

(a) Purpose and Membership. The purpose of this committee is to recommend the nomination of regular members to office. The Nominating Committee shall consist of at least five but no more than nine members, including its Chairperson, and shall be appointed by the President, with the approval of the Executive Committee, at least six months before the annual business meeting.

(b) Nominating Timetable. At least thirty days before the annual business meeting, the Nominating Committee shall report to the members its nominations for the offices of Vice-President, Secretary, Treasurer and members of the Executive Committee to succeed those individuals whose terms will expire at the close of the annual business meeting and to fill other Executive Committee vacancies then existing or vacancies that may be created as a result of the Nominating Committee's nominations. In the event the office of Vice-President becomes vacant, the Nominating Committee shall submit nominations for the offices of President-Elect and Vice-President. In the event the offices of President-Elect and Vice-President both become vacant, the Nominating Committee shall submit nominations for the offices of President, President-Elect and Vice-President. Nominations made for anticipated vacancies shall be specified as such in the Nominating Committee's report. In the event a member declines the nomination after the committee has reported its nominations to the members, the committee shall submit the nomination of another member as soon as possible and shall report to all members before or at the annual business meeting.

(10) Past-Presidents' Committee. The purpose of this committee is to assist the President and Executive Committee as needed. The Past-Presidents' Committee shall be composed of all living past presidents of the Conference.

(11) Program Committee. The purpose of this committee is to organize and present an educational program at the annual meeting of the Conference to further the objectives of the Conference and to enhance the skill and knowledge of appellate court clerks.

(12) Scholarship Committee. The purpose of this committee is to recommend recipients of scholarships to the Executive Committee. The Scholarship Committee shall consist of three members, including its Chairperson, and shall be appointed by the Executive Committee.

(13) Site Selection Committee. The purpose of this committee is to solicit potential hosts for future annual meetings, to evaluate invitations from states, and to make appropriate recommendations to the Executive Committee.

(14) Strategic Planning Committee. The purpose of this committee is to review and evaluate ideas and suggestions referred to it by the executive committee and based upon its review and evaluation recommend to the executive committee courses of action the executive committee should adopt. The Strategic Planning Committee shall consist of no more than nine members, including its Chairperson and any ex-officio members. The Vice-President of the Conference shall serve ex-officio on this committee.

(15) Technology Committee. The purpose of this committee is to provide technical support and advice to appellate court clerks and their staffs and to coordinate communications between the Conference and other organizations regarding technology issues.

4. Special Committees. Special Committees may be constituted by the Conference, the President or the Executive Committee, as the need arises, to carry out a specified task in furtherance of the purposes of the Conference. At the completion of the task, or the presentation of the special committee's final report to the Conference, the special committee automatically ceases to exist.

ARTICLE VIII

Host Clerk

1. Assigned Duties. A host clerk shall have the obligation to establish a separate financial account for registration fees and any other incoming funds for the annual meeting. The account may be reviewed by the Treasurer at any time. The host clerk shall prepare, with the assistance of the Treasurer, a detailed budget and accounting of income and expenses that relate to the management of the annual meeting. The financial statements shall be made a part of the reports by the Treasurer to the Executive Committee.

2. Alternate Duties. Other responsibilities may be assumed by the host clerk as provided in the procedures developed by the Convention Assistance Committee

ARTICLE IX

Secretariat

The National Center for State Courts (hereinafter "Center") shall serve as the Secretariat of the Conference. The President, with the approval of the Executive Committee, shall negotiate a contract with the Center annually for the calendar year. The contract shall delineate what services the Center will provide and specify the costs to be borne by the Conference. Secretariat services will cover, as a minimum, the following: membership; distribution of publications; annual corporate reports; billing and collection of revenue; disbursement of expenses; accounting and reporting; monthly and yearly reports; tax returns; investment of funds; use of Center facilities; and fees, billing, and payment.

ARTICLE X

Dissolution Clause

Upon the dissolution of the corporation, the Executive Committee shall, after paying or making provision for the payment of all of the liability of the corporation, dispose of all assets of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable or educational purposes, as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law), as the Executive Committee/Board of Directors shall determine.

ARTICLE XI

Amendments

1. Procedures for Amending Bylaws. These Bylaws may be amended at the annual business meeting of the Conference by a majority vote of the members of the Conference present and entitled to vote, provided that each amendment to be considered shall have been submitted to the Executive Committee by postal or electronic mail to the Secretary no later than April first of that year. The text of each amendment to be considered shall be included in the call for the annual business meeting; this requirement may be met by publication in the NCACC newsletter.

2. Procedures for Considering Late Amendments to Bylaws. Notwithstanding the foregoing provision, amendments to the Bylaws submitted after April first may be considered by the membership at the annual business meeting provided that the membership consents to a suspension of the provisions of Article XI, Section 1, by a vote of seventy-five percent (75%) of the members then present and entitled to vote, and provided further that the quorum requirements of Article IV have been met.

3. Effective Date of Amendments. Amendments to these Bylaws become effective on the adjournment of the annual business meeting of the Conference at which the amendments are adopted unless an earlier time is specified by the Conference at the time an amendment is adopted.

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COMMITTEE OPERATIONAL GUIDELINES

NCACC AWARDS, RESOLUTIONS AND MEMORIALS COMMITTEE

The chairperson and committee members for the Awards, Memorials and Resolutions Committee are appointed by the president. This committee exists to give appropriate recognition to persons and entities that assist the membership in promoting the goals of the NCACC.

A. AWARDS.

The NCACC annually recognizes a member of the NCACC with the J.O. Sentell Award and, when appropriate, recognizes an individual or entity outside of the NCACC with the Morgan Thomas Award. The awards are described more fully below.

Based upon award criteria and membership response, the committee shall recommend a nominee for one or both awards to the Executive Committee.

No later than April first or prior to the spring meeting of the Executive Committee, the committee shall determine whether or not the J.O. Sentell and/or the Morgan Thomas Awards should be presented and if so, shall determine the name of the recipient to be recommended for each award. The chairperson of the committee shall notify the president, other officers and members of the Executive Committee of the recommendation at the spring Executive Committee meeting. The Executive Committee's decision shall be communicated by the president to the chairperson of the Awards, Memorials and Resolutions Committee no later than ten days following the spring Executive Committee meeting. Further, no later than ten days after receipt of the Executive Committee's decision, the chairperson will take action to have the appropriate award prepared in time for delivery to the president prior to the annual meeting.

J.O. SENTELL AWARD

This award was created in 1979 to recognize distinguished service by a member of the NCACC as having contributed substantially to the objectives of the Conference.

1. Between December 1 and January 15, or earlier if deemed necessary, a solicitation should be made to the membership for suggested nominees. This solicitation should:
 - a. State the criteria for the award,
 - b. Point out that the award does not have to be given annually,
 - c. Name the previous recipients,
 - d. Provide a form for listing a nominee with reasons for the nomination, and
 - e. Request return of the completed form by February 15, or earlier if deemed necessary.
2. After the return date, the chairperson, or designee, shall send copies of all the responses to the committee members and request their suggestion for an appropriate recipient. The committee shall make its recommendation based upon a combination of votes received and merit, as noted in the responses. Lacking

sufficient justification for presentation of the award, the committee may elect to recommend to the Executive Committee that no award be made for that year.

MORGAN THOMAS AWARD

This award was created in 1989 to recognize an individual, other than a regular member of the NCACC, who has made distinguished contributions in enhancing professionalism and who supports the goals of the NCACC as a body and of its members individually. This award may, but need not, be awarded each year.

1. The form of the award shall be determined by the Awards, Memorials and Resolutions Committee. The cost of the award shall not exceed \$250, unless approved by the Executive Committee, and shall be an item, other than a plaque, which can be engraved. Suggested items for selection may include a silver tray or bowl, Jefferson cups, a crystal piece or any item specifically chosen with the recipient in mind, which can be engraved.
2. The committee shall also prepare a modest certificate acknowledging the recipient of the Morgan Thomas Award.

HOST GIFT:

The chairperson of the committee shall take action to have an appropriate gift prepared for the host member in time for delivery to the president prior to the annual conference. The host gift should include, if possible, an engraved plaque in the shape of the host's state. With the president's approval, an additional, more personalized gift may be purchased and presented with the plaque.

RETIREE GIFTS:

The chairperson of the committee shall take action to have engraved paperweights prepared as a gift for retiring members. The paperweights shall be ready in time for delivery to the president prior to the date of the annual conference.

CHAIRPERSON RESPONSIBILITIES:

The chairperson of the committee shall provide to the succeeding chairperson the following information:

1. Solicitation material
2. Solicitation responses and suggested names
3. Number of times a person was suggested for an award
4. Award preparation information and costs incurred
5. Any other records of the committee in the possession of the chairperson

The chairperson shall also encourage the annual conference host clerk to print the names of all prior award recipients and have the listing available at the annual banquet either on the banquet program or in some other suitable manner.

B. MEMORIALS and RESOLUTIONS:

Resolutions are, by definition, “A formal expression of opinions, will or intent, by an official body or assembled group... A declaration submitted to an assembly for adoption.”

As applied to the NCACC, the usual resolution’s purpose is to express appreciation to individuals, corporate sponsors, organizations, etc., for support and effort on behalf of the NCACC.

1. Prepare resolutions prior to the annual conference. Proposed resolutions may include, but shall not be limited to, the following: to recognize the efforts of the convention assistance committee; the program committee; organizations providing hospitality and assistance during the conference; any individuals specifically designated by the president; and, if appropriate, the site facility and staff. In addition, the committee will prepare appropriate memorial resolutions requested by the president or the chairperson of the Awards, Memorials and Resolutions Committee. See: Appendix for samples provided for the convenience of the committee in drafting proposed resolutions and memorials.
2. Draft resolutions are then presented to the membership of the committee for suggestions, changes, and preliminary approval.
3. After preliminary approval by the committee, draft resolutions are then presented to the Executive Committee for its information, suggestions or corrections. If redrafts or corrections to the proposed resolutions are necessary, the president shall be provided a corrected copy of the proposed resolutions prior to the meeting of the Executive Committee (which is held annual prior to the annual meeting of the conference.)
4. The committee may prepare additional resolutions during the week of the annual conference and present them to the membership for adoption.
5. Once approved and adopted by the membership of the conference, the resolutions are transmitted to the secretary for entry on the minutes within 14 days of the adjournment of the annual business meeting of the conference.
6. During the annual conference, the chairperson of the committee may call a meeting of the committee at any time deemed necessary and appropriate by the chairperson.
7. Proposed resolutions are read before the entire membership during the business meeting held during the annual conference, for adoption and entry into the meeting minutes. When there are multiple similar resolutions, the first may be read in its entirety and others summarized recognizing the names of the recipients. After the proposed resolutions are read, and no additions or corrections are heard from the floor, a motion must be made for adoption; and, once seconded, the membership votes to approve the resolutions as read. Final copies of the resolutions are prepared and presented to the secretary for entry on the minutes.

COMMITTEE OPERATIONAL GUIDELINES

COMMUNICATIONS COMMITTEE

The goals of the Communications Committee are to promote the growth and vitality of the NCACC and to provide information that can be used to enhance the professionalism of the appellate court clerks and their offices by keeping the membership informed of the activities of the organization, generating publicity about the objectives of the NCACC and assisting the President, committee chairpersons and members who serve as liaisons to other organizations in communicating information relative to the goals of the NCACC

At the request of the President, this Committee shall communicate with other organizations offering information relative to the educational programs provided by the NCACC, requests to the National Center for State Courts for information regarding white papers or other programs that will directly affect appellate court clerks, and other communications that promote the NCACC.

The Communications Committee will work closely with other committees to communicate the benefit of membership and promote the goals of the NCACC through the listserv, *The Docket*, news releases or other communications as directed by the President. The Committee will prepare news releases of newly elected Board Members and Executive Committee members to be posted on the NCACC website and distributed to other organizations of interest.

The Docket is the primary instrument of the Committee to communicate the NCACC's objectives and achievements to its existing members. A minimum of four issues per year should be distributed with the identified information, below, as follows:

Issue #1 – October: a). Summary of the immediate past annual conference; b). Committee assignments for the upcoming year; c). Reference to the next year's annual conference.

Issue #2 – January: a). Summary of tentative educational and social programs for the next annual conference; b). Report on the Fall Executive Committee meeting (details on committee reports may be included); c). Agenda for the Spring Executive Committee meeting, if appropriate; d). Special articles on office innovations, appellate procedure, etc.; e). Information on new, current, and past members.

Issue #3 – April: a). Detailed descriptions of educational and social programs and activities at the next annual conference; b). Bylaws committee reports and recommendations; c). Special articles on innovations; d). Solicitations for conference hosts; and e) Summary of Executive Committee activities and report of the Spring meeting, if available.

Issue #4 – June (or as otherwise designated by the Executive Committee): a). Reminder about the next annual conference; b). Reports of committee activities; c). Report on the Spring Executive Committee Meeting, if not available for the April issue; d). Special articles on innovations; e). Call for the upcoming annual conference; f). Minutes of last year's annual conference (secretary); g). Financial report (treasurer).

The Chairperson of the Committee serves as the managing editor of *The Docket*. Members of the Committee are assigned the responsibility for obtaining material for the issues. The most difficult part of the issue editor's job will be securing appropriate articles for *The Docket*. Person-to-person solicitations will be required to generate an adequate number of responses. The materials collected by the issue editor have to be submitted by a predetermined publication date of *The Docket* to permit retyping and editing, formatting, and distribution through the listserv.

COMMITTEE OPERATIONAL GUIDELINES

NCACC MEMBERSHIP AND PICTORIAL COMMITTEE

It is the function of the Membership and Pictorial Committee to solicit new members, produce in conjunction with Thomson Reuters a NCACC Directory each year, and keep the directory and membership rolls up to date.

I. NEW MEMBERSHIP PACKAGE

A. Material to be sent to those requesting membership.

1. A communication from the president regarding the purpose of the organization and the character of its membership.
2. An application form which includes biographical information, education or degrees, and prior employment within the court system and a request for a photo for the Directory.
3. A history of the conference updated as needed.
4. A sampling of past annual conference programs with outstanding educational and social events.

B. Material to be sent to New Members.

1. A communication from the president welcoming the new member and providing an update as to planned activities in the near future. In addition to addressing the professional aspects of membership, the enjoyment and comradery of the social aspects should be noted. And, a reminder to provide a photo if one was not submitted with the application.
2. The photographic directory and the "alpha" directory.
3. A membership card.
4. The Standards and Code of Ethics.
5. A copy of the most recent bylaws.

II. PROCEDURE TO IDENTIFY NEW MEMBERS AT THE ANNUAL CONFERENCE

- A. New members should be identified at the annual meeting with a name tag recognition. At the time of registration new members should be welcomed at the desk by the registrant. Manner of identification should be left to the host clerk.
- B. At the initial meeting of the Conference, opening remarks should include a special general welcome to new members and new members asked to stand. The new member should be identified by state, court and title.

III. COMMUNICATIONS TO REACH POTENTIAL MEMBERS

- A. Each year the Membership committee is to reach out to any State and Federal appellate court that does not have a current member.
- B. Communication to potential members should point out the benefits of membership, the level of professionalism, the necessity of such organizations in light of competing groups, the quality of the educational programs and the enjoyable social activities.
- C. A notice should be placed in the Newsletter requesting members to advise as to any change in personnel in their offices and any creation of new levels of court or division. Names, title, and court name and address should be requested.
- D. Request members to advise the president or any member of the membership committee of any changes in their state or region, of new clerks or deputy clerks. Further request that personal contact be made by a fellow clerk in the region prior to receipt of correspondence from an unknown conference member located outside the region of the new potential member.

IV. PURGING OF NAMES OF DELINQUENT MEMBERS

The Membership Committee shall, with the aid of the National Center for State Courts, as our Secretariat, monitor the status of all members regarding the delinquency of dues payments. If such monitoring reveals that a member has not paid dues for six months, the Membership Committee shall contact the member to notify them of the status and allow the member to remedy the delinquency by paying the current year's dues. If no payment is received within one month of the contact, the member's name shall be purged from the membership list.

V. MAINTANING/ UPDATING THE PICTORIAL DIRECTORY

- A. It is essential to establish a close working relationship with the appropriate staff person of the National Center for State Courts in Williamsburg. The Association's present contact with the National Center is Nikiesha Cosby.
- B. It shall be the duty of the President to inform the National Center as to the name and address of the Membership Chairperson when they are given the names and addresses of the new officers and board members, so that all reports dealing with new members, delinquent dues, etc. will be sent to the Chair.
- C. Notify members annually via The Docket, email, and at the annual meeting to submit biographical changes and photos if not already supplied.
- D. Arrangements may be made with the host for photographs to be taken at the annual convention. If arrangements are made, the Chairperson shall make an announcement at the opening of the business meeting of the details.
- E. All biographies, pictures, and biographical changes should be submitted to the Chairperson by March 1st of each year.

- VI. It shall be the duty of the Chairperson to submit all updates and new and changed biographical sketches and photos to Thomson Reuters by April 1st of each year.
- VII. When a particular court has more than one NCACC member, Thomson Reuters will ship a sufficient number of Directories to the ranking member of that Court, who will be responsible for distributing the Directories to all NCACC members at his/her respective Court.
- VIII. It shall be the duty of the Chairperson to obtain from the Bylaws Chairperson a diskette of the Bylaws and Guidelines to be submitted to Thomson Reuters so as to enable them to be reprinted in the Directory.

Technology and Mobility Wedge into Every Facet of Courts

By: Brian Cotta

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Court of Appeal, Fifth Appellate District
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Continued from April edition.....

As covered in the April issue of *The Docket*, 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 were outlined in the April edition related to the Justices and Court Operations. This is “Part 2” of that article and gravitates around Facilities, Security and IT departments and the projects completed that best demonstrate how well mobility and a COTS posture can benefit courts and support departments.

FACILITIES:

Building Automation System: In California, the majority of state court buildings are managed by the State’s General Services Administration Department. However, a few state court buildings are solely owned and are therefore maintained and serviced by those respective courts. The 5DCA happens to be one of the courts that maintains and services its own building, which requires continued efforts to minimize costs, while maintaining the integrity and natural beauty of the building. Facility departments need the ability to satisfy requests and troubleshoot problems faster and more efficiently while on or off premises. Prior to an overhaul of the court’s building automation system, facility staff required special software on their computers and had to be on-premises and at their desks to make temperature and other system adjustments. The new system allows for facility maintenance staff to monitor and adjust building temperatures, alter lighting schedules and troubleshoot other systems (i.e. boilers, HVAC, air handlers, outside-air intake, set points and etc.) through their computer(s) and mobile device(s). Additionally, the new system only requires a web browser and lessens the need of support from the IT Department. The overall benefit of efficiency has been complemented by increased customer satisfaction by all building occupants and a decrease in time-to-resolution for most user submitted requests. It’s impressive to have facility department staff come to your office after a comfort concern has been submitted and watch the back-end adjustment being done real-time, quickly and on a mobile device!

- Product: Alerton Ascent Compass
- Technology Highlights: Mobility, COTS

Sprinkler Controllers: Continuing from above, the 5DCA is not only responsible for maintaining the facility (building), but also the extensive grounds and landscape that surround the facility and parking lots. With the ongoing drought in California, water conservation within the San Joaquin Valley and cities within the scorching San Joaquin Valley such as Fresno has become increasingly important to the preservation of what little water resources the state has left. In 2015, the Judicial Council of California adopted Water Conservation Guidelines to effectively complement the Governor’s response to the ongoing drought.

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

In 2014, the court had already voluntarily and proactively begun working closely with the City of Fresno Water Division to properly change the runtimes on all of the court's sprinkler controllers during seasonal changes and to ensure the court was in compliance with the city's general water conservation regulations. Working with the City of Fresno Water Division was beneficial, but unfortunately led to other challenges, such as when the landscaping crew(s) would drastically increase runtimes during the summer months because they could physically access the controllers and could therefore change schedules and settings.

In 2016, after the Judicial Council of California's adoption of Water Conservation Guidelines, the court self-assessed its landscape, irrigation systems and approach toward conserving water. After researching modern and technologically advanced approaches to irrigation, the court chose to implement an innovative, efficient and cost-effective solution to managing irrigation. The solution chosen was Rachio Smart Sprinkler Controllers. The court was able to easily swap out five of its old/typical sprinkler controllers and replace them with the new Rachio Smart WiFi Sprinkler Controllers.

The Rachio Smart WiFi Sprinkler Controllers offer a plethora of benefits to the court, and no longer require facility maintenance staff to physically touch or adjust each control. All adjustments and schedules are now accomplished through a web browser and/or a mobile app. Landscaping crews can still turn on zones manually, but cannot make permanent schedule changes causing the court to drift out of compliance with the City's watering regulations. Additionally, the controllers self-adjust schedules, run times and even skip schedules depending upon past and forecasted precipitation and temperatures therefore saving tons of water!

- Product: Rachio Smart WiFi Sprinkler Controllers
- Technology Highlights: Mobility (app), Cloud, OOTB

SECURITY:

Alarm System: With an ever increasing need for security and awareness, the 5DCA implemented new mobile and electronic functionality with its alarm system to provide better oversight and access to information when a building or duress alarm is activated. When it came time to replace the building and duress alarm system panel, the court chose a non-proprietary and mainstream product that not only allows for full mobile access and control, but also sends emails and text messages when events occur that require attention from CHP or security personnel. The system allows for immediate and detailed notifications of alarms and allows those with access to acknowledge related events, arm and disarm the system as necessary. This has ultimately helped reduce the amount of overtime (based on weekend responses) by security personnel and false alarms have and can be handled remotely without necessitating security or CHP personnel to be dispatched.

- Product: Honeywell Vista series IP alarm panel
- Technology Highlights: Mobility (app), OOTB

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

Video Surveillance System (in progress): As mentioned above, the ever-increasing need for security and awareness is essential, and extends far beyond a reliable alarm system. Based on the age of the facility, the 5DCA's camera system was in desperate need of replacement. The court selected a system that offers viewing mobility, is enterprise-ready, offers HD video, is IP-based and can expand and change as the need for security increases in upcoming years. The system is non-proprietary and utilizes the court's network for all communication. The video surveillance platform chosen allows for CHP and select staff to remotely view any camera anywhere, on or off premises. Additionally, the platform (being non-proprietary) places the security system responsibility in the hands of IT staff, significantly lessening (if not eliminating) the need for support from vendor and/or building maintenance personnel. Lastly, the cameras are powered and controlled 100% using the existing IT network, eliminating the need for coax cabling and separate power supplies. When a camera requires replacement or needs to be physically upgraded to a more capable model, it's a simple configuration change and physical camera swap – no longer requiring a need to check wiring, expansion port availability and complicated configuration changes. The project is just getting underway and is expected to be completed by September 2016.

- Product: Cisco Video Surveillance Manager
- Technology Highlights: Mobility (app), OOTB

IT:

HelpDesk: The growing amount of technology being used and deployed at the 5DCA has had a direct result on the amount of technology help requests that typically get generated. More technology == more questions == more assistance. This is common in any industry and must be handled appropriately, so that technology solutions and departments remain successful in their mission to provide efficiencies, ongoing benefits and overall value to the organization. At the 5DCA, support requests historically were submitted and handled through individual emails, phone calls and by communicating directly with IT technicians. The court wanted to strengthen the integrity, consistency and quality of IT support services, while decreasing the time-to-resolution for general support requests. The court chose to implement a trouble ticketing system specific for IT, where Justices and users could submit their request(s) to a helpdesk via email or through a web portal, therefore automatically creating a ticket.

When a ticket is created, available IT staff take ownership of the ticket and begin working on the request or contacting the submitter depending upon the nature of the request. With the mobile app, technicians are able to open, close, add notes and make various changes to tickets through their mobile devices while in the field, eliminating the need to go back-and-forth from their desks. The end result has not only given complete credibility and accountability to IT staff, but also instilled trust in both Justices and users that their requests will be prioritized and ultimately addressed. Overall, it has increased responsiveness and the overall perception of IT support within court.

- Product: Spiceworks Help Desk
- Technology Highlights: FREE, Mobility (app), OOTB

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

Datacenter Power: In order to allow for the growth of technology systems, increase reliability of electrical power that feeds IT systems and prepare for the installation of modern technology infrastructure, the SDCA completed an overhaul on its uninterruptable power protection, failover capabilities and power distribution systems within its datacenter. Each of the many components installed that facilitate power conditioning and distribution within the datacenter are connected to the network, and allow for real-time monitoring and alerting for any signs of failure, trouble and/or changing conditions. A central software appliance communicates with each of these devices and appropriately sends out alerts when problems occur or other changing conditions exist that fall out of standard thresholds. The IT Department and facility maintenance staff can appropriately access greater details of issues through the mobile app and quickly drill down into the respective problem while on and off premises. The implementation of this system has offered much greater visibility into the power systems that are paramount in supporting all IT systems. The more that we as courts gravitate to technology and continue to build dependencies upon it, the more important it is to focus on putting in reliable non-stop infrastructure that can self-heal, be monitored remotely or call for duress if a problem arises.

- Products:
- Schneider Electric (formerly APC) StruxureWare Datacenter Expert
- Schneider Electric (formerly APC) uninterruptable power supplies, power distribution frames, power distribution units
- Technology Highlights: Mobility (app), OOTB