



**THE 45th NCACC
ANNUAL CONFERENCE IN
SAN DIEGO, CA
JULY 29—AUGUST 3, 2018
Kevin Lane, Host**

As host, I personally want to invite you and your family to attend our 45th Annual Conference of the NCACC. This year we will be meeting in sunny San Diego July 29 - August 3, 2018. Make sure that you register for the conference by **June 30th** to avoid late fees and the hotel by **June 27th**. Also, remember to order your T-shirts during registration so we will have them for you at check-in. Links to both are on the conference webpage. Our Program Committee, headed by Jakob Trierweiler, has a tremendous slate of topics and speakers as you will see in the following pages. Our sponsors have also gone above and beyond with some excellent social events in the evenings. For the first time, we also have a program for family/kids while we are in our educational sessions, so they can enjoy some of the many tourist activities we have to offer. With so much to do and see, you do not want to miss this conference.

Hotel and Transportation

Our conference hotel is the Sheraton San Diego Hotel and Marina. Conveniently, the hotel is right across from the airport so getting there is really easy. The hotel provides a FREE shuttle every 20-25 minutes from 4:45 a.m. to 12:45 a.m. The conference web page has details on where to pick it up. Make sure you go to the Bay Tower, that is where our conference is held and our rooms are located.

Uber, Lyft and Taxis are very accessible in addition to a waterfront shuttle that picks up at the main hotel and takes you everywhere you will want to go. <https://www.sandiego.org/articles/transportation/waterfront-shuttle.aspx>

CALL FOR THE ANNUAL MEETING

President Eileen Fox, 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 Sheraton San Diego Hotel and Marina, beginning Sunday, July 29, 2018 and continuing through Friday, August 3, 2018.

Respectfully submitted,
Sherry Williamson

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THE DOCKET

News of the National Conference of Appellate Court Clerks

President:	Eileen Fox (NH)
President-Elect:	Dan Shearouse (SC)
Vice-President:	Laura Roy (MO)
Past-President:	Irene Bizzoso (PA)
Secretary:	Sherry Williamson (TX)
Treasurer:	Janet Johnson (AZ)
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THE PRESIDENT'S PAGE

EILEEN FOX (NH)



With the arrival of summer, I am looking ahead to our annual meeting in San Diego, scheduled for Sunday, July 29 to Friday, August 3. This issue of *The Docket* has information about the educational program and other events that are scheduled. Jakob Trierweiler, program chair, and his committee, have planned an outstanding program for us that I am confident you will find stimulating and relevant to your work. Kevin Lane, our San Diego host, has arranged social activities to show us the history and beauty of the city. If you are able to attend, I have no doubt that you will find it worthwhile.

A number of new clerks and deputy clerks have joined the NCACC in recent months, and some of them will be attending the annual meeting. Lisa Collins, the chair of the Membership Committee, will assign mentors for new members and first-time attendees so that they feel welcome and are encouraged to take part in planned activities. If you know new members from your court or area, please reach out to them to share the value of the annual meeting and encourage them to attend.

During our business meeting, members will be asked to consider two changes to the NCACC Bylaws recommended by the Bylaws Committee. The Executive Committee considered the recommended changes when it met in April and voted to put the proposed amendments before the membership. According to Article XI, the Bylaws may be amended at the annual business meeting by a majority of the members present and entitled to vote. The text of both of the proposed amendments is printed in full elsewhere in this issue. I encourage you to review both of the proposed amendments in advance of our meeting, but I would like to provide some background on the proposed amendments.

The first proposed change would authorize the President to appoint vice-chairs of standing committees, except when the Bylaws specifically provide something to the contrary. The suggestion for this change came from two standing committees. The Communications Committee felt that it would be beneficial to have a vice-chair who would take primary responsibility for website content. The Membership and Pictorial Directory Committee felt that it would be helpful to have a vice-chair who would have primary responsibility for the Pictorial Directory. These suggestions were passed on to the Bylaws Committee for its consideration. The Bylaws Committee prepared a proposed amendment that would authorize the President to appoint a vice-chair of a committee when the President deemed it appropriate. In the case of the Program Committee, the Bylaws already provide for the appointment of a vice-chair, and this would not be affected by the proposed amendment.

THE PRESIDENT'S PAGE

EILEEN FOX (NH)*(Continued)*

The second proposed Bylaws change is similar, but deals specifically with the structure of the Finance and Investment Committee. After Janet Johnson became Treasurer, she suggested that a vice-chair be appointed to assist the treasurer with the committee's responsibilities. She also suggested that the terms of committee members be lengthened from one year to two years and that they be staggered. She felt that these changes would enable committee members to develop a more in-depth understanding of the NCACC's finances and provide for consistency. After review by the Strategic Planning Committee, the Bylaws Committee recommended an amendment to implement these suggestions. The Executive Committee agreed to present the proposed amendment to the membership for consideration at the annual meeting.

Last year, a question arose about the qualifications required for a member to be nominated for the position of vice-president, president-elect and president. I appointed a "Special Committee to Review Qualifications Required for Nominees to Serve as NCACC Officers" and asked the committee to submit a report for consideration by the Executive Committee. The Special Committee submitted its report before the April Executive Committee meeting. It concluded that the current NCACC Bylaws make all regular members eligible to serve as officers, and that there is no requirement that an officer hold the title of "Clerk" or its equivalent. The Special Committee noted that a majority of members who responded to a 2017 survey on the issue agreed that deputy clerks should be eligible to hold these offices. The Special Committee recommended that the Nominating Committee's Operational Guidelines be amended to make this clear and to identify the factors that the Nominating Committee should consider when nominating a member to serve as an officer. The Executive Committee reviewed the committee's report and approved the recommended changes to the Nominating Committee's Operational Guidelines. The Special Committee also recommended that the NCACC Bylaws be changed to eliminate any remaining uncertainty about the eligibility of deputy clerks to serve as officers. After reviewing the current Bylaws, the Executive Committee concluded that it was unnecessary to amend the Bylaws because they clearly allow deputy clerks to hold these positions. Accordingly, the Executive Committee decided not to proceed with a Bylaws amendment at this time. A copy of the Special Committee's report and the changes to the Nominating Committee's Operational Guidelines can be found elsewhere in this issue.

This is the last column that I will write as President. Thank you all for the honor of allowing me to serve as your President. The NCACC is a wonderful organization and I have truly enjoyed getting to know more members and working together to keep the NCACC vibrant and strong. I look forward to seeing you in San Diego. Please be in touch if you have any ideas or concerns. My email address is efox@courts.state.nh.us.

NCACC 2018 - San Diego, California

Family Activities Update

Greetings from sunny San Diego! This year we will have three coordinated family activities. These events will allow families to get to know each other and experience the events as a group. Transportation and any admission fees for the events are the responsibility of the attendees. The events are scheduled as follows: Tuesday, July 31st (SeaWorld), Wednesday, August 1st (San Diego Air & Space Museum), and Thursday, August 2nd (a beach day at Coronado). More information about each of these is available at:

<http://www.appellatecourtclerks.org/conferences/45/2018SanDiegoThingstoDo.pdf>

For the beach day, there is plenty of public street parking on or near Ocean Boulevard, as well as many great places to have lunch or shop on Orange Avenue before enjoying the surf and sand. Likewise, parking is free for the San Diego Air & Space Museum (located in Balboa Park). One tip worth noting is that you can save \$30 on a one-day adult admission to SeaWorld (regularly \$89.99) by purchasing your ticket in advance directly from SeaWorld at:

<https://seaworld.com/san-diego/tickets/>

Obviously, these events are all completely optional, and for those families wanting to explore San Diego on their own, we have provided a comprehensive listing of available experiences. These lists are available at:

<http://www.appellatecourtclerks.org/conferences/45/2018SanDiegoThingstoDo.pdf> and <https://www.sandiego.org/>.

We intentionally left Monday, July 30th open so families could ease into their San Diego vacation by relaxing at the hotel pool as well as Friday, August 3rd, presuming some may choose to extend their Southern California experience and head two hours up the coast to visit Disneyland before officially ending their vacation. On Sunday, July 29th, Brandon Henson will be providing a Family & Guest Orientation from 1:00-1:30 p.m. Should you have any questions regarding the coordinated family activities in the interim, or if you would like suggestions for alternative itineraries from a San Diego native with young kids, please feel free to contact Brandon at (619) 744-0763 or brandon.henson@jud.ca.gov. We are looking forward to seeing all of you soon!

The Nominating Committee Presents the Following Candidates:

Vice President

Edythe Nash Gaiser (WV)

Secretary

Sherry Williamson (TX)

Executive Committee

Timothy Gudas (NH) (2-year term)

Renee Simeon (LA) (2-year term)

Deana Williamson (TX) (2-year term)

EYDIE GAISER



Eydie Nash Gaiser is the Clerk of Court for the Supreme Court of Appeals of West Virginia. She is an active member of the National Conference of Appellate Court Clerks, where she served on the Executive Committee from 2013 through 2015, vendor chair 2013-2014, and program chair 2014-2015. She completed undergraduate studies at Wheeling Jesuit University in 1985, and earned her law degree from Duquesne University School of Law in 1988. Eydie was in private practice until 1999, when she moved to Tallahassee, Florida, and joined the Office of the State Courts Administrator of the Florida Supreme Court. In August 2003, Eydie moved back to West Virginia and accepted the position as Deputy Clerk of the West Virginia Supreme Court of Appeals, where she served until becoming Clerk on November 1, 2017. She is the mother of two sons, Ryan, who is a 3L at the University of South Carolina School of Law and Jayson, who is enrolled in the MBA program at Clemson University.

The Nominating Committee Presents the Following Candidates (continued):

SHERRY WILLIAMSON

Sherry Williamson was appointed as Clerk of the Eleventh Court of Appeals, Eastland, Texas, in 1995. Since starting her employment with the Court 42 years ago, she has worked in the positions of Deputy Clerk, Accountant, and Appellate Secretary. Sherry has served as the Secretary of the National Conference of Appellate Court Clerks for 8 years, has served as the Assistant Editor of *The Docket* for 4 years, and served on the Executive Committee in 2008-2010. She has also been known to “Yabba-Dabba-Do” at the live auction on occasion. She is very proud of her children, Dusty, Deana, and Vera, and loves her new gig of being a Nana to her precious Ava! Sherry is very active at First Baptist Church, Eastland, with choir, handbells, outreach and ladies’ ministry, and loves to work/play in her yard.



TIMOTHY GUDAS



Timothy Gudas has been the Deputy Clerk (Legal) at the New Hampshire Supreme Court since 2011. Prior to becoming Deputy Clerk, Tim practiced civil and appellate litigation at Sulloway & Hollis in Concord, New Hampshire, from 1997 to 2011. In 1996-1997, he was a law clerk to Associate Justice Sherman D. Horton, Jr., of the New Hampshire Supreme Court. Tim is a graduate of Dartmouth College and Boston College Law School. A member of the NCACC since 2012, Tim has served on the Program, Public Relations, Convention Assistance, Communications, and Strategic Planning Committees. He and his wife, Natalie, live in Concord and have three children.

The Nominating Committee Presents the Following Candidates (continued):

RENEE SIMIEN

Renée received her B.S. degree in General Studies with a Concentration in Social Sciences from Louisiana State University, Baton Rouge in 1986 and her J.D. from the Paul M. Hebert Law Center, Louisiana State University, and was licensed to practice law in Louisiana in 1991. Renée began her legal career as a Law Clerk for the judges of the Fourteenth Judicial District Court, Lake Charles, Louisiana, 1991-1992. From 1992-1996, she was the Law Clerk/Research Attorney to present Chief Judge Ulysses Gene



Thibodeaux, Louisiana Court of Appeal, Third Circuit. Renée worked, from 1996-1999, in private practice with a law firm concentrating in complex tort litigation. In 1999, she returned to the appellate court as a Criminal Staff Attorney. After two years as a Criminal Staff Attorney, Renée returned to work for Judge Thibodeaux as a research attorney until she was appointed to the position of the Administrative General Counsel for the Court, then promoted to the position of Assistant Director of Civil Staff. In March 2005, Renée was appointed by Conference of the Court to the position of Central Staff Director/Acting Clerk of Court (in absence of the Clerk of Court). Effective September 1, 2018, Renée will be the Clerk of Court of the Louisiana Court of Appeal, Third Circuit.

Renée is a member of the American, Louisiana, Southwest Louisiana and National Bar Associations; as well the Council of Appellate Staff Attorneys having served on its Executive Board as Membership Chair. She is also a member of the National Association for Court Management and the Louisiana Court Administrators Association. Additionally, Renée has been a member, since 2005, of the National Conference of Appellate Court Clerks where she presently serves on the Site Selection and Convention Assistance Committees.

Renée grew up in New York, New York, and is a black belt in Shotokan karate. She is married to Johnathan and is the mother of two children, a daughter, Jordan and a son, Kendall.

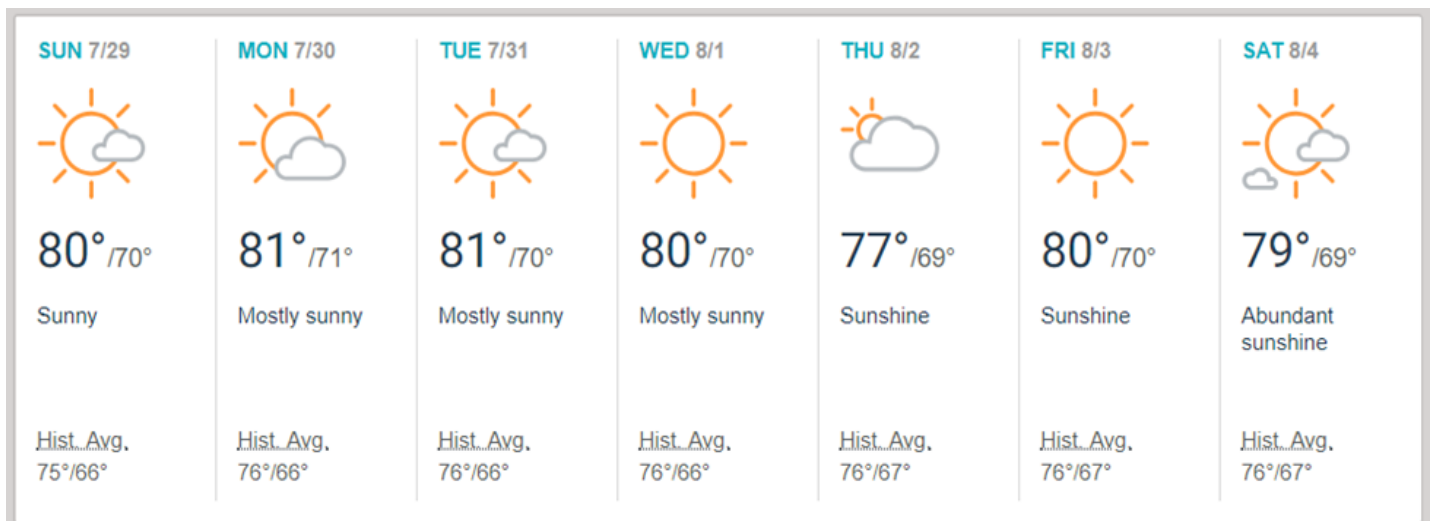
The Nominating Committee Presents the Following Candidates (continued):

DEANA WILLIAMSON



Deana was appointed as Clerk of the Court of Criminal Appeals in October 2017. She has been employed with the Court since July 2012 and has served as Clerk Pro Tempore, Chief Deputy Clerk, and Deputy Clerk. In May 2010, Deana received her BBA with a double degree in Marketing and Human Resources from Baylor University, Waco, Texas. In 2008, she studied abroad in England. Even though she has attended the NCACC conferences since she was a child, Deana joined as an official member in 2012. Since then, she has served as the Chair of the Convention Assistance Committee and the Chair of the Awards, Resolutions and Memorials Committee, as well as serving on several other committees.

WEATHER FORECAST FOR THE CONFERENCE!



WELCOME TO OUR NEW MEMBERS!

Cheryl Stevens
Clerk, Colorado Supreme Court

Sheila Reiff
Clerk, Wisconsin Supreme Court and Court of Appeals

Mark Reynolds
Clerk, New Mexico Court of Appeals

Susan Sonnenburg
Clerk of Court, Missouri Court of Appeals-Western District

AUCTION TIME!

We will be holding the silent auction again on Sunday afternoon, July 29, 2018 at the 45th Annual Conference. We all remember what an exciting time we had last year! I would like to encourage everyone to bring an item for the auction. It doesn't have to be anything fancy or expensive. Past items have included artwork, jewelry, books, basket of goodies, T-shirts, etc., just anything you have created or something that caught your eye on a shopping spree. It is always fun to see what items show up from different parts of the country. Most importantly, all proceeds go to the Education Fund. Let's support this worthwhile cause by bringing an item to donate! And, don't forget to bring your cash or checkbook! Thank you for your help!

Sherry Williamson

NCACC Treasurer's Report
Janet Johnson (AZ)

The Treasurer's Financial Report consists of year-end 2017 documents, including the Comparative Balance Sheet (2016 and 2017), a Comparative Income & Expense Statement (2016 and 2017), and, Income and Expenses by Project Detail (General, Annual Conference, Education and Technology) for 2017. The Comparative Balance Sheet (2017 and 2018) through April will be provided at the Annual Meeting as the April 2018 budget reports are not yet available as of press time for the June edition of the Docket.

The Finance and Investment Committee comprised of Chris Crow, Penny Miller, Ed Hosken and Jim Hivner made significant progress in the last 10 months updating NCACC's investment policy and developing and implementing an investment strategy.

NCACC Finance and Investment Committee

In September 2017, the Finance and Investment Committee (FIC) finalized revisions to the NCACC investment policy that was then submitted to the Executive Committee for consideration at the October 28, 2017 meeting. The Executive Committee approved the revised investment policy and the incorporation of the policy into the Finance and Investment Committee Operational Guidelines. A request to transfer the balance of the Technology Funds (formerly known as CATO) to the Education Fund was also approved by the Executive Committee.

With the Executive Committee approval of the investment policy and the recommendation to transfer the balance of the technology funds into the Education Fund, FIC moved forward with implementing the investment strategy. The Committee reviewed a Client Profile Questionnaire provided by SunTrust to determine the appropriate financial strategy in keeping with the investment policy and held two conference calls with a SunTrust Financial Advisor to review the resulting investment proposal and discuss resulting questions.

On March 15, 2018, FIC voted unanimously to invest \$150,000 of the funds pursuant to the investment proposal to include the balance of Education and Technology funds currently in money market accounts, and approximately \$40,400 from the operating account with any positive return accruing to the Education Fund and any loss distributed pro rata across the operating and Education Fund. Subsequently, at the April 21, 2018, Executive Committee meeting, the investment proposal was approved as was a minor modification to the investment policy. Direction has been provided to the NCSC to move forward with the investment.

The investment policy as incorporated in the Finance and Investment Committee Operational Guidelines is included with below. A copy of the SunTrust investment proposal will be made available at the upcoming Annual Meeting in San Diego. For those NCACC members who would like to review the proposal in advance, please contact Janet Johnson at jjohnson@courts.az.gov or 602.452.3380.

Investments

The Investment Policy of the NCACC is outlined as follows:

Goals

The investment goals of the NCACC are as follows:

1. Except for the budgeted expenses of the annual conference, maintain adequate cash and immediately available liquid assets to provide for the budgeted expenses of the NCACC and for a reasonable amount of unanticipated/unbudgeted expenses; and,
2. Invest the balance of the assets in a prudent manner to maximize asset growth and income.

Investment Guidelines

All decisions relative to the investment of NCACC funds shall consider the purpose and integrity of the organization, the general economic conditions and the expected total return from income and appreciation of investments within the constraints of the following guidelines:

1. NCACC funds shall only be invested in common stocks, preferred stocks, mutual funds, exchange traded funds, U.S. Government securities, certificates of deposit, savings accounts and money market funds.
2. All assets chosen as an investment for the investment portfolio must have a readily ascertainable market value and must be easily marketable.
3. The investment portfolio is to be diversified. Other than fixed income investments, no individual asset shall exceed 10% of the investable corpus and no class of investments shall exceed 50% of the investable corpus. The Finance and Investment Committee will conduct a review of the investment portfolio at least annually during the annual conference and will rebalance the investments as necessary to comply with this guidance.
4. Professional assistance (including advice and assistance with investment activities, maintaining accounts, and preparing reports) may be obtained for a reasonable fee.

Implementation

The Finance and Investment Committee is responsible for the implementation of this Investment Policy and is delegated the maximum degree of flexibility necessary for implementation of this Policy in accordance with its Committee Operational Guidelines. The Chair of the Finance and Investment Committee shall present a report of the investments to the Executive Committee at its annual meeting and at any other times required by the Executive Committee.



National Conference of Appellate Court Clerks Comparative Financial Report 2016 and 2017

	2016	2017
Balance Sheet		
Cash in Bank	\$ 118,194.72	\$ 111,165.56
Money Market - Education Fund	\$ 91,151.00	\$ 91,178.34
Money Market - Technology	\$ 18,416.86	\$ 18,422.37
Prepays and Advances	\$ 15,988.16	\$ 21,488.16
<i>Assets</i>	<u>\$ 243,750.74</u>	<u>\$ 242,254.43</u>
<i>Total Assets</i>	<u>\$ 243,750.74</u>	<u>\$ 242,254.43</u>
Accounts Payable	\$ 741.59	\$ 35.57
Accrued Fees and Income	\$ -	\$ 300.00
<i>Liabilities</i>	<u>\$ 741.59</u>	<u>\$ 335.57</u>
Education Fund	\$ 118,728.60	\$ 123,754.70
Technology Fund	\$ 15,381.04	\$ 18,422.37
Unrestricted Fund Balance	\$ 108,899.51	\$ 99,741.79
<i>Total Net Assets</i>	<u>\$ 243,009.15</u>	<u>\$ 241,918.86</u>
<i>Total Liabilities and Net Assets</i>	<u>\$ 243,750.74</u>	<u>\$ 242,254.43</u>



National Conference of Appellate Court Clerks Comparative Financial Report 2016 and 2017

Income & Expense Statement

	2016	2017
Revenue		
Membership Dues	\$ 22,375.00	\$ 22,675.00
Donations	\$ 5,277.00	\$ 6,998.76
Interest/Investment Income	\$ 12.90	\$ 17.40
Interest/Education Fund	\$ 27.37	\$ 27.34
Interest/Technology Fund	\$ 5.53	\$ 5.51
Fees/Registrations	\$ 38,288.00	\$ 52,685.00
Sales & Other Income	\$ 76,652.00	\$ 57,216.29
Total Revenue	\$ 142,637.80	\$ 139,625.30
Expenses		
Executive Committee Meeting	\$ 1,431.62	\$ 1,547.48
Travel	\$ 9,517.69	\$ 8,194.46
Honoraria	\$ 500.00	\$ 500.00
Audio Visual	\$ 12,253.01	\$ 12,449.65
Food and Beverage	\$ 37,961.94	\$ 27,067.50
Conference Expenses	\$ 65,162.61	\$ 68,987.46
Speaker Fee	\$ 3,000.00	\$ 2,000.00
Office Expenses	\$ 1,867.41	\$ 1,342.62
Licenses and Fees	\$ 684.25	\$ 792.12
Scholarship/Awards/Contrb.	\$ 4,019.07	\$ 5,348.74
Admin Supp/Contract Fee	\$ 9,990.00	\$ 10,090.00
	\$ 146,387.60	\$ 138,320.03
Current Gain (Loss)	\$ (3,749.80)	\$ 1,305.27



Annual Financial Report

Income & Expenses by Project - 2017

	Projects				Total Revenue
	General Operations	Annual Conference	Education Fund	Technology Fund	
Revenue					
Membership Dues	\$22,675.00				\$ 22,675.00
Donations			\$ 6,998.76		\$ 6,998.76
Interest Income	\$ 17.40				\$ 17.40
Interest - Education Fund			\$ 27.34		\$ 27.34
Interest - Technology Fund				5.51	\$ 5.51
Fees/Registration		\$ 52,685.00			\$ 52,685.00
Sales and Other Income		\$ 57,216.29			\$ 57,216.29
Total Revenue	\$ 22,692.40	\$ 109,901.29	\$ 7,026.10	\$ 5.51	\$ 139,625.30
Expenses					
Executive Committee Meetings	\$ 1,547.48				\$ 1,547.48
Travel	\$ 2,280.56		\$ 5,913.90		\$ 8,194.46
Honoraria			\$ 500.00		\$ 500.00
Audio Visual		\$ 12,449.65			\$ 12,449.65
Food and Beverage		\$ 27,067.50			\$ 27,067.50
Conference Expenses		\$ 68,987.46			\$ 68,987.46
Speaker Fee			\$ 2,000.00		\$ 2,000.00
Office Expenses	\$ 1,342.62				\$ 1,342.62
License/Fees	\$ 37.50				\$ 37.50
Insurance Expenses	\$ 754.62				\$ 754.62
Scholarships	\$ 3,522.39				\$ 3,522.39
Admin Supp/Contract Fee	\$ 10,090.00				\$ 10,090.00
Awards	\$ 1,385.75				\$ 1,385.75
President Gifts	\$ 440.60				\$ 440.60
Total Expenses	\$ 21,401.52	\$ 108,504.61	\$ 8,413.90	\$ -	\$ 138,320.03
Current Gain (Loss)	\$ 1,290.88	\$ 1,396.68	\$ (1,387.80)	\$ 5.51	\$ 1,305.27

THE ART OF MANAGING TECHNOLOGY CHANGE

By Renee Townsley, Clerk/Administrator
Washington Court of Appeals, Division III

A large number of appellate courts are contemplating or have recently converted to new case management or document management systems. How do we navigate the conversion successfully? By understanding and managing a simple word – change. Change is a given in human existence. The ability to adapt to change varies among people. Some like change and breaking out of the status quo, others dread it since it disrupts routines, requires leaving comfort zones, risks loss of income or position, and competence levels get altered. Courts are no different since they are comprised of employees who may or may not embrace change. Stability in processes provides consistency in outcomes which can be very important to success. However, there are times when clinging to stable, familiar processes and procedures create blinders for decision makers and warning signs that signal it is time to adapt may get overlooked.

J. Stewart Black, author of numerous books and articles on leadership, change, and strategy (2014), reviews key barriers typically encountered with change. These barriers must be overcome to successfully implement change.

The first barrier noted by Black (2014) is the failure to see. Unless a person recognizes a need for change there will be no incentive to depart from the status quo. Past successful experiences and well-worn mental maps can prevent the ability to see the need for change (Black, 2014). A sense of urgency must be communicated to gain the crucial cooperation (Kotter, 2012). Communicating the change vision must be consistent and often. The actions of leadership must be visible and consistent with the vision (Kotter, 2012).

The second barrier as noted by Black (2014) is the failure to move. One reason for this failure is the target “new right thing” is not clear, or the path to the destination is unknown (Black, 2014, p. 83). Moving toward new processes or procedures requires learning new tasks and leaving behind the current proficiency enjoyed. In other words, moving ahead requires stepping off of the “proficiency cliff”. This alone can be very tough since most people take great comfort and pride in feeling competent (Black, 2014). The final reason people will fail to move is they must see what is in it for them. Change initiatives must be communicated thoroughly at all levels of the organization down to the personal level. The expected benefits must be verbalized at each organization level.

The third barrier to change is the failure to finish (Black, 2014). Early successes during a change initiative can lose traction if a sufficient number of people in the organization have not made fundamental changes. Those involved may get tired given the effort and energy required to make fundamental changes (Black, 2014). Another roadblock to finishing is losing one’s way or “getting lost” in the process of going from the starting point, determining where “here” is, and keeping the target in focus (Black, 2014, p. 124). Charles Darwin once made the following observation, “It is not the strongest of the species that survive, nor the most intelligent, but the one most responsive to change” (Stein & Book, 2011, p. 187)

Being self-aware and socially aware are important when undertaking any change initiative (Bradberry & Greaves, 2005). Change brings discomfort. Dr. Travis Bradberry and Dr. Jean Greaves, cofounders of TalentSmart, Inc. (2005), provide the following advice: “Rather than avoiding a feeling, your goal should be to move toward it, into it, and eventually through it. Leaning into your discomfort is the only way to change” (p. 92). Sufficient attention to the human factors associated with change is a must. Synergy can be created within work teams when all individuals are fully on board with a project or change initiative.

Transitioning to a new process and procedure slows output initially but it generally is not long before the new efficiency outpaces the previous capability. For example, the transition away from a paper based system to a digitized one results in quick searching, printing, sorting, copying, allows for multiple users to utilize the same document simultaneously, and makes documents available to attach to email (Krishna & Kumar, 2008).

“Technology is changing our lives at a speed previously unknown to humanity” and “the opportunities offered through technology are mind-boggling” (Schellhammer, 2013, p. 3). Harnessing technology for the improvement of the legal and court systems is a worthwhile challenge. Seeking solutions with new emerging technologies requires investments in continuing education, a vision, and willingness to depart from well-worn mental maps that worked in the past. Effective changes could involve a change in court culture, turning over some manual aspects of the process to automated methods, or to increase case participant involvement.

Citizens today see what is possible in the private sector and expect nothing less from their governmental agencies. When contemplating what should and should not be offered electronically or through self-service environments, court administrators and judicial officers should never lose sight of the court’s mission or compromise core values of the judiciary. The possibilities for change through technology are great. It is a matter of how far, how fast, and to what extent should it be done within the resources available.

When is technology implementation appropriate? How far along the road of self-service can a citizen travel in the judicial system before a loss of public trust and confidence occurs? Do danger zones exist when courts utilize emerging technology tools as viewed in the context of established law, case law, and court rules? What do your stakeholders expect?

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- Black, J. S. (2014). *It starts with one* (3rd ed.). Upper Saddle River, NJ: Pearson Education.
- Bradberry, T., & Greaves, J. (2005). *The emotional intelligence quick book: Everything you need to know to put your EQ to work*. New York, NY: Fireside Publishing.
- Kotter, J. P. (2012). *Leading change*. Boston, MA: Harvard Business Review Press.
- Krishna, S. J., & Kumar, N. (Eds.). (2008). *E-justice: Perspectives and experiences*. Hyderabad, India: The Icfai University Press.
- Schellhammer, E. P. (2013). *A technology opportunity for court modernization: Remote appearances*. Victoria, British-Columbia: Canada.
- Stein, S. J., & Book, H. E. (2011). *The EQ Edge: Emotional intelligence and your success* (3rd ed.). Ontario, Canada: John Wiley & Sons.

San Diego

July 29 – August 3, 2018

Saturday, July 28, 2018 – Sheraton San Diego Hotel & Marina

	8:30 a.m. – 12:30 p.m.	Executive Committee Meeting	Point Loma A
	2:00 p.m. – 5:00 p.m.	Registration	Point Loma A / Catalina Foyer

Sunday, July 29, 2018 – Sheraton San Diego Hotel & Marina

	11:00 a.m. – 12:30 p.m.	Registration	Point Loma A / Catalina Foyer
	12:30 p.m. – 1:00 p.m.	New Members and First Time Attendees Orientation	Coronado A
	1:00 p.m. – 1:30 p.m.	Family and Guest Orientation	Coronado B
	1:30 p.m. – 3:30 p.m.	Roll Call of the States and Business Meeting (Session I)	Catalina Ballroom
	3:30 p.m. – 3:45 p.m.	Break	
	3:45 p.m. – 4:00 p.m.	Conference Welcome	Catalina Ballroom
90 min.	4:00 p.m. – 5:30 p.m.	Assisting the Pro Se Litigant on Appeal – Shon Hopwood, Associate Professor of Law, Georgetown University Law Center *OPPERMAN SPEAKER*	Catalina Ballroom
	6:30 p.m. – 8:00 p.m.	Opening Reception	Catalina Ballroom / Terrace
	6:30 p.m. – 8:30 p.m.	Education Fund Silent/Live Auction and Morgan Thomas Slide Show	Catalina Ballroom / Terrace
	8:30 p.m. – 11:30 p.m.	Hospitality Room Opening Night	

Monday, July 30, 2018 – Sheraton San Diego Hotel & Marina

	7:30 a.m. – 8:20 a.m.	Continental Breakfast	Foyer
	8:20 a.m. – 8:30 a.m.	Announcements	
90 min.	8:30 a.m. – 10:00	Implicit Bias – Michael Roosevelt, Principal Consultant, Maat Consulting Services	Catalina Ballroom
	10:00 – 10:30	Break	
60 min	10:30 – 11:30	Civic Engagement – Honorable Tani G. Cantil-Sakauye, Chief Justice, Supreme Court of California	Catalina Ballroom
	11:30 – 1:00 p.m.	Lunch – On Your Own	
180 min.	1:00 p.m. – 4:00 p.m.	Leadership, Trust, and Employee Engagement – Bob Lowney, Director, Appellate Court Services/Court Operations Services, Judicial Conference of California	Catalina Ballroom
60 min	4:00 p.m. – 5:00 p.m.	Social Media Ethics – Honorable Stephen Dillard, Chief Judge, Georgia Court of Appeals	Catalina Ballroom
	6:30 p.m. Pickup Time	USS MIDWAY Hosted by Thomson Reuters/West	

Tuesday, July 31, 2018 – Sheraton San Diego Hotel & Marina

	7:30 a.m. – 8:20 a.m.	Continental Breakfast	Foyer
	7:30 a.m. – 8:20 a.m.	Past/Future Host Breakfast	Monterey Room
	8:20 a.m. – 8:30 a.m.	Announcements	
105 min.	8:30 a.m. – 10:15 a.m.	Threat Assessment - Ed Olavi and Justin Rosete, Investigators, California Highway Patrol	Catalina Ballroom
	10:15 a.m. – 10:30 a.m.	Break	
30 min.	10:30 a.m. – 11:00 a.m.	What We Learned	Catalina Ballroom
	11:00 a.m. – 12:30 p.m.	Lunch – On Your Own	
60 min.	12:30 p.m. – 1:30 p.m.	Language Access Panel – Honorable Jonathan K. Renner, Associate Justice, California Third Appellate District Court of Appeal; Stacey Marz, Director of Self-Help Services, Alaska Court System; Polly Brock, Clerk of the Court of Appeals, Colorado	Catalina Ballroom

180 min.	1:30 p.m. - 4:30 p.m.	Regulations & Relationships, Conflict Resolution in the Workplace – Regina Schnell, Conflict Resolution Specialist, Work Place Symphonies	Catalina Ballroom
	5:30 p.m. – 6:30 p.m.	C-Track User Group Meeting	Catalina Ballroom
	5:30 p.m. – 6:30 p.m.	Beer/Wine Happy Hour (Hospitality Suite)	
	9:30 p.m. – 11:30 p.m.	Hospitality Room	

Wednesday, August 1, 2018 – Sheraton San Diego Hotel & Marina

	7:30 a.m. – 8:20 a.m.	Continental Breakfast	Foyer
	7:30 a.m. – 8:20 a.m.	Past Presidents Breakfast	Monterey Room
	8:20 a.m. - 8:30 a.m.	Announcements	
75 min.	8:30 a.m. – 9:45 a.m.	COOP/Disaster Recovery - Joseph Thomas, Michigan Court of Appeals Security Officer	Catalina Ballroom
60 min.	10:00 a.m. – 11:00 a.m.	COOP Panel Discussion	Catalina Ballroom
	11:00 a.m. – 11:15 a.m.	Vendor Introductions Jenny Abbot Kitchings, South Carolina Court of Appeals	Catalina Ballroom
	11:15 a.m. – 11:30 a.m.	Break	
	11:30 a.m. – 12:00 a.m.	Vendor Showcase I	Point Loma A Point Loma B Coronado B
	12:00 p.m. – 1:30 p.m.	Vendor lunch	Catalina Terrace
	1:30 p.m. – 2:00 p.m.	Vendor Showcase II	Point Loma A Point Loma B Coronado B






	2:00 p.m. – 2:15 p.m.	Break	
	2:15 p.m. – 2:45 p.m.	Vendor Showcase III	Point Loma A Point Loma B Coronado B
60 min.	2:45 p.m. – 3:45 p.m.	What's Bugging You?	Catalina Ballroom
	5:30 p.m. PICKUP	Flagship Harbor Cruise (Vendor Prize Giveaway During Cruise)	Marina Tower

Thursday, August 2, 2018 – Sheraton San Diego Hotel & Marina

	7:15 a.m. – 8:00 a.m.	Fun Run/Walk	Hotel Lobby
	7:30 a.m. – 8:20 a.m.	Continental Breakfast	Foyer
	8:20 a.m. – 8:30 a.m.	Announcements	
60 min.	8:30 a.m. – 9:30 a.m.	E-Briefing from Both Sides of the Bench – Honorable Robyn Ridler Aoyagi, Oregon Court of Appeals; Blake Hawthorne, Clerk, Supreme Court of Texas	Catalina Ballroom
	9:30 a.m. – 9:45 a.m.	Break	
	9:45 a.m. – 11:00 a.m.	Business Meeting (Session II)	Catalina Ballroom
	11:00 a.m. – 11:30 a.m.	Executive Committee Meeting	
	1:30 p.m. – 3:30 p.m.	Optional: Old Town Trolley Tour	Coronado
	12:45 p.m. – 6:00 p.m.	Golf Tournament	
	6:30 p.m. – 7:30 p.m.	Cocktail Party	Garden Terrace
	7:30 p.m. – 9:00 p.m.	Banquet	Garden Terrace
	9:30 p.m. – 12:00 midnight	Hospitality Room	

Friday, August 3 2018 – Sheraton San Diego Hotel & Marina

	8:30 a.m. – 10:00 a.m.	Critique Breakfast	Catalina Ballroom
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 Educational Session	 Business Meeting	 Vendor Show	 Vendor Supported or Sponsored	 Filmed Session
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Vendor Show for San Diego: All Aboard!

Jenny Abbott Kitchings, Clerk of Court, South Carolina Court of Appeals

As we are gearing up to get together in San Diego, our vendor show is starting to take shape. We have filled a few showcase slots, but still have several available. We are hoping to have many returning exhibitors, along with a few new faces. The vendor show has gone international, as we expect at least one company from Quebec, Canada! Please plan to support our vendors by coming to the exhibition from 11:00 a.m. until 2:45 p.m. on Wednesday, August 1, 2018. This year, we are also planning to shake things up a bit and do the vendor happy hour on the boat during our fabulous flagship harbor cruise! Members who visited all of the booths and attended three showcases earlier in the day will be eligible for the prize giveaway. Please join us in welcoming and supporting our vendors. Don't miss out!



Office of the Clerk
**United States Court of Appeals
for the Armed Forces**
450 E Street, Northwest
Washington, D.C. 20442-0001

Joseph R. Perlak
Clerk of the Court

Tel: (202) 761-1448
Fax: (202) 761-4672

March 15, 2018

Malcolm H. Squires, Jr.
Clerk of Court/Judicial Advisor
U.S. Army Court of Criminal Appeals
9275 Gunston Road
Fort Belvoir, Virginia 22060

Dear Mac:

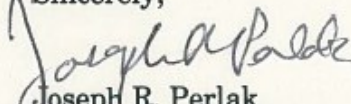
Pursuant to Article XI of the Bylaws, and in consideration of the recommendations of the Strategic Planning Committee and President Eileen Fox's request by electronic mail dated January 20, 2018, the Bylaws Committee by unanimous vote and one abstention, submits draft language to the Executive Committee, proposing two amendments to the Bylaws of the National Conference of Appellate Court Clerks.

For Article VI, and responsive to the request of the Communications Committee, the Bylaws Committee proposes a change to paragraph 2. of the Article, giving the President the discretion to appoint vice chairs. This change, if adopted, will meet the intent of the Communications Committee and, more broadly, give the President a standing authority to appoint vice chairs.

In Article VII, the Bylaws Committee considered and accepted as written the proposed changes of the Finance and Investment Committee.

A draft for consideration at the next annual business meeting is submitted in the attachment, containing the modifications to the text of the impacted Articles.

Sincerely,


Joseph R. Perlak
Chair, Bylaws Committee

Attachment: Proposed changes

AMENDMENTS TO BYLAWS

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, **and where the President deems it appropriate, vice chairs**, 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 for a term of two years coincident with his or her tenure as Treasurer (See Article V, Section 2), and four members appointed by the Executive Committee. One of the appointed members shall be designated by the Executive Committee as the Vice-Chairperson, and shall serve a two year term staggered with the Chairperson. The two remaining members of the Committee shall serve staggered two year terms. In implementing the staggered two year tenure requirement resulting from the 2018 amendments to these bylaws, and in filling any future vacancy on the Committee, the Executive Committee may extend or shorten the appointment of any member to ensure the staggered tenure of the members of the Committee.

Report of Special Committee to Review Qualifications Required for Nominees to Serve as NCACC Officers

March 27, 2018

Background

In early 2017, the Nominating Committee surveyed the NCACC membership regarding their views on the issue of the eligibility of deputy clerks (or similar) to serve as NCACC officers. The results of the survey were clear: 78% of respondents were in favor of all offices being open to all regular members. As noted by Nominating Committee Chair Colette Bruggman in her report published in the April 2017 issue of *The Docket*, “the consensus was that the Bylaws should be changed only to add clarity and to prevent the elimination of deputy clerks (or similar) as candidates for the nomination or appointment to an office, including the office of President.”

President Fox appointed this special committee to “review the results of the survey, to carefully examine the issue and the general question of the qualifications that officers in line to become president should possess, and to prepare a report for the Executive Committee recommending a resolution of the issue. If the special committee believes that Bylaw changes are necessary to implement its recommendations, they should be included in the committee’s report.”

We have reviewed the survey, discussed the existing Bylaws and committee guidelines, researched other court-related organizations’ Bylaws and procedures regarding qualification for office and their nomination processes, and done additional research into best practices.

Recommendations

The current Bylaws unambiguously provide that all regular members are eligible for office. Art. III Par. 3. However, we propose a change so that future nominating committees cannot refuse to nominate a member who does not hold the title of “Clerk.” Our proposed language would simply add “without regard to the member’s professional title” to make it even more abundantly clear.

We also propose a change to the Nominating Committee’s Operational Guidelines that will clarify that the committee should consider a number of factors in making nominations, including full regular member representation “regardless of professional title.”

Other points we considered; minority position

We considered changes that would make the nominating committee's substantive role in the nominating process more clear and would provide additional suggestions as to the type of background that a successful candidate should possess, in order to guide those who would make a nomination. However, some members thought those proposals went outside the scope of our remit, so we are not providing them here.

In addition, we considered the makeup of the nominating committee. In some court-related organizations, the immediate past-president chairs the nominating committee. We also thought about limiting the number of consecutive terms a member can serve on the committee. We are not making a recommendation on these points.

One committee member expressed a viewpoint that did not carry the day, noting that since the formation of the Conference in 1973, the Conference has never allowed anyone other than a clerk of court to serve as President. And this committee member stated that other conference members approached our committee member to express that they feel it is appropriate to limit eligibility to serve as an officer to those who serve as clerks (or the equivalent). A primary reason is the belief that such a limitation will allow our group to be taken more seriously by judges and other court-related organizations. They expressed to our committee member that they feel strongly about this issue. Our committee member, however, agrees that the Bylaws as written allow any member in good standing to serve as President—despite what appears to be an unwritten rule that only clerks may serve in that role.

Attachments

Attached to this report are three documents: (1) the recommendation regarding the Bylaws change (legislative style); (2) the recommendation regarding the Operational Guidelines changes (legislative style); and (3) a plain-text version of the proposed Operational Guidelines.

We recommend that the Bylaws and operational guidelines be amended as proposed. In order to amend the Bylaws, this issue will need to be published in the call for the annual business meeting, which will be in the June issue of *The Docket*.

Thank you for entrusting our group with this important issue. Please let us know if you need additional information.

Respectfully submitted,

Marilyn May, Chair

Bill DeCicco

Blake Hawthorne

Amy Reitz

Doug Robelen

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.

...

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~~ preceding the election or an appointment to fill a vacant elective office, without regard to the member's professional title.

COMMITTEE OPERATIONAL GUIDELINES

NCACC NOMINATING COMMITTEE

The following are guidelines for nominating and electing conference members to positions of leadership in the NCACC.

NOMINATIONS

1. After the Nominating Committee is appointed by the President with approval of the Executive Committee, it should obtain from the secretary the names of those officers and executive members whose terms are expiring and for whom nominations are needed.

~~22.~~ The chairperson shall include in the January issue of *The Docket* and send out on the NCACC listserv a notice informing the membership of those known terms that are expiring and solicit suggestions to fill those positions. This will provide sufficient time to receive, tabulate and forward the results to the Nominating Committee, and make a report to the Executive Committee and membership in compliance with Article VII, sec. 3(c)(6)(a).

~~33.~~ Membership suggestions should be tabulated and sent to committee members with a request for their responses.

~~44.~~ ~~It is suggested that~~ Factors for the committee to consider in recommending any regular member for nomination ~~that the committee members consider, in addition to~~ include eligibility, geographical and gender balance, full regular member representation regardless of professional title, and ~~an individual's~~ each candidate's interest in and contribution to the organization ~~when making their decisions.~~

~~55.~~ ~~Tabulate~~ The chair should tabulate committee members' responses, ~~and in~~ In the event of a tie, it will be necessary to re-contact committee members.

~~66.~~ The chairperson should contact prospective nominees to determine whether they are interested in serving and explain their duties and responsibilities. Nominees should also be made aware that they or their courts s may have to provide funding for transportation and per diem to the Executive Committee and annual meetings.

~~77.~~ Prior to April ~~1st~~, the chairperson of the Nominating Committee shall submit a written report to the Executive Committee. An announcement of the committee's nominations shall be made to the Conference membership in a separate mailing or included in the call for the ~~Annual annual Business business Meeting-meeting~~ by publication in the NCACC ~~Newsletter-Docket~~ at least thirty days before the ~~Annual-annual Business-business Meetingmeeting~~. The announcement should state the office each person is being nominated for and provide a brief synopsis of each nominee. A picture of each nominee may be desirable for purposes of identification.

ELECTION

1. The report of the Nominating Committee is given at the annual business meeting.

2. The chairperson should nominate separately the nominee for each office. The three ~~(3)~~ individuals nominated for Executive Committee may be presented together. In the event there is a vacancy to fill for an unexpired term, that position should have a separate nomination.

3. The President or presiding officer shall conduct the election process.

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3. Membership suggestions should be tabulated and sent to committee members with a request for their responses.
4. Factors for the committee to consider in recommending any regular member for nomination include eligibility, geographical and gender balance, full regular member representation regardless of professional title, and each candidate's interest in and contribution to the organization.
5. The chair should tabulate committee members' responses. In the event of a tie, it will be necessary to re-contact committee members.
6. The chairperson should contact prospective nominees to determine whether they are interested in serving and explain their duties and responsibilities. Nominees should also be made aware that they or their courts may have to provide funding for transportation and per diem to the Executive Committee and annual meetings.
7. Prior to April 1, the chairperson of the Nominating Committee shall submit a written report to the Executive Committee. An announcement of the committee's nominations shall be made to the Conference membership in a separate mailing or included in the call for the annual business meeting by publication in the NCACC Docket at least thirty days before the annual business meeting. The announcement should state the office each person is being nominated for and provide a brief synopsis of each nominee. A picture of each nominee may be desirable for purposes of identification.

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NATIONAL CONFERENCE OF APPELLATE COURT CLERKS

FORTY-FOURTH ANNUAL MEETING

Lake Tahoe, Nevada

**Sunday, August 6, 2017
through
Thursday, August 11, 2017**

Call to order:

President Irene Bizzoso (PA) called the Forty-fourth Annual Meeting of the National Conference of Appellate Court Clerks to order at 2:00 p.m. on Sunday, August 6, 2017. She welcomed everyone to the conference. Steve Lancaster (IN) was introduced as the parliamentarian for the meeting, and confirmed that a quorum was present. President Bizzoso then recognized the 2016-2017 NCACC Officers and Executive Committee, as well as Tracie Lindeman, Host of the 2017 Annual Conference. Lisa Collins (UT) recognized each new NCACC member.

Roll Call of States:

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

Approval of minutes:

President Bizzoso asked for the approval or amendments to the minutes of the 2016 NCACC Annual Meeting, which were published in the June edition of *The Docket*. Janet Johnson (AZ) moved to waive the reading of the minutes; Timothy Gudas (NH) seconded; motion carried. Scott Mitchell (AL) moved that the minutes be approved; Steve Lancaster (IN) seconded; motion carried.

Committee Reports

President's Report:

President Bizzoso reported that she has enjoyed her year serving as President. She attended the William H. Rehnquist Award Dinner (SCOTUS) on November, 17, 2016, the Mid-Year Meeting of COSCA on December 1-3, 2016, and the Mid-Year Meeting of NACM in February at Portland, Oregon. All the meetings were beneficial and she met several international clerks. She will follow up with these clerks about joining NCACC. She shared her appreciation for these opportunities.

Host Report:

Tracie Lindeman (NV) welcomed everybody to Lake Tahoe. She reported that there are 243 registered attendees: 94 regular members, 16 retired members and the remainder are guests, spouses, speakers, and vendors. Tracie thanked Deana Williamson for her help with getting ready for the conference.

Program Report:

Rex Renk (MT) thanked the members of the committee: Jakob Trierweiler (AZ), vendor chair; Polly Brock (CO); Kristen Brown (PA); Colette Bruggman (CA); Muriel Ellis (MS); Eileen Fox (NH); Eydie Gaiser (WV); Jenny Kitchings (SC); and Larry Royster (MI). The theme of the program is equipping each of us with the tools to become a better manager and leader, both personally and professionally. On Monday and Tuesday, we will have seminars and workshops to focus on leadership, management of offices, leadership in the office and techniques in the office. There is a link to the self-inventory and the results will be emailed to you. The Opperman Speaker will be Professor Michael Gerhardt, and the topic is: The Forgotten Presidents: Their Untold Constitutional Legacy. There will be a 30-minute session at the end of each day, which will be a discussion of the education that has been presented during the day. On Wednesday, there will be a members only session with Scott Harris, the Clerk of the United States Supreme Court. The vendor show will be held on Wednesday, with 13 exhibitor tables and three vendor showcases.

Awards, Resolutions and Memorials Committee:

Deana Williamson (TX) thanked the members of the committee: Bill DeCicco (DC); Ed Hosken (DC); Marilyn May (AK); Meredith Montgomery (AK); Lillian Ritchie (LA); and Ruth Willingham (AZ). Deana reported that nominations were solicited and received for the J.O. Sentell Award and the Morgan Thomas Award to be presented at the end of the week. There are also several retiree awards to be presented on Thursday. The resolutions will be presented during the business meeting on Thursday.

Bylaws Committee:

Dan Shearouse (SC) reported that there are no changes to the Bylaws this year. He thanked the members of his committee: Sandra Grosko (OH); Ed Hosken (DC); Terry Lord (MO); and Penny Miller (ND).

Communications Committee:

Kevin Lane (CA) thanked his committee members: Paula Garcia (CA); Tim Gudas (NH); Trish Harrington (VA); Greg Pachmayr (IN); and Sherry Williamson (TX). He reported that all four issues of *The Docket* have been published timely. This is the first year with the combination of the Publications Committee and the Public Relations Committee. The news releases have been prepared for the former officers and the newly-elected officers.

Contracts Committee:

Tom Harris (NV) thanked the members of the committee: Kristen Brown (PA); Ron Carpenter (WA); Tom Hall (FL); Scott Mitchell (AL); Meredith Montgomery (AK); Stacey Pectol (AR); and Larry Royster (MI). The committee was asked to review three contracts this year—two for the hotels for the Executive Committee meetings and one for the hotel for the 2020 NCACC Conference.

Convention Assistance Committee:

Deana Williamson (TX) introduced the members of the committee: Debbie Autrey (TX); Kristen Brown (PA); Lisa Collins (UT); Pam Estes (TX); Diane Fremgen (WI); Tim Gudas (NH); Tom Harris (NV); Brandon Henson (CA); Jenny Kitchings (SC); Lisa Matz (TX); Christopher Prine (TX); Dorian Ramirez (TX); Douglas Shima (KS); Sonya Stromberg (CO); and Rito Vasquez (CO). She stated that all committee members are ready to assist during the conference. She asked for travel stories from members, for the Trailblazer Award to be given on Thursday.

Educational Fund Committee:

Christopher Prine (TX) thanked the members of his committee: Eileen Fox (NH) and Janet Johnson (AZ). He reminded the members that this fund helps pay for the speakers at the conference, and the main way for it to be funded is through the donations at the auction.

Finance and Investment Committee:

Janet Johnson (AZ) thanked President Bizzoso and the members of the committee: Chris Crow (LA); Ed Hosken (VA); Joseph Lane (CA); and Penny Miller (ND). Janet reported that the organization's finances are in great shape. The current Treasurer's Report is published in the June issue of *The Docket*. The payments of annual dues and registration fees help to offset the expenses. Janet presented the recommendation of the committee that the position of vice-chair be created. This position will be similar to the role of how the vice-president assists the president. The goal is to prevent a steep learning curve for the next Treasurer. Janet will work with the Bylaws Committee to create this position.

The F & I Committee will continue to make further investments to make the NCACC portfolio stronger in the coming years.

Membership & Pictorial Committee:

Lisa Collins (UT) thanked the members of the committee: Bryan Boyd (NC); Colette Bruggman (CA); Diane Fremgen (WI); Carol Anne Harley (TX); Kevin Stinson (CA); Lonn Weissblum (FL); and Ruth Willingham (AZ). With the help of Kevin Stinson (CA), they did an extensive overhaul of the NCACC directory. All members without a picture or biography will be reminded to have Kevin take a picture taken during the conference. Helpful tips have been sent out to all new members and attendees. There are 17 new members. The Committee will contact courts in all the states for which there are no members.

Nominating Committee:

Colette Bruggman (CA) thanked the members of the committee: Polly Brock (CO); Eileen Fox (NH); Terry Lord (MO); Christopher Prine (TX); and Ruth Willingham (AZ).

Colette presented the following slate of officers for the upcoming year:

Vice-President – Laura Roy, Clerk, Missouri Court of Appeals
Treasurer -- Janet Johnson, Clerk, Arizona Supreme Court
Executive Committee Member (1-year term) – Christopher Prine, Clerk,
First and Fourteenth Court of Appeals, Texas
Executive Committee Member (2-year term) – Malcolm Squires, Clerk of
Court/Judicial Advisor, U.S. Army Court of Criminal Appeals
Executive Committee Member (2-year term) – Stacey Pectol, Clerk,
Arkansas Supreme Court and Arkansas Court of Appeals
Executive Committee Member (2-year term) -- Doug Robelen, Chief
Deputy Clerk, Virginia Supreme Court

Membership will vote on Thursday.

Past Presidents Committee:

Blake Hawthorne (TX) recognized the past presidents: David Beach (VA); Susan Clary (KY); Bill DeCicco (DC); Deena Fawcett (CA); Tom Hall (FL); Frans Labranche (LA); Steve Lancaster (IN); Joseph Lane (CA); Terry Lord (MO); Marilyn May (AK); Penny Miller (ND); John Olivier (LA); Rory Perry (WV); Christie Roeder (NC); Sandra Skinner (MO); Ed Smith (MT); and Michael Yerly (CA). He reported that President Bizzoso had taken it easy on them this year and the committee had no major assignments.

Scholarship Committee:

Marilyn May (AK) thanked the committee members: Janet Johnson (AZ); Lisa Matz (TX); and Amy Reitz (OH). The committee received three requests for scholarships, for a total of \$4042.74. Marilyn reminded the members to use this tool to assist with expenses attending the annual conference.

Site Selection Committee:

Trish Harrington (VA) thanked the committee members: Debbie Autrey (TX); Ron Carpenter (WA); Tom Hall (FL); Ed Hosken (VA); Petra Hulm (ND); Lisa Matz (TX); Marilyn May (AK); Dan Shearouse (SC); and Sandra Skinner (MO). Trish reported that the only bid submitted to host the 2020 NCACC annual conference is from Scott Mitchell at the Grand Hotel Marriott Resort, Golf Club & Spa in Point Clear, Alabama.

Strategic Planning Committee:

Eileen Fox (NH) thanked the committee members: Ed Hosken (VA); Penny Miller (ND); and Dan Shearouse (SC). Eileen reported that the Committee is still working with the Technology Committee to develop a plan for transitioning to a new NCACC website manager/webmaster.

Technology Committee:

Jenny Kitchings (SC) thanked the members of the committee: Larry Royster (MI) and Rito Vasquez (CO). She reported that the Committee has submitted articles in every issue of *The Docket* for this year. She invited any member who has an interest in technology to please sign up for the committee.

There being no further business, Marilyn May (AK) made a motion that the meeting be adjourned; Trish Harrington (VA) seconded; motion carried. The meeting was adjourned at 3:10 p.m. on August 6, 2017.

The Forty-fourth Annual Business Meeting resumed at 10:35 a.m. on Thursday, August 10, 2017 with a call to order by President Irene Bizzoso (PA). Steve Lancaster (IN), Parliamentarian, noted the presence of a quorum.

J.O. Sentell Award:

The membership watched a video of Rory Perry, Clerk of the Supreme Court of Appeals of West Virginia, receiving the J.O. Sentell Award on July 31, 2017 at the court in East Charleston, West Virginia.

Nominating Committee:

Colette Bruggman (CA) read the slate of officers presented to the membership during the business meeting on Sunday, August 6, 2017:

Vice-President – Laura Roy, Clerk, Missouri Court of Appeals
Treasurer -- Janet Johnson, Clerk, Arizona Supreme Court
Executive Committee Member (1-year term) – Christopher Prine, Clerk,
First and Fourteenth Court of Appeals, Texas
Executive Committee Member (2-year term) – Malcolm Squires, Clerk of
Court/Judicial Advisor, U.S. Army Court of Criminal Appeals
Executive Committee Member (2-year term) – Stacey Pectol, Clerk,
Arkansas Supreme Court and Arkansas Court of Appeals
Executive Committee Member (2-year term) -- Doug Robelen, Chief
Deputy Clerk, Virginia Supreme Court

The call for nominations from the floor was offered. No further nominations were presented. John Olivier (LA) moved to close the nominations; Jenny Kitchings (SC) seconded; motion carried. John Olivier (LA) moved that the nominated officers be approved by acclamation; Eileen Fox (NH) seconded; motion carried.

President Bizzoso thanked the outgoing Executive Committee members for their service: Jenny Kitchings (SC), Lillian Richie (LA), and Jakob Trierweiler (AZ).

Awards, Resolutions and Memorials:

Deana Williamson (TX) read the language for the following resolutions:

43rd Annual Meeting Host: Tracie Lindeman (NV)

Convention Assistance Committee Chair: Deana Williamson

and Members of the Committee: Debbie Autrey (TX), Kristen Brown (PA), Pam Estes (TX), Diane Fremgen (WI), Tim Goudas (NH), Tom Harris (NV), Brandon Henson (CA), Jenny Kitchings (SC), Lisa Matz (TX), Christopher Prine (TX), Dorian Ramirez (TX), Douglas Shima (KS), Sonya Stromberg (CO), Rito Vasquez (CO)

Program Committee Chair: Rex Renk (MT)

and Members of the Committee: Jakob Trierweiler, Vice Chair (AZ), Polly Brock (CO), Kristen Brown (PA), Colette Bruggman (CA), Muriel Ellis (MS), Eileen Fox (NH), Eydie Gaiser (WV), Jenny Kitchings (SC), Larry Royster (MI)

Vendor Show Coordinator: Jakob Trierweiler (AZ)

Continuing Legal Education Credits Coordinator: Christine Crow

Dwight D. Opperman Foundation

Education Program Speakers:

Polly Brock
Professor Michael Gerhardt
Tom Hall
Scott Harris
Pam Harvit
Judge Renee Jubelirer
Malcolm Kushner
Robert Lowney
John Moyer
Greg Pachmayer
Larry Royster
Matt Ruth
Doug Shima
John Tomasino
Kristine Van Dorsten
Patti Williams

Conference Assistants: Lindsey Lupenui of the Nevada Supreme Court Clerk's Office

Registration Technology: Isaac Counts (WV)

Harvey's Hotel Staff:

Robin Eissinger of Caesars Entertainment
Karen Lantz-Feith of Caesars Entertainment

The Docket Publication Committee: Kevin Lane, Chair & Editor (CA), Sherry Williamson, Assistant Editor (TX)

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Shauna Strickland, Senior Court Research Analyst

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Shelly Knopf, National Court Liaison
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Yondr

Jesse Hunt, Security Partnerships

For the Record

Zach Van Cleave, West Region Business Manager

nCourt

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Nikki Daugherty, Director, Government Content
Michelle Wright, Court Content Manager

ImageSoft

Pam Superdock, Account Executive
Brad Smith, Senior Justice Consultant

Journal Technologies

Mandy Olson, Marketing Manager

Janet Johnson (AZ) moved to approve the resolutions; Debbie Autrey (TX) seconded; motion carried.

Deana Williamson and the membership observed a moment of silence for the following memorials:

Lewis Cleveland Carter passed away April 26, 2017, at the age of 93. Lewis was Clerk of the Kansas Supreme Court from January 1, 1971, until August 30, 1991. He was a founding member in 1972 and served as president from 1981-1982. He received the J.O. Sentell Award in 1983. Less well known is the critical role he played in bringing financial stability to the fledgling group during the 70s.

This past September, South Carolina lost its brightest star, the Honorable Tanya Gee, to chondrosarcoma. Tanya was 39. She had an illustrious career with the South Carolina Judicial Department, but we knew her heart resided with the South Carolina Court of Appeals. Tanya served as law clerk to the Chief Judge and Chief Staff Attorney before being appointed Clerk in 2010. Tanya joined this organization until she resigned in 2012 to pursue life in private practice. She fought cancer then, and won, and was subsequently elected as a circuit judge in 2015. When we learned that her cancer returned, we joined together to support her. Tanya lost her battle with cancer on September 28, 2016.

Retiree Awards:

A retiree award was presented to the following retirees:

- Bill DeCicco, US Court of Appeals for the Armed Forces – April 30, 2017
- Keith Hottle, Fourth Court of Appeals, Texas – May 31, 2017
- Cathy Howard, Delaware Supreme Court – December 31, 2016
- Tracie Lindeman, Supreme Court of Nevada – November 1, 2016
- Terence Lord, Missouri Court of Appeals – June 30, 2017
- John Moyer, Commonwealth Court of Pennsylvania — July 29, 2017
- Mike Richie, Appellate Courts, Oklahoma – July 31, 2017
- Carol Thompson, Wyoming Supreme Court – February 28, 2017
- Debbie Ware, Louisiana Court of Appeal, Second Circuit — January 31, 2017

Penny Miller (SD) moved to accept all committee reports; Marilyn May (AK) seconded; motion carried.

2018 Host Presentation:

Kevin Lane, host of the 45th NCACC conference in San Diego, California, gave a presentation about the hotel and activities available. The conference will be held at the Sheraton San Diego Hotel and Marina.

President Bizzoso opened the floor for any further business. There was none offered.

There being no further business, John Olivier (LA) made a motion that the meeting be adjourned; Rex Renk (MT) seconded; motion carried. The meeting was adjourned at 10:53 a.m. on August 10, 2017.

Respectfully submitted,

Sherry Williamson
NCACC Secretary