



# THE DOCKET

News of the National Conference of Appellate Court Clerks



When I placed a bid to host the 2020 NCACC annual meeting, never in my wildest imagination did I think on the eve of the meeting we would be in the midst of a pandemic unlike anything we have seen in over a century. I know most everyone is wondering - will we have a meeting this year? I am moving forward with plans for our meeting as a lot can change in three months. More importantly, though, we need this meeting more than we have needed one in perhaps our organization's entire history. In the past few weeks, our world and the way we conduct business have been turned upside down. Before I attended my first NCACC meeting, John Wilkerson, retired clerk of the Alabama Court of Civil Appeals, shared with me that the most valuable aspect of attending an NCACC meeting was what you learned from your fellow clerks. He was absolutely right. We need the face-to-face camaraderie and support of each other during these trying times.

We also need rest and solace. The Grand Hotel is the perfect place for those two things. Five-hundred-fifty acres of sprawling moss-draped live oaks along the Mobile Bay shore awaits you. Take time to relax by the magnificent pool, walk along the bay's shore, or reconnect with your inner self in a hammock under the shade of the mighty oaks. Resort-view rooms are available at the federal per diem rate of \$169 on July 31 and \$112 per night from August 1 through 8. There is also a limited number of bayside rooms available. These rooms overlook Mobile Bay and have a balcony. The rate for these rooms is \$155 per night. Reservations may be made by going to <https://book.passkey.com/event/49996234/owner/10807/home>. The deadline for hotel reservations is June 30th. A one-night deposit is required, but reservations may be cancelled without penalty so long as the cancellation occurs 5 days before arrival.

We have some great events planned this year. On Monday night, we will go across Mobile Bay to the historic Battle House Hotel for a fun-filled night of dancing in the elegant Crystal Ballroom as guests of our friends at LexisNexis. On Wednesday evening, our friends at Thomson Reuters will take us to Gulf Shores for a relaxing time on the sugar-white sand beach of the Lodge at Gulf State Park. Both of these events will be spectacular.

Given the feedback we received from our membership, we will not have the typical vendor day this year. Instead, LexisNexis and Thomson Reuters will be part of our educational program immediately preceding their evening events. On Tuesday, vendors will be available for you to visit, but we will not have time specifically dedicated as we have in the past.

For the past seven years, we have used RegOnline to register for our meetings. Unfortunately, RegOnline was purchased by another company that opted not to continue that product. This year we will be using another product called RegFox. We anticipate a seamless transition to RegFox, and registration should be open in the next few days.

The late Maya Angelou wrote: "Every storm runs out of rain." Let's hope that this current storm runs out of rain and we are able to gather at Point Clear in August. I look forward to seeing all of you there!

*Scott Mitchell, Host*

## Inside This Edition:

**47th Annual Conference** Page 1  
*Scott Mitchell, Host (AL)*

**The President's Page** Pages 3-5  
*Laura Roy (MO)*

**What the World Needs Now** Pages 6-7  
*Christopher Prine (TX)*

**Educational Fund Auction** Page 7

**Conference Schedule** Pages 8-12

**Pictures of the Grand Hotel** Page 13

# THE DOCKET

## News of the National Conference of Appellate Court Clerks

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# THE PRESIDENT'S PAGE

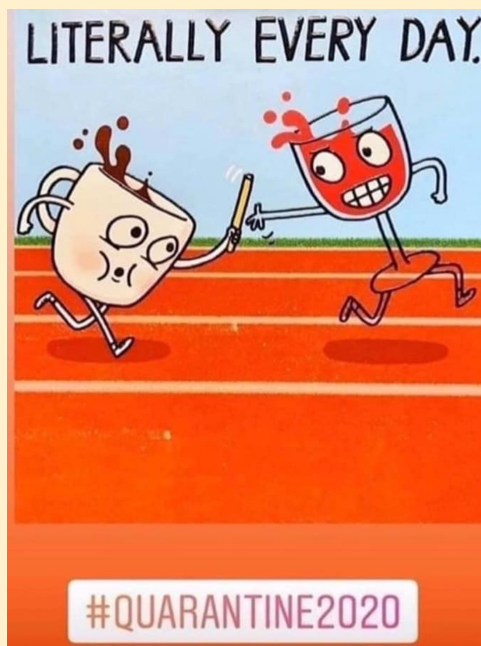
## LAURA ROY (MO)

To say that these are uncertain times full of anxiety and stress would be the understatement of the year. We are facing an invisible enemy that is menacing, silent, rapidly moving and, at times, fatal. The coronavirus does not distinguish between people like Prince Charles, Tom Hanks, or the NYPD. It pays no heed to March Madness, Major League Baseball, the Kentucky Derby, or the Olympics. This enemy has disrupted our routines, our schools, our businesses, our places of worship, and our courts. It has also made me love and appreciate family and friends even more, and not take our times together for granted. It has made me grateful for a paycheck and an internet connection. It has even made me slow down and just enjoy time at home with the people I love. These are unprecedented times indeed, but I am slowly learning a spirit of gratitude for those people and things that matter most.



### March Madness à la 2020, or Keep Calm and Clerk On

March Madness has a new definition in 2020. March Madness was not about the court staff's brackets, the upsets, or the Cinderella stories. March Madness was about changing the COOP hourly, social distancing, rescheduling dockets, postponing events, and teaching judges how to join a conference call and a Zoom meeting. March Madness 2020 has been the month during which I have repeated the mantra, Keep Calm and Clerk On, more than usual. Besides wash your hands and stay home, what else is there to do but to keep calm and clerk on? Well, there is drink coffee and drink wine. My cousin sent this meme to me, and I found it truly amusing, and who doesn't need a laugh right now.



# THE PRESIDENT'S PAGE

LAURA ROY (*Continued*)

I must confess the fluid situation and daily conflicting information has left me utterly exhausted and certainly not calm. I have always loved this organization and valued the listserv. March Madness 2020 made me realize just how invaluable you and your collective experiences truly are. I was able to read your posts and your shared experiences. At that point, I finally realized that it was possible to put a measured and thoughtful response in place. The response may not be perfect, or elegant, or even a preferred procedure, but one way or another, the court would continue to operate in this new environment. Keep calm and clerk on.

## **Sweet Home Alabama**

Our next annual conference will be August 2-7, 2020, in Point Clear, Alabama, at the Grand Hotel, which also served as the site of our 1997 conference. Our host, Scott Mitchell (AL), continues to plan for another outstanding conference. Chris Prine (TX) and the Program Committee have already scheduled conference speakers and have planned an excellent program. No doubt that by August we will all be ready to get out of the office and to share our experiences and knowledge gained these last few months.

I have received several inquiries about the status of the 2020 conference. As of early April, I remain committed to our annual conference. After a conversation with the National Center for State Courts, it appears that cancellations are presently occurring for May and early June events. As our conference is in August, I am cautiously optimistic. This situation is fluid, and Scott Mitchell and the Executive Committee will be closely monitoring guidance from national and state officials. As the health and safety of our members remain the top priority, should it become necessary to postpone or cancel the conference, the Executive Committee will inform all of you.

## **Spring Executive Meeting**

The Spring Executive Committee meeting is scheduled for Saturday April 25, 2020. I was looking forward to hosting my fellow committee members in the city where I have worked for 28 years. In light of the current situation and travel restrictions, we will be meeting using the Zoom application, one of my newest friends (and an application that I learned about from the NCACC listserv!). I wanted to share this meme with my colleagues because I found it so humorous and yet so very true.



# THE PRESIDENT'S PAGE

LAURA ROY (*Continued*)

Zoom meeting,  
audio only



Zoom meeting  
with video



The executive committee will review all the committee reports, the nominations for future officers and board members, and analyze our financial reports.

As I have said before, I am honored to be President of this wonderful organization. One of my favorite pianists and songwriters penned these lyrics to one of my favorite songs, “[t]hey say that these are not the best of times but they’re the only times I’ve ever known ....” Well, these are not the best of times, but these are the times we are facing. I am very grateful that the clerks can face them together. I do hope to see you this August in Alabama. Stay tuned!



**What the World Needs Now:  
Clear Sky and Sandy Beaches –  
Setting Our Sights on Point Clear, Alabama**

*Christopher Prine, Clerk of the Court  
First and Fourteenth Courts of Appeals,  
Houston, Texas*

It may be hard to imagine with everything that is going on, but it is time to start thinking about the Alabama Conference. The Program Committee has worked hard on the schedule and we have lined up great speakers, many with topics that go to the heart of the issues our courts are facing with the COVID-19 pandemic.

After the opening welcome, the conference will kick off on Sunday with an exciting presentation by **Ben Raines**, an environmental and investigative journalist from Fairhope, Alabama. Our opening reception will follow, along with the Educational Fund Silent/Live Auction and Morgan Thomas Slideshow.

Monday, we are excited to have Gary Marchant as our Opperman Speaker. Mr. Marchant is the Lincoln Professor of Emerging Technologies, Law and Ethics at the Sandra Day O'Connor School of Law at Arizona State University. Mr. Marchant will provide a futuristic look at the judicial system which includes computers deciding cases, virtual trials, and greater use of artificial intelligence. Next, we will have two great panel discussions led by members of our Conference. First, **Edythe Gaiser** (Clerk, Supreme Court of Appeals, West Virginia) will lead a panel discussion of successor planning and the orderly transfer of power to a successor clerk. Next, **Larry Royster** (Clerk, Michigan Supreme Court) **Susan Carlson** (Clerk, Washington Supreme Court) and **John Olivier** (Clerk, Supreme Court of Louisiana) will discuss electronic filing and noticing for incarcerated self-represented litigants. The day will end with a presentation by Lexis.

Tuesday is packed. Presentations start with **Chief Judge Karen Arnold-Burger** (KS) and **John Doerner** (NCSC) on court collegiality. Their presentation will focus on the best practices for enhancing appellate court communications and collegiality. **Julie Clement**, the current president of Clarity and a current member of the executive team for the Center for Plain Language, will show us how to use plain language tools and help us discover the essentials of clear and effective communication. Our next presenter, **Natalie Schultz**, is a Houston attorney who, through her own mental health struggles, hopes to reach out and bring awareness to what it is like to suffer from depression, bipolar disorder, and anxiety disorder, and to help others focus on our mental health and ways to take care of ourselves. **Patricia Bennett** (Clerk, Wyoming Supreme Court) will once again moderate a members-only session on Practical

**What the World Needs Now:  
Clear Sky and Sandy Beaches –  
Setting Our Sights on Point Clear, Alabama** *(Continued)*

Issues in Court Operations or, as more popularly known, What's Bugging You? We will also have a session led by **Brian Cotta** (Clerk/Executive Officer, California Court of Appeal Fifth District) that will focus on the courts and the current pandemic. The session will look at the preparation, implementation, and actuality of court operations during this time. Tuesday will also include a modified vendor show all day giving our members time to meet with vendors throughout the day.

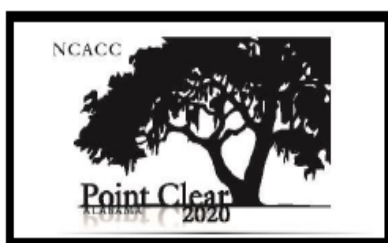
Wednesday begins with a focus on HR issues. **David Fram**, the Director of ADA Services of the National Employment Law Institute, will give an in-depth update of ADA laws. **Chris Weller**, who has practiced labor and employment law for over 20 years, will address current issues in HR. Both programs should have much to say on the impact of the COVID-19 pandemic and HR issues arising from the pandemic. In the afternoon, **Julia Weller** (Clerk, Supreme Court of Alabama) will lead a panel discussion on automated mediation programs in appellate courts. **Polly Brock** (Clerk, Colorado Court of Appeals) will once again help us focus on the programs presented and help us apply what we have learned to our everyday court experiences and routines. The last program of the day will be presented by Thomson Reuters.

We have a strong finish scheduled for Thursday morning. We start with a presentation from the West Palm Beach Clerk's Office. That office has implemented the use of artificial intelligence technology for the clerk's docketing system. Six "robots" work 24/7/365 to review filings before docketing. Now 29% of their filings are never looked at by a human being before docketing. **Amy Wood** (Clerk, Arizona Court of Appeals, Division One), will demonstrate the use of Appellate CourTools. This session will briefly discuss the value of performance measures and the history of such measures in courts, and will then delve into the Appellate Measures, including examples and tips for defining, implementing, and using the Appellate Measures and time standards.

Of course, we will have the usual business meetings, LexisNexis and Thomson Reuters evening extravaganzas, nightly hospitality suite, and our closing banquet to round out the fun. The committee is excited about the program for Point Clear and we are looking forward to an enjoyable and educational conference for everyone.

**EDUCATIONAL FUND AUCTION**

The FABULOUS and NOT TO BE MISSED auction will be Sunday evening, August 2, 2020, as we kick off our 47th annual conference. This is truly a favorite event that is more fun than you can imagine! Please start thinking about the items you would like to donate. We will accept anything and everything! Items donated in the past have included artwork, jewelry, books, baskets of goodies, and homemade items. We love to see creations by children and grandchildren! It is always more fun when everybody participates, and it is always marvelous to see unique items from your state. The artistic talents of the appellate clerks are amazing. But, most importantly, the proceeds from this auction go straight into the Educational Fund. Start saving your money now in order to bid on those items. Let's have a wonderful time supporting this important part of NCACC!



**The 47<sup>th</sup> Annual Meeting of the  
National Conference of  
Appellate Court Clerks  
Point Clear, Alabama  
August 2, 2020 to August 7, 2020**

**Business and Education Schedule  
Saturday, August 1, 2020 – Grand Hotel Marriott Resort**

|  |                        |                                    |  |
|--|------------------------|------------------------------------|--|
|  | 8:30 a.m. – 12:30 p.m. | <b>Executive Committee Meeting</b> |  |
|  | 2:00 p.m. – 5:00 p.m.  | <b>Registration</b>                |  |

**Sunday, August 2, 2020 – Grand Hotel Marriott Resort**

|         |                        |   |  |
|---------|------------------------|---|--|
|         | 11:00 a.m. – 1:30 p.m. | <b>Registration</b>   |  |
|         | 1:30 p.m. – 2:00 p.m.  | <b>New Members and First Time Attendees Orientation</b>   |  |
|         | 2:00 p.m. – 2:30 p.m.  | <b>Family and Guest Orientation</b>   |  |
| 45 min. | 2:30 p.m. - 3:15 p.m.  | <b>Roll Call of the States and Conference Welcome –</b><br>Laura Roy, President, National Conference of Appellate Court Clerks; Clerk, Missouri Court of Appeals – Eastern District |  |
|         | 3:15 p.m. – 3:30 p.m.  | <b>Break</b>  |  |
| 90 min. | 3:30 p.m.– 5:00 p.m.   | <b>*ALABAMA SPEAKER*</b><br><br><b>Ben Raines</b>   |  |
|         | 6:00 p.m.– 7:00 p.m.   | <b>Opening Reception</b>  |  |
|         | 6:30 p.m. – 8:00 p.m.  | <b>Education Fund Silent/Live Auction and Morgan Thomas Slide Show</b>  |  |
|         | 8:30 p.m. – 11:30 p.m. | <b>Hospitality Room Opening Night</b>   |  |



## Monday, August 3, 2020 – Grand Hotel Marriott Resort

|         |                         |  |  |
|---------|-------------------------|--|--|
|         | 7:30 a.m. – 8:20 a.m.   | <b>Continental Breakfast</b>   |  |
|         | 8: 20 a.m. – 8:30 a.m.  | Announcements  |  |
| 90 Min. | 8:30 a.m. – 10:00 a.m.  | Business Meeting (Session I)   |  |
|         | 10:00-10:15             | Break  |  |
| 90 Min  | 10:15 a.m. – 11:45 a.m. | <b>Courts of the Future – Gary Marchant</b> - A futuristic look at the judicial system which includes computers deciding cases, virtual trials, and greater use of artificial intelligence <i>Opperman Speaker</i> |  |
|         | 11:45-1:15              | Lunch on your own  |  |
| 60 Min. | 1:15-2:15               | <b>Succession Planning and Transfer of Power – Panel Discussion – Edythe Gaiser, Bill Harvit, Trish Harrington, and John Wilkerson</b>   |  |
|         | Break                   |  |  |
| 60 Min. | 2:30-3:30               | <b>Electronic Filing and Noticing for Incarcerated Self-Represented Litigants – Panel Discussion – Larry Royster, John Olivier, and Susan Carlson</b>  |  |
|         | 3:30—3:45               | Break  |  |
| 60 Min. | 3:45-4:45               | Speaker – <b>Lexis</b>   |  |
|         | 5:15-?                  | <b>Lexis Event</b>   |  |
|         | 9:30-11:30pm            | Hospitality Room   |  |

## Tuesday, August 4, 2020 – Grand Hotel Marriott Resort

|            |                        |   |                              |
|------------|------------------------|---|------------------------------|
|            | 7:30 a.m. – 8:20 a.m.  | <b>Continental Breakfast</b>  |                              |
|            | 7:30 a.m. – 8:20 a.m.  | Past Presidents Breakfast   |                              |
|            | 8:20 a.m.-8:30 a.m.    | Announcements   |                              |
|            | 8: 30 a.m. – 8:40 a.m. | <b>Vendor Intros</b>  | Vendor Displays<br>8:30-4:00 |
| 60<br>Min. | 8:40 a.m. – 9:40 a.m.  | <b>Court Collegiality</b> - Chief Judge Karen Arnold-Burger (KS) and John Doerner (NCSC)  |                              |
|            | 9:40- 9:50             | Break   |                              |
| 60<br>Min. | 9:50 – 10:50           | <b>Plain Language – Julie Clement</b>   |                              |
|            | 10:50 – 11:00          | Break   |                              |
| 60<br>Min. | 11:00-12:00            | <b>Taking Care of You – Handling Your Mental Health – Natalie Schultz</b>   |                              |
|            | 12:00: -2:00           | Lunch on your own   |                              |
| 60<br>Min. | 2:00-3:00              | <b>What's Bugging you? (Members Only)</b> - Moderator: Patricia L. Bennett, Clerk, Wyoming Supreme Court  |                              |
| 60<br>Min. | 3:00-4:00              | <b>COVID-19 Preparation, Planning, Execution (Members Only)</b> - Moderator: Brian Cotta Clerk/Executive Officer, California Court of Appeal Fifth District |                              |
|            | 4:00-5:00              | C-Track User Group  |                              |
|            | 9:30-11:30pm           | <b>Hospitality Room</b>   |                              |

## Wednesday, August 5, 2020 – Grand Hotel Marriott Resort






|          |                        |   |  |
|----------|------------------------|---|--|
|          | 7:30 a.m. – 8:20 a.m.  | <b>Continental Breakfast</b>  |  |
|          | 8:20 a.m. – 8:30 a.m.  | Announcements   |  |
| 120 Min. | 8:30 a.m. – 10:30 a.m. | <b>ADA Update – David Fram</b>  |  |
|          | 10:30-10:45            | Break   |  |
| 60 Min.  | 10:45– 11:45           | <b>HR Update – Chris Weller</b>   |  |
|          | 11:45-1:15             | Lunch on your own   |  |
| 60 Min.  | 1:15-2:15              | <b>Automated Mediation Programs In Appellate Courts – Panel Discussion - Julia Weller</b>   |  |
|          | 2:15 - 2:25            | Break   |  |
| 60 Min.  | 2:25-3:25              | <b>Applying Education: What We've Learned (Members Only)–</b><br>Moderator:<br>Pauline Brock, Clerk of the Court of Appeals, Colorado |  |
|          | 3:25-3:35              | Break   |  |
| 60 Min.  | 3:35-4:35              | <b>Thomson Reuters</b>  |  |
|          | 5:00-?                 | Thomson Reuters Event   |  |
|          | 9:30-11:30pm           | <b>Hospitality Room</b>   |  |

## Thursday, August 6, 2020 – Grand Hotel Marriott Resort

|         |                        |  |  |
|---------|------------------------|--|--|
|         | 7:00 – 8:00            | Optional Fun Run   |  |
|         | 7:30 a.m. – 8:20 a.m.  | <b>Continental Breakfast</b>   |  |
|         | 8: 20 a.m. – 8:30 a.m. | Announcements  |  |
| 60 Min. | 8:30 a.m. – 9:30 a.m.  | <b>Use of Artificial Intelligence for Document Review - West Palm Beach Clerks</b> |  |
|         | 9:30 – 9:40            | Break  |  |
| 60 Min. | 9:40 – 10:40           | <b>CourTools Implementation and Use - Amy Wood, Arizona</b>                        |  |
| 75 Min. | 10:45-12 Noon          | <b>Business Session II</b>   |  |
|         | 12:00-12:30            | <b>Executive Committee Meeting</b>   |  |
|         | 12:45 -6:00            | <b>Optional: Golf Tournament</b>   |  |
|         | 6:30-9:00              | Banquet  |  |
|         | 9:30-12:00 midnight    | <b>Hospitality Room</b>  |  |

## Friday, August 7, 2020 – Grand Hotel Marriott Resort

|  |                        |  |  |
|--|------------------------|--|--|
|  | 8:30 a.m. – 10:00 a.m. | <b>Critique Breakfast (Members Only)</b> |  |
|  | 11:00 a.m. – until     | OPTIONAL:                                |  |

|   |  |   |   |  |
|---|--|---|---|--|
|  Educational Session |  Business Meeting |  Vendor Show |  Vendor Supported or Sponsored |  Filmed Session |
|---|--|---|---|--|



*Some pictures of the Grand Hotel, Point Clear, Alabama*

