



By Larry Royster (MI)

After countless hours of planning and scheduling by many of our fellow NCACC members, we are almost ready for the **50<sup>th</sup> Annual Meeting and Conference** in Detroit. With just a few small details remaining, it promises to be a very special one.

The conference kicks off on **Sunday, July 30**, with an afternoon orientation session for new members, their families, and guests, and the first half of the annual business meeting, which includes the roll call of states. In the late afternoon, there will be a short program on the history of the NCACC to celebrate its golden anniversary and the pioneering members who created it in 1973. I'm still in need of old photos and memories about the early members and conferences so, if you're able to share, please send them to me at [RoysterL@courts.mi.gov](mailto:RoysterL@courts.mi.gov). In the evening, the welcome reception will be held in the "Top of the Pontch" restaurant, which is located on the top floor of the hotel. It has great views of Detroit's cityscape and of Windsor, Ontario, across the Detroit River. The reception will also feature the silent and live auction. All proceeds from the auction go to the Education Fund, which pays for our conference speakers and provides scholarship money to members who require financial assistance to attend the conference. Please consider donating an item—large or small, expensive or inexpensive—and being generous in bidding on those items so that we can continue to schedule great speakers and promote member attendance. Auctioneer-extraordinaire Jim Hivner (TN) is back by popular demand to lead the live auction. Rumor has it this might be our last year to see Jim in amateur status before he goes pro.

The education programs begin on **Monday morning and continue through Thursday**. Deana Williamson (chairperson) and the entire Program Committee deserve tremendous accolades for putting together a terrific slate of educational sessions. Topics include: diversity, equity, and inclusion; avoiding decisional delay; employment law; generative AI and courthouses of the future; prisoner e-filing; judicial analytics; security training; wellness; technology and legal ethics; and, plain language. A listing of the individual speakers with photos is available at the bottom of the [RegFox registration page](#). Our Opperman Speaker is Jean Steel of Happy People Win/Resilient People Thrive. Even as we distance ourselves from the COVID-19 pandemic, we continue to deal with the changes it has brought about. Ms. Steel's presentation on Monday afternoon is entitled "Moving Forward with Optimism and Resilience" and will help us successfully navigate those changes as well as our busy, stressful work lives in general. On Monday evening, we will have dinner at The Henry Ford Museum of American Innovation thanks to the generous sponsor-

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# THE DOCKET

## News of the National Conference of

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ship of Thomson Reuters. If you have children (or, like me, you got old but never really grew up), you're probably familiar with the CBS show, *The Henry Ford Innovation Nation with Mo Rocca*, that is filmed inside the museum and features many of the inventions on display. Charter buses will be transporting us to and from the museum.

**Tuesday** is Vendor Day, featuring vendor tables and product showcases. Thanks to the hard work of the vendor chairperson, Jenny Kitchings (SC), this year's program is going to extra special due to the record number of vendors participating. In addition to our long-time sponsors and good friends at Thomson Reuters and LexisNexis, the Detroit conference will include representatives from Extract Systems, Mission Critical Partners, ImageSoft, The Award Group, JAVS, Clearbrief, Bloomberg Law, File & ServeXpress, the National Center for State Courts, and TLH Consulting. At past conferences, we've had three time slots for the vendor showcases. But this year so many vendors want to present their products at show cases that we added a fourth time slot, which will take place after the vendor-sponsored lunch. Please visit the vendors at the tables to discuss their products and collect their informational materials, and then attend the showcases to show our appreciation and support of the vendors who support us. Tuesday evening's family social event is a dinner and cruise of the Detroit River aboard the Detroit Princess Riverboat. This event is generously sponsored by LexisNexis. The dinner includes a show by the Motown cover band, the "Prolifics." Afterwards a DJ will spin some of your favorite oldies but goodies. So, wear your dancing shoes and getting ready to bust a move or two. The riverboat is moored just a couple blocks from the hotel so we will be walking from the hotel and back again.

Are you an independent thinker, pragmatic planner, action-oriented, or people-oriented? Maybe you exhibit traits of all four. Get ready for a bit of self-discovery on **Wednesday** morning and early afternoon when we take the True Colors personality and temperament indicator program. Wednesday afternoon is generally unscheduled and will be a great time to explore the city and surrounding areas. Ideas for things to do or see are included on the [50<sup>th</sup> Annual Meeting and Conference page](#) on the NCACC's website. For golfers, the second annual "Joseph Lane Memorial Golf Tournament" will take place at a local club. Details about the golf tournament will be emailed directly to the members who signed up as part of the conference registration. There will also be a guided walking tour to view some of Detroit's most iconic architecture. There may be space for one or two more people on the tour so contact me directly if you're interested. We are also trying to schedule an organized activity for members who prefer staying close to the hotel. If there are any activities you'd like to see offered, please reach out to me.

The conference wraps up on **Thursday** with a couple education sessions in the morning, followed by the second half of the business meeting and the Awards Luncheon in the afternoon.

If you haven't registered for the conference yet, there's still time. But please do so **as soon as possible** so we can get an accurate head count for the Monday and Tuesday evening social events, and for the hotel meals at the conference. You will also want to reserve a hotel room at the Fort Pontchartrain hotel right away because there are a limited number of rooms remaining at the discounted price of \$133 per night.

We look forward to seeing you in just a few weeks' time.

Come ready to celebrate the NCACC's golden anniversary, come ready to learn, come ready to socialize, and, because this is Detroit, come with a little attitude.

# THE PRESIDENT'S PAGE

Gregory Hilton (MD)



## RIGHTING HISTORIC WRONGS AND WATCHING HISTORY IN REAL TIME

As clerks of court, we often are faced with some interesting and momentous events that may end up on the front pages of history. Tom Hall's descriptions of the circus-like atmosphere that surrounded the Florida Supreme Court during the *Bush v. Gore* case come quickly to mind. I'm certain we all have similar stories. In most of these cases we are experiencing history as it is unfolding and do not always know the lasting portent of the events.

Especially for those of us on the East Coast, the historic role of our Courts can go back centuries. The Maryland Court of Appeals, recently renominated as the Supreme Court, has its roots in the British Colonies in North America and it saw the events of the nation's founding and near ending happen around it. It is to the first half of the 19<sup>th</sup> Century that my mind turns today.

Prior to the Civil War, emancipation, and the reconstruction amendments to the federal constitution, the right of African Americans to freely live their economic lives (to say nothing of their social and political lives) was, to say the least, constrained. Some of the constraints were merely and cruelly *de facto*, some were more openly and no less cruelly *de jure*.

Sprinkled throughout the history of our fledging nation you can find stories of shopkeepers, artisans, and others who were prevented from practicing their trade merely because of the color of their skin. Many African Americans and other minorities in the nineteenth and early twentieth centuries were legally or effectively precluded from the practice of law, no matter their knowledge, skills and abilities.

One such story is found in Baltimore, Maryland in the 1850s. There, the son of a shopkeeper worked his way through Dartmouth College to graduate with distinction and then labored as an understudy to a local lawyer to “read the law.” Later, when he thought himself prepared and in the custom of that time, he presented himself to a Baltimore Judge to be examined as to his knowledge of the law, and, if found qualified, to be admitted to the Bar of Maryland.

He wasn’t admitted. While the Judge found no reason to question the lawyer-candidate’s knowledge and skills, he could not admit him to the bar because of the color of his skin.

While we do not have a contemporaneous accounting of his emotional response to this rejection, we do know that the would-be lawyer soon left the United States for Liberia in hopes of becoming one of that young, ill-starred nation’s first attorneys. He took his young wife with him and sadly died of tuberculosis within a year after he arrived in Liberia.

We cannot know what would have become of Edward Garrison Draper had he remained in the United States and had he been permitted to practice law; we do know from accounts of his Dartmouth classmates that he was a bright and ambitious person. Perhaps he would have been an early Thurgood Marshall or other pioneering leader seeking to obtain for African Americans freedom from slavery and oppression.

We cannot right this wrong, but we can acknowledge it and erase some of the stigma of that wrong, at least symbolically. The Supreme Court of Maryland intends to do so. In a special sitting in October of this year, the Court will be taking up a motion by John G. Browning,\* a former justice on Texas’ Fifth Court of Appeals, that Mr. Draper be posthumously admitted to the practice of law in Maryland. While the Court has not acted on that motion yet, I suspect that it will receive a favorable hearing.

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\* Most of the history in this piece is taken from Justice Browning’s 2022 law review article *To Fight the Battle You Need Warriors: Edward Garrison Draper, Everett Waring, and the Quest for Maryland’s First Black Lawyer*. 53 U. Balt. L.R. 1, Fall 2022.

Mr. Draper's cause will join other notable acknowledgments of would-be attorneys who were denied admission to practice law during their lifetimes on account of their race. They include:

***Takuji Yamashita** – posthumously admitted to the Washington Bar in 2001*

***George B. Vashon** – posthumously admitted to the Pennsylvania Bar in 2010*

***Hong Yen Chang** – posthumously admitted to the California Bar in 2013*

***Sei Fujii** – posthumously admitted to the California Bar in 2017*

***William Herbert Johnson** – posthumously admitted to the New York Bar in 2019*

***J. H. Williams** – posthumously admitted to the Texas Bar in 2020.*

The Supreme Court of Maryland will be live-streaming the special session of Court when it considers Justice Browning's motion. Please join us if you can, or watch the proceedings on the Maryland Judiciary's webpage: [www.mdcourts.gov/coa](http://www.mdcourts.gov/coa) to mark this long overdue recognition. [continued on Page 7]

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# THE PRESIDENT'S PAGE, *continued*

Gregory Hilton (MD)

After noting this historic event in Baltimore, we should acknowledge our rapidly changing world and the effects those changes will impose on the work that we as clerks do. You have probably heard of the recent case where an attorney filed a brief in court that he had generated through an artificial intelligence platform. While the AI-generated text appeared to be cogent, the citations to authority that it generated were artificial, made up, fake. No doubt this won't be the last we hear of generative AI or its pros and cons; it seems to making a foothold in many industries and will not likely go away as it improves itself. I asked OpenAI ([openai.com](https://openai.com)) to generate a paragraph explaining how generative AI can improve court case management. While this task was relatively simple, it might have taken me 10 minutes or more to collect my thoughts, write the text and edit it. This paragraph was generated in less than 2 seconds:

Generative AI holds immense potential to revolutionize court case management, offering a range of benefits and efficiencies. By leveraging its natural language processing capabilities, AI can analyze and organize vast amounts of case-related data, including pleadings, motions, and court orders, allowing for more effective case tracking and management. AI-powered algorithms can automate the assignment of judges and courtrooms based on workload and availability, optimizing scheduling and reducing delays. Additionally, generative AI can facilitate predictive analytics, enabling judges and court administrators to forecast case timelines, allocate resources, and make informed decisions regarding case prioritization. Through its ability to streamline workflows, enhance data analysis, and improve overall efficiency, generative AI has the potential to transform court case management, ultimately leading to more effective and timely justice administration.

While it isn't in my voice and I might pare it down a bit, this could be a workable opening paragraph to an article explaining what could be a future clerk's office.

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With this brief historical note and a precis of the future, I am very excited about seeing everyone in Detroit in just a few weeks. No doubt we will learn about the past and the future and the vital role we all play in our respective states and this great nation.



**In Memoriam  
Jon Wheeler, 1944–2023**

**Retirement Job: Clerk of the Florida First District  
Court of Appeal, 1991-2017**

Jon Wheeler, 79, was accompanied by the angels and saints to be with the Lord on May 17, 2023 in Tallahassee, Florida. While the rest of his earthly body broke down, his heart endured, and he used the last weeks of his life to bring peace and unity to his visiting family and friends before passing to be with Jesus Christ his Lord and Savior.

Jon was born in Richmond, Virginia on April 30, 1944 to Maurice and Helen Wheeler. He moved to Florida as a teenager and lived in Miami and Tampa before attending Florida State University in 1962. Jon met the love of his life MaryLynn Kennedy while at FSU. Upon graduation in 1966, he became the first student ever accepted at Florida State University School of Law with his application to the inaugural class receiving special consideration for early acceptance due to his commitment to commission into the United States Air Force.

Jon and MaryLynn Wheeler married on July 16, 1966. After graduating FSU Law in 1968, Jon proudly served in the United States Air Force for over 22 years as a Judge Advocate. His assignments included multiple permanent changes of station throughout the United States including a tour in Fairbanks, Alaska. He exhibited the Air Force core values of integrity, service, and excellence throughout his career. Amongst several honors, he was selected as the Air Force recipient of the Kuhfeld Award given to the top lawyer in the United States Air Force and served as Judge Advocate for the Chairman of the Joint Chiefs of Staff at the Pentagon before finishing his career as the head JAG for the Air Force District of Washington as a Colonel.

Following service of his country and retirement in December 1990, he served his state as the Clerk of the Court for the First District Court of Appeal in Tallahassee, Florida until his retirement in 2017. During these 27 years and following his retirement, he was a leader in the community. While his health allowed, Jon was often seen in the front row pew or administering the Eucharist at Good Shepherd Catholic Church every Sunday. He was a stalwart fan at every Florida State athletic event that allowed spectators. Jon had an inexhaustible supply of advice, compassion, and corny jokes that touched the lives of those with whom he worshipped, worked, and interacted in the community.

A mass and memorial service were held Thursday, May 25, 6:00-7:30 p.m. at Good Shepherd Catholic Church, 4665 Thomasville Rd, Tallahassee. A committal ceremony with full military honors was held from 12-12:30 p.m. on Friday, May 26, at Tallahassee National Cemetery, 5015 Apalachee Parkway, Tallahassee. The family would like to invite all interested to attend any or all of these events. In lieu of flowers, contributions may be made to Big Bend Hospice or K-9's for Warriors.