



# NATIONAL CONFERENCE OF APPELLATE COURT CLERKS

SECRETARIAT: NATIONAL CENTER FOR STATE COURTS, 300 NEWPORT AVE., WILLIAMSBURG, VA 23185

July 31, 2023

## OFFICERS

### **President**

**Gregory Hilton**  
Clerk, Maryland Court of  
Special Appeals

### **President-Elect**

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

### **Vice President**

**Douglas Shima**  
Clerk, Kansas Supreme Court &  
Court of Appeals

### **Immediate Past President**

**Larry Royster**  
Clerk, Michigan Supreme  
Court

### **Treasurer**

**James Hivner**  
Clerk, Tennessee Supreme  
Court, Court of Appeals &  
Court of Criminal Appeals

### **Secretary**

**Claudia Jenks**  
Chief Deputy Clerk, Texas  
Supreme Court

Members of the National Conference of Appellate Court Clerks

Re: Approval of the 2022 Conference Minutes and Report of the Financial  
Committee Report

NCACC Friends and Colleagues:

What a great start to the 50<sup>th</sup> Anniversary Conference! I had such a great  
time meeting our new members and celebrating with all of you yesterday.

Two important business matters that I neglected to take care of during the  
business meeting was seeking your collective approval for the minutes from last  
years' conference and the Finance and Investment Committee's annual report. I  
have attached the minutes and Finance and Investment Committee's annual report  
for your review.

As the first order of business at the second portion of our Business Meeting,  
I will ask that we suspend the ordinary rules then consider and approve the minutes  
and the finance report.

My apologies for this oversight and thank you.

Very sincerely,

Greg Hilton

## EXECUTIVE COMMITTEE

### **Mary Beth Kuenzel**

Clerk, Florida 2<sup>nd</sup> District Court  
of Appeal

### **Kevin Lane**

Clerk/Administrator, California  
Court of Appeal, 4<sup>th</sup>  
Appellate District

### **Amy Wood**

Clerk, Arizona Court of  
Appeals, Division 1

### **Polly Brock**

Clerk/Court Executive,  
Colorado Court of Appeals

### **Tracie Lindeman**

Clerk, Arizona Supreme Court

### **Lonn Weissblum**

Clerk, Florida Fourth District  
Court of Appeal

The bank and investment records are being sent separately in an email.

2022 NATIONAL CONFERENCE OF  
APPELLATE COURT CLERKS  
FORTY-NINTH ANNUAL MEETING

Williamsburg, Virginia

Sunday, July 31, 2022  
Through  
Thursday, August 4, 2022

**Call to order:**

President Larry Royster (MI) called the Forty-Ninth Annual Meeting of the National Conference of Appellate Court Clerks to order at 2:30 p.m. on Sunday, July 31, 2022. He welcomed everyone to the conference. All new NCACC members and first-time attendees were welcomed.

**Roll Call of States:**

On Sunday, July 30, 2022, Secretary Claudia Jenks (TX) called the roll of states, recognizing each person registered and present.

**President's Report:**

President Royster discussed updates to the agenda of the conference with the members. He also mentioned the changes to the new website giving credit to Steve Circeo of Maxcreative. He encouraged members to register for log in credentials since individual username and password will be needed to access the member area. President Royster asked members to review the website and try the links to make sure they are functional. If links are not functional, he asked that members email him so he can get those broken links corrected.

President Royster mentioned that survey results regarding e-filing systems have been compiled and results are available on the website under Members Area section in the Knowledge Center for those courts interested in e-filing systems and different vendors. Tim Gudas (NH) and Larry Royster worked together to take on the project of collecting information to provide this as resource.

President Royster moved to the Committee Reports and suggested that the reports be approved all at once at the end of the business meeting.

## **Committee Reports**

### **Awards, Resolutions and Memorials Committee:**

Jenny Kitchings (SC) thanked the members of the committee: Ed Hosken (VA), Kevin Lane (CA), Deana Williamson (TX), Christie Roeder (NC), and Susan Clary (KY). Jenny reported that nominations were solicited for the J.O. Sentell Award and the Morgan Thomas Award. This year, the committee received one nomination for the J.O. Sentell Award and one nomination for the Morgan Thomas Award. The committee honored the retirees of 2021 and 2022 with a paperweight in honor of their service. The following clerks have retired over the past two years: Lisa Matz (TX), Julia Jordan Weller (AL), Daniel E. Shearouse (SC), Susan L. Carlson (WA), Carolyn Ziogas (CT), Renee Townsley, (WA), Janet Johnson (AZ), Carol Anne Harley (TX), John Olivier (LA), Lillian Ritchie (LA), Carolyn Grosboll (IL), and Sherry Williamson (TX).

Regarding memorials, Jenny reported that Douglas B. Robelen, Clerk of Court for the Supreme Court of Virginia, passed away last year before he could host this year's conference. The committee planned to honor Doug and his family at our Sunday night reception. We also lost Joseph Lane, Clerk of Court for the Court of Appeal, Second Appellate District, California. Kevin Lane drafted a moving remembrance that was published in the January 2022 edition of The Docket. Joe's family will receive a memorial from the NCACC.

As set forth in the Committee Operational Guidelines, the committee ordered engraved plaques shaped like the state of Virginia for hosts Jim Hivner and Amy Funderburk who graciously stepped up and prepared an amazing conference.

Finally, the committee prepared resolutions for the Convention Assistance Committee, the Program Committee, the organizations providing hospitality and assistance during the conference (upon request by our hosts), any individuals specifically designated by the President, the site facility and staff, and all the speakers for the presentation in Williamsburg.

Jenny also thanked the vendors and asked members to visit with them during the conference.

Larry took time to acknowledge that Douglas B. Robelen was the reason we were attending in Williamsburg and asked the members to welcome Doug's wife, Amy and his family at the Sunday reception.

The Executive Committee approved the selections and all of the awards, resolutions, and memorials will be presented at the awards banquet on Thursday.

### **Bylaws Committee:**

Dan Shearouse (SC) thanked Colette Bruggman (CA), Susan Stokley Clary (KY), Greg Hilton (MD), Ed Hosken (VA-Ret.), Marilyn May (AK), and Matt Pollack (ME) for serving on the Committee. Dan reported that the committee considered two separate sets of amendments to the Bylaws this year. He said that the proposals for the amendments to the Bylaws were published in July 2022 edition of *The Docket*. The first was related to the NCACC Website. The second set of amendments arises from a proposal submitted by Finance and Investment Committee. The Bylaws Committee recommended including language indicating the Finance and Investment Committee, subject to the investment strategy promulgated by the Executive Committee, determines what funds should be invested.

As to the amendments relating to investments, these amendments were not submitted to the Executive Committee until after April 1, 2022. Therefore, they cannot be considered by the membership at the upcoming annual meeting unless seventy-five percent of the members then present and entitled to vote agree to suspend the April 1st submission date requirement. Article XI, Section 2 of the NCACC Bylaws. Larry stated a special motion regarding the amendments regarding the investments will be voted on by special motion.

### **Communications Committee:**

Meredith Montgomery (AK) thanked the committee members: Polly Brock (CO), Greg Hilton (MD), Mary Beth Kuenzel (FL) - editor, Scott Mitchell (AL), Greg Pachmayr (IN), and Doug Shima (KS). Meredith reported that the committee produced four editions of *The Docket* in the 2021-2022 term to promote the growth and vitality of the NCACC by providing information to enhance the professionalism of appellate court clerks and their offices. She also thanked all members who wrote articles for *The Docket*.

### **Contracts Committee:**

Greg Pachmayr (IN) reported the Contracts Committee reviewed only one contract and made recommendations regarding the contract with Maxcreative for building a new website for the NCACC. He thanked the members of the committee: Larry Royster (MI), Matthew Ward (AL), and Amy Wood (AZ).

### **Convention Assistance Committee:**

Deana Williamson (TX) stated that the committee is ready to assist the host during the conference. Those on the committee have an orange tag on their badge for anyone who has questions during the conference. She stated the committee is excited to assistance as necessary to make Williamsburg a great conference. The Convention Assistance Committee members include Mary Beth Kuenzel (FL) - EC Liaison, Debbie Autrey (TX), Tim Gudas (NH), Tricia Howard (SC), Claudia Jenks (TX), Jenny Kitchings (SC), Lisa Matz (TX), Doug Shima (KS), and Renee Simien (LA).

### **Educational Fund Committee:**

Larry Royster (MI) reported that the Education Fund Committee is a select committee by the bylaws comprised of the President, President-Elect, and the Treasurer. He stated that the educational fund is used to provide scholarships for members in financial need to attend the conference and pays for engaging speakers for the educational programs at our conferences. Due to COVID, and without a physical conference to have the silent auction, the committee reached out to members for donations. Larry happily reported that the Educational Fund received \$4,750 in member donations and we are in good standing. Letters acknowledging the donations were sent to the donors by the prior committee chairperson, Meredith Montgomery (AK) and by him. He thanked the members of his committee: Chris Prine (TX) and Jim Hivner (TN).

### **Finance and Investment Committee:**

Jim Hivner (TN) – Chairman of the Committee, recognized the members of the committee: Ed Hosken (VA-Ret.), Ron Carpenter (WA-Ret.), Greg Pachmayr (IN) and Mac Squires (WA). Jim reported the committee was busy this year reviewing the investment strategy and the effectiveness of the current Investment Advisor, Truist, which the committee is pleased to continue with. He stated the finance report was reported in last edition of *The Docket* and encouraged members to review the report. Jim also recognized Mac Squires as honorary host for this year's conference.

### **Membership & Pictorial Committee:**

Doug Shima (KS) reported membership increased by 25 new members since July 1, 2021. He acknowledged that the committee personally engaged with the new members virtually on two separate meetings. Meredith Montgomery (AK) spearheaded a new member meeting on July 28, 2021 and a second new members meeting was held before the mid-term conference. Both meetings were well attended by the new members. Doug recognized the new members that were in attendance at the conference.

### **Nominating Committee:**

Kevin Lane (CA) thanked the committee Chris Prine (TX) and Meredith Montgomery (AK). The Committee offers the following slate of nominations:

PRESIDENT ELECT

Jenny Kitchings

Clerk, South Carolina Court of Appeals

VICE PRESIDENT

Douglas Shima

Clerk, Kansas Supreme Court and  
Court of Appeals

SECRETARY

Claudia Jenks

Chief Deputy Clerk, Supreme Court of  
Texas

EXECUTIVE COMMITTEE    Pauline Brock  
Clerk/Court Executive, Colorado  
Court of Appeal

Lonn Weissblum  
Clerk, Florida Fourth District Court of  
Appeal

Tracie Lindeman  
Clerk, Arizona Supreme Court

President Larry Royster stated there will be a separate vote in order to take floor nominations. He noted that due to Chris Prine (TX) change in circumstances, Greg Hilton (MD) filled in to replace Chris as President for the upcoming year which left two positions open, one for the President Elect and one for the Vice President. Larry mentioned that the floor will be open to nominations and nominees will be voted on by separate vote.

**Program Committee:**

Scott Mitchell (AL) thanked the members of the committee: Doug Shima (KS), Polly Brock (CO), John Doerner (CO), Jenny Abbott Kitchings (SC), Frans J. Labranche, Jr. (LA-Ret.), Tiffany Mortier (CO), Lauren Vint (MD), Deana Williamson (TX), and Tristen Worthen (WA). Scott reported the committee prepared an education program consisting of 19 hours of programming including an hour of programming dedicated to ethics. Scott noted that all NCACC members who are required to obtain CLE credit should be able to meet their obligation during the annual meeting. Chris Crow (LA-Ret.) will coordinate with those members who need CLE credit and it will be her last year in the role of CLE coordinator. Scott thanked the members who suggested speakers for this year's conference and encouraged members to recommend speakers for upcoming conferences. Greg Hilton (MD) informed the members that there is a survey that he will speak about where members can put information regarding future speakers. Scott stated The National Center for State Courts has been an integral resource for the committee this year as many of our speakers are associated with the NCSC and also noted three of the speakers this year were suggested by members not on the program committee. Scott noted that a QR code will be on tables at the end of each session for members to provide feedback regarding the

speakers. Members will also have another opportunity on Thursday after the awards luncheon to share feedback to help provide the committee with ideas regarding future sessions.

### **Scholarship Committee:**

Lonn Weissblum (FL) thanked the committee members: Lilia Oquendo-Solis (PR), Jenny Kitchings (SC), and Chris Prine (TX), our Executive Committee Liaison. Two scholarship applications were received, and both were approved and funded in the amount of \$3,208. Lonn also reported that the scholarship application was also switched from a paper application to an electronic application.

### **Site Selection Committee:**

Polly Brock (CO) reported that the next site meeting is for 2025. She thanked the committee members: Daniel Shearouse (SC), Sheila Reiff (WI), Kevin Lane (CA), Chris Prine (TX), Christina Roeder (NC), Jenny Kitchings (SC), Lisa Matz (TX), Tom Hall (FL-Ret.), and Ed Hosken (VA-Ret.). Polly reached out to members about hosting a future conference and recognized past hosts. She encouraged members to ask past hosts about hosting a future conference.

### **Strategic Planning Committee:**

Colette Bruggman (CA) recognized the committee members: John Doerner (CO), Greg Hilton (MD), Frans J. LaBranche, Jr. (LA-Ret.), Kate Morgan (KY), Greg Pachmayr (IN), and Amy Wood (AZ). Colette reported that the task this year was to work with Frans LaBranche to get his archival materials. Frans has material dated from the 1980s. Colette received three boxes of material and has scanned one of the three at this time. Once completed, the scanned material will be turned over to the NCACC. Larry also stated that Frans has several picture slides that he hopes to get digitized and put on the YouTube channel.



## **Technology Committee:**

Chairperson, John Tomasino (FL), was not available to report. Executive Liaison, Amy Wood (AZ), reported that the main focus of the committee this year was the website. The committee members volunteered to assist Steve Circeo of Maxcreative with testing and feedback of the new website of what should be included and what should be taken off. Amy also reported that the new log in method was tested versus a general password was put in place. She also mentioned that John has lined up several members of this Technology Committee who take over the administration of the website going forward. Those committee members will be trained by Steve Circeo by the end of August. Amy thanked the members of the committee for their help in all they did this year.

President Royster announced that the presentation of committee reports was concluded. He encouraged new members to fill out Greg Hilton's survey to sign up for committees. President Royster asked for a member to move to approve the committee reports with two exceptions, 1) regarding the second bylaw dealing with Treasurer and Finance Investment Committee that will be voted on separately and 2) regarding the voting of the nominees Officers and the Executive Committee Members. Laura Roy (MO) made a motion to accept the Committee Reports with the exception of the Nominating Report and the one bylaw provision pertaining to the Treasurer and the Finance Investment Committee; Eydie Gaiser (WV) seconded the motion. President Royster asked if there was any further discussion. There being no further discussion and no objections, the motion carried.

President Royster asked for a member to move for approval of the second bylaw dealing with the amending of the Articles dealing with the Treasurer and the Finance Investment Committee. Jim Hivner (TN) made a motion to approve the bylaw; Laura Roy (MO) seconded; motion carried.

President Royster opened the floor for nominations of Officers and the Executive Committee Members and stated if no nominations at this time, then the voting will proceed. No nominations for any positions were made. President Royster asked for a member to close nominations. Renee Simien (LA) made a motion to close nominations; Greg Hilton (MD) seconded the motion. President Royster asked for any discussion on closing the nominations. There being no further discussion and no objections, the motion carried.

President Royster announced the nominees to be approved: Jenny Kitchings (SC) as President Elect, Doug Shima (KS) as Vice President,

Claudia Jenks (TX) as Secretary, Polly Brock (CO) who is nominated but is currently filling a partial term for Carolyn Grosboll (IL) who retired and is eligible to serve the full two terms, Lonn Weissblum (FL), and Tracie Lindeman (AZ). President Royster asked for member to move to accept the nominees. Jim Hivner (TN) made a motion to approve the nominations made by the Nominating Committee; Amy Wood (AZ) seconded the motion. There being no further discussion and no objections, the motion carried.

President Royster concluded business discussion for the day and presented the immediate Past Present, Eydie Gaiser (WV), with a gift. He thanked both Eydie Gaiser (WV) and Laura Roy (MO) for hosting during the COVID years

Greg Hilton (MD) presented the QR code and discussed how to fill out form for those who are interested in signing up for committees next year and topics and speakers for other conferences.

President Royster took time to recognize the passing of Joe Lane (CA) and how we would like to honor him at all future conferences. He asked to move that the golf outing be named the Joseph Lane Memorial Golf Tournament in his memory. Bill DeCicco (WA-Ret.) made a motion that the annual NCACC Golf Tournament be named the Joseph Lane Memorial Golf Tournament on a permanent basis; Tom Hall (FL-Ret.) seconded the motion. There being no further discussion and no objections, the motion carried. President Royster noted that a letter will be sent to the family regarding the renaming of the golf tournament.

Deana Williams spoke about the traditional of the Trail Blazer award. She asked members to share travel stories with the Convention Assistance Committee regarding their experiences on their interesting journey to get to the conference.

President Royster acknowledged Amy Funderburk (NC) to thank her for hosting even though she is no longer an appellate court clerk.

Jim Hivner (TN) talked about the auction items and encouraged members to view the silent auction items.

There being no further business, Tom Hall (FL) made a motion to adjourn meeting until Thursday; Jenny Kitchings (SC) seconded the motion; motion carried. The meeting was adjourned at 4:05 p.m. on July 31, 2022.

The Forty-Ninth Annual Business Meeting resumed at 11:10 a.m. on Thursday, August 4, 2022 with a call to order by President Larry Royster (MI) who noted a quorum was established at 11:12 a.m. President Royster turned over the gavel to President Elect Greg Hilton (MD).

President Hilton thanked Past President Royster and Past Presidents for their leadership. He acknowledged that this coming conference is the NCACC 50<sup>th</sup> Anniversary of its existence. He continued to thank the Program Committee for a fantastic job coming out of COVID to develop enthusiasm for this conference. Past President Larry Royster presented a five minute video of Detroit for next year's conference. After the video, President Hilton asked for a motion to adjourn the business meeting. Jenny Kitchings (SC) moved to adjourn the business meeting; Gary Chambon (MI) seconded the motion; motion carried and the meeting was adjourned at 11:25 a.m.

Respectfully submitted,

Claudia Jenks (TX)  
NCACC Secretary

OFFICE OF  
CLERK OF THE COURTS

James M. Hivner



STATE OF TENNESSEE

SUPREME COURT  
COURT OF APPEALS  
COURT OF CRIMINAL APPEALS

July 28, 2023

Greg Hilton, President  
National Conference of Appellate Court Clerks  
Via Email

Re: NCACC Finance & Investment Committee Summer Report

Dear President Hilton:

The Finance and Investment Committee of the National Conference of Appellate Court Clerks (Jim Hivner, Mac Squires, Greg Pachmyr, Ed Hosken and Kate Morgan) had its most recent meeting on July 20, 2023. The Committee reviewed the last available bank and Investment account statements. The Committee expressed concerns about the investment account growth over the past few years but acknowledged the market's volatility. The Committee intends to watch the growth pattern over the next few quarters and review the quality of investment services being provided by Truist. Further, the Committee discussed the potential for moving a portion of the Conference's funds into a more aggressive portfolio which will provide an opportunity for increased growth. As of June 23, 2023, the Operating account Bank Statement had a balance of \$108,219.11 and at the end of the last quarter (June 30, 2023) the Investment Account had a balance of \$178,285.14. Copies of the June Bank Statement and Investment Account Statement are attached.

The Finance & Investment Committee intends to meet again during the annual Conference to discuss a budget for the next fiscal year.

Sincerely,

/s/ James M. Hivner

James M. Hivner, Chairman