



NCACC's 51st Annual Conference Burlington, VT — August 4 to August 8, 2024

**By Tim Gudas
Clerk of the New Hampshire Supreme Court**



Please mark your calendars and start making plans to attend next summer's annual conference in Burlington, Vermont. The 2024 conference will represent the first time in this century that the NCACC has held its annual meeting in New England. New Hampshire and host Howard Zibel closed out the prior century with a bang in Portsmouth in 1999.

The Program Committee is already developing ideas and identifying potential speakers for the educational sessions in Burlington. Upcoming editions of *The Docket* will provide more information on the educational program and on the planned social events. Here is the key information for your current planning.

The City of Burlington. Located on the shores of Lake Champlain, with views toward the Adirondacks in the west and toward the Green Mountains in the east, Burlington (population 45,000) is Vermont's largest and most vibrant city. It is the home of the University of Vermont (UVM).

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THE DOCKET

News of the National Conference of

Appellate Court Clerks

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Things to Do In and Near Burlington. Burlington has numerous activities for all ages and interests, including paddling or swimming in the lake, running or biking on the waterfront recreational path, and enjoying the food, drink, and shopping along the Church Street Marketplace, <https://churchstmarketplace.com>. A sampling of other things to do includes:

ECHO Leahy Center for Lake Champlain, a science and nature museum on the waterfront, <https://www.echovermont.org>

Shelburne Farms, an environmentally sustainable farm with walking trails and locally sourced food, <https://shelburnefarms.org>

Shelburne Museum, which describes itself as “the largest art and history museum in northern New England and a foremost public resource for visual art and material culture,” <https://shelburnemuseum.org>

Ben & Jerry’s “factory” in Waterbury, <https://www.benjerry.com/about-us/factory-tours>

For additional food, recreation, and culture ideas, check out these websites:

<https://www.helloburlingtonvt.com>

<https://www.uvm.edu/eventservices/local-attractions>

The Host Hotel. The conference will be held at the Doubletree by Hilton Burlington, <https://www.hilton.com/en/hotels/btvbsdt-doubletree-burlington-vermont>. The Doubletree is adjacent to the UVM campus and is located a little over a mile from the Church Street Marketplace and other downtown restaurants and shops. The hotel offers shuttle service to the Burlington airport and to the downtown area.

Getting to Burlington. The Burlington airport is just minutes away from the host hotel. There are direct flights each day between Burlington and Charlotte, Washington, D.C. (both National and Dulles), Chicago, Newark, New York (both LaGuardia and JFK), Atlanta, Philadelphia, and Detroit. For those who prefer to explore New England on their way to the conference, Burlington is easily reachable by car from other airports in the region, including Boston (approximately three hours away), Hartford, CT (approximately three and a half hours), and Manchester, NH (approximately two and a half hours).

If you have questions about logistics or activities at any point between now and August, please contact me at tgudas@courts.state.nh.us. I look forward to seeing you in Burlington!



THE PRESIDENT'S PAGE

Jenny Kitchings (SC)

Dear Friends,

In order to write this note to you all, I reflected on the meaning of the NCACC. We seek to improve the administration of appellate courts through outstanding educational conferences, committee activities, publications, and exchanges between members. Well, box checked there...we had a truly outstanding educational conference in Detroit. We celebrated our 50th anniversary with an incredible slide show and video remembrances from members who could not join us. We heard from a truly exceptional Opperman speaker about the power of positive thinking to help us bounce forward after all the changes the pandemic brought with it. We were challenged to think about artificial intelligence, allyship in the workplace, and avoiding delay as appellate courts. We reviewed best practices for human resource management, learned about data analytics, considered important courthouse security measures, and talked about providing inmates access to e-filing. We worked on teambuilding, wellbeing, and problem-solving. We were introduced to plain language writing. We took time to talk about issues our courts are facing and connect on the many things we all have in common.

As the weather is starting to turn, so too are we turning to the other parts of our work as members of the NCACC. The committees are hard at work. We are looking forward to hearing from each committee during our Executive Committee meeting in Albuquerque, New Mexico, on October 16-17. Committee work is a great way to stay involved during the year and support our mission of promoting best practices in appellate court administration. This is where the real wealth of our organization shines through—our members are engaged, knowledgeable, and generous. We share information freely through our listserv. You can always reach out and find a helping hand.

Together, we can do great things. I look forward to working with all of you this year!

Warmly,

Jenny



Outgoing 2022-23 Executive Committee aboard the Detroit Princess Riverboat on August 1, 2023. Pictured from left to right: Jim Hivner (TN), Tracie Lindeman (AZ), Jenny Kitchings (SC), Greg Hilton (MD), Doug Shima (KS), Larry Royster (MI), Polly Brock (CO), Lon Weissblum (FL), Claudia Jenks (TX), Mary Beth Kuenzel (FL), Amy Wood (AZ).

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Since 1973, the National Conference of Appellate Court Clerks has sought to improve the administration of appellate courts. Through outstanding educational conferences, committee activities, publications, and exchanges between members, the NCACC promotes best practices in appellate court administration.

On the website (<https://appellatecourtclerks.org>), you will find the final version of the educational materials from the Detroit conference and from many past conferences. Having trouble with your website log-in credentials? Email Larry Royster for help: RoysterL@courts.mi.gov.

Sign up for the Listserv or post a message at <https://lists.washlaw.edu/mailman/listinfo/ncacc>.

An Epilogue to the 50th Anniversary Conference in Detroit

By Larry Royster, Clerk of the Michigan Supreme Court

In an article I wrote for the December 2022 edition of *The Docket* to hype up the NCACC's 50th Anniversary conference in Detroit, I mentioned I had worked in the city on two separate occasions more than thirty years ago. In the article, I said my memories of Detroit were not pleasant. That was, I now admit, an understatement. I *really* didn't like it. There were only a few nice restaurants and entertainment venues, the streets were littered, many buildings sat vacant, and the traffic was terrible. In the article, I also said "the city has changed dramatically for the better in the past three decades." That statement, I now admit, was probably a little overstated, at least based on personal experience. In truth, it had been many years since I last visited Detroit. My positivity was based on what I read in the media or was told by friends and colleagues who worked downtown. So, it was with some trepidation that I, along with my colleagues on the Michigan Supreme Court and Court of Appeals, welcomed our NCACC counterparts from across the United States and several territories to the City of Detroit. By all accounts, Detroit really showed its best side during our visit. It was vibrant and welcoming—from the upscale dining at The Apparatus Room across the street from the hotel to the drinks and casual food at the nearby Grand Trunk Pub (which had the "where-everyone-knows-your-name" vibe), from the nightly heavy bass music and dancing at the Spirit of Detroit Plaza to the random Greek festival that a few members stumbled upon, and from the green spaces along the Detroit Riverwalk to the beautiful architectural features of many historical buildings that were pointed out to those of us who participated in the walking tour.

The conference social events were really outstanding. On Sunday evening, we were treated to a wonderful 50th Anniversary slide show created by Deana Williamson (TX). The recorded remarks of long-time member Frans LaBranche are now even more poignant given his passing in early September. The silent and live auctions were huge successes thanks to the event coordinator, Sherry Williamson (TX, retired), and auctioneer-extraordinaire, Jim Hivner (TN). Our Monday evening "field trip" to the Henry Ford Museum of American Innovation included several delicious food stations, a ticketed bar, and access to the entire museum. I heard many people comment, and I agree, that the few hours we had at the museum were simply not enough to see everything on display. Many thanks to Thomson-Reuters for sponsoring the event. On Tuesday evening, we boarded the Detroit Princess Riverboat for dinner and drinks, entertainment

by a Motown cover band, The Prolifics, and a cruise of the Detroit River. The cityscape views of Detroit and Windsor, Ontario, from the riverboat were spectacular. We are extremely grateful to LexisNexis for sponsoring the dinner and cruise. Theme-nights in the hospitality suite were fun-filled and sometimes raucous (but we were reported to hotel security only once). Our de facto social director, Doug Shima (KS), knows how to throw a party. Finally, the conference concluded with the Awards Luncheon on Thursday afternoon where we recognized two very deserving individuals for the NCACC's premier awards, Sirena Kestner (National Center for State Courts), the Morgan Thomas Award recipient, and Edward Hosken (US Court of Appeals for the Federal Circuit, retired), the J.O. Sentell Award recipient.

To close, I want to thank all the members who spent countless hours planning, organizing, and implementing the educational sessions and social events for the conference. Thanks to your efforts, the conference was hugely successful. I also want to thank everyone who attended the conference. I know the work doesn't stop just because you're away from the office so your attendance likely meant longer work hours when you returned. For the retired members, you might not have had a backlog of work awaiting you, but you certainly had many other things you could have done instead. We are very fortunate that you chose to spend time with us to share your knowledge and friendship. Finally, to the City of Detroit, thank you for a truly wonderful time experiencing some of your attractions and activities. I will be back soon to see and do more. Your traffic still sucks, though.

Future Conferences:

Albuquerque NM, 2025. Host, Liz Garcia. & Colette Bruggman

Austin TX, 2026. Host, Deana Williamson.

Your Town, Your State. Host, You???

Interested in hosting? Anyone can do it; you can even team up with another clerk and co-host.

The Site Selection Committee would be happy to help you put together a bid for 2027.

AND THE TRAILBLAZER AWARD GOES TO...

By: Theresa McCarthy (LA)

Each year, the Convention Assistance Committee awards the individual with the worst travel experience getting to the annual convention for the Trailblazer Award. This year's recipient hails from the Golden State, but his journey to Detroit was anything but golden. His trip took an unexpected detour in Denver, where he found himself spending the night without any luggage. To compound the issue, there was even confusion about the whereabouts of his luggage. Eventually, our nominee managed to reach Detroit with luggage in tow, but his travel woes were far from over. His return journey was equally tumultuous. Coincidentally, I ended up on the same flight from Detroit to Denver after my initial flight experienced maintenance issues.

Little did we know, we were heading into a storm as we approached Denver. The city was engulfed in a severe thunderstorm that brought heavy rain, strong winds, and hail, which made it impossible to land. Our plane circled repeatedly until we were compelled to touch down in Rapid City, South Dakota. Despite the imminent airport closure, one staff member remained to assist us in disembarking from the plane. We were reassured that United Airlines would eventually find a way to transport us to Denver that night, as staying in Rapid City was not an option. Unfortunately, the timing was complicated by the commencement of the Sturgis Motorcycle Rally, leaving no available hotel rooms for hundreds of miles.

After some time, we obtained the necessary fuel and clearance to proceed to Denver. Meanwhile, in Denver, a total of 774 flights had experienced delays and 50 flights had been cancelled. The airport was teeming with individuals, including myself, who had missed connections and were grappling with how to reach their intended destinations. Fortunately, our nominee managed to touch down just in time for a brief chat with me before rushing to his gate to catch his connecting flight.

I share these details to underscore the possibility that if you ever find yourself on a flight with our trailblazer and you're in the vicinity of Denver, your travel experience might not be a pleasant one. This year's Trailblazer Award is presented to Brian Cotta of the California Court of Appeal, Fifth Appellate District. Let's hope that next year's journey to the annual conference and back will be significantly less eventful!

The National Conference of Appellate Court Clerks presented the prestigious J.O. Sentell Award to Edward W. Hosken, Jr., Retired Chief Deputy Clerk of the U.S. Court of Appeals for the Federal Circuit, at its Annual Conference Luncheon on August 3, 2023 in Detroit, Michigan.

"I am humbled to receive the J.O. Sentell Award and hope to continue being active in this outstanding group so I can repay your collective kindness and generosity. Thank you," he said after receiving this award.



A faithful and dedicated member of the National Conference of Appellate Court Clerks since 1997, Ed has distinguished himself and his court in exemplary service to the principles of the Conference. His service to the NCACC includes membership on the Membership Committee; the Program Committee, 1995-2005; the Executive Committee, 2000-2002; the Scholarship Committee and the Strategic Planning Committee. Even in retirement, Ed Hosken continues to serve on a number of committees. Every NCACC member who nominated Ed for the J.O. Sentell Award noted his dedication to the Conference.

Ed obtained his Bachelor of Science degree from St. Louis University in 1962 and his Juris Doctor degree from Wayne State University in 1965. He served in the U.S. Navy from 1966 until 1990 when he retired as a Captain in the Judge Advocate General's Corps. From 1990 until 1996 he was a counsel with the Committee on Standards of Official Conduct (Ethics Committee) of the U.S. House of Representatives. In 1996-1997 he was the Assistant Inspector General for Investigations and Counsel to the Inspector General at the Federal Communications Commission. In July 1997 he became Chief Deputy for Administration. On October 1, 2005, he was detailed to establish a mediation program as the Circuit Mediation Officer. He retired on June 30, 2006. Ed and his wife, Daphne, have three children and four grandchildren.

The National Conference of Appellate Court Clerks was founded fifty years ago. One of its founding members was J.O. Sentell, Clerk of the Supreme Court of Alabama. He also served as its first president and because of his leadership and inspiration, in 1979, an award was established in his honor as the Conference's most prestigious for a member. The J.O. Sentell Award is presented to those whose contributions and accomplishments have been an example for others to recognize and emulate. Ed epitomizes all those qualities we honor as appellate court clerks, and it is fitting that Ed's outstanding contributions be recognized by this award.

Draw a Crowd for Your Meeting

By Mary Beth Kuenzel (FL) on behalf of the Technology Committee;

Brian Cotta (CA), chair.

We are a busy group, and picking a convenient meeting time can be an exercise in patience. Technology is here to help with apps that will poll invitees for availability.

Doodle is a commonly used platform (<https://doodle.com>). A free account will work although the ad content might get old and the limit for a poll is 20 options. A paid account will provide more features and options. After creating a free account, the steps are straight forward.

Click on Create a Doodle in upper right corner.

Enter your name, email address, title of meeting, optional description (could be agenda), and optional location.

Choose the length of time for the meeting and select the dates and times you are proposing.

Click create invite and continue. On the next screen, click "Invite participants" and the invitation link will be copied. Paste this link in your email to the invitees.

You will be notified when votes are entered on available times. Select the winning time and click "Book it." Doodle will send a confirmation.

Are you a **Microsoft 365**er? Then you have an Outlook add-in called Microsoft FindTime. Look for the "Get Add-ins" and search for FindTime. System admin help may be required to install this at your court.

Benefits of FindTime:

Lose the ads that come with other free accounts.

Invitees only need an email address and do not have to be within your organization or Microsoft users.

Meeting poll can be set up with a new email (click More Options and select New Meeting Poll) or with a reply to an existing email (More Options/Reply with Meeting Poll).

FindTime integrates with Outlook calendars and can make an initial check of availability for the scheduler and other invitees who have available 365 calendars. A tentative hold is placed on the scheduler's calendar for the suggested options and removed when the meeting is set or the poll is canceled. Note that some might keep a separate personal calendar so the initial check may not be conclusive.

Meeting can be auto scheduled when there is consensus on a date/time; if multiple times have consensus, the earliest time will be chosen.

Other scheduling assistants with free options include **zcal** <https://zcal.co/> and **Calendly** <https://calendly.com>.

The tech assist in finding convenient times will lessen the burden of back-and-forth emails about meeting dates. With any app, consider these extra tips for success.

Holidays and time zones. Be mindful of holidays and consider where your invitees are located when proposing meeting dates and times. My noon meeting in St. Petersburg, FL, will translate to 8 a.m. in Anchorage, Alaska. In your meeting invite, state the time zone you are proposing. Most apps will translate to the recipient's local time but including this info will avoid confusion.

Limit the choices and request a quick response. Fewer options will allow your invitees to review their calendars and respond quickly. Five choices, maybe ten with a large group, are sufficient. Closing the poll quickly will limit the risk that something else jumps on the calendar for a date that was open initially.

Schedule in advance but not too far. A last-minute meeting might be unavoidable, but a few days' notice is better. Much more than two weeks out, you risk competing demands that come up and you probably want to send reminders.

Decide what success looks like. Do you need 100% attendance, or are you looking for a time when most participants will be available? Is there an essential attendee? If so, consider pre-clearing dates with this person. Defined expectations will inform your decision to accept poll results or submit a second poll.

Plan for pre-meeting social chat while staying on time and topic. Get people talking early in the meeting to build relationships. Once the business starts, move the conversation along so the meeting purpose can be accomplished within the scheduled time.

Post-meeting notes. Keep your invitees in the loop even if they could not attend. Send a brief synopsis after the meeting and include action items as a reminder for those who attended and an opportunity for engagement with someone who wasn't there.

A thoughtful use of technology can help you draw a crowd without feeling like you're herding cats. See you at the next meeting!