

# The Docket

News of the National Conference of Appellate Court Clerks

Volume 28 Issue 4

June, 2000

## PRESIDENT'S PAGE



By: Leslie Gradet (MD)

As a member of the National Conference of Appellate Court Clerks, this is always a special time of year for me. When I receive the registration materials for the annual conference, my reaction is always the same—a combination of disbelief that another year has flown by and eagerness to see colleagues and friends and to be challenged with concepts of how we make a difference in the court system, with opportunities to learn how to make that difference.

As you can see in the registration materials and in this issue of The Docket, our colleagues who have planned our stay in Savannah and made the arrangements for our social gatherings and our colleagues who have coordinated the educational program are providing us with a golden opportunity to enjoy ourselves while we work at becoming the best appellate clerks we can be.

As President of the NCACC, this also is a special time of year for me. Upon receiving the registration materials, my reaction was disbelief that my year as president is almost over. And, although I have been closely involved in the ongoing work of the conference throughout the year, I am eager to visit with friends and colleagues at the annual conference. As president, I have had the good fortune to interact with many NCACC members during the year—Executive Committee members, committee chairs and committee members. That interaction has been stimulating and inspiring to me. So many NCACC members work so diligently through the year to bring about the annual conference, to maintain and develop the NCACC, and to keep us all informed of the organization's activities and progress.

As you complete your registration forms and make your travel and hotel arrangements (and please do that soon, if you haven't already!), please also be thinking about how you can participate in the NCACC as an active member. Especially if you have not served on a committee before, consider starting this year. We will have committee sign-up sheets at the conference. The organization needs your time and ideas. And you will benefit greatly from the interaction with your fellow clerks from around the country.

I am looking forward to seeing all of you in Savannah!

### CALL FOR THE ANNUAL MEETING

President Leslie Gradet, through Secretary Carol Gilliam Green, and pursuant to the provisions of Article V, Section 5, of the Bylaws, hereby issues the call for the annual meeting of the Conference of Appellate Court Clerks to be held at the Desoto Hilton Hotel in Savannah, Georgia, beginning Sunday, August 6, 2000, and continuing through Friday, August 11, 2000.

Respectfully submitted,

Carol Gilliam Green,  
Secretary

Be sure to visit the  
NCACC Web Page

[http://www.ncsc.dni.us/  
ncacc/NCACC.html](http://www.ncsc.dni.us/ncacc/NCACC.html)

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President	Leslie D. Gradet (MD)
President Elect	Michael J. Yerly (CA)
Vice-President	Penny L. Miller (ND)
Immed. Past President	Joseph A. Lane (CA)
Secretary	Carol G. Green (KS)
Treasurer	Kenneth deBlanc (LA)

Executive Committee	Ashley Brown Ahearn (MA)
	Louis E. Costa (IL)
	Leslie W. Steen (AR)
	Martin H. Brownstein (NY)
	Peter J. Fitzgerald, Jr. (LA)
	Sandra L. Skinner (MO)

Liaison to Executive Committee Peter Fitzgerald (LA)

#### Regional Reporters:

Peter J. Fitzgerald, Jr. (LA)	(504) 361-6399 NM, AZ, CO, KS, IA, WI, NE, MN, UT
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Leslie W. Steen (AR)	(501) 682-6849 AR, AL, TN, GA, KY, SC, NC, WV, VA
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Danielle A. Schott (LA)	(504) 568-4700 LA, TX, FL, MS, OK, MO, IN, OH, PA, IL
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Michael Yerly (CA)	(408) 227-1004 CA, NV, OR, WA, ID, MT, WY, ND, SD, AK, HI
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Michael J. Novack (NY)	(518) 474-3609 NY, VT, NH, MI, MD, DE, NJ, CT, RI, MA, ME, WA DC
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Leslie W. Steen (AR)	Volunteer Columnist
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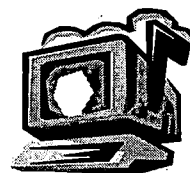
Diana Pratt-Wyatt (LA)	Editor
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Please submit items of professional or personal news to your regional reporter. Articles, letters and other submissions may be sent or faxed to the editorial office.

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HELP KEEP US

INFORMED!!



**NATIONAL CONFERENCE OF APPELLATE COURT CLERKS****Twenty-sixth Annual Meeting****Sunday, August 8, 1999****Thursday, August 12, 1999****Sheraton Harborside - Portsmouth, New Hampshire****Roll Call of States:**

Secretary Carol Gilliam Green (KS) called the roll of states, announcing each member registered and recognizing those present.

**Call to Order:**

President Joseph A. Lane (CA) called the Twenty-sixth Annual Meeting to order at 4:30 p.m. on Sunday, August 8, 1999. President Lane acknowledged the presence of a quorum and reviewed the history of the gavel and sounding block used. They were made by Paul W. Mims of South Carolina, husband of NCACC member Reba Mims, and presented to the NCACC in 1987 in Hartford, Connecticut.

**Minutes:**

Leslie Steen (AR) moved to waive the reading of the minutes of the Twenty-fifth Annual Meeting and to approve those minutes as printed in *The Docket*. The motion was seconded and carried.

**Committee Reports:**

David Beach (VA) moved to defer approval of reports until Thursday, August 12, 1999. The motion was seconded and carried.

President Lane announced that election of Officers and Executive Committee members and the report of the Resolutions and Memorials Committee would occur on August 12.

In the course of their reports, all committee chairs thanked their members for service.

**Awards Committee:** Chair Mike Yerly (CA) reported that the J.O. Sentell Award will be presented at the annual banquet.

**Bylaws Committee:** Chair Frank Drumm (CT) reported that proposed changes to the bylaws had been published in *The Docket*, Volume 27, Issue 2. Jean Kennett (MA - retired) questioned whether the word "purpose" should be used in the bylaws with regard to committees. Frank Drumm pointed out that the substance of the bylaws has not been changed. Jean's position was that the word "purpose" should be used in guidelines rather than bylaws. Discussion ensued. Ken deBlanc (LA) moved to delay the vote until August 12. The motion was seconded. The motion and second were withdrawn because approval of reports had already been deferred.

**Convention Assistance Committee:** Chair Ashley Ahearn (MA) noted that the Texas delegation volunteered to staff the hospitality suite throughout the week. She also recognized her husband Robert Ahearn for his assistance to the committee.

**Finance and Investment Committee:** Treasurer Kenneth deBlanc (LA) submitted a written report (attached) and noted that the fund balance is down approximately \$10,000 from June 1998. He attributed this to the expense of the special 25th anniversary luncheon at the 1998 conference and to a lower level of sponsorship in 1998. He anticipates a surplus in 1999 due to in-

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(Twenty-sixth Annual Meeting continued from page 3)

creased sponsorship.

The fund balance on June 30, 1999, was \$104,151.26.

**Long Range Planning Committee:** Chair Nancy Foley (MA - retired) extended special thanks to Dr. Ramon de Arigunaga and Frans Labranche for their work on long range planning. She also summarized results of a membership survey which focused on conference issues.

The Long Range Planning Committee presented several recommendations to the membership: to consider regional meetings to encourage attendance, to consider financing social events, to encourage former executive committee members to serve again for historical continuity, to form a past hosts' committee to assist with future conference issues, to initiate an historical column in *The Docket*, and to foster a partnership between the Long Range Planning Committee and the Past-Presidents' Committee.

**Membership Committee:** Chair Sandra Skinner (MO) announced that the NCACC has twenty-three new members since August 1998. A directory of the offices of all state and federal appellate clerks has been developed, with NCACC members noted. This directory will assist with membership recruiting efforts. An informational brochure is under development.

**Nominating Committee:** Chair Jon Wheeler (FL) introduced and presented biographical highlights of the 1999-2000 nominees: Penny Miller (ND), Vice-President; Kenneth deBlanc (LA), Treasurer; and Executive Committee members Ashley Ahearn (MA), Louis Costa (IL), and Leslie Steen (AR).

**Past-Presidents' Committee:** Chair Keith Richardson (IA) noted the committee completed their charge from President Lane to develop how-to manuals for the President, President-Elect, and Vice-President.

**Pictorial Directory Committee:** Chair Kenneth deBlanc (LA) noted that the 1999 directory has been distributed. He extended special thanks to Deena Fawcett (CA) and Troy Bennett (TX) for their work. New pictures and biographical information will be accepted until March 15, 2000, the submission date for the next directory.

**Program Committee:** Chair Christie Speir Cameron (NC) gave special thanks to her staff at the North Carolina Supreme Court. Christie encouraged everyone to attend the vendor expo on Tuesday. This is a first-time event for the NCACC with seven vendors represented. One evening session will be presented at 8:30 p.m. on Wednesday - "Coffee, Dessert, and Catastrophe."

**Public Relations Committee:** Chair Deena Fawcett (CA) reported that the committee compiled an in-house media list to publicize the NCACC as well as individual member activities. The committee also compiled a how-to manual for their own operation.

**Publications Committee:** Chair Diana Pratt-Wyatt (LA) reported that four issues of *The Docket* were published.

**Scholarship Committee:** Chair Cornelia Clark (WI) announced that no scholarships were awarded. The Committee received one application which was withdrawn. The April application deadline was once again extended to July 15. Cornelia encouraged scholarship applications in 2000.

**Site Selection Committee:** Chair Ella Williams (MI - retired) reported that the Executive Committee has accepted the Site Selection Committee's recommendation that the 2002 conference be held in Bloomington, Minnesota, with Fred Grittner (MN) hosting.

**Technology Committee:** Chair Terence Lord (MO) reported that the committee has drafted a proposed internet usage policy for court employees which will be published in the next issue of *The Docket*. Terry encouraged subscription to the NCACC listserv. He also reported that the committee continues to work on the technology survey update. The committee has received 39 responses and would like to have at least 70 before publishing.

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*(Twenty-sixth Annual Meeting continued from page 4)*

#### Other Business:

**National Court Reporters Association's Strategic Alliances Committee:** David Beach (VA), the NCACC representative, attended the April meeting and commented on the value of participating in such a diverse committee.

**Conference of Chief Justices and Court Administrators:** David Beach (VA) attended this conference in August on behalf of the NCACC and noted that the sessions on public confidence and public access were particularly helpful.

**National Conference for Court Management:** President-Elect Leslie Gradet (MD) attended the July conference on behalf of the NCACC. Four hundred of NACM's 2500 members attended, and Leslie noted the importance of NCACC participation.

**Symposium 2000:** President Joseph Lane reported that the NCACC will be a sponsor of this symposium in August 2000.

**NCSC Survey:** President Lane encouraged member response to a survey that the National Center for State Courts will conduct this fall on how courts use their legal staffs.

#### Announcements:

President-Elect Leslie Gradet encouraged members to sign up for committee work which continues year round to conduct the business of the conference.

President Joseph Lane moved to recess the meeting until Thursday, August 12, 1999, at 12:00 p.m. The motion was seconded and carried. The meeting recessed at 5:55 p.m.

President Lane resumed the meeting on Thursday, August 12, 1999, with a call to order at 12:10 p.m.

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## CONGRATULATIONS GEORGE MILLER !!!



George Miller, Chief Deputy Clerk of the Court of Criminal Appeals in Austin, Texas retired on February 29, 2000 after 27 years of service. George joined the Clerk's office in October of 1972 as a deputy clerk. His dedication and service to the Court and the State of Texas will be missed.

George is now living the life of leisure, playing golf, playing grandpa, traveling and micro managing his lawn (for those who know George, you know what we mean).



We wish George and Mary (already retired) the very best !

## 2000 NCACC SCHOLARSHIP SURVEY

The Scholarship Committee would like to hear from the membership regarding the current scholarship award structure. We would appreciate responses from all members even if you have never found yourself in the position of needing to request a scholarship award.

A summary of the responses will be presented to the Executive Committee to determine if the Scholarship Committee Operational Guidelines should be further reviewed.

Please complete the survey which is included in this newsletter as an insert and mail as directed.

Thank you for taking the time to complete and mail this survey.

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*(Twenty-sixth Annual Meeting continued from page 5)*

**Bylaws Committee:** Ken deBlanc moved that the bylaws amendments be approved as read. The motion was seconded and carried.

**Resolutions and Memorials Committee:** On behalf of the committee, Chair Steve Kelly (CA) moved that the following resolutions be approved:

- Host Howard Zibel (NH).
- Staff of the New Hampshire Supreme Court for their work on behalf of the NCACC: Carol Belmain, Sherri Collins, Sheri Kluesener, Joanna Boisvert, and Donna Craig.
- Program Chair Christie Speir Cameron, the Program Committee, and speakers.
- Staff of the North Carolina Supreme Court for their work on the program and the vendor expo: Mary Rose Knight, Blondell Johnson, Lynn Davis, Joan Davis, Bob Northrup, Eva Currin, Marguerite Dean, Shanla Brannan, Ashley Joyner, and Sam Craven.
- The West Group, Lexis-Nexis, Bureau of National Affairs, and Lexis Law Publishing, the generous groups and organizations who contributed to the hospitality of this conference.
- The Sheraton Harborside Portsmouth and its staff.

Nancy Foley (MA - retired) moved that all reports be accepted as presented. The motion was seconded and carried.

**Nominating Committee:** Chair Jon Wheeler (FL) presented the report of the Nominating Committee for 1999-2000 Officers and Executive Committee members.

Vice-President - Penny Miller (ND)  
Treasurer - Kenneth J. DeBlanc (LA)  
Executive Committee - Ashley Ahearn (MA)  
Louis Costa (IL)  
Leslie Steen (AR)

President Lane asked whether there were any nominations from the floor. There being none, Mike Yerly moved that the nominees be elected by acclamation. The motion was seconded and carried.

**Announcements:**

- The new Executive Committee will meet following this meeting.
- The Program Committee will meet at 8:45 on Friday.

There being no further business to come before the membership, Howard Zibel (NH) moved that the meeting adjourn. The motion was seconded and carried.

The meeting adjourned at 12:25 p.m.

Respectfully submitted,

Carol Gilliam Green  
Secretary

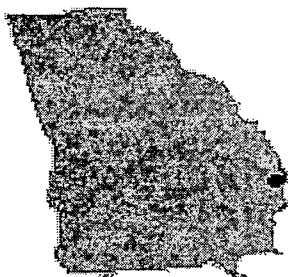
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### A Note from Cornelia Clark (WI)...

I just want to thank you for the many congratulations and best wishes I received via e-mails, telephone calls and cards. I really appreciate the support.

This year has definitely started off with a bang for me and it just continues getting better. I would like to announce that **Theresa Owens**, formerly **Keith Richardson's** Chief Deputy Clerk joined the Wisconsin Supreme Court and Court of Appeals Clerk's Office as my Chief Deputy Clerk on May 3, 2000.

Theresa and I hope to see you in Savannah !



Savannah, Georgia

**The Florida Supreme Court** has named Tallahassee attorney **Thomas D. Hall**, currently a career staff attorney at the First District Court of Appeal, to become its 20th Clerk of Court since the office first was created upon Florida's admission to the Union in 1845.

Hall, 53, assumed office May 1. He succeeded longtime Clerk **Sid White** who retired a year ago after more than 35 years in the office. Chief Deputy Clerk **Debbie Causseaux** has been Acting Clerk since White's departure.

Chief Justice **Major B. Harding** said Hall brings wide-ranging experience to the job. "Tom not only knows the Florida Courts System well," said Harding, "but also has eight years' experience practicing law in complex matters in Miami and more than ten years' experience as a staff attorney, administrator, and supervisor with a state appellate court. He has been involved with many of the organizations that are helping steer the judicial branch's long-range planning."

Hall, a native of Middletown, Ohio, received his undergraduate degree in communications from the University of West Florida in 1976 and his law degree from the University of Miami in 1980. Before receiving these degrees, Hall was in the Navy for four years including two stationed at NAS Pensacola, one in Washington D.C. at the Naval Photographic Center, and one-year tour on the U.S.S. Constitution in the Vietnam theater of operations.

### NOMINATION COMMITTEE SUBMITS RECOMMENDATIONS

By Lanet Asmussen (NE)

The Nomination Committee is charged with the duty of recommending members of the NCACC for the positions of Vice-President, Secretary, and three Executive Committee members for the 2000-2001 conference year. Pursuant to the Committee Operational Guidelines set forth in the NCACC Bylaws, the Nomination Committee presents its recommendations as follows:

#### Vice-President – One Year Term (Succeeding President Elect)

**CHRISTIE S. CAMERON** – Clerk, North Carolina Supreme Court. Christie served as Research Assistant for Judge John Webb, North Carolina Court of Appeals from 1979 to 1981 and as Assistant Appellate Division Reporter from 1981 to 1984. She then went into private practice and served as the Head of Real Estate Section of the Wyrick, Robbins, Yates and Ponton Law Firm from 1984 to 1991. In 1991, she was appointed Clerk of the Supreme Court of North Carolina and continues to serve in that capacity. Christie has served on the Council of State Governments Toll Fellow, chaired the Triangle Transit Authority and the North Carolina Child Advocacy Institute, and served on the Board of Directors for Kids Voting of Wake County. She has served on the NCACC Executive Committee, has been the NCACC representative to the Advisory Council, Court Services Division of the National Center for State Courts, and served as Program Chair in 1999.

#### Secretary – Two Year Term

**DIANA PRATT-WYATT** - Clerk of Court/Administrator, Louisiana Court of Appeal, Second Circuit. Diana has worked for the court since 1975 in various administrative capacities and appointed Clerk of Court in 1986. She serves on several state-wide committees including the Louisiana Uniform Rules of the Courts of Appeal, Louisiana Appellate Technology Committee and the Louisiana Human Resource Management Team. She is a member of the Louisiana Court Administrators Association serving on the By-laws Committee and the 2000 Program Committee; Louisiana Clerks of Court Association; National Association of Court Administrators; National Association of Legal Administrators; Past-President and founding member of the Ark-La-Tex Chapter of the Association of Legal Administrators; Associate Member of the American Bar Association and secretary of the Second Circuit Judges Association. As a member of NCACC, she is a member of the Technology Committee and has served as Editor of *The Docket* for the past three years. Diana

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*(Recommendations continued from page 7)*

also supports the arts through service on the board of directors for the historic Strand Theatre in Shreveport and the Bossier Arts Council in Bossier City.

**Executive Committee Members – Two Year Terms**

**EDWARD W. HOSKEN, JR.** – Chief Deputy Clerk for Administration, U.S. Court of Appeals for the Federal Circuit. Ed is a native of Adrian, Michigan, and received a B.S. degree from St. Louis University in 1962 and J.D. degree in 1965 from Wayne State University. He served in the U.S. Navy from 1966 until 1990 when he retired as a Captain in the Judge Advocate General's Corps. His duty stations included Vietnam, California, Australia, Hawaii, Guam, Philippines, Naples, Italy, and Washington, D.C. 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 and 1997 he was the Assistant Inspector General for Investigations and Counsel to the Inspector General at the Federal Communications Commission. In July 1997 he assumed his present position. Ed has been a member of the NCACC for three years and has served as a member of the Program Committee and Membership Committee for the past two years.

**TERENCE G. LORD** – Clerk, Missouri Court of Appeals, Western District. Terry was raised in St. Louis, Missouri. He received a B.A. Degree in History in 1974 and a J.D. in 1977 from the University of Missouri, Columbia. He was appointed Research Coordinator (later Staff Counsel) for the Western District in July, 1979. He served in that capacity until his appointment as Clerk in July, 1995. He is a member of the American Bar Association, Missouri Bar, and Kansas City Metropolitan Bar Association. He has been a long time member of the Council of Appellate Staff Attorneys (CASA), serving as a Board member and editor of the quarterly publication, *Casa Quarterly*. He has been chair of NCACC's Technology Committee the past two years.

**DEENA C. TRUJILLO (formerly FAWCETT)** - Assistant Clerk/Administrator, Court of Appeal, Third Appellate District, California. Deena received her A.A. degree, Legal Secretary, from American River College in 1974. In May 1977, she received her B.S. degree with honors in Business Administration, Strategic Management, from Sacramento State University. After working in the banking industry for approximately 12 years, Deena joined the Court of Appeal in 1986 as the court's Administrative Assistant. In 1988 she was promoted to Assistant Clerk/Administrator and currently holds that position. Deena is Secretary of the California Appellate Court Clerks Association. She has been an active member of the NCACC since 1997. Deena serves on the NCACC's 1999-2000 Resolutions and Memorials Committee, Conven-

tion Assistance Committee, vice chairs the Program Committee, and chairs the Public Relations Committee.

Respectfully submitted:

Lanet S. Asmussen (NE), Chairperson  
Glen Clark (AZ), Keith Richardson (IA),  
Marilyn Graves (WI), Frank Drumm (CT),  
Ashley Ahearn (MA), Jon Wheeler (FL),  
Leslie Steen (AR), Mike Yerly (CA), David Beach (VA)

***Facts, Fiction, & Foolishness***

By Les Steen (AR)

There was a rancher who had several oil wells on his property, and one of them caught fire. He tried everything he knew to put out the fire, and hired several fire fighting companies to control the blaze. All attempts failed.

His neighbor, having seen the smoke and knowing its cause, rushed to the ranch to offer assistance. When the rancher explained to the neighbor of the efforts that had been made to put out the fire, his friend nodded his head knowingly, and said, "You need to call Billy Bob - He is the greatest firefighter who ever lived. Billy Bob can put it out."

With that information the rancher called Billy Bob, who agreed to put out the fire for \$100,000. The scorched oilman agreed.

He was sitting on his porch waiting for Billy Bob to arrive, when he saw a cloud of dust speeding down the dirt road toward his house. In a few moments, a beat up old wreck of a pickup truck full of men went speeding by the house, and drove directly into the flames. The men in the back jumped out and with sacks and water and with a painful, lifesaving struggle fought the fire and finally brought it under control.

After the last ember was extinguished, the sooty and exhausted Billy Bob approached the house for payment. The rancher exclaimed, "That was the bravest, most courageous thing I have ever seen!! It was worth the \$100,000 just to have seen such a fearlessness!! Here's the money."

The firefighter looked at the pile of bills in his hand and the rancher asked, "What are you going to do with all that money?"

Billy Bob looked at him and said, "Well, the first thing I'm going to do is get the brakes on that truck fixed."

**Suggestion: Get the brakes on your pickup fixed before you leave for Savannah!**