1. A group of fish is called a [BLANK].

2. A group of lions is called a [BLANK].

3. A group of geese is called a [BLANK].

4. A group of quail is a [BLANK].

5. A group of beauties is a [BLANK].

6. A group of lawyers is called a [BLANK].
A LITTLE STORY

This is a story about four people named Everybody, Somebody, Anybody and Nobody. There was an important job to be done and Everybody was sure that Somebody would do it. Anybody could have done it, but Nobody did it. Somebody got angry about that, because it was Everybody's job. Everybody thought Anybody could do it, but Nobody realized that Everybody wouldn't do it. It ended up that Everybody blamed Somebody when Nobody did what Anybody could have done!

from Al Stevas
WINTER WONDERLAND?

No—SITE GROUP looks for

any land:

I am already looking forward to our 1983 conference in one of my favorite cities, New Orleans. Then, before we know it, we will be heading for Seattle in 1984. Since the year between our conferences passes so quickly, we must now think about 1985 while we're trying to polish off 1982!

The Site Selection Committee welcomes your invitations, thoughts and ideas about the sites of our future conferences and, in particular, our 1985 and 1986 conferences. We now have invitations from Georgia, Tennessee, Kentucky and Missouri. The members of the Site Selection Committee are:

Riba Mims - South Carolina
Frank Habershaw - Florida
Pam McIntyre - Alaska
Troy Bennett - Texas
Glen Clark - Arizona (Executive Committee Liaison)
Peggy Stevens - Missouri (Chairwoman)

Please let us hear from you!

Peggy Stevens

WINER WINNER, Monterey '79
I AM A DEPUTY CLERK

I am a deputy clerk, one of those faceless names in a District Court that makes the system function. There are several hundred just like me that work in crowded, noisy offices spotted across this country of ours. The press, the public, even the judges are of the opinion that the only person involved in the judicial process is the Judge - that powerful, invested-for-life being who decides the fate of their fellow humans - yet, I take a great deal of satisfaction, yes, even pride, in the fact that there is nothing a judge touches in the courtroom that hasn't gone through my hands and been processed to the best of my ability.

No one knows, except my peer deputy clerks, how much knowledge, training and time it takes to accomplish my tasks. I am the one that cheerfully greets the litigant, lawyer, or pro se, and item by item patiently guides each through the intricate rules and procedural steps to enable them to file a lawsuit. I explain the cover sheet; I explain the service of a summons; I explain the costs involved; I open the suit papers; I answer questions by the hundreds. The telephone is a constant companion, interrupting any other thought or activity I may be engaged in, regardless of the concentration demanded.

Judges, ah, judges - the reason and the bane of my existence - they expect me to be pretty, witty and cheerful, yet, very few take the time or interest to know I exist, except to vent their whimsical frustrations on me. Don't they know I am the one person in the system that knows what they go through and appreciate the pressures on them? Oh, they know me when I misfile a pleading - not appreciating that I handle thousands yearly; or when a juror doesn't show up on time - not realizing I have called her home and office trying to run the deovel down; or when I am late to work his courtroom not realizing I am replacing a light bulb for one of his fellow judges too proud to call maintenance himself; or when a member of his staff is absent and I am expected to answer his phone and serve as his receptionist while still fulfilling my responsibility to my own office.

What's the matter with his staff members? Law clerks, they give me a pain - three years of law school and they know everything there is to know. They take my files without telling me, take them apart, stir them with a stick lose pleadings, forget to put pleadings in the file and I have to tromp all over a block square building searching for that file because his judge wants the file and chews me out for not knowing where the file is or for the file having pleadings missing or out of order. Thanks a lot.

Don't get me wrong - I love my job! It's interesting and challenging, but would appreciate my clerk noticing I exist or at least getting me equipment that doesn't remain in a constant state of neglect and disrepair. I also would appreciate a "well done" sometimes or an acknowledgement that I exist.

Nameless, faceless, knowledgeable in my job, pride in my judges, my court and my work, I am proud of the title - DEPUTY CLERK - and that I hold the Court system together. (To this I add and editorial "Amen!")
CLERKS IN ATTENDANCE

ROBERT D. BACON
CLERK OF THE APPELLATE COURTS
303 K STREET
ANCHORAGE, ALASKA

JOSEPH W. BELLACOSA
CLERK OF THE COURT OF APPEALS
20 EAGLE STREET
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CLERK OF THE SUPREME COURT OF COLORADO
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DENVER, COLORADO 80203

MARJORIE R. CAMBE
CLERK OF COURT OF APPEAL, 4th CIRCUIT
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TOPEKA, KANSAS 66612

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EXECUTIVE OFFICER & CLERk
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OFFICE OF AUTOMATION CONSULTANTS, INC.  
NEW ORLEANS, LA

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PHOENIX, ARIZONA 85007

LARRY D. DONELSON, CLERK  
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PATRICK J. HURLEY, CLERK  
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COMMONWEALTH OF MASSACHUSETTS  
1412 NEW COURT HOUSE  
BOSTON, MA 02108

JOHN GREACEN  
NATIONAL CENTER FOR STATE COURTS  
300 NEWPORT AVENUE  
WILLIAMSBURG, VA 23185
President Bob St. Vrain called the meeting to order at 3:00 P.M.
Present were: Luella Dunn, John Wilkerson, Dorothy Norwood, Joe Bellacosa,
Marilyn Graves, Maryann Hopkins, Frans LaBranche, Joline Williams, Glen
Clark, Mary Ellen Donaghy and Mary Taylor.

Mary Taylor, of the National Center, gave a report for Keith Bumsted
on the financial status of the Conference. On July 31, the Conference had
a cash balance of $20,868.15, of which $6,000 was in demand deposit checking,
$4,700 in a savings account, and $10,000 invested in a savings certificate.
The savings certificate was redeposited on July 26 at approximately 12.7% for
six months, maturing on January 24, 1983. In the report, Mr. Bumsted said
that a substantial amount of interest is being lost to the organization by
virtue of not investing more of the idle cash reserves in securities that
yield current market rates. He recommended that the Board authorize the
opening of a no-load mutual money market fund. Such funds are operated by
a number of reputable investment and brokerage firms. The National Center
uses a Ready Assets Trust provided by Merrill-Lynch and is currently earning
13% on such funds.

At the time Mr. Bumsted's report was prepared, there were no liabilities
outstanding from the Conference; but the expenses for the Boston meeting
will have to be paid. It was also suggested that an annual operating budget
be prepared that reflected organizational goals and objectives, provided for
services and programs for members, and appropriated funds for implementation.
Additionally, the report stated that regarding the annual conference, the
financial statements and tax returns of the NCACC do not reflect the total
revenues and expenses of the organization due to the lack of a detailed
accounting for conference income and expenses. A recommendation was made
that minimally the full revenue and expense summary for the annual conference
be included in the NCACC's financial statements that are published each
month by the Center. This can be accomplished if the Conference will forward
to the National Center a complete summary of revenue and expenses attributable
to the annual conference. This summary could then be included in the organi-
zational financial statements and related tax returns.

The next discussion regarded our tax-exempt status. If presented at the
business meeting and adopted, the National Center will submit the Articles of
Incorporation, as amended, to the Virginia State Corporation Committee, and
after certification by it, the package will be ready to go to IRS. Bob
St. Vrain expressed his appreciation to the Finance Committee for its work
in this area. The Internal Revenue Service has previously said we did not meet
the organizational test; thus, the need to amend the By-Laws and the Articles
of Incorporation.
Glen Clark gave a report of the Site Selection Committee for 1984. The four major invitations for 1984 were from the states of Washington, Georgia, Kentucky and Tennessee. Peggy Stevens has extended an invitation for 1985 in either Missouri or Kansas. Ron Taylor, with the appellate court in Seattle, has agreed to continue and assist with a conference in Washington State after the retirement of John Champagne. John will also assist if Washington State is selected. The Governor of Washington also invited the Conference for 1984. The State of Georgia extended an invitation to hold the conference in Savannah at the Hilton. Louisville, Kentucky, and Memphis, Tennessee, were also considered; but the air fares were substantially higher for these areas, because of airline transfers.

Bob St. Vrain said that many members of the Conference had expressed concern over the current economic conditions, and that a Seattle agency has been trying to work out packages to lower the air fares. Bob expressed concern that a large portion of our membership was east of the Mississippi and that air travel might be a drawback; thus, causing us to lose attendance at the annual meeting. Joe Bellacosa stated that we need to still give consideration to the West. Frans LaBranche suggested that we look at states having problems. The discussion centered on the fact that Seattle has good air service from all over the country, and that possibly even though on the west coast, the air fares would be lower than having to fly in to a central location, as Atlanta, and then transfer to another airline to go in to Memphis or Savannah. Joe Bellacosa moved that for 1984 the conference be in Seattle, Washington. Mary Ann Young seconded and the motion was carried.

Mary Ann Young then gave the report of the Nominating Committee, recommending John Scott for vice president; Gloria Engle for secretary-treasurer; and for the Executive Committee, Larry Donelson, Glen Clark, and Yvonne Burnham.

The discussion regarding secretariat services and National Center affiliation was continued to Tuesday morning, with comment that the National Center had been removing certain members from the rolls for failure to pay annual dues without our approval. The committee generally discussed affiliation with other court organization groups and with judges. Bob St. Vrain and Jean Kennett have received letters commenting that the content of the program of our conference did not justify the amount of expense involved. Mary Ellen Donaghy suggested modification of the program by not giving dates and times, but merely listing the subject matter.

Marilyn Graves reported that the Membership Committee revised the application for membership and did substantial recruiting for new members. We have approximately 145 members at this time. Bob told Marilyn he appreciated the fine work her committee had done.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Dorothy E. Norwood
Secretary-Treasurer
This meeting was called to allow John Greacen, of the National Center, to inform the Conference of projects being conducted by the National Center. John stated that since the demise of LEAA, the funding of the National Center had leveled out at approximately four million. The loss of revenue has caused the National Center to close some of its offices in the last year. The Center is not now planning to cut back on secretariat services because of the importance to the organizations. The National Center has sent out a services survey to every chief justice and court administrator asking them to list the major services provided for them and the state courts in general. John also stated that Ted Marvel will speak at our business meeting regarding some statistical reports that the National Center intends to do. Some of these reports reflect that appellate court caseloads have been increasing faster than trial court caseloads.

Gene Flango will be directing a study on patterns of case selections in courts with discretion. This will be limited to states with intermediate appellate courts and a supreme court. This is explained in detail in the report attached to these minutes.

The National Science Foundation has given a small grant to complete experiments in the appellate courts of Connecticut, Pennsylvania and Rhode Island on pre-argument settlement conferences.

A project is being developed by John Greacen to determine what happens to appealed criminal cases. Any state wishing to participate should have comprehensive records on criminal cases.

John also invited NCACC members to participate in working with NATCA and NACA on how to improve incentives for non-judicial court personnel, education of state court clerks, etc.

He invited NCACC to work with the groups to see if it is feasible to develop such guidelines, and what the guidelines should be. No information regarding this is contained in the attached report from Mr. Greacen, but you should contact him for more information if you are interested.

A detailed report on the projects is attached.
After a general discussion of the relationship between NCACC and the National Center, the meeting was adjourned.

Respectfully submitted,

[Signature]

Dorothy F. Norwood
Secretary-Treasurer
Dear NCACC Members:

The National Center for State Courts (NCSC) has received funding for several projects that we would like to keep you informed about. We may be calling on some of you for assistance in the future.

Those of you who were able to attend the NCACC annual meeting in Boston may have met Tab Marvell, project director of the "Documenting, Analyzing, and Forecasting Appellate Court Caseload Trends" project. The main purpose of the project is to compile caseload data from appellate courts since the mid-1960s and through econometrics analysis to determine the impact of various factors, such as the volume of trial dispositions and the creation of intermediate courts.

The statistics will be obtained from state court annual reports, the National Court Statistics Project, law review articles, telephone call interviews with the appellate clerks and state court administrators, and any other possible sources.

The project, which was funded by the Bureau of Justice Statistics, began in June and is scheduled for completion in May 1983.

The National Science Foundation awarded us a grant to study factors which prompt state supreme courts to accept a case for review. The one-year project, under the direction of Victor E. Flango, is entitled "Patterns of Case Selection in State Supreme Courts" and started on August 1, 1982.

The research focuses on the decision whether or not to grant a request to appeal (writ of certiorari). As caseload increases, the issue of which cases will be decided on the merits becomes more important. The project will attempt to discover if there are characteristics of cases or litigants that are associated with the granting or denying of request to appeal in state supreme court.

In addition to its focus on the "decision to decide" rather than on a substantive decision on the merits, this project is distinguished in its use of state supreme courts, rather than the U.S. Supreme Court, as units of analysis.

The research will examine case selection in five sites: two states where the supreme court has mainly mandatory jurisdiction, two states where the supreme court has mainly discretionary jurisdiction, and one state where the supreme court has discretionary jurisdiction and power to transfer cases to an intermediate appellate court.
All of the court systems selected for study have an intermediate court of appeals, which means litigants have the opportunity to have their appeal heard at least once. The presence of an intermediate appellate court should relieve the supreme court of the pressure to hear all cases brought before it, thus permitting the court to focus on the cases it considers most important.

To complete the project, it will be necessary to obtain lists of all requests to appeal that were granted, requests to appeal that were denied, and direct appeals (where applicable) in each court of last resort studied. Requests to appeal that are granted usually appear as supreme court opinions and so these data are usually available in law school libraries. Requests to appeal that are denied are more difficult to identify. Many states do not provide a list of petitions to appeal that are denied in their state reporters nor can these be obtained from the West reporter series. The opinions of intermediate appellate courts do not indicate which cases were appealed to the supreme court, intermediate appellate court or a trial court, depending upon where the records are sent after a request to appeal is denied. Cooperation from the appropriate clerks is essential to the successful completion of the project.

Data to be collected from court records, or from published intermediate appellate court opinions include:

1. litigant characteristics,
2. nature of the issue,
3. lower court decision, and
4. presence of dissenting opinions at the intermediate appellate courts.

If any clerk feels that they have good records or have an interest in this project, please contact the project director, Gene Flango, at the National Center.

Under a National Science Foundation grant the National Center's Northeastern Regional Office is comparing three controlled experiments testing the effectiveness of preargument settlement conferences in appellate courts in Connecticut, Pennsylvania and Rhode Island.
Court records and informal observation data gathered by court staff will be analyzed to test hypotheses concerning the effectiveness of preargument settlement conferences to:

1. reduce the number of cases requiring full consideration by the appellate court;
2. reduce the median time for disposition of appeals; and
3. reduce the complexity of those cases that do not proceed to full consideration.

Work on the project is scheduled to conclude in the Autumn of 1983. If you have any questions about this project you may call David Steelman in the Northeastern Regional office.

John Greacen is developing a proposal for a study of the consequences of appellate review of criminal convictions. How many convictions are affirmed? Reversed? Modified? How many persons whose convictions have been reversed are retried? Reconvicted? Plead guilty to a lesser offense? He is interested in identifying states that have comprehensive records concerning such matters. Please contact him or Mary Taylor if you are interested in participating.

Any questions concerning any of these projects may be directed to either the specified project director or Mary Taylor.
Bob St. Vrain called the meeting to order thanking Jean Kennett, John Powers, and all those who put so much effort into our annual meeting in Boston.

Ted Marvel, with the National Center, gave a report on some of the statistical studies being done by the Center. A study which is to document, analyze and forecast appellate court trends started two months ago and is anticipated to finish in May or June, 1983. The study so far shows that appeals have been growing 9% on the average, thus doubling in seven or eight years and being a higher increase in appellate courts than at the trial court level. The project hopes to get more information on long trends. Most of the study is about short-term trends with data from the middle 60's, separating civil and criminal. A lot of time has been spent checking the accuracy of the data, looking first at annual reports and special data. Certain clerks' offices will be telephoned in the near future, and Mr. Marvel would like to visit with about ten clerk's offices to get more data and to look at how the data was generated. There is concern on how, and when, the cases were counted to arrive at the statistics. The project will try to forecast trends using computer analysis.

Mr. Marvel also discussed projects detailed in the report of John Greacen. See Executive Committee Minutes of August 4 for details.

Ron Dzierbicki reported on the ACA Review, of which Joline Williams is now the editor. It is anticipated that the issue, which has already been funded, will be out by the end of the year. Anyone having an article should forward it to Joline Williams.

John Scott next gave the report of the By-Laws Committee. To achieve our tax-exempt status, it is necessary to amend our Article of Incorporation by adding to Article B, new sections (1), (2) and (3), reading as follows:

B(1) The Conference is organized exclusively for charitable and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

(2) No part of the net earnings of the Conference shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that the Conference shall be authorized and empowered to
pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes and objects set forth in these articles. No substantial part of the activities of the conference shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the conference shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the Conference shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law), or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

Upon the dissolution of the corporation, the Executive Committee shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all assets of the corporation exclusively for the purposes of the corporation in such a manner, or to such organization or organizations organized and operated exclusively for charitable or educational purposes as shall at that time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by the Circuit Court of the Judicial Circuit in which the principal office of the conference is then located, exclusively for such purposes, or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

John moved that the Articles of Incorporation as set forth above be adopted. The motion was seconded and carried.

In conjunction with this amendment, John Scott stated that it was also necessary to amend certain portions of our by-laws. John then moved that we suspend Article VII of the By-Laws, which requires that each amendment to be considered shall have been submitted to the secretary-treasurer not later than April 1. This suspension was for the limited purpose of the amendment regarding tax-exempt status. John Parker seconded and the motion was carried, Ron Dzierbicki voting nay.
John Scott then moved that Article VI of the By-Laws of the Conference be amended by adding thereto a new section (7) to read as follows:

"7. The Executive Committee is the Board of Directors."

The amendment was seconded and carried.

John Scott then moved that the Article VII dissolution clause be deleted from our By-Laws in its entirety, and that Article VIII become Article VII. This motion was seconded by Betty Fritz and carried.

Lew Carter gave the report of the Finance Committee for John Champagne. The information received from the National Center this date is as follows: $20,868.15 in treasury; $10,000 on certificate of deposit at 12.7%; $4,747.69 in savings at 5.5%; $6,120.46 in checking.

No bills are outstanding, but this does not take into account conference expenses for this year. It is anticipated that the registration fees collected will cover conference expenses. Lew Carter moved the adoption of the report, which was seconded by Allen Cook and carried.

Steve Townsend gave the report of the Long-Range Planning and Professional Improvement Committee, which is incorporated into and made a part of these minutes. Steve emphasized that it is very important that we establish standards and goals for measuring ourselves as a national group and that a committee should be established for that purpose. It was suggested that we consider belonging to other court groups or looking to occasions where we could have joint meetings.

Marilyn Graves gave the report of the Membership Committee which is incorporated and made a part of these minutes. She expressed thanks to her committee for their work in recruiting new members. During the year, ten new members were added to the Conference. Those names are shown in the report of the Membership Committee.

Maryann Hopkins gave the report of the Nominating Committee, stating that a form was sent to each member of the Conference for nominations. There were 32 replies. The report of the Nominating Committee was as follows:

"For Vice President -
For Secretary-Treasurer -
For Members of Executive Committee -

John C. Scott (Kentucky)
Gloria (Jill) Engel (South Dakota)
Larry D. Donelson (Nebraska)
Glen D. Clark (Arizona)
Yvonne P. Burnham (Mississippi)."
Call was then made for nominations from the floor for the vice presidency. No nominations being made, the report of the Nominating Committee for vice president was seconded and carried. The floor was then opened for nominations for the office of secretary-treasurer. There being no nominations from the floor, the report of the Nominating Committee was seconded and carried. The floor was then opened to nominations for membership to the Executive Committee. Allen Clark nominated Steven Townsend (New Jersey) to the Executive Committee. This was seconded by George Miller.

There being no further nominations for the Executive Committee, ballots were distributed, marked and tallied by Lew Carter, Elections Chairman, Luella Dunn, John Wilkerson and Anna Cates, who were appointed as tellers by the president. Those elected, by ballot, to the Executive Committee were: Larry D. Donelson, Glen D. Clark and Yvonne P. Burnham.

John Parker then gave the report of the Resolutions Committee which is attached to and incorporated in these minutes.

Bob St. Vrain informed us that Kevin Swanson will be Chairman of Publications next year, and that all committee chairmen should forward to him reports so that he can get them to the membership.

John Wilkerson then moved that a permanent part of every conference be a slide presentation given by Morgan Thomas. This was carried by popular acclamation.

The members were then notified that we had an application for sustaining membership from B & R Software. After an extended discussion in which several motions were made and withdrawn, it was decided that we should proceed according to Article III of the By-Laws regarding sustaining memberships.

Frans LaBranche then gave a report on the annual conference for 1983 to be held in New Orleans. A questionnaire regarding social activities will be distributed to the membership. Frans stated that there are numerous alternatives available in New Orleans for organized activities and requested that the members respond to the questionnaire so that adequate preparations can be made.

There being no further business, the ninth annual meeting of the National Conference of Appellate Court Clerks was adjourned.

Respectfully submitted,

[Signature]

Dorothy F. Norwood
Secretary-Treasurer
REPORT OF MEMBERSHIP COMMITTEE

July 14, 1982

The Membership Committee was composed of the following individuals:

Howard Friedman, Maryland
Hazel McLain, Alabama
George Miller, Texas
Clay Robbins, California
Dorothy Smith, South Dakota
Al Stevas, D.C.
Marilyn L. Graves, Wisconsin

The activities of the Membership Committee consisted of the following:

1. Revision of the information sheet and membership application. The material was updated to reflect the various changes in the bylaws regarding dues and classes of membership, and other general information.

2. Recruitment. A listing of current members was obtained last fall from the National Center. That listing was compared with the directory to determine areas where we were missing clerks or deputy clerks. Each committee member was assigned a grouping of states and that person made contact with the clerks or deputies who were not members of NCACC.

As of July 1, 1982, these contacts have resulted in nine new memberships. They are:

Keenan G. Casady, Clerk, Fourth District Court of Appeal, San Diego, CA
Cornelia Clark, Deputy Clerk, Supreme Court and Court of Appeals of Wisconsin, Madison, WI
Rudy Gonzales, Jr., Court of Civil Appeals, Corpus Christi, TX
Richard B. Hoffman, Chief Deputy Clerk, D.C. Court of Appeals, Washington, D.C.
Marlene Fay Lachman, Prothonotary of the Supreme Court of Penn.-Eastern District, Philadelphia, PA
Donald L. Shiver, Deputy Clerk, Georgia Court of Appeals, Atlanta, GA