CALL FOR THE ANNUAL MEETING

President Keith Richardson, 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 Skamania Lodge in Stevenson, Washington, beginning Sunday, August 9, 1998, and continuing through Friday, August 14, 1998.

Respectfully submitted,
Carol Gilliam Green
Secretary

NATIONAL CONFERENCE OF APPELLATE COURT CLERKS
Minutes of the Twenty-fourth Annual Meeting

Sunday, August 3, 1997
Thursday, August 7, 1997
Marriott's Grand Hotel - Point Clear, Alabama

President Marilyn Graves (WI) called the Twenty-fourth Annual Meeting to order at 4:05 p.m. President Graves acknowledged the presence of a quorum and stated her designation of Frank Drumm (CT) as parliamentarian.

Roll Call of States:

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

Minutes:

John Wilkerson (AL) moved to waive the reading of the minutes of the Twenty-third Annual Meeting and to approve those minutes as printed in The Docket. The motion was seconded and carried.

Committee Reports:

John Wilkerson moved that acceptance of all committee reports be made at the end of the presentations. The motion was seconded and carried.

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The Docket
News of the National Conference of Appellate Court Clerks

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- John Lowe (MI) (615) 353-2763 MI, NY, MA, VT, ME, IL, NH, CT
- Barbara Price (TX) TX, KS, OK, MO, AR, TN
- Leslie W. Stans (AR) Volunteer Coordinator
- Glenn Prent-Wyatt (LA) Editor

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.

430 Fannin Street, Shreveport, LA 71101
Phone (318) 227-3702 Fax (318) 227-3735
Internet clerkdplw@lascoa.state.la.us
HELP KEEP US INFORMED!

A Long Range Plan (continued from page 14)

Here is what you identified as most salient:

**NCACC - Weaknesses & Threats**
- Limited staff can attend conference
- Lack of involvement by deputy clerks
- Lack of total membership, including federal courts

**NCACC - Strengths & Opportunities**
- Peer sharing and networking
- Program geared to clerks
- Generates new ideas

**Appellate Courts - Weaknesses & Threats**
- Increased work loads and pro se filings
- Poor public perception of courts, judges and lawyers
- Less funding
- Decreased employee morale
- Lack of awareness of problems by judges

**Appellate Courts - Strengths and Opportunities**
- Improved case management and record-keeping with technology
- Electronic filling
- Review court rules and procedures

The four sessions listed in the program encompass and supplement the above priority issues. Your dedication and participation is encouraged and anticipated. Remember a failure to have a long range plan may be a long range plan to fail.

See you soon,

Franz Lebranche
Ramon de Arrigunaga

"...load up the wagons and head off on the Oregon Trail."

August 9 - 14
Skamania Lodge
Stevenson, Washington
A Long Range Plan (continued from page 13)

mission?

Once these questions have been answered, the goals and objectives of the organization can be determined. Goals and objectives support the mission statement of the organization. A statement such as "to increase membership by 10% by December 31, 1998" is an example of an objective.

The principles of strategic planning are very straightforward. There is no "black magic" associated with the process. Like so many other things that we do, perseverance and attention to detail are often the major differences between success and failure.

In early 1995, a concept was developed for the long range planning committee to address, in a comprehensive manner, in conjunction with the NCACC Membership, a methodology for identifying areas for improvement and development in both the NCACC and in the appellate court systems.

The concept envisioned a three-part approach, each part to be implemented at each of three sequential NCACC annual conferences.

The first part, in San Antonio, in 1995, focused on the basic principles involved in long range planning. This presentation was designed to familiarize participants with the key elements and processes involved in long range planning. The formal presentation was followed by a hands-on workshop, wherein conference participants were asked to identify the strengths, weaknesses, opportunities and threats as they pertain to both the NCACC and the appellate court systems.

Part two, in 1996 in Des Moines, focused on prioritizing these attributes by having conference participants rank order the relative importance of each attribute. Of interest is the fact that the high priority issues were unequivocally distinguished from the lower priority issues.

(Continued on page 15)

By: Keith Richardson, (IA)

Each new incoming President takes office with new ideas, plans and goals for the conference. Our one common ambition is to leave the office and conference as a whole in better shape for our successors and members. You all should have received a copy of the educational program for our August meeting. I am confident that our silver anniversary conference will prove to be as educationally strong and as socially invigorating as any we have ever had. Joseph Lane, our Program Chair, and Scott Crampton, our host, have gone to extraordinary measures to ensure this will be a very memorable twenty-fifth conference.

As I begin the last few months of my term, I want to thank each of the officers, executive committee members, and individual committee members for their assistance. Each committee has put forth a great deal of effort this past year on behalf of the NCACC. Your commitment and support has been greatly appreciated.

It is with mixed emotions that I must report a number of our wise and experienced members have moved on to "retirement." We are sad as an organization, but happy and envious for those who have reached another major milestone in their lives. We hope each of you retirees will continue your active involvement in the NCACC, and wish each of you well as you pursue new interests and goals.

Recently, Joseph Lane and I had the opportunity to represent the NCACC at an Assembly of Court Administrators in Washington, D.C. The Presidents and President-elects of over twenty court-affiliated associations met to discuss and address the principal challenges to state courts and how to improve the administration of justice. It proved to be a very worthwhile meeting. Hopefully it can be repeated in the future with two new participants from the conference.

Leslie Gradet will be representing the NCACC at the conference of Chief Justices and Court Administrators in Lexington, Kentucky and Ed Smith will be representing us at the council of Appellate Staff Attorneys in Breckenridge, Colorado. Our continued involvement in other organizations and seminars is very important. We can only benefit from further participation at the national level.

I have enjoyed serving as your president this past year. The National Conference of Appellate Court Clerks continues to prosper due to your willingness to volunteer and your dedication as conference members. I thank each of you for your support and hope to see you at the Skamania Lodge in August.
NCACC 1998: The Oregon Trail
By: Scott Crampton

The 1998 NCACC annual meeting will mark the 25th anniversary of the conference. As such, it is sure to be a memorable event. The meeting will be from Sunday, August 9 - Friday August 14 at Skamania Lodge in the Gorgeous Columbia River Gorge National Scenic area located 45 miles east of Portland, Oregon.

Joseph Lane, Education Chair, has assembled a magnificent education program. The agenda includes sessions on personnel recruitment, appellate settlement programs, technology judicial education and numerous other cutting edge topics. The faculty for the education program is imminently qualified and recruited from throughout the country.

The social agenda is designed to entertain both attendees and guests. While attendees are in the education sessions, their guests can enjoy the many sights in the area. The first activity planned is an ice cream social/orientation session on Sunday afternoon (concurrent to the NCACC business session) at which they can renew old friendships, meet new ones and receive an overview of planned trips and activities in the area. On Monday and Wednesday mornings, guests can participate in scheduled bus trips to the Columbia Gorge Discovery Center and Multnomah Falls/Bonneville Dam. In addition, guests and members are invited to a NCACC sponsored river cruise on Tuesday afternoon and a series of outdoor activities on Thursday afternoon.

Once again we will enjoy evening functions sponsored by BNA on Sunday evening, WestGroup on Monday, Lexis-Nexis on Tuesday and SCT on Thursday evening. On Wednesday evening, members will have an opportunity to participate in an exciting colloquium.

NCACC members and attendees who have already registered will be receiving host guest packages with information on the area, directions to the lodge, discount car rental information and the like. We have SOLD OUT the Lodge, so if you are interested in attending and have not already made a hotel reservation, contact me ASAP for lodging assistance.

For those of you interested in a weather forecast, I can report that I have ordered dry, sunny, breezy weather by day with temperatures in the 80’s and clear evenings, cooling off to the high fifties. I am confident that the request will be granted.

Finally, Skamania Lodge is best described as “Rustic Luxury”, i.e. relaxed informal, in the Northwest style but very well appointed. In a nutshell, attire will be resort casual (sport shirts, slacks) for on-site evening sessions to Northwest casual (shorts, tee-shirts, athletic shoes) for off-site events. As always, the banquet will be business attire.

So, load up the wagons and head off on the Oregon Trail. At the end, you will find a magnificent pot of “Silver” at the 1998 NCACC Annual Meeting.

A LONG RANGE PLAN
by Prans Labranche
Ramon de Arrigunaga

Now is the time! Now is the time to prepare a long range plan. Our endeavor began in 1995 and now we plan to conclude a long range plan for our organization, as well as a plan for appellate court.

So that we will be prepared, we ask everyone to spend some time reviewing what we have done so far. Please take time to read this information and make plans to participate in our long range planning sessions on Tuesday and Thursday.

On Tuesday, other breakout will be offered, but you will have an opportunity to participate in all four sessions on long range planning. We ask you to dedicate yourself to this important endeavor. Everyone's input and participation is important.

So now let us review and prepare.

Whether we call it future's planning, long range planning, strategic planning or strategic management, the desired end result is the same. We need to ensure that our organization (whether NCACC or Court) is as matched to its environment as possible on a continuous basis.

The process for doing so is not complicated, but it can be tedious and time-consuming, if the procedure is to be done correctly.

If we are to match our organization to the environment, then clearly we need to perform an analysis of both. This is the first step in the process.

The environment in which our organization functions is largely beyond our control. Such things as politics, religion, social issues, technology, ethics, economics, and the natural environment, can have profound and deeply lasting influences on what organizations can and cannot achieve.

An evaluation of the operating environment will reveal many potential opportunities for success as well as multiple potential threats which can result in failure.

An organization also has an internal environment, which is characterized by strengths and weaknesses. Some organizations are clearly able to do some things better than others.

An organization's top managers, therefore, must determine the external environment's opportunities and threats, and attempt to maximize the potential for success by concentrating on the opportunities taken together with the organization's strengths, while minimizing the potential for failure, i.e., by staying away from threatening situations or by realizing and being willing to admit, the existence of organizational weaknesses.

Once the opportunities, threats, strengths and weaknesses have been identified, the second step is the determination of the organization's direction. The basic question to be asked is why does the organization exist? What is the organization's purpose? What is its
A gain of robbers broke into a lawyer's club by mistake. The old legal lions gave them a fight for their life and their money. The gang was very happy to escape.

"It ain't so bad," one crook noted. "We're alive and we got $25 between us."

The boss screamed: "I warned you to stay clear of lawyers - we had $100 when we broke in!"

A doctor vacationing on the Riviera met an old lawyer friend and asked him what he was doing there.

The lawyer replied, "Remember that lousy real estate I bought? Well, it caught fire, so here I am with the fire insurance proceeds. What are you doing here?"

The doctor replied, "Remember that lousy real estate I had in Mississippi? Well, the river overflowed, and here I am with the flood insurance proceeds."

The lawyer looked puzzled. "Gee," he asked, "how do you start a flood?"

I look forward to seeing you on the Columbia River with whatever ill-gotten proceeds you may be carrying.

Leslie Steen (AR)

My thanks to Nolo Press for allowing me to reprint.

Minutes of the 24th Annual Meeting (continued from page 8)

- Host Louise B. Livingston and the Convention Assistance Committee for the gift of their talents and efforts expended on behalf of the NCACC.

- Program Chair Edwin A. Smith and members of the Program Committee for assembling and presenting an outstanding program.

Sherie Welch moved that the Resolutions be approved and adopted as read and entered on the minutes of the 24th National Conference of Appellate Court Clerks. The motion was seconded and carried.


Announcements:

- The new Executive Committee will meet following this meeting.

All are encouraged to attend the annual banquet.

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

All committee chairs thanked their members for service.

Finance and Investment Committee: Treasurer Danielle Schott (LA) presented a report consisting of seven exhibits (attached). She specifically recognized the return of $7,806.56 to the Conference by Keith Richardson, host of the Twenty-third Annual Meeting in Des Moines, Iowa, in 1996.

The fund balance on June 30, 1997, was $109,681.19.

Awards Committee: Chair Neil Dessaint noted that awards will be announced and presented at the annual banquet.

Bylaws Committee: President Marilyn Graves announced that the amendment to Article VII of the Bylaws which changes the composition of the Public Relations Committee was submitted to the Executive Committee by April 1, 1997, and published in The Docket. A further proposed amendment to Article VII of the Bylaws which would create a Technology Committee was submitted to the Executive Committee on August 2, 1997, and has not been published in The Docket.

John Wilkerson moved to suspend Article XI, section 1, of the Bylaws so the Technology Committee amendment can be considered by the membership at this meeting. The motion was seconded and carried by a vote of seventy-five percent of the members present and entitled to vote.

Chair Martin Brownstein (NY) presented the Bylaws Committee recommendation to amend Article VII in the following manner as published in The Docket:

1. Delete Article VII, section 3, paragraph (h);

2. Renumber paragraphs (i) through (n) of Article VII, section 3, to paragraphs (h) through (m);

3. Add a new paragraph (b) to Article VII, section 4, to read as follows:

   The Public Relations Committee shall be composed of three members of the conference. Each year the Vice-President shall appoint a member of the conference to serve for a period of three years. Except as provided below, the senior member of the committee shall serve as the chair.

   The Public Relations Committee shall gather news items promoting conference members and their accomplishments for publication in professional journals and local newspapers.

   The Public Relations Committee shall function as a select committee, commencing at the close of the business meeting at which this provision is approved. At that time, the Vice-President shall select one member to serve for three years, the President-Elect shall select one member to serve for two years and who shall serve as chair during his or her second year, and the immediate Past-President in consultation with the President shall select one member to serve for one year and who shall be the first committee chair.

   (continued on page 6)
FACTS, FICTION & FOOLISHNESS

The day is coming when "The Docket" will not be distributed in paper form, but will be available by a few strokes on the computer and the click of a mouse. When this day arrives, there will be no further need for this column, and perhaps the more correct statement may be that there has never been any need for such drivel. Regardless, in our never ending and universal search for more meaningful material for this column, we have discovered a site on the Internet for Nolo Press: www.nolo.com which we think is a treasure-trove of appropriate lawyer jokes.

Here are a few for your reading pleasure and with the permission of Nolo Press, we might add, for those of you who might be thinking "copyright infringement".

********

As the lawyer slowly came out of the anesthesia after surgery, he said "Why are the blinds drawn, doctor?"

"There's a big fire across the street," the doctor replied. "We didn't want you to think the operation was a failure."

A famous lawyer found himself at heaven's gate confronting St. Peter. He protested that it was all a mistake; he was only 49 and far too young to be dead.

"That's odd," said St. Peter, "according to the hours you've billed, you're 119 years old."

********

(Here's one we should all appreciate)

A junior partner in a law firm was sent out-of-state to represent a long-term client accused of robbery. After days of trial, the case was won, the client acquitted and released.

Excited about his success, the attorney wired the firm, "Justice prevailed."

The senior partner replied in haste, "Appeal immediately."

********

A woman being questioned in a court trial involving slander, "Please repeat the slanderous statements you heard, exactly as you heard them", instructed the lawyer. The witness hesitated, "But they are unfit for any respectable person to hear", she protested. "Then," said the attorney, "Just whisper them to the judge."
he was appointed to supervise the operation of the criminal minute clerk department. He began service with the newly created Louisiana Fifth Circuit Court of Appeals as the court's first deputy clerk in 1982. He continued in that capacity until he was appointed as Clerk of the Court in 1986. Pete is a member of the National Association for Court Management, the Louisiana Clerks of Court Association, the Jefferson Bar Association and the NCACC. He just concluded serving two consecutive terms on the Board of Directors and the Board of Trustees for the Louisiana Clerks of Court Association, representing the Louisiana Supreme Court and the five Courts of Appeal. Pete has served on various NCACC committees including Publications, Pictorial, Awards and Resolutions & Memorials.

MARTIN H. BROWNSTEIN - Clerk, New York Supreme Court, Appellate Division, Second Department. Marty received his JD from Brooklyn Law School in 1969. Prior to his employment with the court, he served as Staff Attorney for the Corporation Counsel of the City of New York. He began his service with the court as a Law Assistant from 1970 - 1978, Supervisor of Decision Department from 1978 - 1982, Deputy Clerk of the Court 1982 - 1986 and was appointed Clerk of the Court in 1986. Marty has been a frequent lecturer at New York State Bar Association meetings and CLE programs and recently co-authored several chapters of a book on New York Appellate Practice for West Group with one of the justices on his court. Marty has chaired and served on numerous NCACC committees.

SANDRA L. SKINNER - Clerk, Missouri Court of Appeals, Southern District. Sandra graduated with a JD from the University of Missouri-Columbia in 1976 and with a B.A. in Political Science from Southwest Missouri State University in 1973. She was in private law practice for 13 years prior to being appointed Clerk in May, 1989. Sandra has been a member of the conference since 1989 and served on the Site Selection, Membership and various other committees.

Respectfully submitted,

NOMINATING COMMITTEE
Frank Drum
Joyce Goldsmith
Barbara Price
Ed Smith
Leslie Steen
Ella Williams
Jon Wheeler
Glen D. Clark, Chair

"ALWAYS DO RIGHT
IT WILL GRATIFY SOME AND ASTOUND THE REST"
Mark Twain
Minutes of the 24th Annual Meeting (continued from page 7)

Kevin Swanson: Robert Liston (CA) read a message to the membership from Kevin Swanson (retired CA) who has suffered health problems. Members who know Kevin were encouraged to write.

John Wilkerson (AL) moved to recess the meeting until Thursday, August 7, 1997, at 12:15 p.m. The motion was seconded and carried. The meeting recessed at 5:30 p.m.

President Graves resumed the meeting on Thursday, August 7, 1997, with a call to order at 12:10 p.m.

Nominating Committee: Chair Ella Williams (MI) presented the report of the Nominating Committee for 1997-1998 Officers and Executive Committee members.

Vice-President - Leslie Gradet (MD)
Treasurer - Ken deBlanc (LA)
Executive Committee - Kathleen Kempley (AZ)
Sherie Welch (GA)
Ed Smith (MT)

Ella moved acceptance of the report. The motion carried.

Ella Williams nominated Leslie Gradet for Vice-President. There were no nominations from the floor. Glen Clark moved that nominations cease and Leslie be elected by acclamation. The motion was seconded and carried. Leslie Gradet was elected Vice-President by acclamation.

Ella Williams nominated Ken deBlanc for Treasurer. There were no nominations from the floor. Penny Miller moved that nominations cease and Ken be elected by acclamation. The motion was seconded and carried. Ken deBlanc was elected Treasurer by acclamation.

Ella Williams nominated Kathleen Kempley, Sherie Welch, and Ed Smith for membership on the Executive Committee. There were no nominations from the floor. Ken deBlanc moved that nominations cease and these individuals be elected by acclamation. The motion was seconded and carried. Kathleen Kempley, Sherie Welch, and Ed Smith were elected to the Executive Committee by acclamation.

Resolutions and Memorials Committee: on behalf of the committee, Chair Sherie Welch presented the following resolutions (attached).

- The staff of the Grand Hotel for performing their duties in an extraordinarily efficient manner, in particular April Mulins, Phil Gagnon, and Lisa McCormick.

- Our sponsors who contributed to the enjoyment of the conference and their families: Bureau of National Affairs, represented by Susan Kneller; West Publishing Company, represented by Tristie Wilson; David George, and John Nelson; Lexis-Nexis, represented by Bob Williams and Chuck Horn; SCT Government Systems, represented by Tom Fern and Brian Howe.

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