

**FEDERAL COURT CLERKS ASSOCIATION
CURRENT EVENTS**

<http://www.fcca.ws/>

February 2010

ANNOUNCEMENTS

- ◆ **Job Vacancies in the Judiciary** - Vacancy announcements for jobs in the judiciary are posted on <http://156.119.80.126/vacancies/>.

BENCH AND BAR FUNDS

- ◆ **Revision to Attorney Admission Fund Guidelines** - As reported in the September 2009 Current Events, the Judicial Conference revised the attorney admission fund guidelines to permit the use of funds to pay for meals and refreshments for judges and judiciary employees when attending an event in a non-official capacity that benefits the bench and bar. James Duff, Director of the Administrative Office of the U.S. Courts (AO), recently sent a memo explaining the revision. His memo states: "This revision expands Judicial Conference guidance by allowing the use of Attorney Admission Funds to pay for meals and refreshments for judges and Judiciary employees who attend bench/bar events held at their duty station, when attendance at the event is in a non-official capacity." *Memo from James C. Duff, Attorney Admission Fund Guidelines, February 16, 2010*, http://jnet.ao.dcn/Memos/2010_Archive/Dir10021.html.

BUDGET

- ◆ **Judiciary Budget Request for FY2011 Submitted** - The judiciary is seeking a total FY2011 budget of \$7.3 billion, which is a 6.8% increase over the FY2010 appropriation levels. The Salary and Expenses account represents about 73% of this request, in the amount of \$4.3 billion, which reflects an increase of 5.9% over the FY2010 appropriation. *District Court Administration Division Monthly Update - February 2010*, <http://jnet.ao.dcn/img/assets/6594/ocpd235.pdf>.

CJA

- ◆ **Model CJA Plan Revised** - Volume 7 of the *Redesigned Guide* includes a model CJA Plan. There are some changes in the model plan to statutory citations and on number and qualifications of appointed counsel. The model plan can be found at http://jnet.ao.dcn/Guide_New/Vol_7_Defender_Services/Part_A/Ch_2_Appointment_and_Payment_of_Counsel_pdf/Appx_2B.html.

CM/ECF

- ◆ **Bankruptcy Operational Practices Forum Scheduled** - The 10th Bankruptcy Operational Practices Forum is scheduled to be held in Washington, D.C., on August 31 and September 1, 2010, at the Washington Marriott Wardman Park. The AO will fund three attendees from each bankruptcy court clerk's office as well as one additional chambers' staff attendee. All bankruptcy judges are invited to attend and do not count as an attendee from a court. An invitation with link to the registration database will be sent in April. *Memo from Glen K. Palman, 2010 Bankruptcy Court Operational Practices Forum, February 24, 2010,* http://jnet.ao.dcn/Bankruptcy/Memos/2010_Archive/ocpb1017.html.
- ◆ **District Operational Practices Forum Scheduled** - The 2010 District Operational Practices Forum will be held the week of August 9 through 12, 2010, at the Gaylord National Resort. The AO will fund two clerk's office staff from each court and the court can use local funds to send additional staff. Judges and chambers' staff are invited to attend with travel paid by the Judges Central Fund from the AO. *District Court Administration Division Monthly Update - February 2010,* http://jnet.ao.dcn/District/Memos/2010_Archive/ocpd235.html.

COURT REPORTERS

- ◆ **Redesigned Guide on Court Reporters** - The Legacy Guide content on Court Reporters has been superseded by the *Redesigned Guide*, Volume 6, Ch. 1. http://jnet.ao.dcn/Guide/Volume_6/Chapter_1.html. Two additional elements have been added to the elements of a Court Reporting Management Plan: "(u) Stating the court policy for providing Data Communications Network (DCN) access to staff court reporters; and (v) Establishing policy for the provision of realtime court reporting to parties and to the court, as well as the management of human, hardware, and software realtime resources." Vol. 6, Ch. 1, section 130.25. Also, section 140.55.30 states more clearly that court reporters are required to retain their original notes and electronic sound recordings, certify those notes and recordings and make them available for public inspection. A certification must accompany the electronic sound recordings. http://jnet.ao.dcn/Guide_New/Vol_6_Court_Reporting/Ch_3_Types_of_Reporting_Methods_pdf/Appx_3A.html.

FCCA

- ◆ **Save the Date** - The 2010 Annual Conference will be held in Eugene, Oregon, June 27 - July 1, 2010. The Conference site is posted at <http://www.fcca2010oregon.com/> and updates on information is posted on the FCCA home page at <http://www.fcca.ws>.
- ◆ **Nominations for Officers and Representatives Due Prior to March 15** - Nominations

this year are for the even-numbered and D.C. Federal Courts. Each Circuit Representative will be provided with the nomination and consent to run forms via e-mail. Completed forms must be submitted to Anne Stygles via fax to 202-501-3962, via e-mail at astygles@uscourts.cavc.gov, or by U.S.P.S. to U.S. Court of Appeals for Veteran Claims, 625 Indiana Avenue, NW, Room 900, Washington, D.C. 20004. For more details, please see the article *Nominations Are Being Sought for National Officers and Circuit Representatives* in the 2010 Winter FCCA Journal available on-line at <http://www.fcca.ws/>.

- ◆ **Award Nomination Deadline Approaches** - Nominations for the Ross Levy Memorial Award, the Angie Award, the Public Service Award, the Special Service Award, and the Carol C. Fitzgerald Scholarship Program are due **April 15, 2010**. For details on award criteria and nomination procedures, please see the article *Federal Court Clerks' Association Awards* in the Winter 2010 FCCA Journal available on-line at <http://www.fcca.ws/>.

FEDERAL DEFENDERS

- ◆ **Survey on Compensation in Federal Defenders Organization** - An 18-month Study on Compensation in Federal Defender Organization was completed and submitted to the Defender Services Committee in December 2009. The full Defender Services Committee endorsed the Study recommendations. The Study found that:
 - ▶ FDO compensation is in compliance with 18 U.S.C. § 3006A(g)(2)(A).
 - ▶ There are no major deficiencies with FDO compensation policies or patterns of over-compensation in FDOs relative to United States attorneys' offices.
 - ▶ There is a considerable degree of parity for attorney and graded compensation systems.
 - ▶ There are several policies that allow United States attorneys' offices to compensate their employees at higher levels than FDOs can provide.

Memo from Theodore J. Lidz, Information on Implementation of Recommendations of the Study on Compensation in Federal Organizations, February 3, 2010, http://jnet.ao.dcn/JAPanelAttorneys_Defenders/Memos/2010_Archive/ods95.html.

J-NET

- ◆ **Events Calendar for Judiciary Posted on J-NET** - A Judiciary Events Calendar is now available on the J-NET. "This calendar will provide courts with a single location to obtain up-to-date information about scheduled Judiciary-related events sponsored by the Administrative Office, the Federal Judicial Center and the United States Sentencing Commission." *Memo from James C. Duff, Judiciary Events Calendar, February 18,*

2010, <http://jnet.ao.dcn/img/assets/6586/DIR10-023.pdf>.

OPEN DOORS PROGRAM

- ◆ **2010-2011 Open Doors to Federal Courts Program Available** - The materials for the 12th Annual *Open Doors to Federal Courts* is ready for use in courtrooms and class rooms. This program gives high school seniors exposure to the federal judiciary and jury service. This year the subject is First Amendment and Social Media: Student Rights, Wrongs, and Responsibilities. The fictional scenario involves a student group that forms a vampire club and posts vampire-related content on the student wall of the high school's official Facebook fan page. The student administrator of the wall does not remove the post. The principal claims the students violated school policy by posting content that threatened a safe and efficient learning environment. The students claim their First Amendment rights were violated and sue the principal and school district in federal court. The program applies the precedent of the Supreme Court case of Hazelwood v. Kuhlmeier. The materials can be found at <http://www.uscourts.gov/outreach/programs/opendoors.htm>. *District Court Administration Division Monthly Update - February 2010*, http://jnet.ao.dcn/District/Memos/2010_Archive/ocpd235.html.

PROCUREMENT

- ◆ **Volume 14 of the Redesigned Guide Supersedes Volume 1, Ch. 8 of the Legacy Guide** - The *Redesigned Guide*, Vol. 14, Ch. 1-7, replaces the JP3 volume and the Legacy Guide effective February 3, 2010. Archived versions will be available by link for historic and audit purposes and to administer a contract or review a purchase made during the effective time period. New procurement delegation forms will be updated on the J-NET but current delegations do not need to be reissued on the new forms. Approximately 20 clauses have been deleted and 20 new clauses have been added. One of these is clause 3-3, which is part of a FAS₄T text file which prints on purchase orders. The Accounting and Financial System Division (AFSD) will install a new text file to change the date from OCT 2006 to JAN 2010 and delete the separate listing of clause 1-15, which has been incorporated into the revised clause 3-3. The Bulletin instructs that "**Effective immediately, until such time as the next text file can be implemented by AFSD, Contracting Officers should make a pen-and-ink correction to change the version date from OCT 2006 to JAN 2010 on any documents printed from FAS₄T which incorporate this clause by reference.**" *Procurement Bulletin 2010-31, February 2010*.

SOCIAL MEDIA

- ◆ **Social Media is a Hot Topic** - As noted above under Open Doors to Federal Courts, social media, such as Facebook, are generating much discussion. Some employers have

adopted Social Media policies and may base employment decisions to either not hire or to fire employees if the employer believes an Internet posting is inappropriate. Some federal courts have adopted a social media policy to prohibit employees from posting information about their federal employment on social media. The FCCA board plans to discuss social media as it relates to an FCCA Facebook. If you have comments or concerns about the use of or need for social media policies, please send them to patricia_mcnutt@tned.uscourts.gov.

TRAVEL

- ◆ **Reducing Travel Costs** - AO Director Jim Duff sent out a paper captioned “Reducing Travel Costs” that was presented at the annual meetings of the Federal Judges Secretaries Association and the Association of Bankruptcy Judicial Assistants. The paper provides suggestions on how to find the best available airfare for official travel. *Memo from James C. Duff, Reducing Official Travel Costs, February 19, 2010,* <http://jnet.ao.dcn/img/assets/6586/dir10-024.pdf>.