

**FEDERAL COURT CLERKS ASSOCIATION
CURRENT EVENTS**

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June 2010

ANNOUNCEMENTS

- ◆ **Ed Baca, AO Court Reporter Specialist, Retires** - The AO announced that Ed Baca retired at the end of May after 22 years in the District Court Administration Division (DCAD), the last ten of which he served as the Court Reporter Program Specialist. Best wishes to Ed on his retirement. *District Court Administration Division (DCAD) Monthly Update June 2010, p.8*, http://jnet.ao.dcn/District/Monthly_Communications_Clerks/2010_Monthly_Archive/June_2010.html

- ◆ **Daniel Kenneally, Longest Serving Courtroom Deputy, to Retire after 46 Years** - The *New York Daily News* reported in its Sunday, June 20, 2010, edition, that Daniel Kenneally, Courtroom Deputy for the Honorable Leonard Sand, U.S. District Judge, Southern District of New York, will retire on July 2. According to the *Daily News* article, Daniel is the longest serving federal courtroom deputy. He joined the court in 1963, where he worked his way up the ranks from file clerk, to roving courtroom deputy, to courtroom deputy to the Honorable Lawrence Pierce, U.S. District Judge, and finally to his current position as Courtroom Deputy for Judge Sand. He has served as Judge Sand's Courtroom Deputy for 28 years. The FCCA congratulates Daniel on a long and successful career in the federal Judiciary and wishes him a wonderful retirement.

- ◆ **John D. Casey Appointed Chief of the Space and Facilities Division** - Ross Eisenman, Assistant Director, Office of Facilities and Security, AO, announced John D. Casey's appointment, effective June 7, 2010. John served as Deputy Assistant Director of Facilities of the Department of Homeland Security, Immigration and Customs Enforcement, since 2008. He has over ten years of facilities experience in the federal and private sector. He has a B.S. in architecture from the University of Nebraska and an M.S. in architecture from Virginia Tech. He is a registered architect and certified project manager. FCCA welcomes him to his new position. *Memo from Ross Eisenman, Appointment of Chief, Space and Facilities Division, June 4, 2010*, <http://jnet.ao.dcn/img/assets/6596/ofsa060410.pdf>.

- ◆ **Ruby Krajick Appointed as Clerk of Court, S.D. New York** - The Southern District of New York appointed Ruby Krajick to serve as Clerk of Court effective, May 1, 2010, replacing Michael McMahon, following his retirement. Ruby served as the Chief Deputy of the district for 13 months before her appointment as Clerk. She previously served as the Systems Manager at the U.S. Court of International Trade for ten years, and before that, she worked in the New York state courts. The FCCA welcomes Ruby to her new

position. *DCAD Monthly Update June 2010, p.14*, <http://jnet.ao.dcn/District/Monthly Communications Clerks/2010 Monthly Archive/June 2010.html>.

- ◆ **Recruiting Three Court Employees for Temporary Assignment at AO** - As of June 9, 2010, the Office of Finance and Budget, Accounting and Financial Systems Division, AO, was recruiting three court employees to serve a temporary, one-year, assignment in D.C. to provide management and operational support to the Judiciary Integrated Financial Management Systems project. The starting date is **July 15, 2010**. Interested persons should contact LaKaisha Black at 202-502-2441 or at [Lakaisha Black/DCA/AO/USCOURTS](mailto:Lakaisha.Black/DCA/AO/USCOURTS). *Memo from Charles S. Glenn, JIFMS Project Analyst - Temporary Duty Opportunities Available, June 9, 2010*, <http://jnet.ao.dcn/img/assets/6597/ofb421.pdf>.
- ◆ **DCAD Seeking to Fill Two Positions** - DCAD is seeking to fill the positions of Court Reporting Program Specialist, *see announcement above regarding Ed Baca's retirement from the position*, and Attorney Advisor for Jury Operations. For more information about these positions and application process, please go to: <http://jobview.usajobs.gov/GetJob.aspx?JobID=88516188&JobTitle=Court+Reporting+Programs+Specialist&q=35470&brd=3876&vw=b&FedEmp=N&FedPub=Y&x=104&y=17&pg=1&re=0&AVSDM=2010-06-08+08%3a50%3a00> and <http://jobview.usajobs.gov/GetJob.aspx?JobID=88472916&Jobtitle=Attorney+Adviso&q=35318&where=&brd=3876&vw=b&FedEmp=N&FedPub=Y&x=104&y=17&AVSDM=2010-06=09+00%3a03%3a00>. There is also a short description of these positions in the DCAD Monthly Update for June 2010, the link to which is posted below. *DCAD Monthly Update June 2010, p.9*, <http://jnet.ao.dcn/District/Monthly Communications Clerks/2010 Monthly Archive/ June 2010.html>.
- ◆ **Amy Nerenberg Appointed as Chief Deputy Clerk of Court, U.S. Court of Appeals, Atlanta, Georgia** - Amy graduated from the University of Michigan in 1981 with a Bachelor of General Studies degree, and then went on to earn a Master of Library Science in 1982. In 1993, she was awarded her Juris Doctor from Emory University School of Law. Before joining the 11th Circuit Court of Appeals as Supervisory Motions Attorney in 1999, she worked as an associate with Foster and Foster, P.C (Jonesboro, GA), and Meadows, Ichter, and Trigg, PC. (Atlanta, GA). She is a member of the State Bar of Georgia, and bars of the United States District Courts for the Northern and Middle Districts of Georgia, the United States Court of Appeals for the Eleventh Circuit, the Georgia Court of Appeals, and the Georgia Supreme Court. Amy lives in DeKalb County with her husband, Holly.
- ◆ **Sharon Stepler Appointed as Supervisory Motions Clerk, U.S. Court of Appeals, Atlanta, Georgia** - Sharon is a true "Double Dog," graduating from the University of Georgia in 1976 with a bachelors degree (summa cum laude) and then going on to earn her J.D. (cum laude) there in 1979. Following graduation from law school, she practiced law for 20 years in the Atlanta area and joined the 11th Circuit Court of Appeals as motions attorney in 1999. Sharon is a member of the State Bar of Georgia, as well as the Atlanta Bar, Gwinnett Bar, and National Employment Lawyers Associations.

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

BENEFITS

- ◆ **Mark October 2017 on Your Calendar for Loan Forgiveness for Public Service Employees** - The AO sent a reminder that the Loan Forgiveness for Public Service Employees applies to employees of the Judiciary and will cancel certain Federal Direct Student Loans after ten years of public service. The law went into effect on October 1, 2007; therefore, the earliest an employee can benefit from the program is October 2017 because an employee needs to have ten years of public service beginning on or after October 1, 2007. As the AO noted, the availability of this program could be a useful recruitment tool. *E-mail from Advisory Services Branch Court Personnel Management Division, Office of Human Resources, June 17, 2010, [http://jnet.ao.dcn/HumanResources/FAQs and Fact Sheets/Student Loan Forgiveness for Public Service Employees.html](http://jnet.ao.dcn/HumanResources/FAQs%20and%20Fact%20Sheets/Student%20Loan%20Forgiveness%20for%20Public%20Service%20Employees.html).*

COURTHOUSE CONSTRUCTION

- ◆ **Courtroom Use Study and Courtroom Sharing** - Congress continues to press new courtroom sharing practices. In response to congressional concerns, the Judicial Conference requested the FJC to conduct a Courtroom Use Study in January 2007. As a result of recommendations from the Study, the Judicial Conference adopted a courtroom sharing policy for senior judges and magistrate judges, and revised the *U.S. Courts Design Guide*. The Judicial Conference requested the FJC to conduct a courtroom use study of the bankruptcy courts in September 2009, the results of which should soon be forthcoming. The FJC Courtroom Use Study report was provided to the House Committee on Transportation and Infrastructure, which has jurisdiction over courthouse construction appropriations. This Committee asked GAO to conduct an additional study of courthouse construction focusing on how the actual size of the courthouses built compared with the sized requested by the Judiciary, how the ten-year judge and courtroom projections made by the Judiciary compared with the actual number of judgeships and courtrooms in ten years, and how the courtroom sharing is supported by the data from the FJC's Courtroom Use Study. GAO provided Director Duff, GSA and the House Committee on Transportation and Infrastructure with a final draft report on April 29, 2010. In the final draft, the GAO accused the GSA and the Judiciary of building excess court space and wasting taxpayers' funds in the 33 courthouses built between 2000 and 2010. In making this allegation, GAO applied its own courtroom sharing policy to these courthouses, used space measurements substantially different from those used by GSA, and pointed out that projections of new judgeships did not always come to pass. GAO asserted in the final draft that district judges should share courtrooms in a ratio of two courtrooms to every three judges and senior district judges should share courtrooms in the ratio of one courtroom for every three judges.

On May 25, 2010, the House Subcommittee on Economic Development, Public Buildings, and Emergency Management (Committee on Transportation and Infrastructure) held a hearing on the draft GAO report. Judge Michael Ponsor, Chair of the Judicial Conference Committee on Space and Facilities, and Judge Julie Robinson, Chair of the Judicial Conference Committee on Court Administration and Case Management, testified along with officials from the GAO and the GSA. Eleanor Holmes Norton, Chair of the subcommittee, said in her opening statement that the “subcommittee would not authorize any new courthouses until the courthouse construction program has been satisfactorily reformed, using courtroom sharing where it is appropriate and showing real savings and programs to control spending.” *J-NET>Legislation>Courthouses>Courtroom Use Study and Courtroom Sharing, updated June 22, 2010, http://jnet.ao.dcn/PFriendly//Legislation/Courthouses/Courtroom_Use_Study.html.*

The Judiciary’s official comment on the draft report was sent to GAO on June 1, 2010.

- ◆ **Courthouse Construction** -The Judicial Conference prepares a Five-Year Courthouse Construction Plan each year and submits the Plan to GSA and Congress. GSA is responsible for federal building projects, including courthouses, and before it can proceed on a courthouse project, the project must be authorized both by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works and funds must be appropriated by law. The FY2011 Five-Year Courthouse Construction Plan seeks funding in FY2011 for the following courthouse projects: Mobile, AL; Nashville, TN; Savannah, GA, and San Jose, CA. The President’s budget that was submitted to Congress on February 2, 2010, did not include funding for any courthouse construction projects, although it did include funding for major courthouse repair and alteration in New York, New York, and Washington, D.C. Director Duff testified before the House Appropriations Subcommittee on Financial Services and General Government on the Judiciary’s budget for FY2011 and highlighted the need to fund the four projects. *J-Net>Legislation>Courthouses>FY2011 Courthouse Construction Program, updated June 22, 2010, http://jnet.ao.dcn/Legislation/Courthouses/FY_2011_Courthouse_Construction_Program.html.*

FEDERAL COURT CLERKS’ ASSOCIATION

- ◆ **Discounts Available for Federal Government Employees** - The FCCA has put a link on its web site to Government Employees Marketplace which provides discounts from a variety of retailers to government employees. You can access the link on the FCCA website at <http://www.fcca.ws/> or directly at <http://gem.onebigplanet.com/d/public/login.html>.
- ◆ **Annual Membership Packet DISTRIBUTED** - The Membership Chair e-mailed the packet on June 22 to the Circuit Representatives and they will forward the information to their District Representatives to share with their members. The FCCA encourages

membership drive coordinators to hold their membership drive between June 2010-August 2010, so members can take advantage of a full year of benefits. To assist with the membership drive, the Marketing and Outreach Committee created the welcome and recruitment packets, posted on under the MEMBERSHIP tab on the FCCA home page. Direct local membership inquiries to your Representative at http://www.fcca.ws/docs/circuit_district_reps.pdf.

- ◆ **FCCA Annual Conference** - The 2010 Annual Conference will be held in Eugene, Oregon, June 27 - July 1, 2010. **Members planning to attend the Eugene, Oregon, conference must be a current/paid member for the 2009-2010 membership year.** Members will have the opportunity to renew for the 2010-2011 membership year at this conference.
- ◆ **Call for Volunteers** - The FCCA continues to look for a few good men and women to volunteer to work on committees and projects. Interested individuals should contact an ongoing committee member, who are listed in the April Current Events.
- ◆ **Health and Wellness for Life!** - Check out the weekly updates (Session 9 currently posted) and the audio clip, including archives, available on the FCCA homepage.

INFORMATION TECHNOLOGY

- ◆ **Tips to Protect Electronic Data** - Best practices for protecting IT data were published in this month's DCAD Monthly Update and Bankruptcy Court Division Monthly (BCAD) Update. In brief, the tips are: Wipe data stored on equipment before disposal; protect from laptop theft by using cable locks and locking plates to secure to a stationary base or by motion sensor alarms; protect data theft with software security solutions, and protect both laptop and data with hybrid security solutions that combine hardware and software in a single package. *DCAD Monthly Update June 2010, p.13*, http://jnet.ao.dcn/District/Monthly_Communications_Clerks/2010_Monthly_Archive/June_2010.html; *BCAD Monthly Update June 2010, p.10*, <http://jnet.ao.dcn/img/assets/6590/OCPB1029.pdf>.

JUROR MANAGEMENT SYSTEM

- ◆ **eJuror/JMS Working Group Established** - Director Duff approved establishment of an eJuror/JMS Working Group. Members are: Adrian Batchelor, Systems Administrator, W.D.LA; Debbie Dewitz, Jury Administrator, E.D.WA; Dan Fitzsimmons, Jury Administrator, N.D.IL; Beth Hanson, Jury Administrator, E.D.MO; and Kris Porter, Jury Administrator, D.UT. The Working Group will evaluate outstanding modification requests and provide guidance on issues related to eJuror and JMS. *DCAD Monthly Update June 2010, pgs.8-9*, http://jnet.ao.dcn/District/Monthly_Communications_Clerks/2010_Monthly_Archive/June_2010.html.
- ◆ **2010 JMS User Workshop Announced** - DCAD will sponsor a JMS Users Workshop in

Lexington, Kentucky, from October 18 through 20, 2010. Affiliated Computer Services (ACS), the JMS vendor, will conduct training sessions. The AO will fund one jury administrator/clerk from each district court to attend. Other jury staff may attend using local funds. For more information on the workshop, contact David Williams at [David Williams/DCA/AO/USCOURTS](#) or at 202-502-1584. *DCAD Monthly Update for June 2010, pgs.8-9*, http://jnet.ao.dcn/District/Monthly_Communications_Clerks/2010_Monthly_Archive/June_2010.html, May 10, 2010, <http://jnet.ao.dcn/img/assets/6597/ofb417.pdf>.

LEGISLATION

- ◆ **Domestic Partner Benefits** - H.R. 2517 and S. 1102 are identical bills that were introduced in 2009 (*see* August 2009 Current Events) in the House and the Senate to ensure equal treatment to federal civilian employees in same-sex partnerships. Since then, some technical amendments have been made to the bills. H.R. 2517 was reported out of the House Committee on Oversight and Government on January 22, 2010, as the “Domestic Partnership Benefits and Obligations Act of 2009.” The bill may now go to the House floor. *J-Net>Legislation>Employee Pay and Benefits>Domestic Partner Benefits, updated on June 15, 2010*, http://jnet.ao.dcn/Legislation/Employee_Pay_and_Benefits/Domestic_Partner_Benefits.html.
- ◆ **Annual Leave Carryover** - The proposed legislation to grant senior executives in the courts, the Federal Judicial Center, and the Sentencing Commission the ability to carry over from year to year up to 720 hours of annual leave was not included in the Federal Judiciary Administrative Improvements Act that was signed into law by the President on May 27, 2010. The Judicial Conference proposed the amendment to existing law to extend the same benefit that is available to members of the Executive Branch Senior Executive Services. The leave carry-over provision was in the bill when it was originally introduced but was deleted by the Senate-passed version of the bill. *J-Net>Legislation>Employee Pay and Benefits>Annual Leave Carryover*, http://jnet.ao.dcn/Legislation/Annual_Leave_Carryover.html.
- ◆ **Protective Orders and Sealed Settlements** - The “Sunshine in Litigation Act of 2010”, H.R. 5419, was introduced in the House on May 26, 2010, and is similar, but not identical to a pending bill, H.R. 1508, introduced on June 4, 2009. A Senate bill also was introduced in 2009, S.537. H.R. 5419 would place restrictions on the ability of courts to issue protective orders and to seal settlements in civil cases. The bill would require special findings by the court in order to issue protective orders or seal settlements. *J-Net>Legislation>Protective Orders and Sealed Settlements*, http://jnet.ao.dcn/Legislation/Protective_Orders_and_Sealed_Settlements.html.

MONTHLY UPDATES

- ◆ **Bankruptcy Court Administration Division Monthly Update** - The BCAD Monthly Update for June 2010 is available on the J-Net at http://jnet.ao.dcn/Bankruptcy/Monthly_Communications_to_Clerks.html.

- ◆ **District Court Administration Division Monthly Update** - The DCAD Monthly Update for June 2010 is available on the J-Net at http://jnet.ao.dcn/District/Monthly_Communications_Clerks.html.

SECURITY

- ◆ **Internet Safety** - Tips for Internet safety for judges are available on the J-Net. Judges often are the subject of threatening web sites. If threatening web sites are identified, they should be reported to the U.S. Marshals Service (USMS). Judges and other judiciary personnel can monitor social media on-line to locate potentially threatening or inappropriate communications on-line by using social media tools such as Google Alerts, Social Mention, Samepoint, and Digg. These tools automatically search the Internet based on criteria provided, such as a judge's name. Judges or their staff should contact the court librarian for assistance in setting up social media search tools. The USMS has developed a protocol for reporting and investigating Internet threats. The video "Project 365: Security Starts with You" provides a three minute segment featuring Judge Henry E. Hudson, Judicial Conference Committee on Judicial Security, and John F. Clark, Director of the U.S. Marshals Service, explaining how judges and their families can make their lives safer. A booklet entitled "Protecting Your Personal Privacy: A Self-Help Guide" gives tips on how to keep personal information off of the Internet. If a web site contains offensive, but not threatening information, it may not be possible to have it removed but contacting the Internet provider might result in the Internet provider voluntarily removing the offensive content. *J-Net>Court Security>Internet Safety*, http://jnet.ao.dcn/PFriendly/Court_Security/Internet_Safety.html.