

FCCA MEETING MINUTES
Mid Year Board Meeting
Saturday, January 19, 2002 - Orlando, Florida

The Board meeting was called to order by President Joe Haas at 8:30 AM on Saturday, January 19, 2002.

Those present: Joe Haas, President; Jeff Apperson, President-Elect; Betty Jackson, Treasurer; Corrine Szalay, Historian; Sheila Beauchene, Secretary; Circuit Representatives: Jim Starr-1st Circuit; Eileen Levine-2nd Circuit; John Zingo-3rd Circuit; Judy Shelton-4th Circuit; Linda Lee-5th Circuit; Sharon Howard-6th Circuit; Norb Jaworski-7th Circuit; Ian Keye-9th Circuit; Jenine Wright-10th Circuit; June Phillips-11th Circuit; Val Pulley-National; Sheryl Loesch, Clerks Council Chair; Cam Burke, Professional Development Committee Chair; Cris Beeman-Deputy Clerks Council Chair; FCCA *Journal* Co-Editor, Ralph Deloach; Jim Davey, FCCA Foundation; Dawn Bullock and Anna Torres, Central District of California.

President Haas and Sheryl Loesch welcomed the Board members to the meeting and expressed their appreciation to those in attendance, especially members from Central District of California, and Jim Davey, FCCA Foundation Treasurer.

Approval of Meeting Minutes:

Minutes from the meetings held July 31, 2001, August 3, 2001, and October 19, 2001, had previously been prepared and distributed. No corrections to the same. Linda Lee moved to approve the minutes as submitted. Cris Beeman seconded the motion. Motion carried.

Ms. Beauchene reported on the Calendar of Events for publication in the *Journal* and for the website. Board members and Committee chairs were encouraged to submit information for the calendar as soon as possible.

Ms. Beauchene reported on the annual conference survey. Only 13 responses have been received to date. The survey was distributed at the Cleveland conference and also published in the Summer/Fall *Journal* issue. She encouraged all Board members and Officers to remind FCCA members to complete and return the survey to her as soon as possible.

Historian's Report:

Ms. Szalay distributed a written report to the Board. She is preparing the FCCA historical binders and has distributed duplicate copies of pictures to conference vendors following the Cleveland conference.

Treasurer's Report:

Ms. Betty Jackson distributed the following financial reports: FY 01, 4th Quarter, 9/30/01; Statement of Receipts & Disbursements, FY 01, 4th Quarter; 7/1/01 through 9/30/01; Statement of Receipts & Disbursements FY 02, 1st Quarter, 10/01/01-12/31/01; and FY 02 1st Quarter; 12/31/01.

Treasurer Jackson reported as to FCCA finances. Corrine Szalay moved the Board adopt the reports as submitted. Sharon Howard seconded the motion. Motion carried.

Membership:

Joe Haas presented the membership report on behalf of Chair Lance Wilson. Mr. Wilson also prepared a written report. All district and circuit representatives are requested to encourage FCCA membership in their courts. As of January 16, we have 1,090 FCCA members, with 34 courts not having submitted their membership reports. Last year at this time the number was at 1,671. Norb Jaworski noted reasons for the decline in membership may be the increase in dues and many members may be taking a "wait and see" attitude as to how the annual conference plays out. Mr. Haas noted the on-line registration has a few "bugs" to work out, however, it seems to be going well. This new method of registration may be another reason why the numbers are not as high as last year. These few technical problems should be worked out this first year. Mr. Jaworski inquired as to the possibilities of our organization employing an Executive Secretary to handle membership. Mr. Apperson noted there is a large amount of work that goes into membership every fall. This issue should be explored.

FCCA Journal:

Mr. Apperson noted electronic mailing of the *Journal* should be easy to implement since most of the *Journal* is in this form already. We haven't taken advantage of the electronic means we have available for distributing the *Journal*. Co-Editor Ralph Deloach noted electronic transmission is a great idea and a great money saver. It will take two or three years, however, to get this going. He believes the readership will go down initially, with using the electronic format. Initially, the *Journal* would have to be mailed and sent electronically. Discussion held regarding sending the *Journal* to private e-mail addresses. Ultimately, FCCA will need to take the next step for electronic distribution to save money on mailing. Also, many issues are time sensitive and this method will give us that ability to disseminate information quickly.

Eileen Levine noted perhaps the *Journal* could be published more often than quarterly utilizing electronic means. Ian Key requested if the *Journal* is published on the website, it be reformatted as a web publication, so it doesn't look like the actual printed *Journal*.

The Co-Editors of the *Journal* are interested in passing along their duties after the next two issues. Please let them know of anyone who may be interested in this position. The deadline for articles for the Winter *Journal* is January 31, 2002.

Mr. Haas has asked Portland to focus on the conference education information for the next *Journal*.

Report on 911 Fund:

Ms. Levine reported on the 911 fund and distribution of the monies raised to four families on behalf of FCCA. Almost 200 people contributed \$9,000 for this relief fund and the FCCA Foundation and FCCA donated \$500 each to bring the total to \$10,000. Eight courts sent in a substantial amount after holding bake sales and other fundraising activities. Recipients of the funds included three state court officers' families and the cousin of FCCA member Kathleen Brouwer. Ms. Levine, with assistance from Corrine Szalay, coordinated a ceremony which included state court judges, state employees, federal office employees and judges. The ceremony was held on December 21, 2001, at the courthouse in the Southern District of New York. The federal court family reached out with their hearts and hands to state court employees in distributing the monies raised. The ceremony was videotaped, and the Board viewed the video at the luncheon break at the meeting.

Mr. Haas would like each circuit representative to have a copy of the videotape, and the original will remain with the Historian. Copies of the tape will go to the four families and to the state court agencies. Ms. Levine will coordinate this endeavor. Mr. Haas expressed his appreciation to Ms. Levine and Ms. Szalay for all their efforts in planning this event, which is another great example of what FCCA does for others.

Portland Conference:

Mr. Haas reported on behalf of Rob Walsh, Chief Deputy from Portland. He distributed packets of information regarding the conference, and the same was reviewed by the Board. The Portland committee is working diligently on the conference. The Board reviewed all educational and social information. The annual conference will include a Vendor Fair, and this item was discussed. Mr. Haas reviewed the budget with the Board and several specific items were discussed. Mr. Burke requested this information presented today be placed on the FCCA website as soon as possible. John Zingo moved the FCCA Board approve the Portland annual conference budget as presented. Corrine Szalay seconded the motion. Motion carried.

President's Report:

Advisory Committee:

Mr. Haas reported on the Advisory Committee for District Court Administrative Division (DCAD) and the recent meeting he attended. The agenda included many items and he highlighted several of them for the Board: budget and staffing formulas; within one year there will be a model of how to run court financial units with possible suggestions to turn the model into a mandatory requirement; courts should know within the next few weeks what the CM/ECF schedule will be for the next three years; a manual on Stewardship has been prepared and distributed for the courts. The new travel regulations which go into effect on February 1, 2002, were discussed. There could possibly be new regulations for making phone calls and the Administrative Office (AO) may be sending phone billings to each district court office to verify calls.

Mentor Program:

Mr. Haas reported the Mentor program for new clerks in the federal system is underway. This is one of his goals as FCCA president in order to boost clerks' involvement in the Association. He is pleased to report Geri Crockett, Bankruptcy Court Clerk, North Carolina, is the first mentor in the program, and she is mentoring Betsy Paret, Clerk in Eastern District of Virginia. Several other clerks have volunteered to be mentors for this program. Hopefully these new federal clerks will get involved with FCCA early in their careers. Mr. Keye inquired as to the possibility of getting information about FCCA to the clerks as soon as they are appointed. Sheryl Loesch, who is chairing this program, has been in contact with Bob Lowney at the AO and will coordinate this effort.

Jury Summit:

Plans are underway for a Jury Summit to be presented as an educational mechanism for FCCA. This would not be a fundraiser for FCCA, and will be held in the Eastern District of Virginia in August of 2002. Clerk Betsy Paret is organizing this effort on behalf of FCCA. More information will follow regarding the seminar. Cam Burke volunteered to assist Ms. Paret with the conference. Linda Lee moved to approve FCCA backing and support for Betsy Paret for presenting the Jury Summit. Norb Jaworski seconded the motion. Motion carried. President Haas will be at the conference to welcome attendees on behalf of FCCA.

Public Service Award (Foundation):

Mr. Haas reported a letter has been sent to all clerks requesting nominations for the FCCA Foundation Public Service Award. Mr. Jim Davey noted the deadline is February 28, 2002.

Clerk's Council:

Ms. Loesch reported the Clerk's Mentorship program has been implemented by the Clerk's Council. One member, Jim Starr, has already begun working with the newly appointed clerk in the Western District of Virginia. Additionally, Pat Brune is working to find a mentor clerk for the newly appointed clerk in the Southern District of Georgia. Bob Lowney, from DCAD, is going to keep the committee informed when new clerks are appointed.

Deputy Clerk's Council:

Chair Cris Beeman noted the DCC has been working on a mentoring program as well with mentor volunteers for Chief Deputy, Financial Administrator, and Jury Administrator. She has received several calls from other FCCA members who are willing to be mentors.

Ms. Beeman reported on the membership telephone calls Lance Wilson coordinated and these meetings went well. She is also working with Corrine Szalay on the Ross Levy Award. Ms. Beeman has had telephone meetings with almost all the Deputy Clerks Council members and encourages any ideas or suggestions. She thanked everyone for their support in her new position on the Board.

Nominations:

Secretary Beauchene reported on behalf of Nominations Chair Le Kelleher. Ms. Kelleher prepared a written report which was distributed to the Board. Elections this year will be for Treasurer, Historian, even numbered Circuit representatives, including National representative.

ByLaws Committee:

Mr. Haas advised the Board that there needs to be some discussion and clarification in the FCCA By-laws now that the President & President-Elect positions are two year terms. Clarification is needed as to what happens if either of these two officers leaves office in the first year of their term. There should be a by-law in place for either an election be held at the next meeting, depending on when this happens; or, a special election be held. President Haas will request By-Laws Committee Chair Chris Johnson to research this issue and propose such a by-law to the membership.

Awards:

Ms. Beauchene reported on behalf of Ms. Valentine. The Awards Committee for 2002 has been appointed. The deadline for Special Service Awards is set for May 31, 2002. Please contact Ms. Valentine if you have any questions or have any ideas for this committee.

Site Selection:

Ms. Lee advised the Site selection committee has not been active recently, since the annual conference locations are set through 2004. Ms. Lee recommends the mid-year board meeting be held in Los Angeles in January 2003. A hotel room rate of \$95 for up to four people in one room can be negotiated at the same hotel the 2004 annual conference will be held. Ms. Lee was requested to further research either Los Angeles or Orlando as possible locations for the mid-year meeting next year.

Ms. Lee has been arranging for hotel accommodations for the mid-year board meeting for the past several years as an additional duty of the committee.

Professional Development:

Cam Burke reported as to FCCA and NCBC organizations working cooperatively on conferences and other cost sharing issues. One association would make us stronger as a whole with education and annual conferences. He would recommend a committee study this issue and the numerous possibilities. Mr. Apperson noted the commitment of both organizations must be given for more joint activities to be organized. He believes the evolution of our two organizations is inevitable. It was noted the Board approved this issue be studied at the January 15, 2000, mid-year board meeting. This is an item the Long-Range planning committee should rekindle and review. It could be possible for the 2004 annual conference set for Los Angeles be a joint conference, and it should definitely be considered for 2005. President Haas would like to see the NCBC & FCCA Boards hold a joint meeting at the next joint conference.

FCCA Foundation:

Mr. Jim Davey reported on behalf of the FCCA Foundation, and distributed an outline regarding the status of the Foundation and various other issues. He expressed his concern about the future of the Foundation in the event the Foundation does not continue with their fundraising efforts for FCCA, then what would their role be. The Foundation wants a mutual trust and respect between FCCA and the Foundation. Mr. Davey requested the Board give the Foundation, its individual members, and Chris Dreps, the Foundation's Administrative Assistant, a vote of confidence. Mr. Deloach advised he doesn't want to see the Foundation close or fold, and he hopes we can work things out over the next year. Further discussion held regarding the Foundation and its relationship with FCCA.

Ms. Lee moved the FCCA Board give the Foundation and Chris Dreps a vote of confidence, and we work out other issues and roles. She expressed her appreciation for all the support the Foundation has provided FCCA through the years. Eileen Levine seconded the motion. Motion carried.

Mr. Keye commented regarding the whole issue of communication and the letter which was sent from the Portland Conference Committee in January 2002. He noted the Board needs to have more of a say in what goes out from the host courts regarding conferences. At the very least, the Board should have reviewed the letter which was sent out to FCCA members and vendors. Mr. Deloach noted a group of FCCA members should be formed to take a close look at this issue.

President Haas reported on the cooperation with the Foundation. We need a letter to the Ethics committee so we have a clear direction. This letter needs to be written soon after research is completed on these various issues. Discussion held regarding the history of the Foundation, the prior General Counsel opinions, and fundraising questions. The Foundation was established to raise money and approach vendors so the judicial employees were not involved in raising any monies. It was noted the General Counsel advised the FCCA Board to set up such a Foundation. There appears to be different interpretations of the prior opinions from the Administrative Office and clarification is needed. Mr. Burke advised this first contact should be done informally with General Counsel.

Mr. Haas advised the Board that we need to have an answer to the question: "Can I, as judicial employee, go to a meeting where the costs have been offset from contributors from (and then the specific options and examples need to be listed)?"

Mr. Davey also suggested perhaps FCCA focus energy on life without sponsors, but not without a good effort in seeking out a legal way to use sponsors. There should be ways we can raise money to fund conferences. Registration costs may be too high for some deputies if this offset does not continue.

Before any court puts in a bid for an annual conference, they will need to know all the facts about fundraising and the money issues. The Board must have more control over the annual conference issues or there will be different rules to be applied every year for conferences depending on the interpretations from the Clerks and Chief Judges. The Board needs to know what the Rules are from the AO, however so the

host clerks are advised up front. Norb Jaworski inquired as to whether we should check into a Conference Planner for future conferences. This could be a parallel issue.

Jim Starr moved the FCCA President appoint a committee to research this issue, make an initial draft of a letter to the Ethics Committee of the Judicial Council, and distribute the letter to the Board prior to mailing so comments can be heard. Judy Shelton seconded the motion. Motion carried. Committee appointed as follows: Cam Burke, Ralph Deloach, Jim Starr, Jeff Apperson (Chair), with assistance from the FCCA Foundation members. The deadline of April 1, 2002, was set for a progress report by this committee.

New Business:

Jim Starr proposed the idea of having annual conferences every other year and supplementing with regional conferences throughout the year. Discussion held. Eileen Levine was appointed to chair a committee to generate ideas as to regional conferences held in conjunction with mid-year board meetings. The last regional conference held in Las Vegas, in 1997 was very successful. Ms. Levine will explore ideas for education and location, and work in conjunction with Site Selection Chair Linda Lee.

Mr. Starr suggested the membership drive be done every two years. The efforts that we focus on membership could be channeled if it was accomplished every other year. Discussion held.

Next Board meeting set for Thursday, April 4, 2002, at 11:30 AM (CST). Mr. Haas expressed his appreciation to the Board for their input at this meeting. Many issues were discussed, with opinions and ideas offered.

Sharon Howard moved the meeting adjourn. Corrine Szalay seconded the motion. Motion carried. Recess 2:55 PM.

Respectfully submitted,

Sheila Beauchene, FCCA Secretary

Handouts:

1. Minutes from meetings held July 31, 2001, August 3, 2001, and October 19, 2001. (Sheila Beauchene)
2. Treasurer's reports (4) (Betty Jackson)
3. Historian's report (Corrine Szalay)
4. Membership committee report (Lance Wilson)
5. Portland conference brochure (Rob Walsh)
6. Nominations report (Le Kelleher)
7. FCCA Foundation outline (Jim Davey)