



# FCCA *Journal*

*Official Publication Of The Federal Court Clerks Association*

Vol. III No. 6

Spring 2005



***Chicago 1931 to Chicago 2005  
Ride the Wind of Possibilities***

Presorted  
First-Class  
U.S. Postage PAID  
Permit No. 1148  
Wichita, KS

# CourtCall®

## There is a better way to keep the wheels of justice turning . . .



... without making attorneys travel  
and wait in line for a brief appearance.



If this looks familiar, you do not have a full-service Court and should join the hundreds of other Courts that trust CourtCall to handle their telephone appearances.



Find out how CourtCall can offer your Court a simple and innovative solution for telephonic appearances at no cost to the Court.

- Enhances courtroom efficiency
- Program tailored to individual Judge
- State of the art technology provided to Court at no charge
- No change to Judge's schedule
- Courtroom staff burden reduced

### CALIFORNIA

Court of Appeal  
6th Appellate District  
Amador County Superior Court  
Bakersfield Superior Court  
Butte County Consolidated Court  
Calaveras Superior Court  
Colusa Superior Court  
Contra Costa County Superior Court  
Del Norte Superior Court  
El Dorado County Superior Court  
Fresno Superior Court  
Glenn County Superior Court  
Humboldt Superior Court  
Imperial County Superior Court  
Kern County Superior Court  
Kings County Superior Court  
Lassen County Superior Court  
Los Angeles County Superior Court  
Madras Superior Court  
Marin County Superior Court  
Mendocino County Coordinated Court  
Merced Superior Court  
Modoc Superior Court  
Mono County Superior Court  
Napa Superior Court  
Orange County Superior Court  
Placer Superior Court  
Plumas Superior Court  
Riverside Superior Court  
Sacramento Superior Court  
San Benito Court  
San Bernardino Superior Court  
San Diego Superior Court  
San Francisco Superior Court  
San Joaquin County Superior Court  
San Luis Obispo County Superior Court  
San Mateo County Superior Court  
Santa Barbara County Superior Court  
Santa Cruz Superior Court  
Shasta County Superior Court  
Sierra County Superior Court  
Siskiyou Superior Court  
Solano Superior Court  
Sonoma County Superior Court  
Stanislaus County Superior Court  
Tehama County Superior Court  
Trinity County Superior Court  
Tulare County Superior Court  
Tulare Superior Court  
Yuba County Superior Court

### ARKANSAS

11th Judicial Circuit District  
Arkansas County  
Faulkner County

### MONTANA

12th Judicial District Court

### NEVADA

Second Judicial Court  
Reno Justice Court

### FLORIDA

First Judicial Circuit  
Fifth Judicial Circuit  
Twelfth Judicial Circuit  
Thirteenth Judicial Circuit  
Eighteenth Judicial Circuit  
Nineteenth Judicial Circuit

### GEORGIA

Atlanta Superior Court

### INDIANA

Marion County Superior Court

### LOUISIANA

Eleventh Judicial District  
Fourth Judicial District  
Twenty-Sixth Judicial District

### MARYLAND

Second Circuit Court  
Talbot County Court

### MICHIGAN

36th District Court  
Washtenaw County Trial Court  
18th Judicial Circuit

### MISSISSIPPI

4th Circuit Court

### NEW JERSEY

New Jersey Superior Court  
Bergen  
Bridgeton  
Burlington  
Camden  
Cumberland  
Essex  
Gloucester  
Hudson  
Huntdon  
Mercer  
Middlesex  
Monmouth  
Morris/Sussex  
Oceana  
Passaic  
Salem  
Somerset  
Toms  
Union  
Warren

### NEW MEXICO

Dona Ana County  
First Judicial Circuit of Santa Fe

### NEW YORK

New York Superior Court  
New York City

### OHIO

Seneca County Common Pleas Court

### TEXAS

22nd District Court  
33rd District Court  
38th District Court  
63rd District Court  
66th District Court  
75th District Court  
105th District Court  
133rd District Court  
206th District Court  
219th District Court  
238th District Court  
286th District Court  
325th District Court  
360th District Court  
389th District Court  
400th District Court

### County Courts

Bishop  
Cherokee  
Hidalgo - #1  
Hondo  
Lufkin  
Madina  
Midland  
San Angelo  
Tom Green  
Tarrant

### UTAH

4th District Court

### WASHINGTON

Cowlitz County Superior Court  
Island County Superior Court  
Spokane County Superior Court

### WEST VIRGINIA

4th Judicial Court

### U.S. DISTRICT COURT

Eastern District of California  
Northern District of California  
Southern District of California

### U.S. BANKRUPTCY COURT

#### ARIZONA

District of Arizona

#### CALIFORNIA

Central District of California  
Eastern District of California  
Northern District of California

#### HAWAII

District of Hawaii

#### ILLINOIS

Northern District of Illinois

#### IOWA

Northern District of Iowa

#### NEW JERSEY

USDC - New Jersey

#### NEW YORK

Southern District of New York

#### OREGON

District of Oregon

#### TEXAS

Northern District of Texas

#### Wyoming

District of Wyoming

\*This is only a partial list of our participating courts. Not all judges allow CourtCall Appearances.

You are not a full-service Court  
without CourtCall® Telephonic Appearances.

Call for Details:  
888-882-6878

# Spring 2005

## Articles on the FCCA Web site:

- Board Meeting Minutes of January 15, 2005
- Statement of Receipts and Disbursements for the First Quarter
- FCCA Treasurer's Report - FY 2005 - First Quarter

## In this issue:

# FCCA Journal

President's Message	4
From the Editor	5
IMPACT (Reprint) 2005 Conference	6
It Won't Let You Down	6
Teamwork	7
Site Selection Update	7
2005 NCBC/FCCA Combined Conference	7
FCCA Fund Raiser Bags	8
Clerks' Council Update	9
Share Your Time	10
In the Next Issue	11
Nominations Are In!	11
President-Elect Profiles	12
Spotlight on Members	13
Absentee Ballot/Bylaw Amendments	14
Absentee Ballot/National Officers	15
Process Redesign Program	17
Pioneering MJSTAR in Kansas	17
Recipes for Relief	18
Blood Drive Report	18
"Quotes to Ponder"	18
Blood for Life Report Form	19
Mich. State Univ. Judicial Admin. Courses	20
New Conference Advisory Committee	21
Report on Mid-Year Meeting	21
Mid-Year Meeting Photos	22
Juror Mgmt. & Utilization Workshops	23
Are We Security Conscious?	25
Sentencing Guidelines Decisions	25
Help! Help! Help!	26
FCCA District Rep. Contact List 2005	27
FCCA Membership Application	30

### OFFICERS

**President**, Jeff Apperson, Clerk  
U.S. District Court, Western District of Kentucky  
(502) 625-3520  
[jeff\\_apperson@kywd.uscourts.gov](mailto:jeff_apperson@kywd.uscourts.gov)

**Past-President**, Joseph Haas, Clerk  
U.S. District Court, District of South Dakota  
(605) 330-4447  
[joe\\_haas@sdd.uscourts.gov](mailto:joe_haas@sdd.uscourts.gov)

**President-Elect**, Sheryl Loesch, Clerk  
U.S. District Court, Middle District of Florida  
(407) 835-4222  
[sheryl\\_loesch@fimd.uscourts.gov](mailto:sheryl_loesch@fimd.uscourts.gov)

**Secretary**, Sue Rigan, Assistant Oper. Manager  
U.S. District Court, Western District of Michigan  
(616) 456-2396  
[sue\\_rigan@miwd.uscourts.gov](mailto:sue_rigan@miwd.uscourts.gov)

**Treasurer**, John Zingo, Financial Manager  
U.S. District Court, Eastern Dist. of Pennsylvania  
(267) 299-7106  
[john\\_zingo@paed.uscourts.gov](mailto:john_zingo@paed.uscourts.gov)

**Historian**, David Stechmann, Courtroom Deputy  
U.S. District Court, Eastern District of Louisiana  
(504) 589-7690  
[david\\_stechmann@laed.uscourts.gov](mailto:david_stechmann@laed.uscourts.gov)

### BOARD OF DIRECTORS

**First**, Virginia Hurley, Learning and Development Manager  
U.S. District Court, District of Massachusetts  
(617) 748-9166  
[ginny\\_hurley@mad.uscourts.gov](mailto:ginny_hurley@mad.uscourts.gov)

**Second**, Maria J.Q. Carpenter, Jury Administrator  
U.S. District Court, District of Connecticut  
(860) 240-3208  
[maria\\_carpenter@ctd.uscourts.gov](mailto:maria_carpenter@ctd.uscourts.gov)

**Third**, James Murphy, Jr., Chief Deputy Clerk  
U.S. District Court, District of New Jersey  
(908) 565-0090  
[james\\_murphy@njd.uscourts.gov](mailto:james_murphy@njd.uscourts.gov)

**Fourth**, Elizabeth (Betsy) Paret, Clerk  
U.S. District Court, Eastern District of Virginia  
(703) 299-2178  
[elizabeth\\_paret@vaed.uscourts.gov](mailto:elizabeth_paret@vaed.uscourts.gov)

**Fifth**, Nancy Olansky, Retired  
4935 Brandeis St.  
San Antonio, TX 78249  
(210) 641-7185  
[ohwhy883@cs.com](mailto:ohwhy883@cs.com)

**Sixth**, Cheryl Sweat, Administrative Assistant  
U.S. District Court, Eastern District of Tennessee  
(865) 545-4234 Ext. 225  
[cheryl\\_sweat@tned.uscourts.gov](mailto:cheryl_sweat@tned.uscourts.gov)

**Seventh**, Steve Ludwig, Clerk  
U.S. District Court, Northern District of Indiana  
(574) 246-8043  
[steve\\_ludwig@innd.uscourts.gov](mailto:steve_ludwig@innd.uscourts.gov)

**Eighth**, Susan Kern, Deputy Clerk  
U.S. District Court, Southern District of Iowa  
(515) 284-6299  
[susan\\_kern@iasd.uscourts.gov](mailto:susan_kern@iasd.uscourts.gov)

**Ninth**, Marianne Matherly, Deputy in Charge  
U.S. District Court, Eastern District of California  
(559) 298-7257  
[mmatherly@caed.uscourts.gov](mailto:mmatherly@caed.uscourts.gov)

**Tenth**, Ralph L. DeLoach, Clerk  
U.S. District Court, District of Kansas  
(913) 551-5734  
[ralph\\_deloach@ksd.uscourts.gov](mailto:ralph_deloach@ksd.uscourts.gov)

**Eleventh**, Yvonne Goodloe, Chief Deputy Clerk  
U.S. District Court, Middle District of Alabama  
(334) 954-3613  
[yvonne\\_goodlow@almd.uscourts.gov](mailto:yvonne_goodlow@almd.uscourts.gov)

**National**, Bettina Guerre, Administrative Assistant to Hon. Richard Linn  
U.S. Court of Appeals for the Federal Circuit  
(202) 312-5552  
[elizabethg@cafc.uscourts.gov](mailto:elizabethg@cafc.uscourts.gov)

**CLERKS COUNCIL**  
Chair, William McCool, Clerk  
U.S. District Court, Northern District of Florida  
(850) 521-3530  
[william\\_mccool@fnd.uscourts.gov](mailto:william_mccool@fnd.uscourts.gov)

### DEPUTY CLERKS COUNCIL

Cris Beeman, Chair, Assistant to Deputy in Charge  
U.S. District Court, Central District of California  
(714) 338-4760  
[cristina\\_beeman@caed.uscourts.gov](mailto:cristina_beeman@caed.uscourts.gov)

### COMMITTEE CHAIRS

**Journal Editor**, Patricia McNutt, Clerk  
U.S. District Court, Eastern District of Tennessee  
(865) 545-4244  
[patricia\\_mcnutt@tned.uscourts.gov](mailto:patricia_mcnutt@tned.uscourts.gov)

**Site Selection, Chair**, Virginia (Ginny) Hurley  
Learning and Development Manager  
U.S. District Court, District of Massachusetts  
(617) 748-9166  
[ginny\\_hurley@mad.uscourts.gov](mailto:ginny_hurley@mad.uscourts.gov)

**Co-Chair**, Maria Carpenter, Jury Administrator  
U.S. District Court, District of Connecticut  
(860) 240-3208  
[maria\\_carpenter@ctd.uscourts.gov](mailto:maria_carpenter@ctd.uscourts.gov)

**Legal Issues**, J. Barry Dunford, Clerk  
U.S. Bankruptcy Court, Western District of Louisiana  
(318) 676-4267  
[barry\\_dunford@lawb.uscourts.gov](mailto:barry_dunford@lawb.uscourts.gov)

**Awards**, Sue Rigan, Assistant Operations Manager  
U.S. District Court, Western District of Michigan  
(616) 456-2396  
[sue\\_rigan@miwd.uscourts.gov](mailto:sue_rigan@miwd.uscourts.gov)

**Nominations**, Anne Stygles  
U.S. Court of Appeals for Veterans Claims  
(202) 501-5970 Ext. 1030  
[astygles@vetapp.gov](mailto:astygles@vetapp.gov)

**By-Laws**, Robert Heinemann, Clerk  
U.S. District Court, Eastern District of New York  
(718) 260-2270  
[robert\\_heinemann@nyed.uscourts.gov](mailto:robert_heinemann@nyed.uscourts.gov)

**Finance**, Yvonne Goodloe, Chief Deputy Clerk  
U.S. District Court, District of Alabama  
(334) 954-3613  
[yvonne\\_goodloe@almd.uscourts.gov](mailto:yvonne_goodloe@almd.uscourts.gov)

**Planning**, Sheryl Loesch, Clerk  
U.S. District Court, Middle District of Florida  
(407) 835-4222  
[sheryl\\_loesch@fimd.uscourts.gov](mailto:sheryl_loesch@fimd.uscourts.gov)

**Retirees**, Kay Mixon, Retired  
2215 Branch Drive  
Chesapeake, VA 23321  
(757) 488-8149  
[kaymixon@cox.net](mailto:kaymixon@cox.net)

Edith Jasmin, Retired  
3508 Park Place  
Springfield, NJ 07081  
(973) 376-2395  
[ejazmin@comcast.net](mailto:ejazmin@comcast.net)

**Membership**, Pam Twiford, Chief Deputy of Operations  
U.S. Court of Appeals, Federal Circuit  
717 Madison Place, NW, Room 401  
Washington, DC 20439  
(202) 312-5522  
[twifordp@cafc.uscourts.gov](mailto:twifordp@cafc.uscourts.gov)

**Professional Development**, Ian Keye, Operations Administrator  
U.S. District Court, Northern District of California  
(415) 522-2003  
[ian\\_keye@cand.uscourts.gov](mailto:ian_keye@cand.uscourts.gov)

## our editors:

### Managing Editor

Patricia L. McNutt  
U.S. District Court  
Eastern District of Tennessee  
800 Market Street, Suite 130  
Knoxville, TN 37902-2303  
(865) 545-4244

### Executive Editor

Jeffrey A. Apperson  
United States District Court  
Western District of Kentucky  
601 W. Broadway, Suite 106  
Louisville, KY 40202  
(502) 625-3522

The Journal is published three times a year by the Federal Court Clerks Association. Articles for publication may be sent to the Managing Editor, Patricia McNutt, by e-mail at [patricia\\_mcnutt@tned.uscourts.gov](mailto:patricia_mcnutt@tned.uscourts.gov). Inquiries regarding the association may be directed to the President, Jeffrey Apperson, United States District Court, Western District of Kentucky, 601 W. Broadway, Suite 106, Louisville, KY 40202, (502) 625-3522.



# PRESIDENT'S MESSAGE

By Jeffrey A. Apperson, Clerk, Western District of Kentucky



This will be my last article as President of FCCA. It has been a privilege to serve in this esteemed position with my outstanding fellow officers and board members. It will likewise be an honor to support Sheryl Loesch as the incoming President of FCCA. She is energetic, caring and intelligent. I hope to be able to thank all of you in Chicago!

There will be an election in Chicago this year, where every attendee will have the opportunity to vote on those candidates nominated. Those currently nominated for president-elect are Bill McCool, Clerk of the United States District Court for the Northern District of Florida, and Jim Murphy, Chief Deputy Clerk for the District of New Jersey. All candidate biographies are included in this edition of the *FCCA Journal*. I'm sure you will share my opinion that we are fortunate to have such qualified candidates willing to serve. Our Nomination's Committee Chair, Anne Stygles, will collect all absentee ballots. Please note that the ballots also contain three proposed bylaw amendments.

I encourage you to take a look at our Web site, [www.fcca.ws](http://www.fcca.ws). It continues to improve with each month. At the bottom of the FCCA home page, you will see the link to the Chicago Conference Web site, one of the best designed conference sites I have seen. The site contains all the information you need about this excellent location and agenda. My deepest gratitude to the employees of the United States District and Bankruptcy Courts for the Northern District of Illinois and the Clerks, Mike Dobbins and Ken Gardner.

I hope that Chicago will present an opportunity not only to gain knowledge but to share experiences and concerns about change. I have several concerns. These concerns are mixed, however, with appreciation, appreciation for the opportunity to work for one of the finest institutions to ever evolve over the last 216 years. I began to say conceived, but the conceptions were established long ago by philosophers; it was the strong public will over these years and courageous judges that provided the forge to create a model system of justice for the world to study. Thanks to the Administrative Office, International Relations' Committee of the Judicial Conference and its staff, the FJC, Department of State and Library of Congress, the world has the opportunity to examine our model for administering justice. I also appreciate the difficulties facing our leaders on the Judicial Conference, its committees, the Administrative Office and FJC. We must all work together to protect the level of service to the public and our public image. I have always tried to adhere to these principles.

Fiscal Year 2006 is a challenge to be faced together. We all know that budgets are tightening and policies are being developed to cover contingen-

cies. So far, I believe we have been provided the tools to reduce requirements by way of voluntary incentives. I am grateful we have these tools. I am concerned, however, about the effects of relying on budget reductions at the court unit level as a primary option for savings in the national spending plan. I am concerned because the stress of implementing reduced spending plans at the local level is borne by Clerks of Court and their staff. I am concerned because at some point, the administrative and operational resources at the local level may diminish to the point where jurisdiction is affected. For example, there is an association between clerical resources and delay. Small things, like whether we have funding to maintain and operate systems we have become dependent on like courtrooms of the future (or present). One thing is clear, we need to work together to address our concerns. We cannot divide against ourselves.

A last word. I want to dedicate this edition of the *FCCA Journal* to those members of the judiciary and families that have lost their lives or passed away due to natural causes. Judge Lefkow's husband, Michael F. Lefkow, and mother, Donna Grace Humphrey; the members of the Fulton County Superior Court in Atlanta, Judge Rowland Barnes, Julie Ann Brandau, Court Reporter and Sgt. Hoyt Teasley, Sheriff's Deputy; the passing of Joe Wroten, Bankruptcy Clerk for the Northern District of Mississippi and Joe Simmons who recently retired as Bankruptcy Clerk for the Eastern District of Pennsylvania will long be remembered. I know that I represent all of us in mourning this loss.

Finally, I want to thank Chief Judge Heyburn and the judges and staff of the Western District of Kentucky for their support of FCCA and

Continued on page 5

---

## President's Message

Continued from page 4

me. We have always had close to 100% of our employees as FCCA members and the judges have never questioned all my outside involvement. Hopefully, I'll take what I've gained from this experience and turn it into something beneficial for my court.

I wish you all the best. May your careers be successful!



## From the Editor



By Patricia McNutt, Clerk,  
Eastern District of Tennessee

Spring is here - the flowers are blooming, the birds are singing, and the bees are buzzing. Spring puts a spring in our steps. Many of us feel lighter, brighter and happier. Why is this? Are we getting too much oxygen or is this a sign of oxygen deprivation? Neither. This euphoria occurs because, like nature, we are reinvigorated, revitalized, refreshed. In other words, we are renewed - like new again.

How can we maintain this state of renewal throughout the year, without having to wait for winter to turn to spring? The key, I think, is to do new things, or to do old things differently; in other words, make a change at home and at work.

A simple change - like a new hairstyle, new tie, new dress, etc., often makes us feel renewed. Learning or improving a skill, such as golf, tennis, or swimming, can reinvigorate us. We

may feel energized and uplifted when we read a self-improvement book and implement some of its practices. It really doesn't take much to give us that "new again" feeling. Making new friends, working to help others, improving our efficiency at work, and getting involved in challenging projects, are ways to revitalize, refresh and reinvigorate us.

Membership in the FCCA provides you with the opportunities to renew yourself. For starters, the FCCA/NCBC conference in Chicago provides an excellent opportunity to renew old friendships and make new ones; to learn new skills and to enjoy the excitement of a big city. If you have not attended a conference before, here is a chance to do something new that will change your life. You will never want to miss a conference! (See *2005 Conference* and *It Won't Let You Down*, p. 6.)

FCCA membership also gives you the opportunity to get involved in challenging projects and undertake a leadership role. Contact Robin Tabora if you would like to serve on the New Conference Advisory Committee. (See Robin's article on p. 21.) Or if you like FCCA history, David Stechmann could really use your help in setting up the Traveling Memorabilia and Mementos Exhibit Show. (See *Help, Help, Help!* at p. 26.) The FCCA also needs enthusiastic members who want to be leaders of the organization. If you are interested in running for office or serving as a circuit representative in one of the odd-numbered circuits, throw your hat into the ring. It's time for nominations. (See *Nominations Are In!* p. 11.) Even if you are not interested in a leadership position, be sure to vote on the candidate of your choice, either by absentee ballot (p. 15) or in person at the conference. Also, there are several amendments to the By-Laws for members to consider, so remember to cast your vote on these as well, again either by absentee ballot (p. 14) or in person at the conference.

Now if this isn't enough to get you feeling renewed, there is more you can do. You can help others by donating blood, (pgs. 18-19), donating leave (p.10), or creating your own charitable service project like the federal judiciary employees did in Fargo, North Dakota (*Recipes for Relief*, p. 18).

Maybe you are feeling down about work. What better way to raise your spirits and motivate yourself than by engaging in projects that can improve efficiency of yourself and others. For inspiration, read the article on *Process Redesign Program* (p. 17), *Pioneering MJSTAR in Kansas* (p. 17), and *Juror Management and Utilization Workshops Again Offered by Federal Judicial Center* (p. 23). Or write an article for the *Journal* on a timely topic that will inform your colleagues and make them more aware of an important issue. (See *Are We Security Conscious* and *Sentencing Guidelines Decisions Impact Work of Clerk's Offices: While final result not the bombshell expected, Clerk's Office will face increased workload*, p. 25.)

Perhaps you are too stressed and just don't have the energy to take any of these suggestions for renewal. If so, here is a tip that might help. Stress can zap our strength, energy and happiness and leave us feeling powerless to act. I read a recent article about stress that made the following analogy. Stress is like carrying a weight around. You can carry it around for so long until physically you just can't do it anymore. It is like holding a five pound jar of water in one hand. You can do it for a while but at some point your arm tires and you have to put it down. After your arm has rested, you can pick it up and hold it again for a while. Like the jar of water, you also need to put down your stress and take a rest. By letting the stress go for a time, and getting involved in an activity you enjoy, you can renew yourself. We hope that FCCA can provide you with activities that will bring renewal.

Smile - it's spring!



## 2005 Conference It Won't Let You Down

### FCCA/NCBC Conference in Chicago - July 4 - 8



By Sandy Smith



The Northern District of Illinois is hosting the 2005 FCCA/NCBC Combined Conference in the "Windy City," of Chicago, Illinois, from Monday, July 4 through Friday, July 8, 2005. The court has added a link to the NCBC web site for some great conference information. Check it out now for booking your hotel and take a peek at the still-evolving conference agenda. Registration for the workshops, as well as other new information, is expected to be online in early April. Bookmark the site and check it often to plan for a great conference. The 2005 Combined Conference continues the FCCA and NCBC's commitment to offer a college credit program through Michigan State University. This year's core classes offer Casflow Management and Purposes & Responsibilities of the Court. Take advantage of this program to earn college credits. Enough cannot be said about this innovative program and its variety of options to add to your education possibilities. The FCCA/NCBC Combined Conference will be held at the Hyatt Regency Chicago Hotel which is in the heart of the city. It is located just blocks away from Navy Pier, the Magnificent Mile and the impressive lakefront. July is a really great month to come to Chicago. The only downer is that the Cubs are not in town during the conference. Otherwise, all is set for a perfect time!



By Ian Keye, Chair, Professional Development Committee

Chicago! Fourth of July! FCCA! NCBC! Need we say more?

Final preparations are being made for this year's big Joint Conference of the Federal Court Clerks Association and the National Conference of Bankruptcy Clerks in the Windy City. A great selection of educational sessions is being offered with classes and events that have been designed to appeal to all judiciary employees. Participants will have the opportunity to choose from up to seven different topics for each of eight break-out sessions, including credit-bearing MSU courses!

Whether your interests lie with effective communication, Chicago lore, financial planning, goal setting, web design or courtroom technology, you are certain to have the time of your life in Chicago.

And, speaking of good times, how about a cruise on the lake? Or, a night at the ballpark watching and cheering on the venerable White Sox!

All conference events will be held at the 5-star Hyatt Regency Chicago hotel with a room rate of only \$129 per night—for up to four people! Registration must be completed on-line at the following site: <https://tdi.ilnb.uscourts.gov/conference2005/> with a discount available to all who enroll by May 31.

Make it your kind of town. Come to Chicago and Ride the Wind of Possibilities.



---

## Teamwork

By Ginny Hurley, Site Selection, Chair

This issue of the *Journal* presents the official debut of the Boston 2006 FCCA Conference logo. The logo was designed by Edis Feldhouse, our very talented Unix Systems Administrator. Team Boston couldn't be more thrilled with the results.

You'll notice that the 't' in the logo is a picture of the Minuteman statue in Lexington, Massachusetts, erected to memorialize the men who volunteered



to serve this country as our forefathers fought for our independence. The Minutemen were an elite group culled from this country's Militia, trained to serve "at a minute's notice." Without that teamwork and expertise, this country would not be what it is today.

Team Boston has selected the theme of "United We Stand/Let Freedom Ring" for our conference in honor of our proud New England heritage. New England has always been known for its teams: from the Minutemen of 1776, to the champion Patriots and Red Sox teams of today!



## Site Selection Update

By Ginny Hurley and Maria Carpenter,  
Co-Chairpersons

During the midyear board meeting on Saturday, January 15, 2005, in Boston, MA, the site selection committee received approval from the board of directors to solicit bids from courts west of the Mississippi for the site of the 2007 FCCA Conference.

Letters were sent out and we are pleased to announce two courts have expressed an interest in hosting the conference. A packet with additional information was sent to those courts to help them prepare their bids. The completed bids will be reviewed by the site selection committee and presented to the board at the meeting in Chicago.

We are very excited to be a part of the process to pick our conference site for 2007. The next host court will be announced at the business meeting in Chicago. Stay tuned!



## 2005 NCBC/FCCA Combined Conference

By Pat Ellena  
Administrative Assistant  
to the Clerk/ILNB

Chicago is waiting to welcome you. We are only a short two and a half months away from the 2005 NCBC/FCCA Conference. Spring has sprung in our fair city with flowers blooming and everything green again. The sun is shining and all is right with

the world! We have been working diligently to make this conference one that will stand out in your memories.

To get to the conference web site you can use the link on the NCBC web site, or the FCCA web site, or go to <https://tdi.ilnb.uscourts.gov/conference2005/index.htm>. Registration is easy and practically painless. (It just hurts a little to pay your fees.) Just think of all the new ideas, education credits, retirement information, interesting things to do and new people to meet that this conference offers. Be sure to visit our collectibles page while you are on the web site. We have some really nice things that you can purchase that will be a nice reminder of the conference and your "Chicago" experience.

Remember our baseball outing. The price of the White Sox baseball game is \$86.00 per person. For that you get to sit in a luxury suite which has air-conditioning, (Chicago summers can be very hot and humid), or an outside veranda overlooking the field. You will be able to have unlimited food and drinks before and during the game. The food will be served buffet style and will cover all the usual "baseball" foods that always taste better in the ball park than any other place. We all know that no baseball game experience is complete without mustard dripped down your shirt or dripped on your shoes. A full bar with beer, wine and other alcoholic and nonalcoholic drinks will be offered.

As you read this please stop and take time to register. Don't miss all the fun, learning and networking opportunities the conference offers.



---

## FCCA FUND-RAISER BAGS

These bags will be available at the Chicago Conference. However, if you would like to order one and have it shipped, please complete the form below. The bags are 18 inches long, 10 inches wide and 11 inches high and include a strap.

Please send \_\_\_\_ bag(s) at \$15.00 each plus shipping costs at \$2.00 each to:

---

Name

---

Address

---

Preferred Color - \_\_\_Yellow, \_\_\_Purple, \_\_\_Blue, \_\_\_Red

---

Send request to:

---

John Zingo, FCCA Treasurer, 5002 Essex Lane, Mt. Laurel, NJ 08054

---



---

## Clerks' Council Update

*By Bill McCool, Chair, Executive Board  
District Clerk, N.D. Fla.*

The Executive Board of the FCCA Clerks' Council held its quarterly meeting via conference call on January 26, 2005. The Executive Board consists of district clerks from across the Judiciary who serve two-year terms. The current Board includes Clarence Maddox, Court Administrator/Clerk for the Southern District of Florida; Karen Mitchell, Clerk of the Northern District of Texas; Kevin Rowe, Clerk of the District of Connecticut; Geri Smith, Clerk of the Northern District of Ohio; Lance Wilson, Clerk of the District of Nevada; Jim Woodward, Clerk of the Eastern District of Missouri; and me.

Jeff Apperson and I reported on the planning for this year's FCCA/NCBC Conference in Chicago. The conference runs from July 4-8. We traditionally have conducted a Clerks/Chief Deputies Luncheon the first day of the conference. The schedule for this year's conference, because it is a joint conference with NCBC, required us to alter the traditional schedule and plan a round-table discussion instead. The Board liked the idea of a round-table discussion and suggested we examine the Judiciary's cost containment initiative, specifically what measures can be taken to preserve on board staffing levels in district courts. As of the writing of this article, we are still working with the Chicago planning group for the conference on the final agenda for this session.

The Board agreed FCCA needs to conduct meaningful educational seminars that will appeal to district clerks. The Board liked the idea of inviting key staff from the A.O. and from Judicial Conference Committees to address the clerks at the conference. We will continue to work with the Chicago group and with future conference planning groups to provide the best opportuni-

ties for clerks and therefore encourage more clerks to attend the annual conferences.

The Board also discussed the Compensation Study being conducted by the Judicial Resources Committee. Clarence Maddox, Court Administrator/Clerk in the Southern District of Florida is a member of the Working Group. Clarence noted the first meeting of the group was set for the first week in February. The study group will examine compensation for all levels of court staff and provide recommendations to the Judicial Resources Committee on how to control compensation and thereby reduce costs in the Judiciary. The Board is very interested in this initiative and requested Clarence report back on the activities of the study group.

My term as Chair of the Executive Board expires at the FCCA/NCBC Conference this coming July in Chicago. Sheryl Loesch, incoming FCCA President, will appoint a new Clerks' Council chair. If you are interested in serving, please contact Sheryl, or me.

Our next Executive Board conference call will be in May 2005. If you have any issues you would like the Board to address, please e-mail me at [william\\_mccool@flnd.uscourts.gov](mailto:william_mccool@flnd.uscourts.gov).

Finally, with great sadness, I wish to report on the passing of Marvin Waits, who served as district clerk from 1965 - 1993 in the Northern District of Florida. Mr. Waits retired after 49 years of federal service. Mr. Waits was a long-standing member of FCCA and was known by clerks and deputy clerks as a strong leader and dedicated public servant.

I wish to share with you excerpts from the comments made by Senior

Judge William Stafford at the memorial service. Judge Stafford was chief judge in Northern Florida from 1981 - 1993 and he worked closely with Mr. Waits.

### MARVIN S. WAITS

"Where do we get men like these?" Those words were spoken by an American general in the middle of a great battle in World War II, not so much as a question but as a tribute to those civilians like Marvin who left their small towns all over the land to take on, and then defeat, the most powerful professional armies the world had ever seen. If Tom Brokaw could add just one more chapter to his book *The Greatest Generation*, it would be called "Marvin S. Waits of Florida," the state and the university.

We gather here in the warmth of this beautiful spring morning, following a good rain yesterday, to celebrate Marvin's life. This is a day Marvin would have found perfect to be outside to do any of the many things he loved to do outside.

Each of us has our own special memories of Marvin, as husband, father, grandfather, great-grandfather, neighbor and friend. Those loving memories of an honorable man who loved his family, his country and his God will sustain us as we mourn his and our loss. Indeed, a simple graveside service would have Marvin's approval...nothing fancy, not too long, and just family, friends, neighbors and coworkers standing around to say our goodbyes.

Yet to use the word "simple" does not suggest that this was a man who

---

Continued on page 10

---

## Clerk's Council Update

Continued from page 9

accomplished little. My first memories of Marvin Waits were in my private practice days in Pensacola in the 1960s when we younger lawyers would suddenly get a call that Judge Carswell wanted to see us in federal court...and right away! After we broke all records to get there, we would learn we were to be appointed to represent a defendant in a criminal case...and without pay. About that same time, a tall, lean, athletic deputy U.S. Marshal, whose rugged face had seen its share of football games without a nose guard, would enter the side door escorting your new client. Court security was never a concern in those days – you just knew that Marvin and his marshal buddies were not going to let anything happen.

When I became U.S. Attorney in 1969, Marvin was Clerk of the Court, and although his staff was small by today's standards, it worked well and served the court and the lawyers who practiced there efficiently and courteously. Six years later, I asked Marvin to administer the oath when I became a judge. That is when I learned what skills Marvin really had.

He managed two full-time clerks' offices, and two satellite offices opened only for court sessions. He dealt with the egos of one, then two, then three, then four federal judges - all at the same time and then their successors, a bankruptcy judge, an increasing number of magistrates, an expanding legal community, the civil unrest of the 60s and 70s that seemed to gravitate toward federal buildings, a caseload that kept growing and the constant battle over space and parking. As all of these fell on Marvin's shoulders, he met them squarely on, and while not afraid to

delegate work to the talented people he had hired, Marvin was clear that he was ultimately responsible for what went on in the clerk's office. Marvin may have given President Truman the words "the buck stops here." No public official could have had more loyal employees, and that is because Marvin understood the cardinal rule of leadership, that is, that loyalty works both ways but starts at the top. He had the absolute trust and confidence of all the judges, and it was Marvin who chose his own retirement date.

When we heard the sad news on Monday, Chief Judge Robert L. Hinkle expressed so well the sentiments of all of us in the court family:

"The Clerks' Office in our district has a long tradition of responsiveness to the public. I believe that this tradition derives from Mr. Waits, who hired people who cared deeply about their jobs and about our constituents (the members of the public), and who provided the leadership to ensure that all of our people conducted themselves accordingly. As you continue to honor that tradition, please keep the Waits family in your thoughts and prayers."



## Share Your Time

*By Laudan J. Batino,  
Leave Share Chairperson  
Office of the Circuit Executive,  
Ninth Circuit*

Share your time with a fellow FCCA member through the Voluntary Leave Share Program! This is a great program with rewards for both the recipient and the donor. The donor gets the satisfaction of knowing they've helped someone in their time of need and the recipient receives the leave do-

nation so that they can concentrate on their personal or family medical emergency and recover without the worry of any financial burdens. The process is relatively simple. We review the request, validate the status of the member, and forward the request to the FCCA board members and circuit representatives for distribution to FCCA members.

The Voluntary Leave Share Program allows an individual employee who experiences a personal or family medical emergency and exhausts all available paid leave, to receive donated annual leave from fellow employees. In order for an employee to receive donated leave, they must first meet the criteria in The Guide, Chapter 10, Subchapter 1630.2, Voluntary Leave Share Program. Once approved under the program, normally the Human Resources Specialist will send an e-mail to members of the district's court unit.

Here's how you can help. Sometimes, the word doesn't get to the FCCA Leave Share Committee. If you're aware of an FCCA member who's an approved leave recipient, please send me an e-mail by cc:Mail or at [lbato@ce9.uscourts.gov](mailto:lbato@ce9.uscourts.gov). Also, please send the following information: Name, Position, Title, and Grade of Employee; Type of Court and Location; number of years as an FCCA member; brief description of medical emergency situation; and leave donor forms. Leave donors must submit an Application to Become a Leave Recipient along with a SF 71, Application for Leave, to their local Time and Attendance Clerk for processing. These forms are available through their Personnel/Human Resources Unit. The Voluntary Leave Share Program has helped many Judiciary and FCCA employees since its inception. Feel free to give me a call at 415-556-9577 if you have any questions.



## IN THE NEXT ISSUE

- « Announcement of winners of the FCCA Annual Awards.
- « Report on Blood for Life donors.
- « Joint-ListServ for FCCA members of work groups (docket clerks, case managers and courtroom deputy clerks)
- « Costs of Journal - Survey from Editor.
- « Announcement of Chicago election results.
- « Chicago Photos.
- « 2007 Site Selection Article from Co-Chairs.

## NOMINATIONS ARE IN!

The following nominations have been received for Circuit Representatives of odd-numbered Circuits:

**1<sup>st</sup> Circuit:** Virginia Hurley, Learning and Development Manager, District of Massachusetts

**3<sup>rd</sup> Circuit:** No nominations were received

**5<sup>th</sup> Circuit:** No nominations were received

**7<sup>th</sup> Circuit:** No nominations were received

**9<sup>th</sup> Circuit:** Peter Tagliaferri, Courtroom Deputy, Southern District of California

**11<sup>th</sup> Circuit:** Yvonne Goodloe, Chief Deputy Clerk, Middle District of Alabama

Since there are no contested races for Circuit Representatives, there will be no elections within the Circuits.

President-Elect Sheryl Loesch will appoint someone after the annual conference for those Circuits that did not receive any nominations.

Two nominations were received for President-Elect:

**William M. McCool**, Clerk, Northern District of Florida

**James P. Murphy, Jr.**, Chief Deputy Clerk, District of New Jersey

One nomination was received for Secretary:

**Sue Rigan**, Assistant Operations Manager, Western District of Michigan

Nominations for President-Elect and Secretary will be taken from the floor at the annual conference. Write-in votes can only be accepted at the annual conference.

The profiles for the nominees for FCCA President-Elect and Secretary are featured in this issue of the *Journal*. For those of you who plan to be at the conference in Chicago, you will meet the candidates in person and hear his/her platform and the platforms of any further nominees.

There are two Absentee Ballots contained within this issue of the *Journal*. One is the *2005 Absentee Ballot for Election of National Officers* and the second is the *2005 Absentee Ballot for 2005 Bylaw Amendments*. **Remember, in order to vote by Absentee Ballot, you must be an active and paid member for 2005. Original Absentee Ballots must be postmarked by May 27, 2005, and returned to:**

Anne P. Stygles, Nominations Chair  
U.S. Court of Appeals for  
Veterans Claims  
625 Indiana Avenue, NW, Suite 900  
Washington, DC 20004

**Absentee Ballots that are postmarked after the deadline will not qualify.**

All members are urged to participate in the voting process, either by Absentee Ballot or vote at the Confer-

ence. However, if you have voted by absentee ballot, you will be ineligible to vote during the election at the Conference. 

## Old Jury Methods

By Don K. Ferguson  
Retired Chief Deputy Clerk  
Eastern District of Tennessee

Most court personnel and lawyers familiar with the strict guidelines followed today in the gathering of names for jury pools will find methods used prior to 1968 strange indeed.

The Jury Selection and Service Act of 1968, which is still followed today, made sweeping changes in the procedures for gathering names of prospective jurors. The primary purpose of the act was to assure that the pool of prospective jurors would represent all walks of life. That act followed by four years the Civil Rights Act of 1964.

Prior to 1968, a "key man" system was used in most federal courts. By that system, "'key men,' thought to have extensive contacts throughout the community, supplied the names of prospective jurors," according to a Senate Judiciary Committee report written in 1967. These key men were members of the Jury Commissions of the courts.

The Jury Selection Act of 1968 embodied two important general principles: 1) Random selection of juror names from voter lists, and 2) The use of only objective criteria in determining juror qualifications, excuses, exemptions and exclusion methods to select juror names randomly.

Today the courts perform statistical tests to ensure the jury pool represents a fair cross section of the community. Thus, the old jury methods have been replaced by a systematic process designed to create a jury pool that reflects the representation of different groups in the community so that a jury selected for a case will more likely be a jury of one's peers. 

---

## President-Elect Profiles

By William M. McCool



**Bill McCool**  
**District Clerk**  
**Northern District of Florida**

I am honored to have been nominated for the position of President-Elect of FCCA. I have worked in the legal profession for 22 years, starting as a front counter clerk at the Eugene, Oregon, Municipal Court in 1983. I worked there for nearly four years. During that time I joined the Oregon Association for Court Administration (OACA) and attended their 1985 annual conference. This was my first experience with a professional organization of court employees. Later, after I graduated from the graduate program in court administration at the University of Denver College of Law, I worked in Arizona and joined the Arizona Courts Association. I served on the ACA board of directors for many years including as President in 1996. I continue to be a member of that organization.

I joined the FCCA in 1996 and attended the conference that year in New York City. At that meeting, Joey LaMura asked me to escort Mayor Rudy Giuliani into the plenary session. I happily assisted the Mayor. This was the first of many instances where FCCA requested my assistance. At the annual conference in Spokane, Washington, David Stechmann, then chair of the Deputy Clerks' Council, asked if I would provide research to him regarding increasing the amount of annual

leave that court employees can carry over. I provided David with the research.

At the annual conference in 2003 in Orlando, Jeff Apperson asked me to chair the Clerks' Council. I accepted the appointment and am happy to report we have an active, involved Clerks' Council. We meet quarterly and the members communicate frequently among themselves regarding important issues in the Judiciary.

If you choose to elect me President-Elect, I will happily serve the organization. If you choose another person as President-Elect, I will support them in their efforts to improve our organization.

Thank you.



**James P. Murphy, Jr.**  
**Chief Deputy Clerk**  
**District of New Jersey**

I am seeking the office of President-Elect. I currently hold the position of Chief Deputy in the District Court in New Jersey and have over 25 years of management experience in the legal field. While much of my career has been with the federal judiciary, I have also held leadership positions with prosecutorial agencies.

I have earned a Bachelor's Degree from the University of California and

a Master's Degree from New York University.

I've been a member of FCCA since I joined the court in 1984. As a member, I currently serve on the Board as the Third Circuit Representative. I also coordinate the Chief Deputy Mentor Program.

Throughout my career, I have had opportunities to serve in leadership roles in various organizations. I chaired a Youth Services Group and helped create the New Jersey Prosecutors Office Management Association, serving as its first President. The Lifer's Group at Rahway State Prison conducted programs for teenagers who were involved in criminal activity. Their work was the inspiration for the movie *Scared Straight*. The Lifer's Group had a civilian advisory board which I chaired. I've served on a number of Administrative Office and Federal Judicial Center Committees, the most recent being the FJC's Professional Education Initiative Group. Examples of other leadership roles include chairing the Customer Advisory Board for GSA Region II and coordinating the District's COOP.



**Sue Rigan**  
**Assistant Operations Manager**  
**Western District of Michigan**

I am honored to be nominated to serve as FCCA Secretary for another

---

Continued on page 13

## Spotlight on Members

### President-Elect Profiles

Continued from page 12

term. I have also served as the Chair of the Awards Committee since 2002. Previously, I served as Sixth Circuit Representative from 2003 - 2004; Awards Committee member from 2000 - 2002; and Membership Committee member from 2000 through 2001. I joined the FCCA twelve years ago and I've attended the last six annual conferences in a row. Chicago will be my seventh. Before becoming a Board member, I attended the Board of Directors meetings as an observer. My experiences gained from those meetings inspired me to serve the FCCA in a greater capacity. We are truly honored to have such a talented Board of Directors and I am proud to be part of the team.

My federal career began in 1991 when I was hired as CJRA Staff Attorney at the U.S. District Court for the Western District of Michigan. Along the way I have worn a number of "hats" and I currently serve as the Assistant Operations Manager. Prior to joining our court family, I was a practicing attorney in both the public and private sector, having worked in New York City and New Jersey prior to returning to my home state of Michigan. Additionally, I was an Adjunct Professor at Western Michigan University and The American Institute of Paralegal Studies. My personal interests include cooking, traveling, sight-seeing, and being in the company of good friends.

I believe communication is the key to effective leadership and I promise to keep those lines open while serving as Secretary. Being involved in the FCCA is a richly rewarding experience. I look forward to serving the Board and our members, and encouraging others to become more active as well.



*Geneva Ashby, Sixth Circuit District Representative and Deputy-in-Charge Eastern District of Tennessee, Chattanooga Division*

Geneva has two grown children: a son, Mike, and a daughter, Selena. She is the proud grandmother of four outstanding grandchildren: Tyler (13), Justin (9), Luke (9) and Savannah (7). Her hobbies are reading, going to concerts, baseball, and doing anything with her grandkids. Her children and grandchildren are her pride and joy.

In 1967, Geneva graduated from a two-year course in modeling. She was a model in Atlanta, Georgia, for ten years and loved it. She was also employed by the Atlanta Braves from 1965 through 1968 and was the first, and only, "Ms Atlanta Braves." This was quite an honor.

After moving to Chattanooga, Tennessee, Geneva was in banking for several years before beginning her career with the U.S. District Court in Chattanooga on March 1, 1981, as a docket clerk. As she gained experience she was promoted to courtroom deputy for Chief U.S. District Judge R. Allan Edgar, a position she held for fourteen years. On March 8, 2000, Geneva was promoted to deputy clerk-in-charge of the Chattanooga and Winchester Divisions of the Eastern District of Tennessee.

Geneva has now been with the court for twenty-four years and first joined FCCA in 1981. In 2004, she volunteered to be the district representative for FCCA.



*Mari Stanfill, Jury Clerk, Eastern District of Tennessee, Chattanooga Division*

Mari Stanfill began her career with the Clerk's Office in Chattanooga, Tennessee, at the age of twenty-five, very soon after graduating from the University of Tennessee at Chattanooga. Beginning as a docketing clerk, Mari has also worked as a courtroom deputy for the magistrate judge, courtroom activities manager, jury administrator, "and other duties as assigned." Mari started her first jury experience with the old manual system by drawing numbered plastic chips from a large wooden box in the hall of the Federal Building. She was thankful to move on to the slightly-automated "Montgomery Jury System" and is now happily converted to JMS. Progress is a wonderful thing!

Mari and her husband, Jay, have one daughter, Meredith, who's engaged to be married this fall. Jay is a musician and music teacher. Their family is rounded out by three large dogs, Katie Belle, Billie and Brownie, who pretty much have the run of the house.

Volunteering in the community and at church are among Mari's frequent activities. In their leisure time, Mari and Jay enjoy music, baseball and old movies.



**NOTICE: THE BUSINESS MEETING OF THE 2005 FCCA ANNUAL CONFERENCE IN CHICAGO, ILLINOIS WILL BEGIN ON THURSDAY, JULY 7, 2005, AT 11:45 A.M.**

**ABSENTEE BALLOT FOR  
2005 ELECTION OF NATIONAL OFFICERS**

**FCCA PROCEDURE FOR ABSENTEE VOTING**

1. Complete the ballot, by marking your selection for the offices of President-Elect and Secretary.
2. Complete the ballot by signing at the end.
3. Return the ballot (with verification attached) to:

**Anne P. Stygles  
FCCA Nominations Chair  
U.S. Court of Appeals for Veterans Claims  
625 Indiana Avenue, NW, Suite 900  
Washington, DC 20004**

**ALL ORIGINAL ABSENTEE BALLOTS MUST BE POSTMARKED AND RETURNED TO NOMINATIONS COMMITTEE CHAIR NO LATER THAN MAY 27, 2005.**

4. Upon receipt, Nominations Committee Member will
  - a. Verify membership status
  - b. Tabulate ballots and deliver to Annual Conference.

Please vote for one of the following nominees for:

**PRESIDENT-ELECT:**

- William M. McCool
- James P. Murphy, Jr.

**SECRETARY**

- Sue Rigan

.....  
Printed Name \_\_\_\_\_ Signature: \_\_\_\_\_  
.....

**VERIFICATION**

Membership Verified by Nominations Chair     Yes     No    Initialed \_\_\_\_\_  
.....

**NOTICE: THE BUSINESS MEETING OF THE 2005 FCCA ANNUAL CONFERENCE IN CHICAGO, ILLINOIS WILL BEGIN ON THURSDAY, JULY 7, 2005, AT 11:45 A.M.**

**ABSENTEE BALLOT FOR  
2005 BYLAW AMENDMENTS**

In accordance with Article XIII, Amendment of Bylaws, the following bylaw amendments will be presented for consideration and adoption by a majority of those members present and voting at the annual conference of the Association.

Members of the Association who are not able to attend the annual conference or any special meeting, as provided in Article III, are still eligible to participate in any vote to alter, amend, or repeal a bylaw. This absentee ballot is circulated in accordance with provisions contained in Article II, Section 4.

Any amendment shall be in full force and effect immediately upon its adoption at the annual conference.

**FCCA PROCEDURE FOR ABSENTEE VOTING**

1. Complete the ballot, by marking the sections "Yes" or "No"
2. Complete the ballot by signing at the end.
3. Return the ballot (with verification attached) to:

**Anne P. Stygles  
FCCA Nominations Chair  
U.S. Court of Appeals for Veterans Claims  
625 Indiana Avenue, NW, Suite 900  
Washington, DC 20004**

**ALL ORIGINAL ABSENTEE BALLOTS MUST BE POSTMARKED AND RETURNED TO NOMINATIONS COMMITTEE CHAIR NO LATER THAN MAY 27, 2005.**

4. Upon receipt, Nominations Committee Member will
  - a. Verify membership status.
  - b. Tabulate ballots and deliver to Annual Conference.

**The following amendments have been brought before the Board of Directors for the FCCA:**

**ARTICLE II  
MEMBERS**

It is recommended by the Officers and the Board of Directors of the Federal Court Clerk's Association that the text of ARTICLE II, Members, at Section 1, Eligibility of Membership, paragraph F, be deleted. The text of this paragraph reads as follows:

- F. ~~Any person or persons, firm or corporation interested in furthering the goals of this Association is eligible to be a sustaining member. Sustaining members shall not vote or hold office.~~

**VOTE:**                      Yes \_\_\_\_\_                      No \_\_\_\_\_

**ARTICLE IV  
BOARD OF DIRECTORS**

It is recommended by the Officers and Board of Directors of the Federal Court Clerk's Association that the text of ARTICLE IV, Board of Directors, at Section 3, Regular Meetings, be amended, as shown below (proposed additional text in italics):

Section 3. Regular Meetings. A regular meeting of the Board of Directors shall be held without any other notice than this Bylaw immediately prior to, and at the same place as, the annual conference. Special meetings may be called by the President, or by request of a majority of the members of the Board, on not less than ten (10) days notice, in writing or by telephone, as to the time and place of meeting. Should the President, *or his or her designee*, in the exercise of his or her best judgment, determine that the exigencies of a situation require it, he or she may poll the membership of the Board of Directors by mail, *electronic mail*, or by telephone for a decision on any matter within the powers of the Board to decide.

**VOTE:**                                      Yes \_\_\_\_\_                                      No \_\_\_\_\_

.....

**ARTICLE XI  
DEPUTY CLERKS COUNCIL**

It is recommended by the Officers and Board of Directors of the Federal Court Clerk's Association that the text of ARTICLE XI, Deputy Clerks Council, at Section 4, Funding, be deleted, as shown below:

~~Section 4. Funding. No specific amount of Association funds shall be allocated to the Council. All necessary funds shall be requested through the Finance Committee and authorized by the Board of Directors.~~

**VOTE:**                                      Yes \_\_\_\_\_                                      No \_\_\_\_\_

.....

**ARTICLE XI  
DEPUTY CLERKS COUNCIL**

It is recommended further that the new text of Article XI, Deputy Clerks' Council, at Section 4, Funding, read as follows:

Section 4. Finances. In order to provide funds for the Deputy Clerks' Council, there shall be allocated by the Treasurer of the Association an amount no less than one-third or more than one-half of the dues collected from chief deputies. The precise amount shall be determined by the Executive Board subject to confirmation by the Board of Directors of the Association. The expenditure of funds so allocated shall be under the direction of the Chairperson, subject to approval of the Executive Board, but in no instance shall any funds be disbursed for any purpose which is not consistent with the goals of the Association. Funds which are not expended during a particular year shall remain for use of the Council during succeeding years or until specifically returned to the general treasury of the Association.

**VOTE:**                                      Yes \_\_\_\_\_                                      No \_\_\_\_\_

.....

Printed Name \_\_\_\_\_ Signature: \_\_\_\_\_

.....

**VERIFICATION**

Membership Verified by Nominations Chair                                       Yes                                       No                                      Initialed \_\_\_\_\_

---

## Process Redesign Program

*By Kathy Owings, Human Resources Specialist,  
Geneva Ashby, Deputy-in-Charge and FCCA District Representative,  
and Donna Cates, Case Manager, EDTN*

Managers of the Process Redesign Program (PRP) of the Administrative Office of the U.S. Courts (AO) asked for volunteer courts to participate in a program that examines a court's current work processes to assist in achieving immediate local efficiencies while incorporating the individual court's quality and performance criteria into the redesigned processes. The U.S. District Court for the Eastern District of Tennessee volunteered to participate in the PRP.

Several employees from divisional offices in Chattanooga, Greeneville, and Knoxville gathered in the Knoxville office the week of March 14, 2005 to participate in the program. Joel Hall, Management Analyst from the Policy and Strategic Initiative Office at the AO provided on-site assistance to our court for one week. Steve Gallagher, Clerks Administrator, District Court Administration Division, AO, and Rhonda Lafitte, Deputy-in-Charge, U.S. District Court for the Eastern District of Texas, assisted Mr. Hall.

During our week we carefully examined more than 20 of our current practices in an effort to discover time saving procedures. A few examples of the time savings we found by changing processes are: (1) Appeals - 8 minutes per appeal, (2) Criminal indictment-service - 7 minutes per transaction, and (3) Statistics-civil monthly reports - 45 minutes per month. When we implement all of our new processes, we will save 350 hours in the district each year!

Mr. Hall emphasized that these time savings, multiplied over months and years, can help courts meet the 2% productivity adjustment (the Judicial Conference-approved 2% reduction to staffing budget to encourage more ef-

ficient practices in FY06 through FY09). A database of these efficient practices developed by courts will be maintained on the J-Net for other courts to use.

With budget cuts, not filling positions as staff retire and general downsizing on the horizon for many courts across the nation, we found this to be a very productive training session. Each of the participants left with a better understanding of how we need to work smarter and not necessarily harder. This will be an ongoing process in our court in an effort to reduce time spent on procedures in the Clerk's Office.

We very much appreciated the hard work of Mr. Hall, Mr. Gallagher, and Ms. Lafitte. They worked with us to map current procedures we selected for review and assisted us in finding ways to reduce steps in current procedures to save time. We could not have done it without them, but now that we have learned the process we can continue to review all of our procedures to generate greater efficiency. We are most grateful to them for their willingness to travel to our court to provide this great service.



## Pioneering MJSTAR in Kansas

*By Leigh Kinzer, Operating Manager,  
District of Kansas*

The District of Kansas went live on CM/ECF in March 2003 and began reporting magistrate judge statistics solely through MJSTAR (Magistrate Judge Statistics Through Automated Records) with our July 2004 reports. The process of "going live" on the

MJSTAR report, much like that of "going live" on the CM/ECF system, requires teamwork – and a lot of it!

An MJSTAR committee was formed and began meeting during the 10-month implementation phase of the CM/ECF project. The committee was chaired by a magistrate judge and comprised of law clerks, judicial assistants, courtroom deputies, docket clerks and the CM/ECF dictionary representative. The committee identified changes necessitated by the automation of the report. For example, staff began keeping track of time spent in court and on telephone conference calls so that it would be routine when we went live. Courtroom minutes sheets and worksheets were modified to include "Time in Court" and "Hearing Completed/Not Completed."

The MJSTAR committee met more regularly a few months after we were live on CM/ECF. Chambers' staff went through the tedious process of validating the MJSTAR reports to find the discrepancies. Most were the result of local dictionary modifications and procedural changes necessitated by the automation of the report. Validation continued for several months as we worked through the issues. Version 2.1, which included the audit trail report, was the final piece for us and we went live shortly after its release.

Our success is a direct result of the commitment of the magistrate judges, chambers' staff and Clerk's Office staff, who recognized the benefit of the report and made it work for us. Magistrate Judge Donald W. Bostwick, our MJSTAR committee chair, was instrumental in providing guidance and keeping us on track. Staff at the Magistrate Judges' Division of the Administrative Office offered assistance and answers to our questions. It was truly a team effort.

We are proud to be live on MJSTAR and are looking forward to other courts joining us!

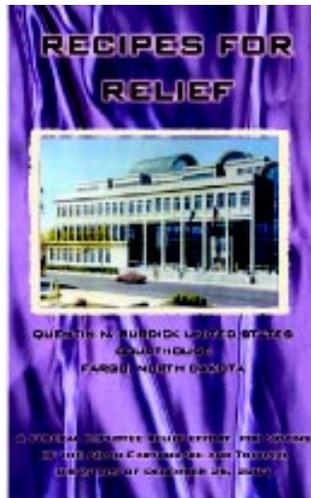
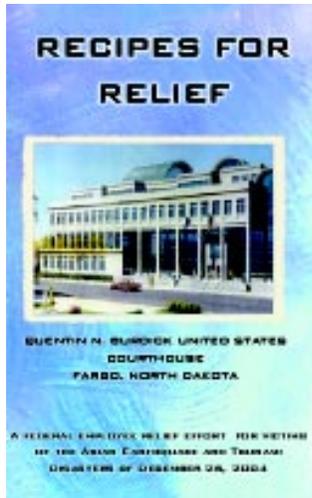


## Recipes for Relief

By Suzanne Morrison, Librarian,  
8<sup>th</sup> Circuit Library, Fargo, ND and  
Lisa Clark, Jury Clerk, Fargo, ND, and FCCA Member

The Asian earthquake and subsequent tsunami left a tragic path in its wake. Those who found themselves secure and safe realized the slender thread that exists between normalcy and devastation. Mother Nature can be cruel. In recognition of this calamity, the employees of the Quentin N. Burdick United States Federal Courthouse in Fargo, North Dakota, banded together to be part of the world-wide community effort at restoration. The Salvation Army was chosen as the recipient of our funds simply because this organization came to Fargo's aid during the flood of 1997, and they pledged that 100% of all funds we donated would be spent for the Tsunami Relief.

Employees stepped forward with their favorite recipes. Many of the recipes from the CFC annual Chili/Soup Cook-Off were submitted along with dozens from our annual Holiday Party. The result was a compilation that even overwhelmed the enthusiastic people working on this project. Many noon hours and evenings and Saturdays later, the 200 cookbooks were offered for sale during a coffee break on St. Patrick's Day. Within twenty-two minutes all the cookbooks were swept off the tables and orders for more cookbooks were being taken. The first wave of checks has been sent to the Salvation Army with another wave yet to come. The employees of the Courthouse can be proud of their efforts at seeing beyond their world and walking in the footsteps of someone else.



## Blood Drive Reports

By Jane Bauer  
Blood for Life Chairperson

It is that time of year again. The blood drive reports are due for the 2004/2005 reporting period. The donation year runs May 1, 2004 - April 30, 2005. You may either fax me the report or send it to me via e-mail no later than May 15, 2005. My fax and e-mail information are on the "Blood for Life Donors" form.

You do not need to wait for your office to hold a blood drive to donate blood or platelets. You are eligible to donate every 56 days. If you donate, please let your blood drive coordinator know so your donation can be counted. Also, members who donate blood or platelets are eligible for the Blood for Life drawing at the annual conference.

Giving blood is the most precious gift you can give. Maybe you have personal or medical reasons why you cannot donate. The Red Cross would love to have you organize a blood drive. Or you can help your blood drive coordinator recruit donors. In any case, there is still time to be included this year. Let's make this year the year the FCCA reached 10,000 pints donated!



## “Quotes to Ponder”

*“Take a chance! All life is chance. The man who goes farthest is generally the one who is willing to do and dare. The ‘sure thing’ boat never gets far from shore.”*

*<<<Dale Carnegie>>>*

*“Man is not the only animal who labors; but he is the only one who improves his workmanship.”*

*<<<Abraham Lincoln>>>*

## BLOOD FOR LIFE DONORS

Date of Report:

Reporting Period: May 1, 2004 - April 30, 2005  
Report due: on or before May 15, 2005

U. S. Bankruptcy or District Court: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: ( \_\_\_\_\_ ) \_\_\_\_\_

Local FCCA Blood Drive Coordinator: \_\_\_\_\_

Total # of pints donated in this year's Blood Drive  
(include **all** pints donated by your court, FCCA members *and* non-members)

Name of FCCA Donor (Please Print or Type)	Total # of Pints	Name of FCCA Donor (Please Print or Type)	Total # of Pints

Send report to: Jane Bauer  
FCCA Blood Drive Chair  
United States District Court  
450 Main Street  
Hartford, CT 06103

Telephone: 860-240-3206  
Facsimile: 860-240-3211  
E-Mail: Lotus Notes  
Jane\_Bauer/CTD/02/USCourts@USCourts  
or  
Jane\_Bauer@ctd.uscourts.gov

# Michigan State University Judicial Administration Course Offerings

## 2005 FCCA/NCBC Joint Conference

In keeping with the commitment that the Federal Court Clerks Association (FCCA) and the National Conference of Bankruptcy Clerks (NCBC) made to support their respective members' education, two of the required ten courses in the Judicial Administration Program will be offered at the 2005 joint conference for a total of fifteen contact hours. Those courses are:

### Purposes and Responsibilities of the Court Caseflow Management

Students may participate in one or both of the courses. "Purposes" is a seven-hour course and "Caseflow" is an eight-hour course. All of the Judicial Administration Program courses are based on the National Association for Court Management (NACM) core competencies and organized in a curriculum that, when completed, can result in certificates (noncredit or credit-bearing) and/or a masters of science degree specializing in judicial administration. For more detailed information on the Judicial Administration Program courses, requirements, online options, and other partner-provider organizations, go to <http://judicialadministration.msu.edu>.

#### Enrolling in the Judicial Administration Program and Registering for Conference Sessions

1. Individuals not currently enrolled in the Judicial Administration Program, complete and submit the Judicial Administration Program application (available at the website address above) and submit to MSU.
2. Current and new students, register for the 2005 FCCA/NCBC Joint Conference and enroll in the MSU-designated sessions for either or both "Purposes" and "Caseflow."
3. Current students and interested conferees register for the MSU reception Tuesday, July 5, from 4:15-5:30pm.

#### Attending the Judicial Administration Courses

1. Attend all the required sessions (see below for details) for either or both courses: "Purposes" and/or "Caseflow."
2. Verify attendance by completing the attendance form, obtaining the required signatures, and submitting the completed form to the attendance monitor immediately after the course along with the MSU course evaluation.
3. Within 30 days after the conference, submit request for contact hour credit form with fees to MSU.

Students must attend all of the following sessions in order to receive course credit for Purposes and Responsibilities of the Court (7 contact hours). Session dates and times are as follows:

Topic	Faculty	Session Date & Time	Contact Hours Earned
Purposes and Responsibilities of the Court	Terry Nafisi	Tuesday (July 5): 2:00-4:00pm	2.0
		Wednesday (July 6): 9:00-10:30pm	1.5
		Wednesday (July 6): 10:45-11:45pm	1.0
		Wednesday (July 6): 1:45-3:15pm	1.5
		W1	
Caseflow Management	Doug Somerlot	Thursday (July 7): 9:00-10:00am	1.0
		Thursday (July 7): 10:15-11:45pm	1.5
		Thursday (July 7): 1:15-2:45pm	1.5
		Thursday (July 7): 3:00-4:30pm	1.5
		Friday (July 8): 9:00-11:30am	2.5

#### Student Advising Appointments

Student advising will be available before the conference by contacting Dr. Sharon George by phone or email. Students may also contact Dr. George at the conference for appointments.

#### Contact Information:

Dr. Sharon George  
 Judicial Administration Program  
 School of Criminal Justice  
 Michigan State University  
 1407 South Harrison Rd  
 330 Nisbet Building  
 East Lansing, MI 48823-5239

Email: [georges@msu.edu](mailto:georges@msu.edu)  
 Telephone: 517.432.1716  
 Fax: 517.432.3965  
 Website: <http://www.judicialadministration.msu.edu>

---

## New Conference Advisory Committee (Help Wanted: Everyone Qualified)

By Robin Tabora, Chief Deputy for  
Administration for the District of Columbia

Jeff Apperson asked me to chair the new Conference Advisory Committee. This committee is being formed to assist the FCCA annual conference host court in obtaining information from previous host courts and ensuring future conferences meet the expectations of the attendees. The goals of this new committee are to provide the host court with financial statements from prior conferences, suggestions for educational programs, and feedback based on the conference evaluation forms submitted by attendees. We will also be responsible for reviewing and updating the FCCA Annual Conference Guidelines, and will work closely with the Site Selection Committee, Professional Development Committee, and Finance Committee. We hope to be able to share valuable insight and helpful suggestions with the next host court regarding what works and what doesn't.

Since we are just getting organized, we may not be able to provide much assistance for the Chicago conference, but we will definitely be able to provide useful information to Team Boston for the 2006 conference. My first task as chair of this new committee is to recruit members. I have asked for volunteers from past, present, and future host courts. The following people have agreed to serve on our committee: Dawn Bullock from Anaheim, Pat Ellena and Lou Rose from Chicago, and Ginny Hurley from Boston. In addition, Maria Carpenter and Jane Bauer from the District of Connecticut have also agreed to be on the

committee. Now we need to round out this committee with a good cross representation from districts around the country. If you are interested in becoming a member of this new committee, please e-mail me at: robin\_tabora@dcd.uscourts.gov.

One of our first orders of business will be to determine how many members are needed on this committee and for what length of service. Our current plan is that each year after the annual conference, the committee person from the oldest conference would rotate off the committee and a new person from the next host court come on. We want to ensure that we always have people on this committee with historical knowledge to share past experiences with the new host court.

Our committee will conduct most discussions via e-mail and conference calls. Our first face-to-face meeting will be held at the annual conference in Chicago. This is important work and we need people who care enough about our annual conferences to help make them a success. Since this is all new, it should be a fun experience for all of us.



## Report on Mid-Year Meeting

By Patricia L. McNutt, Clerk, EDTN

Board members and hangers on (yours truly) gathered in Boston, Massachusetts, January 14-15 for the Mid-Year Meeting. Those able to arrive on January 14 at the dinner hour met at Jacob Wirth, one of the oldest restaurants in Boston, and enjoyed a wonderful meal. Cheryl Sweat, Sixth Circuit Representative, and I were not lucky enough to arrive in time for dinner; however, by incredible fortune our

flight to Boston was overbooked and we were seated in first class for the cost of a coach ticket. Ahh - wonderful.

The Board meeting was held at the Radisson Hotel, which will be the conference hotel for the 2006 conference. The Radisson has spacious guest rooms, great service and is centrally located. Those attending the Mid-Year Meeting agreed that the hotel is a great conference location, and so is Boston.

Business began promptly at 8:30 AM and concluded at 4:30 PM on Saturday, January 15, 2005. Much business was accomplished, which you can read about in detail in the Minutes posted on the FCCA web site at [www.fcca.ws](http://www.fcca.ws). Highlights of the meeting included a presentation by Ken Gardner on the upcoming FCCA/NCBC conference in Chicago; the discussion of several proposed amendments to the Bylaws, which will be voted on at the Chicago conference; and an excellent presentation by Yvonne Goodloe on the FCCA financial reports, and recommendations for some changes in reporting and accounting, which were approved by the Board.

After concluding business, the courageous Board members (some did not join in the group but they will go unnamed) began their walk along the Freedom Trail, under the leadership of President Apperson. The first stop was at Faneuil Hall for dinner at Durgin Park. An excellent Bostonian repast was enjoyed and then it was back to the Freedom Trail. The hour was getting late and the weather was quite cold, but this did not discourage the group, many of whom were not dressed warmly enough for the Boston cold. Ralph DeLoach, though he had no top coat, was determined to make the walk. One of the gentle-

---

Continued on page 22

---

## Report on Mid-Year Meeting

Continued from page 21

women of the group took pity and loaned him her shawl. Unfortunately we did not have a camera.

President Apperson was determined to lead the group to the Old North Church, despite the bitter cold. The group followed, although there was some grouching and complaining, particularly by yours truly. Nevertheless, President Apperson pressed on and we reached the Old North Church, only to find it locked. Undaunted, President Apperson led the group to a famous tavern (the Union Oyster House) for refreshments. Spirits revived, the group returned to the Radisson for a well-deserved rest.

On Sunday, most of the group left for home. A few stayed over at their own expense to enjoy more of Boston. They were treated to a beautiful, light snowfall in the afternoon. David Stechmann and Eileen Levine rode the trolley in the snow and made all the stops on the Freedom Trail. Cheryl and yours truly opted for the Copley Place Mall and the Top of the Hub. Ahh - Boston.

Ginny Hurley along with Team Boston were wonderful hosts and made everyone feel welcome. Ginny and Chickie Cummings arranged the hotel accommodations, the meeting room, and the Friday and Saturday night dinners. Team Boston also gave each of the Board members a coffee mug and some candied Boston beans. Ginny and Team Boston are very enthusiastic about the 2006 conference. There is no doubt it will be a spectacular success!



## Mid-Year Meeting 2005



*Maria Carpenter*



*Ginny Hurley*



*Steve Ludwig, Pam Twiford,  
and David Stechmann*



*The Board at Mid-Year Meeting*



*Ralph DeLoach, Jeff Apperson,  
and Joe Haas*



*Sandy Smith, Marianne Matherly,  
and Maria Carpenter*

---

## Juror Management and Utilization Workshops Again Offered by Federal Judicial Center

*By Bob Fagan, Senior Education  
Specialist, The Federal Judicial Center*

*"Even if you are on the right track you are going to get run over if you don't keep moving."*

*Mark Twain*

Recognizing that most citizens' first experience with the federal courts is when they are called for jury service, the Federal Judicial Center has redesigned its Juror Management and Utilization Workshop for teams of judges and court staff during 2004-2005. The workshop places increased emphasis on the full range of critical activities and interactions impacting both external (citizens and attorneys) and internal customers (judges, clerks of court, and court staff) that occur prior to service, during service and post service. It provides a forum for judges, clerks of courts, jury administrators and other court staff to discuss current issues and future trends, examine strategies and effective practices, and to formulate local action plans that affect or will affect this critical area of judicial administration.

A significant element of the redesigned workshops involved inviting all districts to attend and also tailoring programs by court size. While in the earliest offerings of the seminar (1984-1987) all courts were invited to attend, they were not specifically sessions based on court size. In subsequent programs (1988-1996, 1998 and 2001), only those districts whose NSSC percentage rate (number of those reporting but not selected, serving or challenged) was above 30% were invited to attend. This resulted in the much greater participation by the larger district courts (often with an NSSC rate above 35%), and, over a period of time, the same districts participating more than once. For the most part, the smaller courts, and

many medium size courts, rarely participated.

Thus far, the redesigned workshops have been conducted for the larger district courts (defined as six or more active Article III Judges in one location) on May 17-18, 2004, and for the medium-size district courts (defined as three to five active Article III Judges in at least one location) on November 15-16, and 17-18, 2004. To date, one hundred forty-seven participants representing thirty-three districts have attended, including fourteen chief judges and forty-five additional judges. On July 25-26, 2005, a workshop for the smaller district courts (defined as one to two active Article III judges in one location) will convene in San Francisco. Of the thirty courts eligible to attend, eighteen districts have indicated they plan to participate.

There are six agenda-related changes in the Center's program that are worth noting:

**Tailoring:** By focusing on workshops based on court size and inviting all districts to attend, participants could benefit from districts that had excellent statistics that were willing to share their ideas and experiences. Information sharing and being able to identify with the challenges and responses of participating courts was key! The "stigma" of participation only when your NSSC rate was above the magic 30% was removed.

Tailoring was further enhanced by the use of panels and small group breakouts. Each panel had at least one judge (most had two), as well as jury administrators from different courts. The idea was to note the variety of experiences and challenges. The

breakouts contained the same amount of judges, clerks and jury administrators, and to the extent possible participants from the same district were not together. This was followed by team meetings to draft an Action Plan, discussing the plan with separate groups composed of all judges, all clerks, and all jury administrators, and a final team meeting to complete the Plan. Evaluations from the first three sessions indicated the panels and discussions were a major plus not only for clerks and jury administrators, but also for judges.

**Use of Participants as Faculty:** Previous sessions utilized one judge from a court whose NSSC statistics had greatly improved as the main speaker. The redesigned sessions offered in May and November 2004, however, took a different approach. Since the focus was on the full range of processes and requirements that impact both external and internal clients rather than on the dreaded NSSC utilization rate, it necessitated judges and jury administrators serving as panel members (noted above). Their participation was outstanding. The discussions that immediately followed the panel sessions, as well as those during the small group breakouts were very energetic.

**Revised Program Schedule:** Rather than spreading the workshop over three days (8 a.m. to 1 p.m. for the first two days, and ending at 12 noon the third day), the current sessions offer a first day lasting from 8 a.m. to 5 p.m., followed by a half-day session. Given the design of the agenda with its heavy use of panels and small group breakout discussions on a variety of juror management and utilization related subjects, and the differing

---

Continued on page 24

---

## Juror Management and Utilization Workshops

Continued from page 23

experience of the participating courts, workshop planners felt that ending it too early would literally stop the momentum and make it more difficult to connect to the next day.

**Effective Practices:** While in previous sessions participants were encouraged to bring any items to the sessions that they wished to share, the current Juror Management and Utilization sessions made the completion of an Effective Practices Form a key element of the program. The Effective Practice Form was available via a web site devoted to the workshop and could be completed and submitted on-line. It included a pull-down menu, which grouped the practices according to the following categories:

- > Supplementing voter lists
- > Pretrial questionnaires
- > Determining number to be summoned
- > Improving non-response rates
- > Utilization techniques
- > Standards for sizes of jury panels and terms
- > Managing the voir dire process
- > Juror orientation, guidance, instructions
- > Security
- > Juror note-taking, juror proposed questions
- > Internal statistical reports
- > Exit questionnaires, community outreach
- > Internal training
- > Other

These practices were included in each participant's notebook for refer-

ence throughout the workshop.

**Jury Administrator Session:** Building on an innovation by my FJC colleague, Dr. Fran Toler, a half-day program devoted to the jury administrators immediately followed the conclusion of the Juror Management and Utilization Workshop. This session focused on reactions to the workshop, provided a JMS (Jury Management System) Update, and discussed the training and development needs of jury administrators, including the possibility of online conferences.

**Follow-Up:** On its way to becoming a reality, the Center plans to conduct a series of online conferences for jury administrators as a follow-up to the workshop. A survey was recently forwarded through the district clerks of court to the jury administrators to determine subject areas for the conferences. In addition, it will be a vehicle to discuss progress on implementing the Action Plans developed by each court team during the workshop.

While it is too early to access the impact of the redesigned workshops, some of the participants have sent us status reports. Here are a few examples:

Robin Tabora, Chief Deputy, Administration from the District of Columbia, notes the following steps taken on their Action Plans:

- > Implemented modified pooling techniques to reduce the number of jurors required.
- > Sent out monthly statistics to each judge indicating the date and duration of selection, number of jurors requested and sent to the courtroom, used, not used, NSSC, and comments indicating reasons why selections did not go forward or why more jurors were required. We look for patterns like last minute pleas.
- > Tracked length of selections. If we know how long judges average we

can summon less jurors and reuse jurors or summon more if necessary.

- > Reduced the panel sizes from 55 to 50 for criminal and 25 to 20 for civil cases. Some judges have selected with less. This has greatly improved utilization and created a significant cost savings.
- > Two of our judges assessed cost this past year.
- > One judge saved us from bringing in 50 jurors by using standby.
- > Created a new jury web site which went live in August 2004.
- > Created a new two-sided jury summons which saves the court \$13,000 per year in paper, toner and postage.
- > Implemented an in-house online jury panel request form. Courtroom deputies can send electronic requests to add or cancel jury panels at any time. Judges can see how many other cases are scheduled for trial on any day.
- > Conducted a brown bag lunch for jurors to share our improved statistics and thank everyone involved for a great team effort. The luncheon was very successful, 14 judicial officers attended. The judges requested another luncheon, which we are planning for June. The topics were suggested by the judges who attended the first luncheon.
- > Scheduled a similar brown bag lunch on May 3, for courtroom deputies, to provide the same information to them as we did the judges. This will be conducted by two judges from our Jury Committee, Judge Sullivan, Chair and Judge Urbina. Both attended the San Francisco workshop.

The Eastern District of Missouri focused its Action Plan on increasing

---

Continued on page 25

---

## Juror Management and Utilization Workshops

Continued from page 24

diversity and increasing the response rate to the initial Juror Qualification Questionnaire. According to Chris Poett, Jury Administrator, the court has amended its jury plan. The master jury wheel will now be refilled every two years instead of every four years, and nondriver state ID holders have been added to the source list. The court plans to implement a new procedure to improve questionnaire response. In addition to mailing second notices, the court will begin to issue summonses directing non-respondents to the second mailing to report to the courthouse, at their expense, to complete the questionnaire.

According to Michele Zirbs, Jury Administrator, the Northern District of West Virginia has taken action on two of its Action Plan items. One of those items was juror education.

We now have most of our judges talking to the jurors prior to jury selection, and after the trial to the ones that actually served. They are explaining the functions of the Federal Court, and also answering general questions about the court.

Cindy St. Pierre, Jury Administration Clerk from the Middle District of Pennsylvania, notes that one of the goals after attending the Jury Utilization Conference in San Francisco was to lower the rate of jurors who failed to respond to the qualification questionnaire. By re-mailing a second summons and questionnaire to jurors (as opposed to simply sending a "reminder letter") they have decreased the failure to respond rate by 25%.

Now that's music to our ears! Stay tuned, there's still a lot of learning and experiences to share.

## Are We Security Conscious?

By Bettina Guerre,  
FCCA National Circuit Representative  
Administrative Assistant to  
Circuit Judge Richard Linn  
U.S. Court of Appeals  
for the Federal Circuit  
Washington, DC

Since the recent murder of members of a federal judge's family in Chicago, Illinois, and the judge and state court employees in Atlanta, Georgia, I have asked myself what am I doing to be more security conscious at work and at home. And believe me, living in the Washington, DC area, and working across the street from the White House, I can tell you – that's saying something.

What I have learned in the past few weeks is that I no longer take security issues for granted. As a court staffer I realize I am not immune from these acts of violence against judges, and for those of you who work as courtroom deputies, it must have hit home as well. Like court staff in the nation's capitol, you probably have been inundated with numerous memos from your court about security issues. I asked myself, "I'm just a court staffer, what can I do?" After much thought, I have developed the following list of the most effective things I think we as staff can do to help protect ourselves and our judges:

- carefully screen calls and note anything out of the ordinary
- recognize what is appropriate communication and what is not (i.e., threatening behavior)
- scrutinize mail for unusual or threatening comments
- carefully guard the judge's schedule and planned whereabouts from the public and

- issue a change of address notification for all mail that goes to the judge's home address that should be going to the court's address. You'd be surprised how many internet sites list judges' home addresses.

These are but a few suggestions among the numerous you may have received. I assume most of us take these precautions on a daily basis. Little things that you would never think of might be an important safety issue. In this day and age when we are often on a security alert level of one kind or another, it is important to keep aware of what is going on around us, be smart with regard to our own security, and ask ourselves what more we could be doing to help ensure the security of those we care about, and those we work for. Our hearts go out to the families of the victims of the recent tragedies.



## Sentencing Guidelines Decisions Impact Work of Clerks' Offices:

***While final result not the bombshell some expected, Clerks' Offices will face increased workload.***

By John L. Medearis, Chief Deputy Clerk,  
Eastern District of Tennessee

National Public Radio's Nina Totenburg led off her report on the Supreme Court's opinions issued on June 24, 2004, with a discussion of the Court's decision that Vice-President Dick Cheney did not have to release documents concerning his Energy Task Force. Oh, and the Court also decided in a "sleeper of a case," *Blakely v. Wash-*



Continued on page 26

## Sentencing Guidelines Decisions

Continued from page 25

ington, that a state statute which allowed the judge to enhance a sentence based on facts found by the judge, rather than the jury, was unconstitutional.

The press may not have fully appreciated the import of the *Blakely* case, but those involved in federal sentencing certainly did since the federal sentencing scheme was similar to that at issue in the case. A "high-ranking federal official" said: "Our people are wringing their hands, staring off in space, not knowing what to do." Justice Sandra Day O'Connor, who took the unusual step of announcing her dissent from the bench, warned that "the Court ignores the havoc it is about to wreak on trial courts across the country."

My Goodness!

In the following months there *was* a good deal of hand-wringing, staring off into space and, indeed, some havoc. However, in January 2005, the Court issued its long-awaited decisions on the constitutionality of the federal sentencing guidelines in the companion cases, *U.S. v. Booker* and *U.S. v. FanFan*. In ruling that certain provisions of the statute governing the guidelines don't pass muster, the Court did not, as some had feared, throw out the guidelines. Instead, the guidelines remain in place, but are now advisory only.

The Court's decision will apparently not result in a major change in the approach of judges, prosecutors and defense attorneys in sentencing defendants. However, a major impact is expected on the work of the Clerk's Offices (and pro se law clerks), including:

- an increase in the number of prisoner petitions, both state and fed-

eral (12,000 to 18,000 new federal habeas petitions alone are predicted)

- an increase in the length of sentencing hearings
- an increase in the number of re-sentencing proceedings
- an increase in the time required to complete the new, expanded statement of reasons form
- an increase in the number and length of jury trials
- an increase in the number of second or successive appeals

"The Judiciary has neither the financial nor personnel resources to cover these new workload requirements," wrote Leonidas Ralph Mecham, Director of the Administrative Office of the U.S. Courts, in a letter to President Bush. Mr. Mecham requested \$91.3 million in supplemental funding for the current fiscal year to cover the increased workload. (An additional \$10 million was requested for the anticipated impact of the Class Action Fairness Act of 2005, but that's a whole other story.) Mr. Mecham noted that the courts lost 1,350 employees in fiscal year 2004 as a result of budget constraints and face sharply increasing rental payments to the General Services Administration. "The requested supplemental appropriation for fiscal year 2005 is a critical lifeline." President Bush forwarded the request to Congress. No action had been taken as of the submission of this article. ☹️



## HELP, HELP, HELP!

By David Stechmann, Historian

The Traveling Memorabilia and Mementos Exhibit Show needs your help. We are in early stages of preparing our 2005 show which will open July 4 - July 8, 2005, in the Hyatt Regency Conference Hotel in the heart of downtown Chicago. We are collecting memorabilia and mementos from previous FCCA conferences and events. We are especially in need of any t-shirts: prior to 1992 conference in Boston; 1997 Washington, D.C.; 2002 Portland, OR; and 2003 Orlando, FL. We could use any bags, caps, or other FCCA mementos from any year. Anyone who may have items for the show, please call Historian, David Stechmann, at 504-589-7690, to work out the details. If you feel you would like to get more involved, please let me know, I could always use your help.

# FCCA District Representatives Contact List 2005

STATE	DIVISION	CONTACT PERSON	TELEPHONE
<b>FIRST CIRCUIT</b>			
Maine		Diane Aube	(207) 780-3356
Massachusetts	District Court	Virginia A. Hurley	(617) 748-9166
Massachusetts	Appellate	Donna Barchard	(617) 748-9061
Massachusetts	Bankruptcy	Anita Scigliano	
New Hampshire	District Court	Pat Kelley	
New Hampshire	Bankruptcy	Nancy B. Smith	
Rhode Island		Claire Parvin	(401) 752-7225
Puerto Rico	District Court	Frances Rios de Moran	(787) 772-3011
Puerto Rico	Bankruptcy	Celestino Matta-Mendez	
<b>SECOND CIRCUIT</b>			
Connecticut		Maria Carpenter	(860) 240-3208
New York	Eastern Bk.	August Marziliano	(718) 260-2465
New York	Northern	Wendy Lindskoog	(518) 257-1802
New York	Northern Bk.	Jeffery Dingman	(315) 266-1106
New York	Southern	Corrine Szalay	(212) 805-0103
New York	Southern – White Plains	Lorraine Lombardo	(914) 390-4002
New York	Southern Bk.	Kathleen Farrell	(212) 668-2870
New York	Western	Kimberly Picone	(716) 332-7834
New York	Western Bk.	Michelle Pierce	(716) 551-4096
Vermont	District & Bankruptcy		
Court of International Trade		Mary Jane Mulvehill	(212) 264-1799
<b>THIRD CIRCUIT</b>			
Pennsylvania	Appellate	Kathy Brouwer	(267) 299-4932
Delaware		Marlene Warrant	(302) 573-6170
New Jersey		John P. Reilly	(973) 645-6654
Pennsylvania	Eastern	John Zingo	(267) 299-7106
Pennsylvania	Middle	Kevin Calpin	(570) 207-5601
Pennsylvania	Western	Diane Gunn	(412) 208-7515
Virgin Islands		Cynthia Romney	(340) 776-0221
<b>FOURTH CIRCUIT</b>			
Maryland		Bea Merez	(410) 962-3793
No. Carolina	Eastern	Susan McWhorter	
No. Carolina	Eastern Bk.	Wayburn Mills	
No. Carolina	Middle	Dennis P. Iavarone	(336) 332-6012
No. Carolina	Western	Terry Leitner	(704) 350-7416
No. Carolina	Western Bk.	Cecelia Burr	
So. Carolina	District Court	Judy Cutner	(803) 765-5789
Virginia	Appellate	Marilyn K. Beck	(804) 916-2723
Virginia	Eastern	Marge Krahn	(757) 222-7238
Virginia	Western	Cindy Hamilton	(540) 857-5100 ext. 5370
W. Virginia	Northern	Judy Shelton	(304) 636-1445 ext. 233
W. Virginia	Southern	Rebecca A. Proctor	(304) 347-3100
<b>FIFTH CIRCUIT</b>			
Louisiana	Eastern	Isidore Grisoli	(504) 589-7712
Louisiana	Middle	Jimmy Purvis	
Louisiana	Western	Catherine Bacon	(337) 593-5001
Louisiana	Western–Bk.	Trelvis Dunford	
Mississippi	Northern	Billie Maddox	(662) 390-4304
Mississippi	Southern	Karen Shearer	(601) 965-4440
Texas	Eastern	Mechele Morris	(903) 590-1177
Texas	Northern	Esmeralda Henry	(214) 753-2152
Texas	Southern	Linda Lee	(713) 250-5564
Texas	Western-Austin		

## FCCA District Representatives Contact List 2005

STATE	DIVISION	CONTACT PERSON	TELEPHONE
<b>FIFTH CIRCUIT (Continued)</b>			
Texas	Western-Waco	Mary Cunningham	(254) 750-1501
Texas	Western-San Antonio	Michael J. Simon	(210) 472-6552
<b>SIXTH CIRCUIT</b>			
Kentucky	Eastern	Luke Blanche	(859) 233-2503
Kentucky	Eastern-Bk.	Jerry D. Truitt	(859) 233-2522
Kentucky	Western	Trish Carter	(502) 625-3542
Michigan	Eastern	Kim Grimes	(313) 234-5043
Michigan	Western	Cindy Idema	(616) 456-2376
Ohio	Northern	Ronnie Adamo	(216) 357-7030
Ohio	Northern-Bk.		
Ohio	Southern	Mary Kaye Budge	(937) 512-1400
Tennessee	Eastern	Geneva Ashby	(423) 752-5285
Tennessee	Middle	Ann Frantz	(615) 736-2364
Tennessee	Middle-Bk.		
Tennessee	Western	Wendy Blackledge-Ellis	(901) 495-1210
Tennessee	Western-Bk.	Machelle Clark	(901) 328-3645
<b>SEVENTH CIRCUIT</b>			
Illinois	Appellate		
Illinois	Central		
Illinois	Northern	Bob Whalen	(312) 435-6860
Illinois	Southern	Tammy Hickey	(618) 482-9011
Indiana	Northern	Karen Brickner	(574) 246-8043
Indiana	Southern		
Wisconsin	Eastern	Doreen A. Klauck	(414) 297-3372
Wisconsin	Western/BK		
<b>EIGHTH CIRCUIT</b>			
Arkansas	Eastern	Patricia Murray	
Arkansas	Western	John R. Stauffer	(479) 709-5419
Iowa	Northern	Jud Watkins	
Iowa	Southern	Susan Kern	(515) 284-6299
Minnesota		Karen Mack	
Missouri	Appellate	Linda Dahm	
Missouri	Eastern	Jeanne Pattrin	
Missouri	Western	Michele Nelson	(816) 512-5036
Nebraska		Jennifer Stone	(402) 661-7364
No. Dakota		Anne M. Kuschel	(701) 297-7002
So. Dakota		Jackie Meisenheimer	(605) 330-4447
<b>NINTH CIRCUIT</b>			
Alaska			
Arizona		Deb Lucas	(602) 322-7100
Arizona	Bankruptcy	Annette Fischer	(602) 682-4074
California	Appellate	Robert E. Rucker	(415) 556-9585
California	BAP	Nancy Dickerson	(626) 583-7906
California	Central	Dawn Bullock	(213) 894-0662
California	Eastern	Marianne Matherly	(559) 498-7257
California	Eastern-Bankruptcy	Norman Sherman	(916) 930-4400
California	Northern - San Francisco	Ian Keye	(415) 522-2003
California	Northern - San Jose	Linda Monroe	(408) 535-5378
California	Northern Bk.	Dennis Bilecki	(707) 525-8714
California	Southern	Thelma Mason	(619) 557-6418
California	Southern-Bk.	Barry K. Lander	(619) 557-5600
Guam		Rosita P. San Nicolas	001-617-473-9177
Hawaii		Natalie Higa	(808) 541-1330
Hawaii	Bankruptcy	Audrey Wong	(808) 522-8100

## FCCA District Representatives Contact List 2005

STATE	DIVISION	CONTACT PERSON	TELEPHONE
<b>NINTH CIRCUIT</b> (Continued)			
Idaho		Amy Hickox	(208) 334-1074
Montana		Lee Kelleher	(406) 542-7260
Nevada		Marlaina Belles	(702) 464-5400
Nevada	Bankruptcy	Eileen Werkheiser	(702) 388-6192
No. Mariana Islands		Galo L. Perez	011-670-234-7131
Oregon		Mary Anne DeLap	(503) 326-8052
Washington	Eastern	Lee Ann Mauk	(509) 353-2150
Washington	Western	Renee Young	(206) 553-0522
		Darlene Moore	(206) 553-5598
Washington	Western-Bk.	Aurette DeLap Erickson	(206) 553-7545
<b>TENTH CIRCUIT</b>			
Colorado	Appellate	Ardell Schuler	(303) 844-3157
Colorado		Tom Turner	(303) 844-0603
Kansas		Jenine Wright	(316) 269-6237
New Mexico		Mary Lou Gonzales	(505) 348-2055
Oklahoma	Eastern	Tami Collins	(918) 687-2471
Oklahoma	Northern	Anita Caldwell	(918) 699-4706
Oklahoma	Western	Carrie McKee	(405) 231-4627
Utah		Ruth Kawashima	(801) 524-6106
Wyoming		Stephan Harris	(307) 772-2149
<b>ELEVENTH CIRCUIT</b>			
Alabama	Middle	Yvonne Goodloe	(334) 954-3613
Alabama	Northern	Sharon Harris	(205) 278-1717
Alabama	Northern-Bk.	Sharon Harris	(205) 278-1717
Alabama	Southern	Chuck Diard	(251) 690-2940
Florida	Middle	Sandy Howes	(407) 835-4222
Florida	Middle-Bk.	Celia Rodenmeyer	(813) 521-3532
Florida	Northern	Marilyn Holland	(850) 521-3532
Florida	Northern-Bk.	Richard Mildenberger	(850) 942-8940
Florida	Southern	Steve Larimore	(305) 523-5010
Florida	Southern-Bk.	Joe Falzone	(305) 714-1894
Georgia	Appellate	Nancy Gilman	(404) 335-6144
Georgia	Northern	Allen G. Newman	(404) 215-1341
Georgia	Northern – Bk.	June Phillips	(404) 215-1017
Georgia	Middle	Wanda Misinco	(478) 752-3497 ext. 4458
Georgia	Southern	Kathy White	(912) 650-4031
Georgia	Southern-Bk.	Laura Corzine	(912) 650-4130
<b>NATIONAL</b>			
DC Circuit		Scott Atchue	(202) 216-7288
Federal Circuit		Pam Twiford	(202) 312-5522
Court of Fed. Claims		Harold Wymbs	
District Court of DC		Regina Larry	(202) 354-3362
Court of Veterans Claims		Ginny McCray	(202) 501-5970 ext. 1035
Judicial Panel on Multi-district Litigation		Ariana Estariel	(202) 502-2800
Supreme Court			

**\*\*NOTE\*\***

*All listings are current as of this printing of the Journal. Any changes that are not reflected will be shown in the next issue.*

---

# FCCA MEMBERSHIP APPLICATION

PLEASE TYPE OR PRINT LEGIBLY

Dues Amounts Enclosed \$ \_\_\_\_\_

Unit Executive = \$75

Chief Deputy/Other Court Executive = \$50

Deputy Clerk/Retired/Other = \$20

Name: \_\_\_\_\_  
Last First M.I.

Daytime Phone (\_\_\_\_) \_\_\_\_\_ Ext. \_\_\_\_\_

Year you joined FCCA? \_\_\_\_\_ Year you joined the Federal Courts? \_\_\_\_\_

Please check your areas of sectional interest:

- |   |   |                                       |
|---|---|---------------------------------------|
| <input type="checkbox"/> 1. Unit Executive                            | <input type="checkbox"/> 9. Budget Training                               | <input type="checkbox"/> 17. Training |
| <input type="checkbox"/> 2. Chief Deputy                              | <input type="checkbox"/> 10. Pro Se Law Clerk                             | <input type="checkbox"/> 18. Other    |
| <input type="checkbox"/> 3. Manager/Supervisor/Administrative Analyst | <input type="checkbox"/> 11. Courtroom Deputy                             |                                       |
| <input type="checkbox"/> 4. Automation/Quality Control                | <input type="checkbox"/> 12. Docket Clerk                                 |                                       |
| <input type="checkbox"/> 5. Procurement                               | <input type="checkbox"/> 13. Intake Clerk                                 |                                       |
| <input type="checkbox"/> 6. Jury                                      | <input type="checkbox"/> 14. Generalist                                   |                                       |
| <input type="checkbox"/> 7. Financial                                 | <input type="checkbox"/> 15. Retired                                      |                                       |
| <input type="checkbox"/> 8. Personnel                                 | <input type="checkbox"/> 16. International Relations<br>with Other Courts |                                       |

Name of Court/Organization: \_\_\_\_\_  
(Please give the complete title such as "Eastern District of Virginia," "AO")

Circuit: \_\_\_\_\_

Office Type:

- |                                     |                                   |                                   |
|-------------------------------------|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> Circuit  | <input type="checkbox"/> District |
| <input type="checkbox"/> Probation  | <input type="checkbox"/> Pretrial | <input type="checkbox"/> Other    |

Address to be used for FCCA mailings\*: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*If you would like to have electronic access to the *Journal* on the FCCA Web site, please provide your home e-mail address (preferable) or work e-mail address. \_\_\_\_\_

**MAKE YOUR CHECK PAYABLE TO FCCA.  
SEND CHECK(S) AND FORM(S) TO:**

Your District Representative

**Membership Drive 2005**

**WE NEED YOUR PARTICIPATION!  
ELECT FCCA AS YOUR CHOICE.**

# STILL CRANKING OUT CASSETTE TAPES?



## TURN TO A BETTER, DIGITAL SOLUTION.

*Outdated tape technology can't gear up to today's demands. Our innovative recording and archiving solutions for critical applications maximize resources and improve productivity. That's why courts, legislatures, councils, boards and commissions the world over use our products, from our original **FTR Gold**® line of digital audio recording software and our **FTR ReporterDeck**™ hardware solution to **TheRecord Reporter**™, our latest audio/video management system.*

*Our products are convenient, simple to use, and cost-effective. Visit our web site or call today to find out how to improve the efficiency and stability of your record.*

2901 North Central Ave., Suite 400  
Phoenix, Arizona 85012

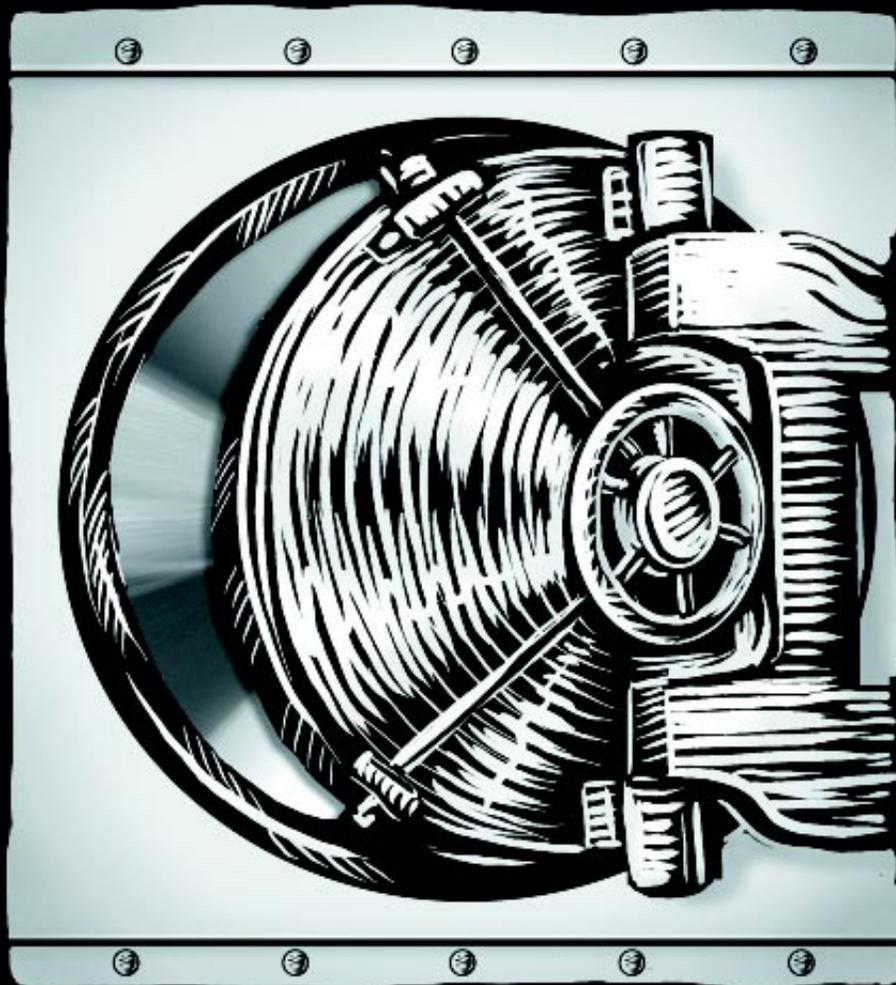
TOLL FREE 877.650.0958

Visit us at: [www.fortherecord.com](http://www.fortherecord.com)



**GSA** Contract Holder  
FSS Contract GS 33F 0103P

# IS YOUR RECORD SAFE?



*Be sure with TheRecord CD™! TheRecord CD is the only data storage solution designed specifically for the needs of courts that want to archive, store and distribute digitally recorded proceedings.*

*TheRecord CD includes a collection of the highest quality CD-R's available, each packaged in its own protective Digipak™. The Digipaks are packed in a heavy-duty storage box that's designed to fit on a shelf and be easily stacked. Also included is a CD-R-safe marking pen for noting case numbers, dates and other information on the Digipaks.*

*Don't let mistakes and accidents cause you to lose valuable records! Contact us about TheRecord CD today so you'll have the peace of mind knowing that your record is safe.*



FTR Limited • 2901 North Central Ave., Suite 400 • Phoenix, AZ 85012 • toll free 1-877-650-0958 • [www.fortherecord.com](http://www.fortherecord.com)



**ForTheRecord™**

Order now at 1-877-650-0958  
or at [www.ftrstore.com](http://www.ftrstore.com)

**GSA** Contract Holder  
FTR Contract GS 33F 0107P