



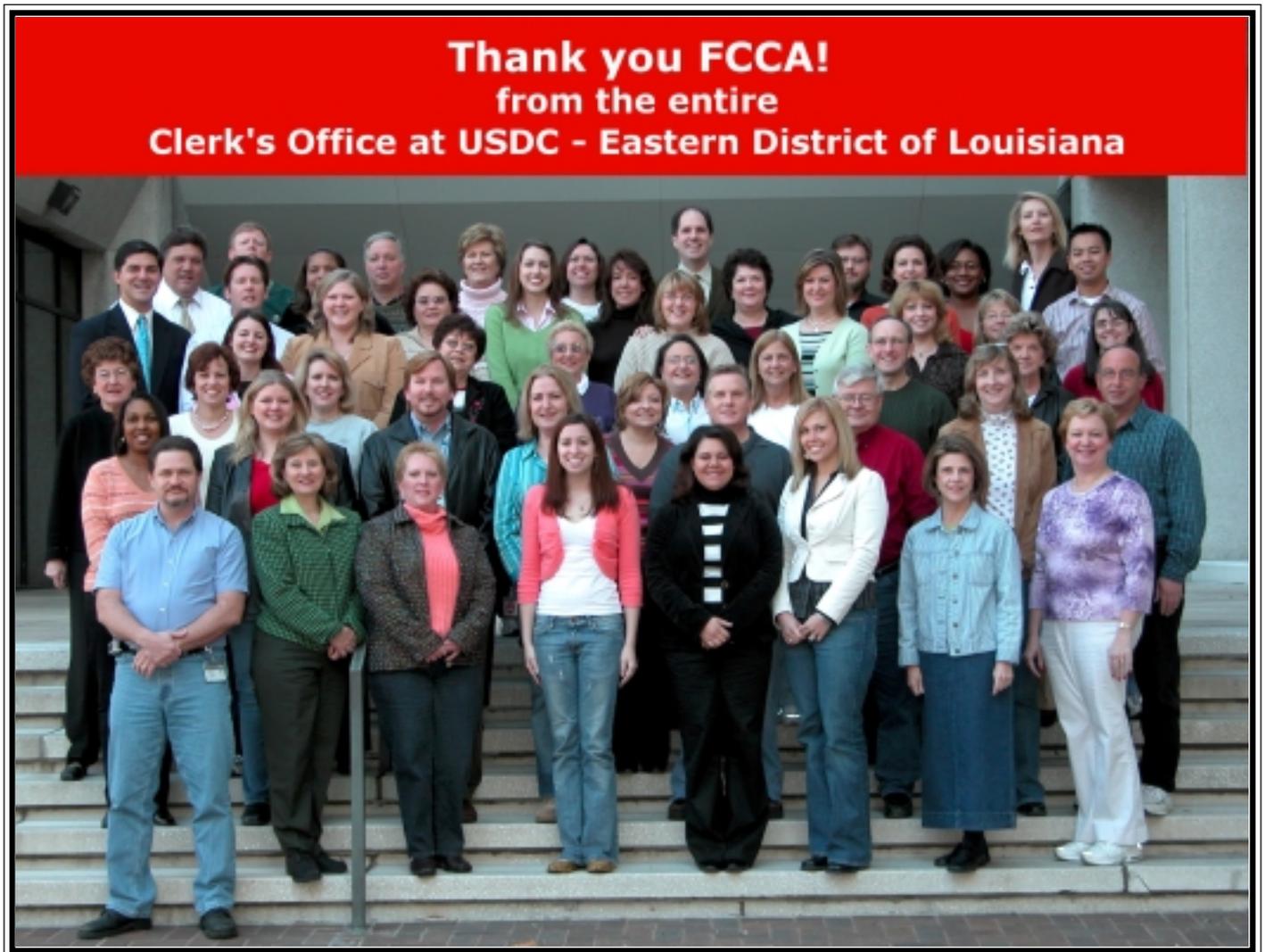
FCCA

Journal

Official Publication Of The Federal Court Clerks Association

Vol. IV No. 1

Winter 2006



Due to the holidays, several staff were not present for this picture.

WE SURVIVED!

Winter 2006

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PRESIDENT'S MESSAGE

By Sheryl L. Loesch, Clerk, Middle District of Florida



2005 was an exciting year for our Association and 2006 is shaping up to be just as exciting. I want to thank all of our FCCA members for their outstanding caring and support of those members of the court family who were victims of the many hurricanes last year. A total of \$165,000 has been collected, of which \$96,600 was collected by FCCA members alone. So far, 115 checks have been disbursed to those in need. If anybody ever asks the question, "What does FCCA do for its members?" - the Hurricane Relief Fund is one example of the tremendous impact FCCA has made. Let's all hope for a less intensive hurricane season this year.

The budget outlook for 2006 is also very positive. Both the House and the Senate were generous in their support of the judiciary. Our new Chief Justice has been in the news recently with comments about the importance of an independent judiciary and the ongoing need for additional resources. The work of the FCCA's Clerks' Council has helped make the needs of our Clerk's Offices known to the Conference Committees as well as to the Administrative Office. Additionally, FCCA was

invited to participate in several conference calls with a member of the search committee appointed by Chief Justice Roberts to offer comments on the recruitment for Director Mecham's replacement. Our Association is well regarded, nationally, and held in high esteem. Our efforts on behalf of all Clerk's Office employees will continue. There is still much to be done.

Soon we will begin accepting nominations for the positions of Treasurer, Historian, even-numbered Circuit Representative and D.C. circuit positions. Anne Stygles, who chairs our Nominations Committee, has included information on the nomination process in an article in this edition of the *Journal*.

I am also very pleased to report that the International Association of Court Administration, Inc. is taking shape. The website (which was designed by our own FCCA web site designer, Linda Wade-Bahr - yes, Linda got married over Thanksgiving!), is outstanding and if you haven't already done so, I encourage you to take a look - www.IACA.ws. This new Association has been well received by the International Judicial Relations Committee and the Administrative Office. Many thanks go to FCCA for its support of this new Association.

Our membership drive is well under way. As you all know, the Board decided to change our membership period to be consistent with the terms of service of our Board members. What that means is the current membership period will cover an 18-month period rather than a 12-month membership period and dues have been adjusted accordingly.

FCCA's own Jim Murphy has

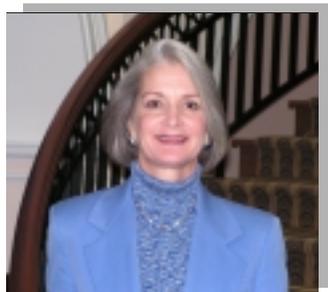
agreed to stay involved with the FCCA Board by chairing a Special Projects committee. Jim is focusing on possible insurance options that may be of benefit to FCCA members, as well as many other initiatives. Look for more information from Jim in the near future!

As we enter 2006, our thoughts and anticipation turn to this summer's conference in Boston. Team Boston has a terrific education program (including additional MSU classes) as well as many fun opportunities (including some surprises, which have been kept secret so far). I also heard a rumor that our Immediate Past President Jeff Apperson will be leading the walk along the Freedom Trail, so you don't want to miss out on that! I hope you all have the conference dates on your calendar: July 16 (President's Reception) through July 20 (closing banquet). More details about this conference will be in the next issue of the *Journal*.

I wish the best to all of you for 2006! It is an honor to serve you as your President. 

<p style="text-align: center;">UPDATE ON HURRICANE RELIEF:</p> <p style="text-align: center;">Total collected to date: \$165,000</p> <p style="text-align: center;">\$96,600 from FCCA members</p> <p style="text-align: center;">115 checks have been disbursed to those in need</p>

From the Editor



By Patricia McNutt, Clerk,
Eastern District of Tennessee

Hello 2006, good-bye 2005. I hope you made your New Year's resolutions and ate plenty of black-eyed peas. As I was thinking of making my New Year's resolutions, I became curious about the genesis of New Year's celebrations, resolutions and rituals for good luck.

The celebration of New Year is one of the oldest holidays. It was first observed over 4000 years ago by the Babylonians. They celebrated it on March 23, which was the beginning of their year. Resolutions were made at this time, and one of the most common resolutions was to return borrowed farm implements. Later, in 46 B.C., Julius Caesar changed the calendar and January 1, became the first day of the new year. January was named after the Roman god Janus, the god of beginnings. He had two faces, on the front and back, and could look backward and forward at the same time. At midnight on December 31, the Romans imagined Janus looking back at the old year and forward to the new year. They also exchanged gifts, such as branches from sacred trees, nuts and coins imprinted with Janus, for good fortune.

Rituals for good luck in the New Year continue today. Many of them are associated with eating. For example, many Southerners and others eat

black-eyed peas and turnip greens for good luck and good fortune on New Year's day. It is said that the tradition of eating black-eyed peas for luck began after the Civil War. Before the Civil War, black-eyed peas were used mainly to feed cattle. During the 40-day plus siege of Vicksburg, the town was on the brink of starvation, so they ate "cowpeas," hence starting a Southern tradition of eating black-eyed peas on New Year's Day for good luck.

According to some Southerners, each pea equals \$1 of earnings and each portion of turnip greens equals \$1000. The tradition hasn't kept up with inflation so you can't get rich by eating black-eyed peas and turnip greens, although they are good for your health. Another tradition holds that you will have luck for each day you eat a pea - if you eat 365 black-eyed peas, you will have 365 days of luck. When I was a child, I would count my black-eyed peas, hoping I could eat 365, but I never did. I've quit counting them, but I never skip eating black-eyed peas and greens on New Year's Day.

In Spain, they eat 12 grapes at midnight of December 31 to bring good luck for the 12 months ahead. In Sicily, they eat lasagna for luck. Greece has a tradition of baking bread with a coin buried in the dough. The first slice is for the Christ child, the second slice is for the father of the household, and the third slice is for the house. If the coin is in the third slice, it means spring will come early.

Besides food, there are other traditions associated with good fortune for the New Year. The kiss shared at midnight in the U.S. is derived from masked balls popular through the ages. The masks symbolize the evil spirits from the old year and the kiss is purification into the New Year. In England, they believe the first visitor of the New

Year should be male and bearing gifts. Not a bad idea. In Wales, at the first toll of midnight, they open the back door and let out the old year and lock out its bad luck. At the stroke of 12, they open the front door and welcome the New Year.

The tradition of making New Year's resolutions also is ancient. It started with the Babylonians, continued with the Romans, and exists around the world today. Some of the most popular resolutions today are: to spend more time with family and friends; to improve relationships; to eat healthy, exercise, and lose weight; to quit a bad habit such as smoking; and to reduce stress.

I have resolved to make the *Journal* a magazine that has useful information that you enjoy reading. If you have ideas for its improvement in 2006, please send me your suggestions at patricia_mcnutt@tned.uscourts.gov.

Also, while you are thinking about resolutions, make one to get more involved in the FCCA and to get your coworkers more involved. The FCCA is a great organization that can provide you with lots of learning and lots of enjoyment.

Enjoy the New Year!



Background Checks on Contract Court Interpreters

By Carolyn Kinney
Court Interpreting Program Specialist
AO District Court Administration Division

In the last seven months, more than one-third of the active interpreters listed in the Judiciary's National Court interpreter Database have provided fingerprints in compliance with the Judicial Conference's new mandatory background check program.

There are several benefits of the mandatory background check on contract court interpreters. First, of course, is increased security in the courthouse and the courtroom. In addition, an unforeseen result is that records in the National Court Interpreter Database are being updated more regularly as the background checks are entered, so that all courts have the benefit of accurate contact information on contract court interpreters.

The Judicial Conference of the United States developed a Background Check policy in September 2002, to assure that individuals working in the judiciary meet the appropriate standards of trust and confidence due to (1) their level of access to judges, chambers, and sensitive areas of the courthouse; (2) the maintenance of integrity of federal court proceedings; (3) their level of access to sensitive information; and (4) their responsibility for government funds, contracts, and information technology resources.

As a condition of employment, fingerprint checks or full background investigations, depending on the type of position, are now mandatory for all new employees. In addition, fingerprint checks are mandatory for contractors with duties that would otherwise be performed by judiciary employees, regardless of whether the

court or federal public defender organization actually has employees working in such similar positions. Since some courts have staff interpreters and these positions have been designated as sensitive (thus requiring an FBI fingerprint check), all contract interpreters must also be subject to fingerprint checks. A complete background investigation is not required for contract court interpreters.

Contract court interpreters often have multiple interpreting assignments in one court, and may also work in multiple district courts each year. The District Clerks Advisory Group requested that the Administrative Office develop a process to streamline the background check process for contract court interpreters, both to eliminate the need for any one interpreter to provide fingerprints multiple times and to reduce the number of background checks to be performed by the courts.

The District Court Administration Division worked with the InfoWeb designer to develop a separate, secure, but integrated module on the National Court Interpreter Database (NCID) to track the results of FBI checks on contract court interpreters. Implementation of the fingerprint process for contract court interpreters started officially on May 16, 2005. A court using a contract court interpreter must initiate a background check on that interpreter, unless, (1) the court can confirm that another federal court has already initiated a background check within the last two years (even if the FBI report is not yet available for review), or (2) the results of previous background checks are available for review by appointing

officials. Some courts have chosen to implement the background check policy for contract court interpreters by setting dates for all local interpreters to provide fingerprints; others have chosen to fingerprint individual interpreters when they report for their first interpreting assignment in the court. Both methods are effective, as shown by the fact that of the 2,618 active interpreters on the NCID, 928, or 35%, had been fingerprinted by January 6, 2006. Of these 928, FBI reports have been received on 656 interpreters and are available on InfoWeb to Court Unit Executives and designated seconds-in-command with permission to view them. It takes four to six weeks for the FBI to complete its check and send the report to the AO to be scanned into the NCID. In the interim, the interpreter may continue providing service to the courts until the FBI report is available and the court can make a determination on that interpreter's suitability.

Further information on the policy and procedures for conducting background checks on contract court interpreters is at <http://jnet.ao.dcn/HumanResources/CourtInterpreters.html>. Questions about background checks can be addressed to the Personnel Security Group at AODB_Background_Checks_and_Investigations/DCA/AO/USCOURTS, or by phone at 202-502-3396. The District Court Administration Division welcomes your comments on the court interpreting program. Please contact Dr. Carolyn Kinney, Court Interpreting Program Specialist, at Carolyn Kinney/DCA/AO/USCOURTS or 202-502-1674.



2006 DATES TO REMEMBER

February 28

Nominations deadline for Public Service Award (due to Joe Haas)

March 15

Nominations deadline for National Office of Treasurer and Historian, Circuit Representatives for even-numbered circuits and D.C. circuit (due to Anne Stygles)

April 15

Nominations deadline for following awards¹: Ross Levy Memorial Award, Angie Award, Carol Fitzgerald Award and FCCA Special Service Award (due to Sue Rigan)

May 15

Blood for Life Report (due to Jane Bauer)

May 15

Submission of FCCA Journal articles (due to Pat McNutt)

July 16-20

FCCA Conference in Boston, MA (Mark your calendars and check FCCA's home page for current information.)

¹More information about these awards can be found on the FCCA web site, or by contacting Sue Rigan, Awards Chair.

Historian Report

By David Stechmann, Historian
Eastern District of Louisiana

I wish to thank my many FCCA friends for all their efforts in contributing and assisting the Court employees of New Orleans and the Gulf Coast. I especially want to thank all of you who called, sent e-mails and had kind words of encouragement. It was very heartening to know you have friends that care about you and your family's well being. One of the major problems directly after Katrina was lack of communication with anyone in the Gulf Coast area. The opportunity to talk with many of you those first few days after Katrina helped get through some uncertain times. You guys were the only normal thing in my life at the time. Thank You!

I am proud to say that the FCCA is a part of assisting court employees affected by Katrina. I've been a part of FCCA for the last 20 years and being on the other end of these contributions is a little overwhelming. I know that your efforts are making a difference in my life and that of my family, as well as the many other employees affected by Katrina.

I'm happy to report that none of the FCCA Historian material was damaged by Katrina or its after effects. Our building in New Orleans was not damaged and all FCCA Historian materials are safe.

I've submitted my Historian request for funds to continue our "Ideas for Today and Tomorrow." I intend to take photos throughout the conference and show them each morning.

Everyone seemed to enjoy visiting the Traveling Memorabilia and Mementos Exhibit Show (better known as the Historian Room) in Chicago. I'm excited to announce that we will again open at the FCCA annual conference in Boston, MA. This is the fourth year of

the Historian room following conferences in Orlando, Anaheim, and Chicago. The historian room has steadily increased in size as many of you pass along your memorabilia and mementos from old as well as recent conferences. It has become symbolic of FCCA and all its many achievements. It's always fun looking back and remembering other times and people that help make FCCA what it is today. Come by for a visit while in Boston the week of July 16-20, 2006. I'm looking forward to continuing the tradition in Boston.

I hope everyone is as excited as I am about the progress we've made and spending a week in Boston. I'm looking forward to another outstanding conference and hope to encourage more members to get involved in helping us continue in our efforts.



Clerks' Council Update

By Karen Mitchell
Clerks' Council Chair
Northern District of Texas

On behalf of the Executive Board of the Clerks' Council, I want to commend you all for giving so generously to assist our friends and colleagues who were impacted by Hurricanes Katrina and Rita. The outpouring of concern and support has been incredible, and it reminds me of what is good about the judiciary. Our President Sheryl Loesch provided a report on the relief efforts in her column, so I won't elaborate further.

Matt Dykman, Clerk of the District of New Mexico, recently joined the Executive Board of the Clerks' Council. Matt served as Chief Deputy in the Southern District of California before moving to New Mexico. Matt will be a great addition to our Board.



FCCA Special Service Award Nominations Sought

By Sue Rigan
Awards Committee Chair
Western District of Michigan

Nominations for the Special Service Award are now being taken! This award may be presented to any FCCA member who has made a significant contribution or given outstanding service to the FCCA. Any FCCA member may nominate a fellow FCCA member. No more than five Special Service Awards are usually given in a year.

You may e-mail your nomination with a brief description of the reason for the nomination, including an explanation as to the contributions your nominee has made to the FCCA, to: Sue_Rigan@miwd.uscourts.gov or you may mail them to Sue at U.S. District Court Clerk's Office, 110 Michigan Street NW, Room 399, Grand Rapids, MI 49503, or fax them to 616-456-2058. Deadline for submitting nominations is **April 15, 2006**.

Committee members Cindy Idema (Western District of Michigan) and Sheila Beauchene (District of North Dakota), will be reviewing the nominations. The recipients will be presented for approval by President Sheryl Loesch and will be given their award at the Annual Conference in Boston, Massachusetts. This is a great opportunity to recognize those "special services" provided by an FCCA member. Perhaps you or someone you know will join the 32 FCCA members who have received this award since its inception in 1995!

Nominations Are Being Sought for National Officers and for Circuit Representatives

By Anne Stygles, Nominations Chair
U.S. Court of Appeals for Veterans Claims

Our Nominations Committee is looking for a few dedicated, enthusiastic members who are willing to get involved and be nominated for the national offices of Treasurer and Historian, and for Circuit Representatives for the even-numbered circuits and the D.C. Circuit.

If you know of someone who would like to be nominated for the above positions, please contact the individual and encourage him/her to run for one of the aforementioned positions. The individual can be from any court (District, Bankruptcy, or Circuit). If you are interested, please ask a FCCA member to nominate you. Nomination forms will be forwarded to all District Representatives by their Circuit Representatives.

Nomination criteria for national offices and the Board of Directors are:

The individuals must be active FCCA members and must have attended at least two annual conferences. Terms of office for the above positions are two years and begin at the end of the annual conference.

Duties and responsibilities for circuit representatives are:

- 1) distribute expeditiously all communications from FCCA's President and its governing body;
- 2) assist the various committees of the organization with ongoing projects, as needed;
- 3) coordinate the "Blood for Life" program and other local FCCA activities;
- 4) coordinate the Deputy Clerks' portion of the conference program as well as the retirees' Reception, held at the annual conference;

5) coordinate the election process for their circuit (biannually) as well as the election of national officers (annually);

6) assist the Membership Committee in actively soliciting membership in the FCCA and promoting members' involvement in the organization's initiatives and activities; and

7) appoint district representatives to assist them in the above duties.

Nominations for circuit representatives this year apply to the 2nd, 4th, 6th, 8th, and 10th, and D.C. Circuits.

Nomination forms must be returned by mail to the Nominations Committee Chairperson, Anne Stygles, U. S. Court of Appeals for Veteran Claims, 625 Indiana Avenue, Suite 900, Washington, D.C. 20004, or fax to 202-585-3962, before **March 15, 2006**. If you have any questions, please call Anne at 202-501-5979.



On The Web...

By Cheryl Sweat

- Current Officers and Board & Committee Contact List
- Current FCCA District Representatives Contact List¹
- Award Nominations Process
- 2006 Membership Form
- Teleconference Board Meeting Minutes of November 8, 2005
- FCCA Treasurer's Report / Financial Documents

¹**NOTE:** All lists are current as of this printing of the Journal. Any changes that are not reflected will be shown in the next issue and should be directed to the Circuit Representative AND Pam Twiford, Membership Chair.

The Gift of Life

By Jane Bauer, Blood for Life Chair
District of Connecticut

Last year was a trying time for humanitarian efforts worldwide. Right here at home we saw the devastation a major hurricane can cause to a major city. As we all contemplate our resolutions for the new year, please consider making a contribution to a local blood bank.

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.

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 somewhere besides a court blood drive, 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 which brings a \$25 cash award.

Last year the FCCA reached a total of 10,000 pints of blood and platelets. Let us continue our generosity of spirit from the recent holiday season and give the gift of life.

If you need to report blood donations, the donation year runs **May 1, 2005 - April 30, 2006**. You may either fax me the report or send it to me via e-mail no later than **May 15, 2006**. My fax and e-mail information is on the "Blood for Life Donors" form, that is posted on the web site.



Strapped for Cash?

By Ian Keye, Professional
Development Chair
Northern District of California

Mark your calendar for **April 15!** Whether or not that date means a deadline to pay the Tax Man or your opportunity to get back that well-earned refund from Uncle Sam, April 15 is also the deadline to apply for a little help from your Federal Court Clerks Association.

By April 15, 2006, members of FCCA may apply for the Carol C. Fitzgerald Scholarship. Each year awardees can receive up to \$250 toward attendance at the Annual Conference or up to \$500 toward the cost of a career-related course or training program. A total of up to \$2000 for all awards is made available each year. Preference is given to first-time scholarship applicants, but all eligible FCCA members are encouraged to apply.

Of course, just like those IRS forms, there's always the fine print. To be considered for an award, you must: be a member of FCCA in good standing for at least two consecutive years; be a deputy clerk employed by the U.S. Courts; submit the application by the deadline; sign the Continuing Employment Agreement; and, not be an FCCA Board Member or officer. Additional information is available at the FCCA web site: <http://www.fcca.ws> (Click on "Scholarship Program" for complete details. A link to the application form and Continuing Employment Agreement can be found on the last page of the program instructions.)

Give yourself a little help this April. Apply for the Carol C. Fitzgerald Scholarship today!



IN MEMORIAM – Rita Warner

By Maria Carpenter
Second Circuit District Representative
District of Connecticut



This profile is in tribute to Rita Warner, who worked in the New Haven office in the District of Connecticut. She passed away on September 7, 2005 after a short illness. Rita started her employment 13 years ago, first as a File Clerk, then as a Docket Clerk. She was an active member of the FCCA since 1993, and had attended several conferences. She enjoyed making new friends and receiving training at the conferences.

Rita was born in Bogen, Bavaria, on March 11, 1946. She was a graduate of Stone Business School and a member of Alpha Iota Sorority. She was married and had two grown children.

Besides her family, Rita had two major passions in her life – crafts (needlework, crocheting and knitting), and the Yale New Haven Hospital Toy Closet. Everyone in the New Haven office, and even some others, have received needlework ornaments for Christmas, and some have received items such as baby blankets, sweaters, etc. These are now all treasured memories of Rita. She was very involved in collecting items for the Toy Closet. The Clerk's Office would be stuffed with baskets she made up from donated items. These baskets of toys

Continued on page 9

In Memoriam - Rita Warner

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and other items helped brighten the day for children staying in the hospital. Last year she received a special award from the Yale Toy Closet for her efforts.

Rita always had a smile on her face and greeted all who came into the office. She never complained, despite the pain that she was in for quite a while. The New Haven office is not the same without her friendly, warm, and outgoing personality. She touched the lives of all with whom she came in contact. She is dearly missed.



Fund-raiser Success

By Cheryl Sweat,
Sixth Circuit Representative
Eastern District of Tennessee

A recent experience led me to a fund-raising idea that was a first-time experience and a success.

Last month, my husband and I were at his grandmother's house for lunch. As we sat at the kitchen table, we looked out the window and noticed a bundle of mistletoe hanging 50 feet in an oak tree. Some people shoot it down as a yearly tradition, and since I had never enjoyed fresh mistletoe my husband, who is an avid hunter, agreed to shoot it down. Coincidentally, after the mistletoe was collected, we came in from the cold, windy afternoon to read a humanist's column in the newspaper about the "pucker power" of mistletoe.

I prepared the mistletoe with colored ribbons and sold it to my coworkers. At the end of the week, I visited my local hair salon where the manager purchased the remainder of mistletoe for his staff and their customers.

Our court's Historical Society guru Don Ferguson, who is also author of the famous *Grammar Gremlins* feature book, wrote a short article about my fund-raising success in our court's newsletter, the *Court Crier*, located at http://156.125.44.74/court_crier.htm.

Forty-four dollars was collected and forwarded to the FCCA Treasurer. While I enjoyed the feeling of mistletoe falling from the tree and sharing it, I only collected a small amount compared to larger fund-raisers. It gives me great pleasure to be a member of an organization that gives so much to others in many different ways, and this is my way of saying "thanks."

As long as the mistletoe grows in the same tree every year, it will be a yearly tradition and a fund-raiser.



2006-2007 Membership Drive - An Update

By Pam Twiford, Membership Chair
Federal Circuit

The 2006-2007 membership drive started on October 1, 2005 with a lot of energy and enthusiasm from all courts. Just like ringing in the New Year it's time to bring in new members and renew your membership with the FCCA as well.

As you are aware the current FCCA membership term expired on December 31, 2005. The new membership term will run from January 1, 2006 through June 30, 2007.

Let me bring you up-to-date on the total number of members we have so far. At the time of writing this article we have a total of 355 members. The break down is as follows: 18 members at \$112.50, 26 members at \$75.00

and 311 members at \$30.00. We still have a long way to go. I am happy to report that I am receiving a few renewals on the retiree's side as well. This is great news. So please keep the membership applications coming my way.

Please remember even though December 31, 2005, has passed there is still plenty of time to become a member or renew your membership. Please refer to the FCCA's web site at www.fcca.ws for the reasons to why you should renew your membership or become a member of the Federal Court Clerk's Association.



BOSTON - JULY 2006

By Ginny Hurley
Site Selection - Team Boston
District of Massachusetts



The days are quickly ticking off as we prepare for your arrival in Boston for the 2006 FCCA conference. Team Boston is hard at work, like busy little elves, planning an educational and social agenda to knock your socks off.

As you may know, our headquarters will be the Radisson Hotel on Stuart Street in Boston. The room rate is a very reasonable \$149 per night, which is a steal in downtown Boston during tourist season. The hotel is not as big as those we've used in the past across the country, but it has every amenity you could need, and it is located within blocks or a short ride to most of the best tourist sites in Boston.

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Boston - July 2006

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Our fun will begin on Sunday July 16 as we meet at the John Joseph Moakley Courthouse on Boston's waterfront for the President's Reception. During the reception we hope you will have an opportunity to tour our beautiful, award-winning courthouse and the harbor park outside our back door.

Monday morning will see the official start of the conference - we have a plenary session scheduled each morning with many nationally known speakers expected. After a short break each morning, we will begin breakout sessions with a curriculum we know will interest all our members. There will be sessions planned to help us all deal with lean budget times, changing work requirements caused by those same lean times and by changes brought on by new automated systems taking the place of our nice comfortable work habits (I know there are a few of us who still remember carbon paper!) and other sessions to meet the ever changing needs of the courts and staff. We expect to spend one afternoon concentrating on how we do our jobs, and how we might do them better - we'll do that by having free flowing discussions in a series of classrooms dedicated to many of the jobs we do in the courts (jury clerks, financial staff, IT, operations staff, managers, etc.). Facilitators will be stationed in each room to keep the conversations going and help record the great ideas these conversations will produce. These sessions can be whatever we make them. The participants can be members who already perform those jobs and want to compare notes, or members who want more information about the job for future employment. We hope you feel free to come and go from any classroom during the afternoon as you wish.

By the way, this idea is blatantly stolen from the AO/FJC's CM/ECF Operational Forums held the past few years!

Michigan State University's educational track this year will be two-fold: 'Human Resources' and 'Essential Components of the Court' will both be offered. We expect to schedule these classes whenever possible to permit ample time for the MSU students to meet the requirements of the program, as well as join in with other educational sessions.

All in all, we are planning a varied educational program to suit the interests of our wide range of members.

Our social agenda will keep you busy too: after the reception on Sunday night, we have many more activities planned: a clambake at the Navy Yard in Charlestown (the home of the USS Constitution), a harbor cruise, and possibly a night at Fenway Park to see a Red Sox game. To cap the week off, we will hold the Independence Ball on Thursday night.

Our new Chief Judge, the Honorable Mark L. Wolf, related a parable once told by Supreme Court Justice Robert Jackson at a recent meeting of Court staff. Justice Jackson used the parable as he spoke about the rule of law at a ceremony in 1953 to lay the cornerstone of the future home of the American Bar Center at the University of Chicago:

"A story that I have often told seems especially apt today. A visitor at a cathedral under construction questioned three workmen as to what they thought they were doing. The first muttered, 'I am making a living.' The second gave the uninspired reply, 'I am laying this stone.' The third one looked up toward the sky and his face was lighted up by his faith as he said, 'I am building a cathedral.'"

Chief Judge Wolf used the parable to remind Court staff of the role we all play in the administration of justice in the federal courts. Team Boston decided long ago on the dual themes of 'Let Freedom Ring' and 'United We Stand' for our conference. We hope that our education program (and social agenda!) will help remind us all of the important work we do, and build on the teamwork so important to any successful organization.

A few years ago, Boston's 1992 conference was voted one of the top ten conferences. We plan on doing it again!



Spotlight on Members



Fernando Galindo

Fernando's current position is the Chief Deputy Clerk for the Eastern District of Virginia. He has been with the court for 15 years. He has held other positions such as Procurement Assistant (District of Columbia), Procurement Specialist (District Executive Office, SDNY), Administrative Manager (US Probation, SDNY), and Chief Deputy Clerk (2nd Circuit COA).

He is new to the FCCA; he joined the FCCA in 2005. Boston will be his first conference and he is looking forward to it!

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Spotlight on Members

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Fernando graduated from St. Mary's College of Maryland with a BA in Psychology and a minor in Spanish.

He has been married to his soul mate Nicole for five years and has a beautiful three-year old daughter, Grace Caroline, who he says are the best two ladies in the world!

His hobbies include being a HUGE Redskins fan (so it's good to be back in VA after living in the NY area for 10 years). He reads anything by John Grisham, Tom Clancy, Michael Crichton or Brad Meltzer. Fernando enjoys good action movies, but most of all and not really a "hobbie," he loves to spend time being a daddy to his little girl, and exploring his hometown of Williamsburg.

His most special and memorable project was furnishing the 26 story new federal courthouse in lower Manhattan (1994/95). It was a huge project, he remarks "We got it done in time and everyone moved in, happy."



Tracey Couling

Tracey Couling is presently the Database Administrator for the Bankruptcy Court in the Middle District of Nashville and has been with the court for 10 years. Other positions she has

held are Systems Administrator and Network Administrator. Tracey has an A.A.S. in Accounting and B.S. in Business Management.

She joined the FCCA in 2002 and is currently a Sixth Circuit District Representative. She thoroughly enjoyed her first conference in Chicago. She met many new people at the conference and gained valuable information. The conference also provided a new source of information which continues to aid in her personal and professional growth. She is proud and excited to be a part of the FCCA and looks forward to attending more conferences in the years to come. She also is looking forward to the 2006 Conference in Boston.

She is married and has four children. She enjoys bell fishing and reading. Fortunately, they are hobbies that work well together. Tracey throws in a line and places a bell on the end of the pole and sets the pole in the holder and reads. When the bell rings she has a bite.

Tracey has been a volunteer instructor for the American Red Cross since 1983. She has had the honors of being part of two outstanding teams implementing CM/ECF. First, with the District Court for the District of Nebraska and then as Assistant Project Manager for the Bankruptcy Court for the Middle District of Tennessee. She serves on the Local Rules and CM/ECF Committees as a court liaison with the Nashville Bankruptcy Bar Association.

She has received several awards that include the Outstanding Business Student 1992, the President's Award in Accounting 1992, the North Carolina Governor's Award for Outstanding Volunteers 1996, the American Red Cross Outstanding Volunteer of the Year Wilson/Greene Chapter 1995, and the Administrative Office Director's Award for Excellence in Court Operations 2003.

AO Hurricane Disaster Recovery Experiences - 2005

*By Craig Jenkins
Administrative Office, Chief of the OIT
Infrastructure Management Division*

This article provides, from an IT perspective, a brief description of events during the 2005 hurricane season, based on experiences at the Administrative Office, and new processes that evolved to ensure the courts can stay connected. When a court loses voice or data services, our joint objective is to quickly recover essential voice and data services.

Hurricane Season 2005. The 2005 hurricane season started much earlier than Katrina's rapid journey through the Gulf of Mexico in late August. In fact, the northern Gulf areas from eastern Texas to the Florida panhandle were hit by Tropical Storm Cindy and Category 3 Hurricane Dennis in early July. Until Katrina hit the Gulf, the judiciary had been spared from any significant impacts to court operations, including Katrina's early track through the Florida Keys. Hurricane Ophelia was a protracted threat along the East Coast coming between Katrina and Rita's follow-on hit along the middle part of the northern Gulf. (*See Chart.*) Hurricane Wilma caused damage along the southern and middle Florida areas, which had seen repeated visits by previous storms.

Experiences during 2004 and the initial 2005 season resulted in several proactive court and AO actions. The AO began tracking storm systems. The courts began making early decisions regarding closings, notifications, and related planning concerning operations and staff activities. IT staffs ran

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Hurricane Experience

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system backups and powered down systems to avoid network disruptions. DCN and PacerNet connections were often turned off. At the AO, the Judiciary Emergency Preparedness Office notified members of the Judiciary Emergency Response Team (JERT) that a tropical storm/hurricane was a threat and to be prepared to support the courts.

Katrina and Rita. My division, the IT Infrastructure Management Division (OIT-IMD), continued tracking Katrina as she left the Florida Keys and entered the Gulf of Mexico on Thursday, August 25. Katrina rapidly intensified but her track did not stabilize. Based on projections, we called systems managers to notify them we were available to provide assistance. IMD verified Point of Contact information and requested that they report closing and reopening information. All courts had previously received information on procedures for activating emergency Notes servers, web sites and CM/ECF replication. Due to the approaching weekend, and lack of information regarding Katrina's ultimate path and strength, we did not receive any requests for support or emergency activations. The Network Management Facility (NMF) team was alerted to process support requests and to report court outages as Katrina made landfall.

AO/OIT-IMD has enhanced our telephonic notification process to add alternate ways to contact IT staff via personal cell phone numbers or e-mail addresses. A spreadsheet, maintained by the NMF team, covers all court units in projected storm paths and information about court network connections, systems, and staff contacts. It shows who has been contacted and allows WANMB managers to verify progress and report on the status of our efforts.

The damages caused by Katrina and Rita were far greater than in most previous hurricanes. In the aftermath of both storms, the affected regions and most court locations in them suffered damages that resulted in loss of power, telephone and data links. Sprint's major switch in New Orleans was destroyed, along with a point of presence (POP) site in Biloxi, Mississippi. The impact reached beyond the storms' paths, causing outages in Florida Northern and beyond. All FTS2001/Sprint voice and data services were initially lost, often taking several weeks to restore. Hundreds of trunks, including special dedicated FTS trunks, had to be rehomed to alternate Sprint switches and all routing information needed to be reprogrammed.

Many court locations suffered minor damage, and were ready to resume business operations shortly after storm passage. The extended voice and data outages disrupted normal operations and created additional pressures on IT staff to provide immediate solutions. Existing national solutions for web access, messaging, and CM/ECF failover did not fully meet court needs in this situation. Alternate voice (phone) solutions were also needed for long-distance calling.

Solutions and Responses. The courts were able to quickly identify, setup, test and implement solutions to provide alternate ways of meeting network and voice needs. The AO team worked with court IT staffs to complete configuration of these solutions. Many used new equipment quickly obtained locally by court staff, together with modifications to existing systems. Sprint, Bell South, MCI, AT&T and other local area service providers began restoring services.

Voice Solutions to Consider:

Purchase prepaid phone cards to make long-distance calls. The cards are an inexpensive way to place calls when FTS/Sprint services are down. They

can be purchased in quantity and bypass existing PBX blocks or other settings affecting GETS and carrier access code (CAC) use. A small stock of these cards is recommended for all COOP/DR packages. Some cards have expiration dates, rotate them as needed. Consider mixing the cards, using more than one provider, if possible. Identify local stores that sell the cards and how to add minutes. Get in line early to buy more cards!

Use alternate long-distance access available through CAC dialing. These codes are the same ones MCI, AT&T and other providers offer from hotel rooms; they are on the back of your GETS (Government Emergency Telecommunications System) card. The key is to ensure that there are no local PBX switch or other blocks that will prevent CAC use. Add the CAC codes to your COOP/DR packages along with dialing instructions based on your local situation. If these codes and none of the other alternatives work, and your local provider offers a solution, consider taking it and paying the price. Contact the AO as soon as possible to inform us and to verify emergency funding is available.

Use GETS cards if local dial tone is available. GETS provides priority call routing, a caller avoids busy signals resulting from high caller rates. For a priority long-distance call, the long-distance services must be available. Only Chief Judges and Clerks/CUEs receive GETS cards; sharing is allowed in emergencies.

Cellular Phones may work, even if local wired lines are down. If cell phones work, they can be used with prepaid cards, CAC dialing, and GETS.

Products are available to extend battery life, a critical need when power outages occur. These products, including solar-powered devices, support prolonged use of cell phones, laptops,

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Hurricane Experience

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PDA's and other electronics. Courts should consider adding a small number to their COOP/DR packages. Keep track of local stores that carry them - get in line early to buy more!

Use the Agency Recorded Message Announcement (ARMA) system. Many courts used ARMA successfully, others encountered problems or it did not meet the circumstances encountered as entire areas were evacuated and phone services were disrupted. Being remote, the core ARMA system was not affected and was always available. What many courts experienced was the inability to connect to ARMA due to the loss of long-distance services. Likewise, users could not call into ARMA.

Satellite Phones. The Circuits have a limited number of satphones (four each), held centrally or distributed to one or more courts. Satphones do not work from inside buildings or in areas surrounded by buildings or very hilly terrain. As a result, they were not widely used. Local purchases are not recommended. The AO has no plans to distribute additional satphones.

Internet-based phone systems. Vonage, Skype and other Internet phone systems got high marks during/after the hurricanes. While they may provide an alternate way of communicating, they present potential security issues if used over the DCN, and are reliant on an existing data link. Courts may want to gain some practical experience with one of these packages and make them part of a COOP/DR package for emergency use.

Radios. Commercially available radios can be purchased for short range intra-court use. Some models operate on frequencies that require FCC licenses, but they also include shorter range open channels that do not require licenses. Courts should work with lo-

cal Marshals Service and law enforcement/emergency responders to identify opportunities for interoperable equipment use.

Data Solutions to Consider: Loss of network connectivity was a critical factor after Katrina and Rita. Quick replacements and new location installs were needed to support CM/ECF, PACTS, FAS4T, Notes messaging, and other critical court services.

Many courts converted existing cable modem and DSL connections into temporary paths to the DCN and PacerNet, using virtual private network (VPN) technology. Locally purchased concentrators allowed multiple users to access the network. The existing DCN or PacerNet router was modified to accept a VPN connection in other courts. Local providers in some areas were able to install new cable or DSL links within days after storm passage, aiding courts that did not have existing connections as well as courts setting up newly leased temporary facilities.

The AO recommends that courts consider installing a cable modem or DSL connection in all courthouses and divisional offices, and document the process to configure it for an alternate path to the DCN or PacerNet. The connection may be used on a day-to-day basis to access local TV or as a separate Internet connection for use by visitors/jury pool/staff. If you have cable TV, you have the connection you need already, you just have to convince the judges to give it up for the duration of the emergency and configure it for the alternate DCN path. If they won't give it up, but are willing to pay for another line that won't be used, you can do that. If you install a line, there is a risk that this provider's service might also be disrupted. If it works, you avoid the wait time to get a new line installed - it is a risk avoidance trade-off.

DCN remote access using preexisting and new VPN accounts was a key factor in supporting work from al-

ternate locations, including homes, hotels, and other courts. The AO NMF worked with court IT staff to activate accounts as needed. Courts are encouraged to ensure they have accounts for COOP/DR personnel and that staff have the opportunity to gain proficiency. Telework is a good way to develop skills. While hurricanes are relatively predictable, other natural and man-made disasters will occur with little or no warning. Is your court ready for the unexpected?

The AO used the National Communications Authority (NCA) Telecommunications Service Priority (TSP) program for expedited priorities to install new voice and data links at temporary facilities in Houston, Baton Rouge, Lafayette, Mobile, and Gulfport. TSP is based on national continuity of government needs and law enforcement is one of the highest priorities, after national security needs and first responder support. The AO is considering the addition of TSP coverage for existing circuits, but there is an associated cost.

Many courts used the emergency COOP web, messaging, and CM/ECF replication servers located at the gateways. Two courts also moved their PACTS databases to the national consolidated PACTS servers. All of these systems provided rapid recovery options for key services. The OCA-TD CM/ECF program manager is taking steps to improve the replication failover and fallback process. They are examining ways to make the process simpler and faster. Express shipments will be tracked via vendor tools. Ways to support local forms, reports and other local interfaces also are being considered. Future CM/ECF meetings with court representatives will discuss these options.

Other solutions are available and are briefly described. Wireless LANs are relatively inexpensive and a quick

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Hurricane Experience

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way to replace connections in a usable building or to set up in a new location. A satellite uplink at a court could replace DCN/PacerNet links in a fashion similar to the cable/DSL solution, but uplinks are expensive. Their antenna beams can lose acquisition if they are misaligned by wind, ice, earthquake or workers bumping them (just like your home Dish or DirectTV antenna). A technician may not be available to realign the antenna. Redundant voice and data carriers, and an additional DCN gateway, are very expensive. Fully redundant connections are rarely possible. How many buildings in your area have multiple access points for phone/data lines, water, and power? If they do, are multiple providers available that do not all share the same links? After 9/11, the 2nd Circuit rapidly recovered services by reactivating a microwave link. If your local infrastructure supports this type of service, a microwave link might be another alternative to consider.

Shared Responsibility. The success of the judiciary's decentralization program has created new challenges we need to consider. One of these is being aware of the demarcations between national program and local responsibilities. This awareness supports the creation of standard operating procedures, checklists, and procedures. Telecommunication links provide a wide range of local voice services, long-distance connections, teleconferencing capabilities, calling cards, toll-free number services, and data services. Each link and service uses a unique mix of court staff, national network personnel, building GSA managers, community phone company personnel, and/or Sprint. Knowing which of them is involved in each part of a court's telecommunications service plan is a critical component in maintaining optimum day to day service. In an emergency

COOP/DR scenario, this knowledge is vital to the early and successful recovery of phone, data and other special services.

For example, each court has made a choice regarding whether or not they use standard GSA phone services or operate their own private branch exchange (PBX) via a trunk line provided through FTS2001/Sprint. To ensure that only Sprint long-distance services are available, a PBX can be configured to block other telephone companies' CACs. The GSA switch, and in some cases an additional block through the local phone company provider, may block the alternate CACs. These configurations were needed in the aftermath of Katrina/Rita due to widespread destruction of local and long-distance systems. As personnel returned to the courthouses and local dial tone was restored, many locations continued to have problems with long-distance connections and toll-free number services. This was largely due to the loss of FTS2001/Sprint switches in New Orleans and Biloxi, and was unavoidable. Other carriers also suffered significant outages that further limited options. Workaround solutions were employed, including the use of prepaid calling cards and alternate carrier CACs. The cards worked if long-distance service was available, but in some instances the CACs did not work, because of pre-existing PBX blocks. In other instances, general Sprint service was restored, but dedicated trunks were not. The AO, FTS/Sprint, and the courts need to work closely to share information on what is working and not working, and the status of alternate solutions. Each court needs to document the configuration for each service and ways to contact the providers, while keeping the AO informed of progress.

Communications are Essential. Close coordination between the courts, the AO, GSA, Sprint, and local providers is dependent on being able to com-

municate. The challenge is that just when communications are so essential, the paths we use are disrupted. The key to success is to find an alternate path to establish contact and make an accurate status report. Then, follow up. Did the outages get fixed? Did you receive an expected repair date? Did the outage get fixed, but fail again? After Katrina/Rita, responders faced so many outages that it was difficult to track each event. Follow up at the local level is important.

J-Net Resources. J-Net resources can assist in preparing continuity of operations (COOP) plans, disaster recovery (DR) documents and other emergency preparedness (EP) processes. The J-Net Emergency Preparedness page and links are the first place to start. The Information Technology page has links to Telecommunications and to the IT Support (Texas) pages. These pages provide a wide range of information, much is relevant to COOP/DR/EP. Search tools can help by using topics such as CM/ECF replication, Notes disaster recovery, GETS, ARMA, etc. The J-Net home page also has Recent Postings and Archives pages to locate memos on subjects concerning COOP/DR/EP.

Until the Next Emergency. Key points to remember when adding any solution to your COOP/DR/EP plans: employees must be able to use the solution - practice is essential, and the equipment must be readily available when needed. If not, the solution may be a poor investment, even though the initial purchase or decision resulted in a 'feel good' event.

In the aftermath of the storms it was obvious that court personnel were remarkably efficient in getting courthouses open and finding ways to offer the full range of support expected by their judges, attorneys and the public. Hats Off to the many courts that met these challenges!



2005 Hurricane Season - Courts Impact

<u>Name</u>	<u>Date(s)</u>	<u>Area(s)</u>
TS Cindy	6 JUL	LAE,LAM,MSS, ALS,ALN,ALM,FLN Panhandle
Rains, Flooding - No Court Outages.		
Dennis	9-10-11 JUL	FLS,FLM,FLN,ALS, ALM,MSS,LAED, GAND
CAT 3 - Rains, Flooding - Court closings in most districts listed. CM/ECF failovers, Notes DR Servers and COOP web sites activated in response to court requests.		
Emily	20 JUL	TXS
CAT 2 - Rains. No Court Outages.		
Katrina	25 AUG	FLS
CAT 1 - Rains, Wind, Flooding. No Court Outages.		
	28-29 AUG	All LA-MS-AL,FLN
CAT 4 - Catastrophic wide area damage. Numerous court closings and damage, network outages and relocations. CM/ECF failovers, Notes DR servers, and COOP web sites activated in response to court requests.		
Ophelia	7-17 SEP	FLM,GAS,SC,NCE
CAT 1/2/TS - Wind, Rain, Erosion, Flooding. Short court closings, network outages.		
Rita	20 SEP	FLS
CAT 2 - Wind, Rain, Flooding in Keys,. No Court Outages.		
	23 SEP	LAE
CAT 5 - Refloods New Orleans.		
	24 SEP	TXE,LAW,LAE,LAM
CAT 4 - Wind, Rain, Surge, Flooding. Court closings and damages. Network outages & relocations - TXE & LAW.		
Wilma	2 OCT	FLS,FLM
CAT 3 - Wind, Rain, Flooding, Surge. Limited court closings, minor damages.		

From the Deputy Clerks' Corner

By Jenine Wright,
Deputy Clerks' Council Chair
District of Kansas

"Happy 2006!"

I hope everyone had a good holiday season!!

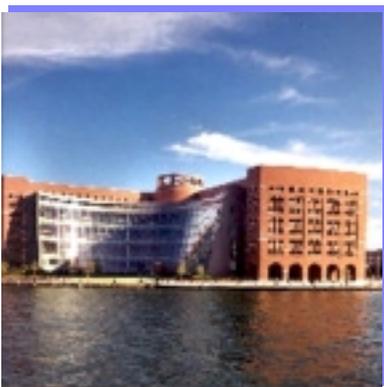
The Deputy Clerks' Council Executive Board has held a couple of telephonic conference calls. We are still working on the survey for deputy clerks. It is a work in progress.

We are hoping to gather those executive board members who will be attending the annual conference in Boston this summer for a face-to-face meeting. We welcome any deputy clerks who would like to join us. The date and time will be included in the conference agenda.

The Deputy Clerks' Council will be selling 2006 FCCA pins at the conference again this year. So be on the lookout for them!

I had the privilege of serving on the Hurricane Relief Committee with Jeff Apperson, Karen Mitchell, and John Zingo. I am so proud of our members for the support that was shown to the hurricane victims! This is why I love being a member of FCCA!

Best wishes for a great year from your Deputy Clerks' Council Executive Board!



Boston Federal Courthouse

Michigan State University Update for January 2006

By Maureen E. Conner, Ph.D., Executive Director and
Dr. Sharon George, Student/Academic Services Director

ICM Courses Available for the MSU Judicial Administration Program

Four courses of the Institute for Court Management's Court Management Program were approved to fulfill Judicial Administration Program course requirements. Past and future participants can apply their program attendance toward the Judicial Administration Program noncredit certificate. The ICM courses and its corresponding Judicial Administration Program course equivalents are:

CMP Course

Human Resource Management
Fundamental Issues of Caseflow
Management
Managing Technology Projects
and Technology Resources
CMP Concluding Seminar

JA Course Requirement Met

Human Resource Management
Caseflow Management
Information Technology Management
Leadership

More Online Courses Available for the Noncredit Certificate

In addition to Visioning and Strategic Planning, the following online courses are scheduled to be available in January: Caseflow Management; Resources, Budget, and Finance; and Education, Training and Development. Contact Sharon George for further information at georges@msu.edu.

Program Applications and Request for Contact Hours Due

Applications and/or payments for courses completed last summer should be submitted immediately in order to receive contact hour credit. Contact Sharon George for further information (georges@msu.edu).

FJC Courses Available for the MSU Judicial Administration Program

Dr. Ed McGarrell, Director, School of Criminal Justice, reaffirmed the School's commitment to offer academic credit for the Federal Court Leadership Program sponsored by the Federal Judicial Center (FJC). Due to financial constraints FJC will not solicit continued ACE accreditation of the program. Nonetheless, the School believes that the subject matter strength and rigor of the program is worthy of academic credit. Thus, students who successfully completed the leadership program can apply it toward a specially designated section of CJ 809. CJ 809 is a three-credit graduate level course.

Previously, MSU would have accepted this as transfer credit from ACE. Since that avenue is no longer available, JA will need the student's final paper/project and official notice from FJC that the student has successfully completed the program.

Academic Credit Awarded for the Institute for Court Management's CEDP

Court employees who have graduated from the Institute for Court Management (ICM) Court Executive Development Program (CEDP) are eligible to receive six academic credits to be applied toward the Judicial Administration Program credit-bearing certificate and/or the master's degree. To qualify, students must submit official attendance records from ICM as well as their final project paper.



Leaving New Orleans. Eleven Days in Paradise? Time to Move On. (August 28, 2005 - September 8, 2005)

*By Isidore Grisoli, Fifth Circuit District Representative
Eastern District of Louisiana*

My partner Gary and I evacuated to Santa Rosa Beach, Florida on Sunday, August 28, 2005, one day before Hurricane Katrina made landfall. We had planned to stay and ride out the storm with a friend in Bywater, an old neighborhood close by the river on high ground. However, on Sunday morning, with the storm intensifying to a Category 5, we opted to leave, and only had a few hours to get ready. We called our friend and invited her to come with us, but she refused. She's pretty resourceful, so we didn't force the issue. I'm happy to report that she is fine, and got out of New Orleans three days after Katrina passed. On the way to Florida we encountered a burning car on an ancient two lane bridge, rumors of another ancient swing bridge being stuck in the open position, and camps and houses on US 90 in Louisiana and Mississippi that we would never see again. The car fire was put out and the broken bridge fixed, and with only an hour's nervous delay, we made it to Florida, 265 miles from home, 10 hours after leaving. We spent 11 nights in Florida before heading out to New Iberia and eventually Lafayette. On the drive from Florida to New Iberia, we first saw the devastation in Mississippi along I-10. We later got a glimpse of the destruction in Louisiana on U.S. 90 heading from New Iberia to our home in Algiers.

It was a real challenge keeping in touch with family, friends and E.D. LA while in Florida. Cell phone service was not good when trying to call other numbers in area codes affected by Katrina, but completing calls to friends in California, Southern Florida, and the Boston area were more successful. Someone in our group finally got a text

message from London, England, of all places, and that became our primary means of communicating with other evacuees spread out over the country.

We watched national news almost nonstop for a few days, but after seeing the same stories about our hometown over and over again, we decided to cut back and only tune in from time to time, and listened to a local New Orleans AM radio station instead. The news was not much better, and at times I thought that the city I grew up in was damaged beyond repair. Upon my first inspection tour of New Orleans in late September, it was great to see that some things that were reported in the media had not happened, and my motto became: "Don't believe it unless you see it with your own two eyes."

There was sufficient time spent worrying about our family and friends, our home, and the homes of family and friends, but we focused most on family we had not been able to contact in over a week. It was a great relief to finally have everyone accounted for, even though it was not all good news. Among other things, Gary's father, who had been in a nursing home, did not survive his evacuation to the V.A. hospital in Houston.

After many attempts by telephone and e-mail, I was finally able to speak with E.D. LA Chief Deputy Gene Smith, then in Lafayette, and was told that we were setting up offices in Lafayette, Houma, and Baton Rouge, LA. I assured him that I would report for duty in Lafayette as soon as possible, and was fortunate that a room had been reserved for my arrival.

Before Gary and I prepared to leave Florida for New Iberia (Cajun

Country), we had a new problem to deal with - the gasoline shortage. It's 396 miles from Santa Rosa Beach to New Iberia, and we couldn't make it on one tank of gasoline. Of the people in our group who returned to the New Orleans area after the hurricane ahead of us, they said they found gas, but it wasn't always easy. And the longer we stayed in Florida, it seemed the number of people on the road increased as people returned to Louisiana, Mississippi, and Alabama. We wondered if we could find sufficient fuel to make it from Florida to Louisiana and besides, we were driving through the direct path of Katrina to get from Santa Rosa Beach to New Iberia. We already knew of one highway that was damaged by the storm, and impassable.

We said our goodbyes to the last remaining family members in Florida, and on September 8 struck out on our own almost two weeks after leaving home. The trip from Florida to New Iberia was remarkably uneventful. There was one elevated portion of I-10 over a bay in Mississippi that had some sections of the road bed pushed out of alignment, and all traffic was routed to one span, moving in both directions. We made sure to stop for gas any time the gas gauge got close to three quarters of a tank. There were an awful lot of trees down along the highway, and every billboard and road sign had been bent and twisted by the storm winds.

Life in Acadiana
(September 8, 2005 -
October 22, 2005)

Gary and I arrived at the Best Western New Iberia on the evening we

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left Santa Rosa Beach. I reported for duty in Lafayette the following morning. Actually, I was collected from the Best Western by a fellow deputy clerk, since Gary and I are at present a one-car family. On the way to our temporary office, the Western District of Louisiana Court House, I was brought up to speed on everything happening to date. We moved to a nearby high rise office building a few days after I arrived and things started taking shape quickly.

At this point I have to say that it was an emotional moment every time you saw a familiar face for the first time since August 26, 2005, our last day of work before the hurricane. There were so many hugs and tears, and everyone was genuinely happy to see each other, regardless of the fact that it was at work!

Getting an apartment in Lafayette was not easy with all the evacuees in the area, but through the kind folks at the Western District of Louisiana, we got a one bedroom apartment near the University of Louisiana at Lafayette. It had been a long time since I had to deal with a landlord, apply for electric service, and deal with an upstairs neighbor and her four large cats. We couldn't get too upset with her because she was also an evacuee from the Gentilly neighborhood of New Orleans, and her home was flooded when the London Avenue canal levee failed. We actually managed to get pretty close, and went out together for dinner a few times.

We almost had a replay of Katrina when Hurricane Rita came through Louisiana in late September. Luckily she skirted the Lafayette area, and all we got was a bit of soggy carpet in the apartment. A few weeks after that, it was announced by the Clerk of Court that operations would be returning to

New Orleans, with the court house opening on November 1, 2005, well ahead of the anticipated return date of January 1, 2006. I had to contact my landlord and break my lease. It was hard to say goodbye to the upstairs neighbor, especially since she could not return to her home in New Orleans.

We really enjoyed our time in New Iberia and Lafayette. The people were very kind, even those who didn't know we were from New Orleans. And talk about good food! It might just be worth driving the two and one half hours for an encore visit one day.

Return to New Orleans (October 22, 2005 to Present)

Having been spared the worst of Katrina, and with operations returning to New Orleans on November 1, Gary and I finally made it back to New Orleans to live in our little house full time again. Luckily, Gary was able to return home during the weeks while I worked in Lafayette, and he did a great job of taking care of things around the house, both inside and out before we returned home.

When we got back, there were military vehicles everywhere, and lots of big trucks hauling storm debris. We'd seen convoys on the highway to and from New Orleans, and there was a command post of military and local police at the neighborhood post office building near our home. There were also military checkpoints all over town to make sure that you belonged in the area you were heading to.

Some significant changes for New Orleanians returning to the city included huge mounds of debris everywhere, stinky refrigerators on curbs awaiting pick up (several decorated with graffiti), curfews, a severe shortage of restaurants, no newspaper, no mail service, few open grocery stores or gas stations, and long lines where you *could* find goods and services available. There were also signs every-

where, some stuck on the neutral ground ("median" for non-New Orleanians), some nailed to telephone/utility poles advertising businesses that had reopened, all kinds of services, and some just offering words of hope and encouragement.

We eventually got a newspaper delivered every day. And as one might expect, most of the stories in the paper were Katrina-related. Everything from survivor stories to stories of people who died as a result of Katrina and a snapshot of their lives, lists of web sites, telephone numbers, and addresses for government agencies, missing people and pets, schools opening, etc., where people might turn to for answers or assistance. I also managed to find two ads for both my ophthalmologist and ear nose and throat doctor. And it took forever to contact my dentist, even though his practice is close to our house.

Restaurants reopened gradually, with limited menus and served hungry diners on paper plates and dispensing plastic utensils like it was a picnic. Only the most famous restaurants and local favorites like Arnaud's, Café du Monde, Hubig's Pies and Rocky's Pizza got mention on TV and in print. And when you went to a restaurant, taped to the front door or window was a pink certificate from the health inspector stating that the premises has been inspected and is safe for patrons to eat there.

Returning to the courthouse downtown was a strange experience. Do you know the feeling when you've had a week off and you come back and things feel a little foreign? Imagine being away from your office for two months. Under different circumstances it might sound like a nice idea, but it was a bit eerie that first day, and very quiet. The streets were practically deserted, and the few people you passed on the street all acknowledged you with a hello or a knowing nod.

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Leaving New Orleans

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The reunions with fellow deputy clerks we had not seen in months was also a unique and moving experience. Everyone had a story to share. And everyone asked, and still asks, "How'd you make out?" You hear people everywhere, the bank, the food court, the corner store all asking the same question to their friends, coworkers, acquaintances, and even total strangers.

The storm has caused me to care more about people I haven't even thought of in years, and to contact a few of those people from my past. The Internet is a wonderful thing for finding people. I am in contact with friends via e-mail that I haven't seen in years. Some moved away years ago, while others have Katrina stories to share. And all you can do is lend an ear. Thank goodness I'm a good listener.

This story is the "Cliff's Notes" version of my experiences with Hurricane Katrina and her aftermath. And it is really only the beginning of the story. I'm not one to guess how long it will take for New Orleans to recover, or if she will be a better city. All good things come to those who...wait a minute! I told myself I was going to avoid all the cliches bouncing around inside my head. I better stop now before more escape. And like I said, this is only the beginning.



ARE YOU READY?

By Patricia McNutt
Eastern District of Tennessee

Is your court ready to respond to a disaster? The folks on the Gulf Coast were ready - they had in place Continuity of Operations Plans (COOP) and had practiced emergency procedures in previous hurricanes. Yet when mother nature released the devastating impact of Hurricane Katrina, the unexpected happened, as it typically does in a disaster. The federal court

staff used their creativity, innovation and courage to meet the challenge. These court staff deserve a standing ovation - they survived the worst and were back handling the court business in short order.

What did these courts do and what can we do if faced with a similar situation? I decided to travel to two of the courts along the Gulf Coast to obtain firsthand information about what they did to survive and recover. The two courts I visited were Eastern District of Louisiana in New Orleans, Louisiana, and the Southern District of Alabama in Mobile, Alabama. Loretta Whyte, Clerk of the District Court in E.D. LA and Chuck Diard, Clerk of the District Court in S.D. AL, could not have been more gracious in allowing me to visit their courts and speak with their staff when they were still recovering from the Katrina assault. I truly appreciate their hospitality and that of their staff.

I first visited E.D. LA in New Orleans. They had moved their court operations back to New Orleans only two weeks before my visit, after having been relocated to three cities in Louisiana for six weeks or so. They were the first court to return to New Orleans. While the downtown area where the court is located did not appear to have sustained much damage, it was very quiet and businesses were reopening slowly. Further, the drive to New Orleans from Biloxi, Mississippi, showed Katrina's destruction. Trees and bushes were bent and broken, highway signs were twisted, debris hung from trees, and houses and businesses were either demolished to a pile of rubble or were distorted from flooding and wind. I also learned that many in the Eastern District of Louisiana court family had lost their homes or had returned to homes severely damaged. Despite all they had been through, they seemed to be operating normally and with good spirit. I was amazed by their courage and resiliency.

I next visited S.D. AL in Mobile, Alabama. There were still signs of the flooding that had occurred in Mobile, but there did not seem to be as much damage. Most businesses were open, although I could see where flood waters had risen and some businesses were still drying out.

Ms. Whyte and Mr. Diard both arranged meetings for me with their staff who had been involved in the disaster recovery. I learned very practical information that we plan to incorporate in our COOP. I hope you can benefit from it too.

1. Communicate with Employees As Soon As Possible and Often.

a. Use an Emergency Calling Tree.

If you are lucky enough to have warning of a disaster, use an Emergency Calling Tree to make sure staff and other agencies are contacted about your court's plans. Betty Turner, Chief Deputy, S.D. AL, said they use an Emergency Calling Tree in each emergency of which they have notice, typically hurricanes. The calling tree lists several primary and alternate people who have responsibility to call staff and others. She also periodically sends an e-mail reminding staff of the calling tree procedure.

b. Use the ARMA telephone number and communicate it to employees pre-disaster.

ARMA stands for Agency Recorded Message Announcement. ARMA is an FTS2001 Sprint system used to provide up-to-date recorded messages to callers dialing a court's ARMA phone number. By calling this remotely-based system, court staff can be updated during an emergency even though they cannot contact their court directly. However, programming the message will not be of use unless you

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communicate the ARMA number to staff. E.D. LA. has distributed laminated cards to court employees with the ARMA number, a local emergency number, and their emergency web site address

c. Use the COOP Web Site Provided by the AO.

Patty Soule, IT Manager for E.D. LA, uses the COOP web site provided by the AO when there is a threat of hurricane, and did so before Katrina hit. They have reserved space for their use on the AO COOP web site. They maintain their model emergency web site on a laptop which they update to meet the specific needs of the emergency and then send to the AO. Their emergency web site provides information for employees about the emergency situation and who to contact for more information. It also provides information for attorneys.

d. Designate several staff members as points of contact (POC).

As noted above, the emergency web site used by E.D. LA contains a POC for employees to call for information. According to Denise Fredericks, Space and Facilities Coordinator E.D. LA, in the Katrina disaster the POC soon became overwhelmed by phone calls and e-mail from employees needing information. She suggests that to ensure you can provide timely responses to employees, designate several POCs on your emergency web site. You may want to consider designating separate POCs for the Clerk's Office and chambers staff.

e. Advise employees to retain emergency numbers at home and on cell phones.

Isidore Grisoli, Docket Clerk, E.D. LA, suggested that employees should be advised of emergency numbers that they can program in their cell phone or write down at home. We plan to place a copy of our COOP on our intranet web site that is available to all employees. The COOP contains telephone numbers of all employees and emergency telephone numbers. We also plan to provide hard copies of the COOP for each employee to take home. Incidentally, Isidore also had another valuable tip - keep cash on hand, ATM's may not be accessible during a disaster

2. Plan to Deal with Human Resources Issues.

a. EAP Resources.

Court staff may be distraught, dealing with personal issues. Having an EAP professional hold a program on dealing with stress and emotional issues may be helpful. Encouraging employees to use the EAP counselors also may be helpful. You will need their telephone numbers or e-mail addresses to contact them, so add these to your contact list (*see paragraph 3 below*).

b. Temporary Housing.

If your court relocates, the staff may need accommodations. If the relocation will last weeks, it may be less expensive to house staff in apartments, condos or rental houses than in hotels. Knowing a realtor who can assist in finding accommodations could be a great help. The New Orleans court was faced with this situation. Denise Fredericks said that it was difficult finding housing because there were so many displaced people and workers also looking for housing. However, when the court located a couple of realtors to assist, this helped speed up the process somewhat. You may want to add realtors to your contact list (*see paragraph 3 below*).

c. Plan to Process Travel Vouchers.

If your court relocates, staff most likely will be in travel status. There will be many travel vouchers to process. You probably will need to ask the AO or other courts for help in doing this. The AO and many courts volunteered their services to the courts affected by Katrina.

d. Determine Return to Work Date.

In an emergency situation, the court may be closed for a period of time or employees may not be able to make it to work because of the disaster. During that period of time, staff generally would be on paid administrative leave. The Clerk of Court in association with the Chief Judge and other judges must determine the return to work date, after which administrative leave would not apply, absent exceptional circumstances.

e. Understand Benefits Available.

Contact the AO Human Resources staff immediately to determine benefits available to staff. Employees working at a new location most likely will be in travel status and entitled to applicable benefits, mileage, per diem, etc. Special benefits may be approved by the AO depending on the circumstances. Inform employees early of applicable benefits.

3. Keep important contact information off-site.

Imagine you cannot get back into your courthouse, what information would you need to continue your business? Keep this information off-site, at your home and on CDs where you store your backup tapes. Many of these ideas are from Denise Fredericks, E.D. LA:

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- a. **Employee telephone number, cell phone number, address, personal e-mail address, additional contact person.**

In the Katrina disaster, employees spread out across the country as they evacuated. It was difficult to reach them. Managers have a better chance of reaching staff if they have cell phone numbers, personal e-mail addresses, and additional contacts.

- b. **Vendor names, addresses, telephone numbers and account numbers.**

If you have to relocate to new space, you will need to order furniture, computers, supplies, etc. Vendor information is critical.

- c. **Fed. Ex. and UPS codes.**

You will need these to send materials to the AO and others, on an expedited basis.

- d. **Telephone numbers of movers you use.**

If you need to move, you will want to contact your trusted movers.

- e. **AO Contact List.**

Include on the telephone contact list the main people you and your staff deal with on a regular basis in functional areas, such as IT, HR, Benefits, Space & Facilities, Procurement, Contracts, General Counsel, Travel, Finance. And, of course, don't forget Robert Lowney, Chief of District Court Administration Division, or Glen Palman, Chief of Bankruptcy Court Administration Division and your circuit representative.

- f. **Other contact lists.**

Have the telephone numbers of all the agencies you deal with on a daily basis - USMS, Probation, Pre-trial, GSA, etc. Try to get cell phone

numbers so if they relocate after a disaster you may be able to contact them by cell phone. Also, court unit executives should meet and decide upon how they plan to keep in touch in the event of a disaster and exchange information.

- g. **Jury Plan and Applicable Statutes.**

Marianne Judice, Jury Administrator, E.D. LA, said she plans to keep a copy of their jury plan and applicable jury statutes at home. If you will be holding court in a new location, the jury plan definitely would be handy. We plan to place our jury plan on our intranet web site.

4. **Plan Ahead for IT Problems and How to Recover.**

- a. **Have a Device in the Computer Room That Can Monitor Conditions and Feed Information Remotely.**

Patty Soule, E.D. LA, has a Sensi-Monitor in the computer room that automatically telephones her to alert her of unusual conditions such as heat, water, power, etc. Our court uses a camera monitor which monitors the equipment and conditions in the room and can be viewed remotely (from home) by the IT staff.

- b. **Have servers on easily-accessible rolling racks for easy removal and transport to an alternate location.**

While the City of New Orleans was closed, court staff were given permission to retrieve items from the courthouse in downtown New Orleans. (Remember that New Orleans was closed because of dangerous conditions including fires, shootings, and looting.) Several brave souls, including E.D. LA Chief Deputy Gene Smith and IT staff Steve Munster and Phong Nguyen, accompanied a group of U.S. Marshals into New Orleans to retrieve the servers and other items. As

Gene recalls, the marshals wore bullet proof vests and were heavily armed, while the members of the court staff were armed with a couple of baseball bats and no bullet proof vests. Luckily, they encountered no problems and were able to roll out the servers, put them into the truck and deliver them to the new court locations.

- c. **Consider installing alternate lines to connect to the DCN.**

The Southern District of Alabama district court was without Internet or DCN service. Clerk Chuck Diard and Jim Smith, 11th Circuit Executive's Office, had the idea of connecting both sides of their network using a VPN over the DSL lines. IT Manager, Pat Shubird, S.D. AL, also assisted. It was no easy task because all major telecommunications carriers were busy working on the Gulf Coast recovery. Through contacts and persuasion, Chuck was able to have these lines installed in the courthouse on the Sunday after the hurricane. That accomplished, several judges of the court convinced the AO to install a VPN concentrator at the court and at the gateway in St. Louis. With this done, the court was back in business on the DCN and PACERNET. The AO now recommends that you consider installing DSL or cable lines as part of your COOP. (See *AO Hurricane Disaster Recovery Experiences - 2005*, By Craig Jenkins, p. 11.)

- d. **Have a backup telephone communication plan.**

Land lines and cell phones were out across the Gulf Coast for some period of time. Again, S.D. AL staff came up with an innovative solution. They bought long-distance calling cards from Wal-Mart and programmed the codes into their phones so they could call long distance. New Orleans court staff said

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the Nextel walkie-talkie feature was of some help in communicating during the phone outage. Also, the AO suggests that courts be familiar with their telephone service provider, contact person, and terms of service. If service fails in an emergency, the court should immediately advise the AO, use alternate codes for phone service which are provided on the back of the GET's phone cards (distributed to clerk of court and Chief Judge). If these are blocked, seek to negotiate with a viable service provider pending resolution of the emergency. (See *AO Hurricane Disaster Recovery Experiences - 2005*, by Craig Jenkins, p. 11.)

e. To Fail Over or To Not Fail Over - Be Aware.

An issue with the courts on the Gulf Coast whose ECF servers were down was whether to fail over to the replicated ECF server hosted by the AO. Apparently there are some draw backs to fail over, such as it takes a few days to fail over and a few days to fail back at which time your court is out of operation on ECF. Also, your court's customized forms and reports are not available on the replicated server. The AO is taking a look at what can be done to make the replication service better. (See *AO Hurricane Disaster Recovery Experiences - 2005*, by Craig Jenkins, p. 11.)

5. Consider Relocation Options.

a. Meet with Local GSA Buildings Manager and Provide Requirements.

Your local GSA building manager should be aware of available properties in your surrounding area. Know your space, security and IT requirements and discuss these with your GSA manager before di-

aster strikes. He or she should be able to provide possible relocation sites.

b. Consolidate operations at one location if possible.

It is less time-consuming and expensive if you can consolidate operations in one location. The Clerk of Court needs to work closely with the Chief Judge and other judges to choose a suitable alternative site that will serve the court's needs.

c. Consider Telework.

To the extent staff have access to VPN, some work can be done from home, particularly for those courts on ECF.

6. Be Creative, Innovative and Courageous.

A good COOP is a necessity. Staff familiarity with it and practice is also good. (After each emergency, the staff of S.D. AL complete an Emergency Evacuation checklist and critique their performance for later improvement). However, we cannot prepare for all contingencies. The folks who survived Katrina taught us we need to be creative, innovative and courageous.



Note from the Board

By Karen Mitchell
Clerks' Council Chair
Northern District of Texas

When the FCCA Board realized the impact of Hurricane Katrina on members of the court family, it acted quickly to establish a relief fund. Since this was an unprecedented event, none of us knew how to estimate the amount of contributions or the number of requests for assistance we would receive. Notwithstanding the uncertainty, the Board knew that the FCCA should do something.

In early September, President Sheryl Loesch appointed Jeff Apperson (chairperson), Karen Mitchell, and Jenine Wright to serve on a committee

to evaluate requests for disbursements from the FCCA Hurricane Relief Fund. The scope of the effort was soon expanded to cover Hurricane Rita.

It is no surprise that we had to encourage victims of the hurricanes to submit requests for assistance. These are members of our court family. They are people who always want to give, not receive. After some cajoling, requests for assistance started to arrive.

The committee has now received and reviewed more than 140 applications from employees in district clerk's, probation, and bankruptcy clerk's offices (primarily from Louisiana Eastern, but also from Mississippi Southern, Louisiana Western, and Texas Eastern), district, bankruptcy, and circuit judges' chambers, and offices of the Court of Appeals for the Fifth Circuit (clerk's office, circuit executive's office, circuit librarian's office, staff attorney's office, and conference attorney's office). The generosity of FCCA members has enabled us to disburse funds to more than 100 of these employees.

Here are excerpts from some of the many "thank you" notes we received:

"Please accept my gratitude and extend it to everyone in the Federal Court Clerks Association for their generous support for the victims of Hurricane Katrina. I received the check on Christmas eve, and it was a beautiful reminder of how lucky I am to work for the federal judiciary."

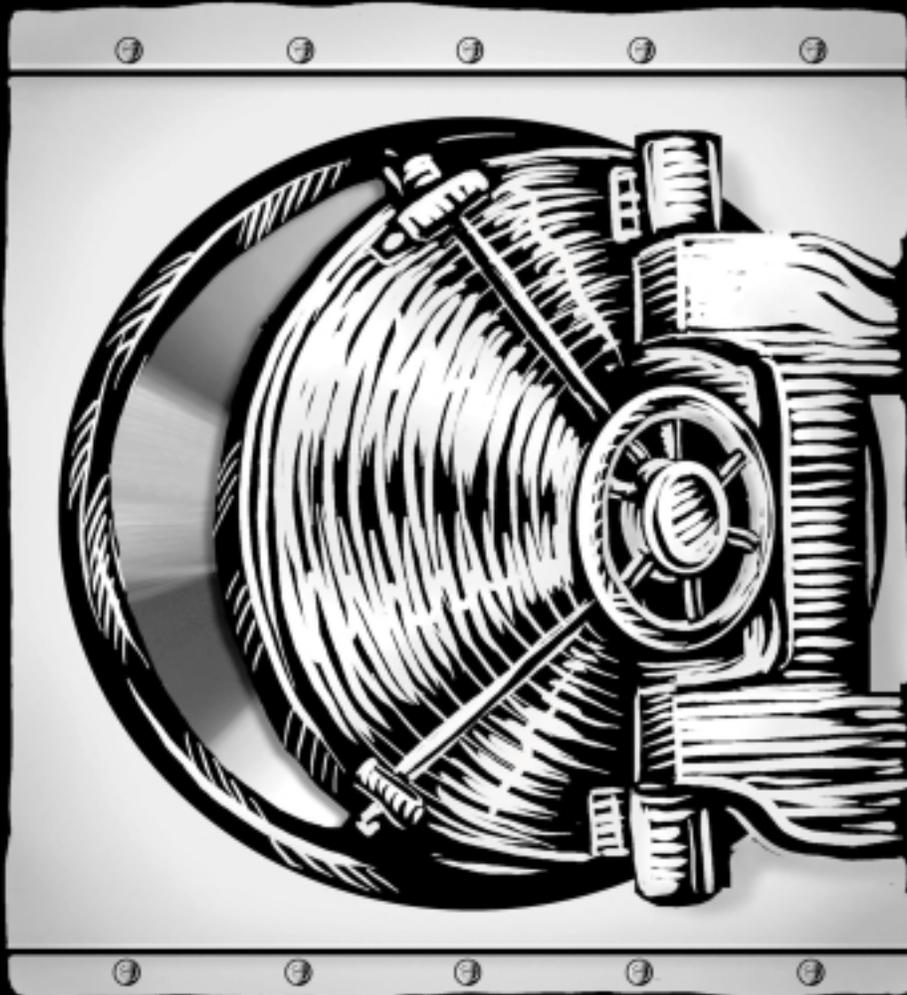
"My post-Katrina experience has been very humbling. I am used to getting along without having to ask anyone for anything. It is hard to adjust when you no longer have a place to call home and you need help. I just wanted to let you all know that your kindness will make a difference for me and I am very appreciative."

"I am so overwhelmed by the kindness of everyone. I just can't thank you enough."

"I hope one day to be in a position to contribute to such a noble cause so that it could benefit someone else in need."



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