

FCCA MEETING MINUTES
Board Meeting
Sunday, June 27, 2004

The meeting was called to order at 8:30 AM by President Jeff Apperson on Sunday, June 27, 2004, in Anaheim California.

Those present: Jeff Apperson, President; Sheryl Loesch, President-Elect; Joe Haas, Immediate Past President; Betty Jackson, Treasurer; David Stechmann, Historian; Circuit Representatives: Virginia Hurley, First Circuit; Maria Carpenter, Second Circuit; John Zingo, Third Circuit; Judy Shelton, Fourth Circuit; Nancy Olansky, Fifth Circuit, Sue Rigan, Sixth Circuit; Steve Ludwig, Seventh Circuit; Susan Kern, Eighth Circuit, Marianne Matherly, Ninth Circuit; Jenine Wright, Tenth Circuit; Yvonne Goodloe, Eleventh Circuit; Ann Stygles, National Circuit Courts; Committee Chairs: Bill McCool, Clerk's Council; Cris Beeman, Deputy Clerk's Council, Professional Development, Ian Key; Journal Editor, Patricia McNutt; Wayne Wolfe, President of the National Conference of Bankruptcy Clerks (NCBC); Dr. Maureen Conner, Michigan State University (MSU); Sherri Carter, Host Clerk, Central District of California, Anne Kuschel, District of North Dakota.

Jeff Apperson opened the meeting by giving a special welcome and thanks to Sherri Carter and Cris Beeman for their hard work putting together this year's Annual Conference. He also thanked Dr. Maureen Conner for her efforts undertaken to launch the Judicial Administration educational program through Michigan State University; and Wayne Wolfe for providing assistance with the next Annual Conference in Chicago in conjunction with NCBC.

Central California Committee Report

Sherri Carter presented the report for the conference. She indicated the educational program will be outstanding, and she believes attendance has been enhanced by the availability of the MSU certificate program being inaugurated at this event. Over 200 participants are registered for the conference and including guests, there will be over 260 attendees. All registered participants will receive a certificate from the Host Court for attending the conference classes. This year, there will be no vendor fair, yet the conference is expected to make a profit. In addition, the Host court will be refunding the \$1500 advance money previously received. Cris Beeman reported all District Representatives will be wearing light blue ribbons, Host Court team members will be wearing royal blue ribbons, first-time attendees will be wearing pink ribbons, Board members will be wearing red ribbons, and MSU participants will be wearing yellow ribbons, all of which will be affixed to the attendees' name tag.

Secretary's Report

Sue Rigan presented the minutes of the Board Meeting held via teleconference call on

April 28, 2004, noting they were previously distributed for comment and all comments received have been incorporated. She requested the minutes be amended to include the Awards Committee recommendation and subsequent Board approval of having April 10th as standardized deadline for submitting nominations for the Special Service, Dwight D. Opperman, Ross Levy, and Angie awards. Bill McCool made a motion to approve the minutes as amended. John Zingo seconded the motion. The motion carried.

Treasurer's Report

The Treasurer's reports for the first and second quarter were distributed by Betty Jackson. She reported that the overall financial status of the organization is good, and the Board concurred. Our funds have remained relatively stable. She indicated that postage is down thanks in part to Pam Twiford's work with the membership drive. Also, it is especially helpful if Circuit and District Representatives submit a single check for membership dues from their court. So far, their efforts at doing so have reduced costs considerably and she extended her deepest gratitude.

Jeff Apperson thanked Betty Jackson for her service as Treasurer, reminding everyone that her term will end at the close of the conference and she is not seeking reelection. Ms. Jackson requested any outstanding receipts be submitted promptly so that she may close out the records for her term.

Finance Report

John Zingo mentioned an audit will be conducted by the Finance Chair after the change in Treasurer. He further noted that in recent years, all annual conferences have made a profit. He said we have been doing a great job at meeting our expenses without dipping into savings. He reminded the Board that a vote was made to always have a balanced budget, which can be difficult to accomplish due to membership projections. Jeff Apperson noted that the balanced budget speaks highly for the organization, especially in times when courts are losing staff and court budgets have been cut.

Professional Development/MSU Report

Ian Keye reported there were six applicants for the Carol Fitzgerald scholarship, five for conference assistance and one for educational tuition assistance. One of the applicants dropped out and all others will receive assistance. Maria Carpenter questioned whether scholarship money could be used for the MSU program. Mr. Keye reported that it could, however an applicant cannot apply for both tuition assistance and conference assistance in the same year, and the MSU program would be considered tuition assistance.

Sherri Carter stressed the need for continuity with the MSU program to determine the class curriculum for the next five years. In order to do so, she suggested appointing a coordinator who will oversee the program, as it cannot be left individually to the Host Court each year. Maureen Conner reported that there has to be a development of education tracks to provide a framework for the years to come. Wayne Wolfe suggesting selecting a few members from FCCA, NCBC, and NACM, and Ms. Conner agreed to meet and work with any committee formed. Sherri Carter, Anne Stygles and Maria Carpenter volunteered to serve on the committee. Mr. Wolfe reported he has been working with Barry Landers who will be the next President of NCBC and Mr. Landers should also be involved. Bill McCool noted the FJC has an excellent leadership program and could perhaps be another resource. Mr. Apperson said a committee will be formed in order to assure that the integrity and quality of the MSU program is carried on in future years.

Joe Haas mentioned it is important for future Host Courts to be presented with an educational package for the MSU program requirements. Maria Carpenter and Marianne Matherly reported they are working on FCCA Annual Conference Guidelines and the MSU program requirements will be included.

Ms. Conner reminded everyone participants can accelerate the hours earned in a year by attending contact hours at FCCA, NCBC and NACM conferences. In addition, there will be a 90 day grace period to enroll in the MSU program following the conference. Full credit will be given for attendance at the courses as long as registration materials are received within 90 days.

Site Selection

Ian Keye and Judy Shelton presented the committee report on behalf of Linda Lee, Chair. At issue was the location of the mid-year Board meeting for 2005. Possible locations included San Diego, San Francisco, Charlotte, and Boston. An e-mail from Sam Hamrick, Clerk of Court, Southern District of California, was shared with the Board. Mr. Hamrick noted there will be two major conventions in San Diego over Martin Luther King weekend, the traditional time for the mid-year Board meeting. In addition, GSA could not provide the Board with a conference room for the meeting, and thus an additional room expense may be incurred.

Mr. Keye presented information on hotels in San Francisco and Ms. Shelton presented information on hotels in Charlotte. David Stechmann suggested the Board consider going to Boston since Boston is the site of the 2006 annual conference. John Zingo noted many members of the Board live closer to Boston than California, which would be a considerable savings. Maria Carpenter thought it was beneficial to travel to the future annual conference location and many other members agreed. Cris Beeman said she found it helpful to have the mid-year meeting at the same hotel as the annual conference because it helps to become familiar with the surroundings, it provides leverage for the future contract, and it helps identify potential problems in advance. Joe Haas made a motion to have the mid-year meeting in Boston,

reminding the Board that, with rare exception, the mid-year meeting has been held at the location of the future annual conference eighteen months in advance of that conference. John Zingo seconded the motion. The motion carried.

Virginia Hurley provided a status report on the Boston 2006 conference. She said a planning committee has already been formed and has made considerable progress. A fund raising committee has already raised \$1,000 to help offset costs. Although a hotel contract has not yet been signed, the Radisson Hotel is the likely location. The Radisson hotel is undergoing extensive renovations that will be completed by 2006. The price will be approximately \$149 per night. The President's Reception will likely be held at the courthouse. Possible social events include attending a Red Sox game, taking a Duck Tour of the Charles River, and reserving Dick's Last Resort for an evening out. Possible dates for the conference are July 15 – 22 or July 22 – 29.

FCCA Journal

Patricia McNutt requested guidance from the Board for future publication dates. She said specific dates are helpful for planning purposes and she suggested dates be chosen in conjunction with specific events such as the mid-year meeting, the annual conference and the membership drive. Sue Rigan suggested publication dates be established each year at the mid-year conference in January, since conference dates and membership drives are subject to change each year.

A general discussion arose over the benefits of having the *Journal* published in hard copy as opposed to being electronically distributed. The benefits of having a hard copy include: it is an attractive, professional publication; it is highly visible and thus serves as a form of public relations; copies are presented to all chief judges and to the AO; it represents a tangible benefit of FCCA membership. The disadvantages of hard copy include the substantial cost; the timeliness of information presented and the inability to print items of interest. The advantages of an electronic *Journal* include: the speed at which information can be disseminated; the ease of sharing information; and the substantial cost savings which would allow for more funding toward other programs. The disadvantages of an electronic *Journal* include not knowing whether every FCCA member has access to a computer, developing an electronic format compatible to everyone, and the lack of a visible FCCA presence provided by a hard copy *Journal*. Jeff Apperson asked Ms. McNutt to chair a committee charged with developing a means to survey members' opinions on this matter. Joe Haas, Bill McCool, Steve Ludwig, Yvonne Goodloe and David Stechmann offered to assist. Mr. Apperson requested a recommendation from the committee by August 1.

The next issue of the *Journal* will be published September 1. Ms. McNutt requested articles from the future host courts as well as articles relative to the Anaheim conference. If the theme for future conferences is known, she will incorporate it into the publication.

Awards Report

Sue Rigan submitted a written report. She reported there was a significant increase in the number of certificates prepared as a result of the Board's approval of preparing certificates for all District Representatives. She reminded everyone to pick up their certificates and those of their fellow staff who are not attending the conference.

Ms. Rigan reported there will be one recipient of the Special Service Award and a special certificate of recognition for Walter Chinn, Clerk of Court, District of Hawaii. Additionally, Mr. Apperson reported there were five nominees for the Opperman Public Service Award, two of whom were chosen and will be announced at the banquet. There will be a recipient for the Angie Award and the Ross Levy Award announced at the banquet as well.

Ms. Rigan suggested there be a standardized deadline for all awards nominations, in order to better facilitate the awards process. Accordingly, she recommended all nominations for all awards be submitted no later than April 15 each year. The change was approved.

Elections

Leandra Kelleher was unable to attend the conference and submitted a written report (attached). Jeff Apperson reported that Elizabeth Davis resigned as FCCA Secretary effective June 1, 2004, due to personal and professional conflicts. As a result, the Board is to nominate and appoint a replacement to fill the remainder of her term. Nominations were opened and Bill McCool nominated Sue Rigan. Joe Haas seconded the nomination. No other nominations were received. Joe Haas moved that the nominations be closed and Maria Carpenter seconded. Ms. Rigan's nomination was approved. Mr. Apperson said he would select a replacement for Ms. Rigan position as Sixth Circuit Representative no later than the business meeting on June 30.

Mr. Apperson reported Amy Hickox will administer the elections process at the business meeting, at which time the Treasurer and Historian will be elected. David Stechmann was nominated for a second term as Historian and there were no nominees for Treasurer. Mr. Apperson said he would open the nominations for Historian and Treasurer during his welcoming remarks on Monday, June 28, and will ask that the nominations be closed at the business meeting.

By-Law Amendments

Jeff Apperson questioned whether the FCCA should continue to allow corporate memberships, currently allowed under the by-laws at \$150 per year. He noted that while the NCBC allows corporate memberships, perhaps the FCCA should review whether the ethical appearance clouds our integrity, especially given the higher fee charged. Joe Haas suggested creating an undefined “associate” membership at a lower rate. Bill McCool suggested seeking input from By-Law Chair Bob Heinemann and other Clerks, who could also propose a by-law change if warranted. Mr. Apperson said he will make the referral to Mr. Heinemann.

Mr. Apperson said he would like to fill the Executive Secretary Board position, whose duties would include serving as a point of contact for the host court conference committee and site selection committee, and to assist the President with managing all details of the organization. This person would survive the terms of the President and provide continuity within the organization. He further suggested exploring an amendment to the by-laws that would combine the site selection committee with the host court committee, noting the Executive Secretary could provide oversight. He said he would further define the Executive Secretary duties and then contact Bob Heinemann to propose a by-law amendment. He plans to have a proposal ready for the Board’s consideration at the next conference call meeting.

Web Site Development

Sheryl Loesch reported on behalf of Linda Wade, Web Site Developer. Ms. Loesch thanked Ms. Wade for her exceptional progress on the new FCCA web site and for her hard work at last year’s conference in Orlando. The Board asked Ms. Loesch to convey their appreciation to Ms. Wade.

Bill McCool suggested purchasing a license for the Cold Fusion web site development tool, if the Board felt necessary in the future.

Deputy Clerk’s Council Report

Cris Beeman reported she will propose a by-law amendment to allow a portion of the Chief Deputy member dues to be allocated to the Deputy Clerk’s Council, similar to the portion of the Clerk member dues currently being allocated to the Clerk’s Council. She said she will announce this proposal to the members at the business meeting.

Jenine Wright reported she is selling FCCA lanyards for \$5.00 as a fundraiser. Cris Beeman reported she is selling conference pins for \$5.00. Ms. Wright and Ms. Beeman requested assistance selling lanyards and pins throughout the conference and encouraging attendees to purchase them for their members who were unable to attend the conference.

Clerk's Council Report

Bill McCool reported there are currently seven Clerks of Court serving as mentors. His committee is studying a number of issues, including impact of court reporter's income in connection with their transcripts being posted in electronic case filing; and carrying over hours of annual leave. He noted there will be an impressive panel for the Clerks' round table discussion at the conference, and approximately 40 Clerks and Chief Deputy Clerks will be in attendance at the luncheon. His committee is working on developing educational programs geared to attract more Clerks of Court to join the FCCA and attend the annual conferences.

Historian Report

David Stechmann submitted a written report. He thanked all those who helped him set up the Traveling Memorabilia and Mementos Exhibit Room across from the registration table. He also thanked Judy Shelton for coordinating the Historians for a Day activities.

Mr. Stechmann reported accomplishing many goals he set when first elected two years ago. The traveling exhibit has been well received. The new equipment gives us the opportunity to present daily photo slide shows during the conference, which are greatly enjoyed by the attendees. He thanked Linda Wade for her assistance in making the slide show a success. In addition, the photos are available to view on the web site and are available on CD for purchase. He has also updated numerous old binders and photos from past conferences.

Mr. Stechmann asked all members to sort through any old FCCA memorabilia they may have in their possession, especially items from 1950 and older, such as photos and conference materials. In his own search, he found a 1962 FCCA convention songbook and minutes from the 1939 conference in Anaheim, portions of both are attached to his written report. In order to maintain the tradition of gathering conference memorabilia, he asked for a budget to purchase items from each conference, such as souvenir clothing, pins, and a copy of the 8 x 10 photo of attendees. Jeff Apperson suggested the Annual Conference Guidelines be amended to include providing a complimentary set of memorabilia to the Historian.

Blood Drive and Leave Share Reports

Maria Carpenter submitted written reports. She indicated 9447 pints have been donated thus far, somewhat short of the 10,000 pint goal. Every year she learns of donors who weren't reported. It is important for representatives to be certain all donors are accounted, and all donors must be certain to report their donations. Platelet donations are also included. Every donation is eligible for the drawings that are held at the business meeting, and this year there are a number of gifts to give away.

Ms. Carpenter reported receiving numerous hours of donated annual leave for those FCCA members in need. She stressed the importance of passing the word on to your local Human Resource Specialist so that all procedures are correctly followed, and also to advise her of any donated leave so she can maintain accurate records.

Virginia Hurley reported there will be a blood drive at the Boston conference.

International Relations Report

Jeff Apperson submitted a brochure prepared by the International Relations Committee. He reported members of FCCA, NCBC and NACM have joined together to form this committee, with a goal of making available the resources and membership of the American court management associations to support and enhance the work of providers of international legal and judicial assistance. The committee's main focus is providing professional assistance in the areas of court management and administration to emerging democracies around the world. So far, they have received support from the State Department, American Bar Association, and International Bar Association. The committee has already provided assistance to numerous countries, including the Russian Federation and other Eastern European nations.

Mr. Apperson reported future goals of the committee include creating an international court administrator association, an international association of judges, a "sister-court" program, partnering with foreign judiciaries to provide quality court administration training and educators, and mentoring interested managers in doing international work. He said there are many consulting groups that are continuously looking for experienced court personnel with various areas of expertise for both short term (1 – 2 weeks) and long term (up to three years) assignments. It is intended that the International Relations Committee database will be a source of names for these various organizations and could lead to international opportunities for members of the three organizations. A meeting to form the international association of court administrators will take place in Slovenia, September 27 – 28. He reported is it possible the committee may look to the FCCA for seed money to help assist with the development of these international associations.

Specialized Function Council Report

Jeff Apperson reported on behalf of Michael Nagy, Chair of the committee. He indicated there has been a lot of progress reported by the various councils. Most councils are formulating requests for training using surveys among their members and most councils will do some type of training within the next year. Mr. Apperson suggested the FCCA consider intermingling conference courses with training for the specialized councils.

Other Business

Wayne Wolfe, President of NCBC, reported the NCBC sponsors many benefits for its members that are also available for members of the FCCA, including three dental plans, a vision plan, and a disability plan. Interested participants do not have to be a member of NCBC in order to join these plans. The only requirement is that you are a court employee. He encouraged everyone to visit their web site, www.ncbcimpact.org. He reported Bankruptcy administrators are facing many of the same dilemmas as District Court administrators, including staffing and budget concerns. He further reported his organization is solidly behind the MSU program and is looking forward to the joint FCCA/NCBC annual conference next year in Chicago. Jeff Apperson thanked Mr. Wolfe for his work with the NCBC, noting that our association with NCBC provides many benefits to both organizations.

Jeff Apperson reminded all Board members to attend the First Time Attendees Breakfast and the District Representatives Breakfast on Monday morning. This is the first time a District Representatives Breakfast has been held and it is very important for us to show our appreciation for the hard work that they do.

Joe Haas made a motion to adjourn the meeting. John Zingo seconded the motion. The meeting adjourned at 12:30 PM.

Respectfully submitted,

Sue Rigan, Secretary
7/19/04 as amended 1/15/2005

Handouts:

1. Minutes from April 28, 2004 teleconference meeting
2. Treasurer Reports (2)
3. Awards Report
4. Elections Report
5. Historian Report
6. Blood Drive Reports
6. International Committee Brochure