



# FCCA

# *Journal*

*Official Publication Of The Federal Court Clerks Association*

Vol. III No. 7

Summer/Fall 2005



Presorted  
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Permit No. 1148  
Wichita, KS

# Summer/Fall 2005

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# PRESIDENT'S MESSAGE

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



I am both honored and thrilled to be the new President of the Federal Court Clerks Association. I write this message while on board a plane returning to Orlando after attending our Chicago conference. Suffice it to say, if you were not able to join us in Chicago, you missed out on a fantastic conference. The City of Chicago is an amazing city with a skyline that is awe-inspiring. Our conference hosts, Mr. Mike Dobbins, District Court Clerk, and Mr. Ken Gardner, Bankruptcy Court Clerk, along with the rest of "Team Chicago" rolled out the red carpet for us. It was an action packed conference that included a terrific educational program, along with interesting and unique entertainment each morning. You will most likely be hearing about the conference events for months to come.

The next issue of the Journal will include articles and photographs of the Chicago conference. I'd like to mention that, while in Chicago, the FCCA Board of Directors voted to move to an electronic version of the Journal except for one "hard copy" edition each year following the annual conference. This change will help our Association financially and will enable us to better

use our dues to the benefit of our members.

We also are beginning our new membership drive. Previously, the FCCA Board of Directors voted to move to a membership year that corresponded with our accounting year and Board members' terms, which now will run July 1 through June, effective July 1, 2006. What that means to our members is that the new membership drive will actually be for an 18 month membership period, valid January 1, 2006 through June 30, 2007. All levels of membership dues will be adjusted accordingly.

I want to extend a warm welcome to our new Board members and Committee Chairs: Bill McCool, President-Elect; Sue Rigan, Secretary; Bob Barth, 3rd Circuit Rep; Jeanne Henderson, 5th Circuit Rep; Peggy Guernsey, 7th Circuit Rep; Peter Tagliarferri, 9th Circuit Rep; Karen Mitchell, Clerks Council Chair; Jenine Wright, Deputy Clerks Council Chair; and Robin Tabora, Conference Advisory Committee Chair. I also want to thank the returning members of the Board and Committee Chairs for their ongoing support and dedication to our Association.

For those of you in attendance at our Business Luncheon in

Chicago, you heard from President Jeff Apperson the numerous areas in which FCCA has become involved to better serve its members and to further the Association's mission. Through Jeff's leadership these past two years, FCCA has paved many inroads for our Association and we must maintain the momentum and enthusiasm Jeff has established. Our FCCA Board is talented, creative, insightful, and on fire for FCCA. We are ideally positioned to field the future curve balls hurled at the Judiciary. It is truly an exciting time to be a part of FCCA and to make things happen for our members.

With the Chicago conference behind us, we now turn our attention to Boston and next summer's conference. Be sure to put the conference dates on your calendar: July 16-20, 2006. Team Boston has an exciting conference planned. There is a link to the Boston conference on the FCCA Web site and I encourage you to check it out.

FCCA is interested in new ways to serve its members. If you have any

ideas regarding new membership initiatives or other ways to improve the service we provide to our members, please let me or a member of the Board know.

And, as always, please remember to share FCCA with your co-workers!



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## From the Editor



By Patricia McNutt, Clerk,  
Eastern District of Tennessee

Images of devastation, despair, suffering, and lives irrevocably changed in the blink of an eye fill my mind as I write this article. Monday, August 29, 2005, the worst natural disaster in modern American history hit the Gulf Coast states of Mississippi, Alabama and Louisiana in the form of Hurricane Katrina. The storm was so deadly and devastating the death toll is still unknown as of this writing (September 4, 2005) and rescues are still ongoing. Insured property losses are in the billions and Congress passed an aid bill of \$51.8 billion.

We have heard that many employees have lost homes and property and have been scattered like dust in the wind to remote areas. Courthouses have been shutdown with no definite date to re-open. We also know, however, that the Administrative Office of the U.S. Court is working diligently to assist the affected courts to re-open as soon as possible, perhaps in temporary locations, and to assist the court staff during this very difficult time.

The indomitable spirit of the American people has shown that this disaster will be overcome and the areas affected by this horrible tragedy will rise out of the ashes like the mythical phoenix. Many organizations and individuals have rushed to help the rescue and rebuilding effort. Communities across the United States have organized efforts to collect water, food

and supplies to transport to the coastal areas. And I am proud to say that the FCCA has created a Hurricane Relief Fund to be used to assist court employees affected by the hurricane's devastation.

The people of the United States have faced other devastating disasters and in each instance, they have re-built and created a brighter future. The great Chicago fire of 1871 burned down most of central Chicago, killed at least 250 people and left 90,000 homeless. The city was in chaos with reports of hordes of thieves and burglars bent on plunder. Chicago rebuilt in a remarkable two years. In 1900, Galveston, Texas, suffered devastating destruction from a hurricane, which decimated most of the city, killed between 6000 and 12,000 people and caused an estimated \$30 million in property damage. Galveston also rebuilt quickly and made it a priority to build a three mile long seawall, that has since been lengthened several times, and engineers also elevated the city. San Francisco suffered a devastating earthquake, estimated at 7.9 on the Richter scale, and then a fire raged for three days that destroyed most of the city and residential area. Around 300,000 people were left homeless or temporarily displaced. Looters were so rampant that the mayor ordered they be shot. Again, the people came together and the city was rebuilt in an amazingly short period of time. Less than a decade ago, Grand Forks, North Dakota, had a major flood that damaged or destroyed about 8,600 homes, or 75% of Grand Forks. With federal aid and a strong will, the city rebuilt itself.

I relate these disasters and their consequences to make the point that while things are grave now, these areas will be rebuilt, jobs will be returned, and we will have a stronger Gulf Coast than before. Sometimes change is thrust upon us by horrible circumstances, but we can turn it to our advantage.

As you will discover when you read the *Journal*, the federal court system is in the midst of great change. The way we do our work and define our jobs is changing, see *CM/ECF and Position Descriptions: A Time for Change?*; our compensation system is being reviewed for possible significant changes, see *Court Compensation Study*; and we are being asked to make changes in handling of certain services. See *Court Interpreters Work Under Contract*. Studies of potential new ways to provide administrative services, consolidation of servers, and review of the method by which courthouse construction is determined are being considered.

As FCCA members we need to keep aware of these potential changes and let our voice be heard. We need to recruit new members to assist in our effort to improve the judiciary for those it serves and for those who serve it. This issue kicks off the FCCA membership campaign. If each of you recruits just one new member, we could increase membership by 100%.

The FCCA also has undergone change as new officers were sworn in at the Chicago conference: Sheryl Loesch, President and Bill McCool, President-Elect. The new officers already have shown that they have the best interests of the membership in mind and can react quickly as illustrated by the development of the Hurricane Relief Fund.

Another change and exciting opportunity is the creation of the International Association for Court Administrators. Jeff Apperson, FCCA Past-President, is the IACA Secretary General, and can provide more information about this exciting opportunity. The FCCA is staying at the forefront of the important developing issues in our courts and around the world for the betterment of the organization and its members.

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## From the Editor

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In closing, I want to praise the efforts of all the heroic people across the country who have risked their lives and who have taken time away from their busy lives and families to respond to this disaster. I also want to thank David Stechmann for having the presence of mind while evacuating his family in the face of Hurricane Katrina to grab the disc of photos from the Chicago conference. At least one thing hasn't changed - we still have great conference photos to share with the members.

*Note from the Editor: To view the photos of the conference, visit our website at [www.fcca.ws](http://www.fcca.ws).*



## 2007 Conference Site Selection

By Ginny Hurley and Maria Carpenter

Earlier this year, the Conference Site Selection Committee (comprised of Karen Brickner, Karen Hom, Sheila Beauchene, Judy Shelton, Maria Carpenter (co-chair) and Ginny Hurley (co-chair) sent letters to the Clerks of Court in all district courts west of the Mississippi River soliciting bids from courts interested in hosting the 2007 conference.

We received letters of interest from the Western District of Washington, and the District of Arizona. Both courts were sent information on the bidding process, and each submitted substantial bids for our review.

After a great deal of discussion (via e-mail), our committee prepared a presentation of our own for the Board Meeting held on July 4 in Chicago. We were truly torn by two great sites. Each had great selling points - Seattle offered a great opportunity to meet again with NCBC, Pike's Fish Market, and other tourist sites in the vicinity.

Tempe Arizona offered great hotel rates, a sunny climate, and tourist sites in the vicinity.

The Board listened carefully to our presentation, and reviewed the materials offered by both courts. We tabled the discussion until telephone board meeting so everyone could review the information. After much discussion on the pros and cons of both locations, the Board ultimately voted to award the conference to the District of Arizona.

Here are some highlights of the area: Tempe is fifteen minutes east of Phoenix. Downtown Tempe runs along Mill Avenue, between Arizona State University and Tempe Town Lake. The Tempe Mission Palms Hotel, the site selected for the 2007 conference, is just steps away from more than 170 shops, galleries and restaurants on Tempe's popular Mill Avenue. The hotel is approximately 10 minutes from Sky Harbor Airport and free shuttle service will be provided to all conference attendees.

Tempe Town Lake is located adjacent to downtown Tempe and provides a two-mile recreational haven for kayaking, sailing, or rowing. The park also has five miles of pathways for walking, jogging, skating or biking and ample room for picnicking. The lake's amenities are numerous and can be viewed at [www.tempe.gov/lake](http://www.tempe.gov/lake). Additional attractions in the Tempe area include the Desert Botanical Garden, the Phoenix Zoo, several museums, the ASU Karsten Golf Course, and the Arizona Mills Mall, which features more than 175 manufacturer outlets. The ASU Gammage Auditorium presents everything from theatre to music to dance, including nationally touring Broadway hits, celebrity acts and multicultural programs. For those who enjoy gambling, there also are several casinos located throughout the Phoenix metropolitan area.

There are many beautiful and unique destinations in Arizona. Visi-

tors may decide to travel to Northern Arizona to experience the red rocks of Sedona, or the breathtaking beauty of the Grand Canyon. Tombstone, a truly historical American landmark, is located in Southern Arizona. It is America's best example of 1880 western heritage, with activities that include gunfights, horse rides, and stagecoach tours.

We are very excited to be traveling to Tempe, and know that Rick Weare and his staff will put on a spectacular event!



## CM/ECF and Position Descriptions: A Time for Change?

By Kim Leininger, Division Manager,  
District of Kansas and  
Drew Heathcoat, Director of Human  
Resources

It has been nearly ten years since the Case Management/Electronic Case Files (CM/ECF) initiative began, with approximately 80 district courts now accepting electronic filings. Here in the District of Kansas, CM/ECF was implemented in the spring of 2003. After a steady whirlwind of change, positions and duties began to resolidify. As a result, we decided that it was time to examine and update position descriptions. Around the country, a growing number of courts are likewise reevaluating Clerk's Office positions that have been affected by CM/ECF. Over time, this process of examination may lead to developing new position descriptions, as well as assigning new, more descriptive position titles.

The implementation of CM/ECF was certainly an impetus for change. As a result, Clerk's Office staff have had many opportunities to diversify

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## A Time for Change?

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their skills. Prior to CM/ECF, Evelyn Franklin was a docket clerk, but she believes the scope of her job has since broadened. According to Evelyn, "I now wear many hats, such as problem-solver and trainer. I have also been involved with helping to create new policies and procedures for our users. . . . Basically with CM/ECF, I have become very diversified in my role as a court employee." The District of Kansas employees agree that there have been many changes. However, it is interesting to note that employees do not necessarily agree on the level of change. It appears this was very dependent upon the expectations held prior to the implementation process. Those who believed that CM/ECF would greatly affect the duties performed now maintain that the impact was less than expected. Conversely, those believing CM/ECF would somewhat change their duties now believe that it has had a much more pronounced impact.

A year after going through the implementation process, our office decided to conduct job analyses on the intake and docket clerk positions. A job analysis is a systematic process for collecting and analyzing information about jobs. Although our main objective was to create new position descriptions, the results of our job analyses have been used to develop long term and short term training initiatives. It has also become an important part of our performance management system. After researching several different methods, our court selected one that involves a brainstorming session with subject experts that can be completed within a day. Using as a guide the book *Job Analysis at the Speed of Reality* by Darin E. Hartley, functional areas were identified for each position and then tasks within each duty area were identified. Upon completion of the initial lists the incumbents were then given the opportunity to review and revise

the duty areas and task lists. Finally, upon completion of the job analyses, new position descriptions were written.

The results of our job analyses indicated that, although some significant duties were added, neither the docket clerk nor intake clerk position descriptions changed profoundly. Although the core duties of the position remained the same, the specific tasks performed to accomplish these duties changed. In other words, while employees are doing many of the same things for the most part, they were doing them in different ways and applying new skill sets to accomplish their tasks. For example, while docketing remains a necessary function for many court staff, the amount of time spent on basic docketing has been diminished by the fact that attorneys now make many of these entries. On the other hand, quality control, particularly over entries made by non-court users, has become increasingly important, emerging as a critical and time-consuming task in CM/ECF operations. Problem solving and communication skills, of course, have always been necessary. However, since the implementation of CM/ECF, those skills have become the key to successfully performing the job.

In an effort to gain perspective as to what other courts are doing with position management in the wake of CM/ECF, a number of court employees from various CM/ECF courts were contacted. Of those responding, most have yet to update position descriptions. One court representative related that their court discussed the possibility of updating position descriptions, however, "We looked at the position descriptions and decided they still reflect much of what is done." Overall, the courts we contacted agreed that the core job elements are still much the same. One respondent explained, "there has been a shift in emphasis from docketing and processing paper to more emphasis on quality control. Some duties went from minor to criti-

cal and vice versa." It seems that many courts have decided to delay making changes to position descriptions in order to let the implementation process fully evolve. As one court employee put it, "Change continues to occur. We will have to wait until this slows down before a real determination can be made."

Another issue that the District of Kansas decided to discuss in conjunction with updating the position descriptions was the issue of changing titles. Although the docket clerks continue to oversee the court record and intake clerks continue to be responsible for taking in court documents, these titles only narrowly define the positions. As one court employee stated "the term docket clerk is too antiquated." Our court considered many titles and finally settled upon Court Operations Specialists for the docket clerk position and Court Operations Support Specialist for the intake clerk position. If you look at the voluminous list of Court Personnel System job titles, it becomes obvious that many courts around the country have grappled with title changes even prior to CM/ECF. Now, for example, such titles as Case Manager, Case Administrator, Case Analyst and Docket Specialist, are all titles that courts have used to replace docket clerk.

CM/ECF will impact every court differently. Managing Clerk's Office positions as a result of the implementation offers some challenges as well as the opportunity for change. Whether you decide to add new positions or update position descriptions, conducting job analyses can certainly be a valuable tool to use in constructing your court's future. However, there is no absolute time line as to when this must be accomplished. Allowing time for change to be completed may be necessary to fully understand and assess the impact of CM/ECF on job duties and to further develop new or more accurate position descriptions.



## ON THE WEB

- ◆ Chicago Conference Photos
- ◆ Officers, Board of Directors and Committee Chair Members List - Revised July 2005
- ◆ Blood for Life Report and Statistics
- ◆ 2005 District Representative Contact List
- ◆ Revised 2006 Membership Form
- ◆ Membership Profile Form
- ◆ Meetings Minutes of May 4, July 4, July 7 and July 28

## Hurricane Relief Fund Created

The Federal Court Clerks Association has established a Hurricane Relief Fund as a way to aid members of the court family who were impacted by Hurricane Katrina. Donations made to this fund are tax-deductible. Checks should be made payable to "FCCA - Hurricane Fund" and mailed to the FCCA Treasurer, Mr. John Zingo, at 5002 Essex Lane, Mt. Laurel, NJ 08054.

Fund questions may be directed to John Zingo at 267-299-7106.

## Providing Support to the Community

*By Jamie Morawski,  
Case Manager  
Southern District of Iowa*

The U.S. District Court for the Southern District of Iowa is providing support to the community in a new way by providing lunch once a month at a local kitchen that offers free lunches to anyone in need. A group of approximately 16 volunteers from Probation, Chambers, and the Clerk's Office plan, provide, prepare, and serve the meal. We prepare enough to serve about 200 people. The kitchen is open for lunch and dinner most days, based on the availability of volunteers.

"I was fortunate enough to be invited along to help out with another group and decided we needed to form a separate group to cover an additional meal. We are very fortunate to have a very caring group of co-workers that were very eager to get started. It really is a small thing that makes a very large impact" stated Jamie Morawski.

Deputy Clerk Deb Vogel offers, "It makes my heart feel good to be able to provide lunch for 150-175 people, which includes children. It especially makes me feel good when they thank us over and over again."

Judicial Assistant Melanie Ritchey added "I think it puts everything in perspective - helping people less fortunate gives you a good feeling that you can make a small difference in someone's life. They are very grateful for whatever we serve them."



*John Zingo selling FCCA bags - John is always working to raise money for a good cause.*

## FCCA CALENDAR

- « 2005 Membership Term Expires December 31, 2005.
- « 2006 Membership Drive - October 1, 2005 - December 31, 2005
- « 18-month Membership Term Begins January 1, 2006 through June 30, 2007
- « Nomination process to elect the Treasurer and Historian as well as Circuit Representatives from even-numbered circuits will begin in February 2006. Members will receive information from their Circuit Representatives.
- « Boston Conference - July 16-20, 2006.



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## FCCA Foundation Dwight D. Opperman Public Service Award

By Maria Carpenter, District of Connecticut



**Rhonda Auidi**  
**U.S. District Court**  
**District of Connecticut**

Rhonda Auidi has been selected as one of the Dwight D. Opperman Public Service Award recipients in 2005. Ronnie has been employed with the U.S. District Court in Connecticut for five years. She began her career as a job-sharing generalist clerk. She quickly became fully trained on civil and appeals docketing and cashier. She was given a full-time position six months later. Three months after that she was assigned the position of jury clerk for the Hartford office. Last year she also took on the additional task of financial deputy.

As a generalist clerk, Ronnie was a mainstay at the front counter and on the phones. Her friendly manner and respect for others were well received by the public. They enjoyed working with her and would often ask for her by name when they came to the counter. She became the deputy clerk of choice for many of them. She also worked closely with the Court of Appeals in New York.

Because of her skills with the public, she was chosen as the jury clerk in the Hartford office to replace the retiring jury clerk. In this position, she continuously answers phones or is called to the counter to answer questions from prospective jurors. Some of these jurors are not happy receiving a sum-

mons for jury service. No matter how difficult a juror can be, Ronnie always talks to the juror in a smooth, professional manner. She never gets upset while speaking to someone, no matter how trying the person can be. She calms the person down, explains things in a precise and courteous manner, and the conversation usually ends in with the person being placated, if not happy.

As jury clerk, she is aware that she is the front line person for people coming into court, many for the first time. She dresses in a professional manner and is always well-groomed. She is friendly with everyone who enters the jury assembly room, and she always exhibits a positive attitude. No matter what might go wrong with the computer system or other equipment failures, she does not show any stress in front of the jurors. She delivers the orientation in a professional manner, laced with a little humor. She handles hecklers with a smile, much to the appreciation of the others in the room. Because of her demeanor, she sets a positive tone for the jury selection and for the jurors' day in court.

Because of her skills, Ronnie was assigned the additional duty of financial deputy. In this position, she is in constant contact with the Probation Office, U.S. Attorney's Office, and defendants paying fines and restitutions. She has implemented several new accounting systems and ledger sheets. When she is asked a question about a person's payment status, she is able to handle the request promptly and courteously. She is also preparing a new finance training manual for her office with instructions on all aspects of the finance programs.

Overall, Ronnie interacts well with both internal and external customers. She has a great working rapport with the jury clerks in the other offices,

the judges, and their staffs. Ronnie is respectful and polite to co-workers, supervisors, judges, representatives from other federal agencies, and the public. She is extremely creative and innovative, constantly improving the jury and finance procedures.

Ronnie catches on very quickly to everything she is taught. She possesses an excellent understanding of everything she does. Ronnie uses good judgment in numerous situations. She is willing to try something new, even if she is not sure of the outcome. She is continually thinking of ways to improve the jury and finance processes.

Ronnie demonstrates very good communications, customer relations, and problem solving skills. She demonstrates teamwork every day, and is an inspiration to her co-workers. Her work record and rapport with the public are even more amazing considering she was a stay-at-home mother prior to coming to the Federal Courts.

At home, Ronnie is involved with her two teenage daughters. She also has been the Combined Federal Campaign chairperson for the Hartford Office. Ronnie also volunteers for the March of Dimes.



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## From the Deputy Clerks' Corner

By Jenine Wright, Jury Administrator, U. S. District Court  
District of Kansas

Hello "fellow" FCCA members!

It is my privilege and honor to serve as the Chair of the Deputy Clerks Council (DCC) for the next two years.

I would like to thank Cris Beeman, Past Chair, for all her hard work the past four years in behalf of the DCC and FCCA! Hers will be a hard act to follow. Thanks, Cris, for all of your advice and assistance!

Since the Conference in Chicago, I have been busy filling the positions on the DCC Executive Board. I would like to introduce you to those members. They are:

Immediate Past Chair, Cris Beeman, Central District of California

1<sup>st</sup> Circuit Rep is Donna Barchard, First Circuit Court of Appeals

2<sup>nd</sup> Circuit Rep is Jane Bauer, District of Connecticut

3<sup>rd</sup> Circuit Rep is Mike Hearn, Eastern District of Pennsylvania

4<sup>th</sup> Circuit Rep is Robert Walker, Eastern District of Virginia

5<sup>th</sup> Circuit Rep is Rhonda Lafitte, Eastern District of Texas

6<sup>th</sup> Circuit Rep is Geneva Ashby, Eastern District of Tennessee

7<sup>th</sup> Circuit Rep is Karen Brickner, Northern District of Indiana

8<sup>th</sup> Circuit Rep is Michele Nelson, Western District of Missouri

9<sup>th</sup> Circuit Rep is Marianne Matherly, Eastern District of California

10<sup>th</sup> Circuit Rep is Lisa Fornelli, District of Kansas

11<sup>th</sup> Circuit Rep is Steve Mandel, Northern District of Florida

National Circuit Rep is Cassandra Smith, US Court of Appeals, Federal Circuit

One of the first tasks the DCC Executive Board will undertake is to

distribute a survey to Deputy Clerks who are members of FCCA. This survey will give Deputy Clerks the opportunity to give their input into what they would like to see the DCC/FCCA work on in the next 2-4 years.

The DCC Executive Board will also be establishing committees to accomplish those goals. Please take time from your busy schedules to complete and return the surveys. The surveys will be e-mailed to all Deputy Clerks who are FCCA members in the near future.

If you missed the Annual Conference in Chicago, you missed a good one! Congratulations to Team Chicago for a job well done!!!

If the Executive Board or I can be of service to you, please contact us!

Thank you!



## Clerks' Council Update

By Karen Mitchell,  
Chair, Executive Board  
Northern District of Texas

The Executive Board (Board) of the FCCA Clerks' Council is composed of the following members: Clarence Maddox, Court Administrator/Clerk of the Southern District of Florida; Kevin Rowe, Clerk of the District of Connecticut; Geri Smith, Clerk of the Northern District of Ohio; Lance Wilson, Clerk of the District of Nevada; and Jim Woodward, Clerk of the Eastern District of Missouri. We have one vacancy on the Board that will soon be filled. I want to thank the outgoing Board chairperson, Bill McCool, for his excellent work. Bill worked diligently to establish informal channels by which district clerks could provide input to

key Judicial Conference committees. The Board recognizes the value of having this kind of input and is committed to continuing what we started under Bill's leadership.

The FCCA has a wonderful opportunity to promote professionalism among our ranks through annual conferences. Having meaningful training opportunities is one way of demonstrating to judges and unit executives who are not FCCA members that the FCCA is important and that participation by employees at all levels should be encouraged.

At the Board's August meeting, we briefly discussed the budget outlook for FY 2006. We are cautiously optimistic that the district courts will fare better than in FY 2005. Board members also discussed the draft study of administrative services recently released for comment by IBM and the court compensation study that is underway. Several survey tools will be used to collect data for the compensation study, and all employees will be asked for input.

I greatly admire the other members of this Board, and I know that they are looking out for your interests. If you have comments, suggestions, or issues you would like the Board to address, please call me at 214-753-2150 or send me an e-mail message: karen\_mitchell@txnd.uscourts.gov.



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## Spotlight on Members

Edis Feldhouse has been with the U.S. District Court in Massachusetts for eight years. Currently she is the Unix Systems Administrator/Webmaster.

Edis joined the FCCA in 2002 and has attended one annual conference. Although she was not at the Chicago conference, she prepared a video presentation about the 2006 conference to be held in Boston which was shown at the Chicago conference. She was thrilled with the reception it received from FCCA members attending the Chicago conference.

She graduated from the Newbury College with a degree in Computer Sciences and is married with two sons and enjoys designing and making jewelry, web design, graphic arts. She says she's a "computer geek" at heart.

Edis participates in the annual Daffodil Days fundraiser at her courthouse, and is active in the Humane Society. She also redesigned the court's external web page ([www.mad.uscourts.gov](http://www.mad.uscourts.gov)) and singlehandedly created our 2006 video presentation based on just a few ideas from our committee.

A Special Recognition Award was presented to Edis for her work on the CM/ECF conversion.



**Sandy Smith O'Neill**  
**United States District Court**  
**District of Connecticut**

Sandy Smith O'Neill has been with the Federal Court for 19 years.

She started as a docket clerk and worked her way up to a Courtroom Deputy, first in the New Haven office, and now in the Hartford office. The District Court is only a portion of her Federal service. During her 30 years of service, she worked at Law Enforcement Assistance Administration, US DOJ in the AG Press Office in Washington, D.C., and with the U.S. Attorney's Office. While at LEAA, she served as President of AFSCME and worked on negotiating a contract agreement between the Union and personnel.

Sandy is a "Navy Brat." Her father was in the Navy for 20 years. She was born in Honolulu, Hawaii, and lived in Morocco and Turkey for five of her father's service years. She is presently settled in Connecticut, is married, and has a stepdaughter in college in Florida.

She graduated with an Associate in Science Degree with high honors from Southern Connecticut State University, and is working on her Bachelor's Degree. She is also attending the University of Michigan non-credit certificate program in Judicial Administration. She is a member of the National Honor Society.

Sandy joined the FCCA in 1986 and has attended nine conferences. Her favorites: going to the Kennedy Library in Boston; Philadelphia; and Sun Valley, Idaho.

Sandy loves to travel. She spent a summer on a Mediterranean cruise, and has been to Ireland looking up some of her family history. She enjoys hiking in the mountains, antiques, music, and yoga. She also knows how to wield a hammer – she worked with Habitat for Humanity and received the Volunteer of the Year Award in 1998.

She actively supports FCCA blood drives and other charitable events throughout the year.

She is now looking forward to spending the next four months on a retrial case. Last year, she spent nine months on the securities fraud trial. On the day the fraud was made public, the stock price dropped \$13 billion in one day. The government claimed this to be the largest securities fraud case in American history. According to Clerk Kevin Rowe, this was one of the longest criminal trials in the history of the Federal Court in Connecticut, and the longest jury deliberation (two months); only one civil trial lasted longer. Sandy is glad she at least had a nice summer vacation before the trial starts again.



## Changing Times – 2006 Membership Drive

*By Pam Twiford, Membership Chair*

These are surely changing times. Sometimes change is for the good. Sometimes it is for the bad. In this case, it is for the good. The changes listed below will affect our term of membership, will assist the Board, the officers' terms of office and align our terms of membership with our fiscal year.

As you are aware, the current FCCA membership term will expire December 31, 2005. At the midyear meeting held in January of this year, the Board voted to align the membership term with the elections of the Board and Officers. As such, the membership drive that is currently underway will be for an 18-month period, beginning January 1, 2006 through June 30, 2007, and all membership fees have

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## Membership Drive

Continued from page 10

to be adjusted accordingly. From that point forward the membership term will run from July 1<sup>st</sup> to June 30<sup>th</sup> of the following year.

Since the membership term will run for 18 months all membership fees have been increased to match the membership period of 18 months..

The new membership fees are as follows:

Deputy Clerk/Retired/Other	\$30
Chief Deputy or Other Court Executive	\$75
Clerk of Court or Unit Executive	\$112.50

Before you think it is becoming too expensive to renew or to join, let me list just some of the benefits:

1. Opportunities to network, share ideas, experiences and interests with other court employees from all over the country;

2. The opportunity to receive college credit through Michigan State University and its Judicial Administration Program when attending o u r annual conference;

3. The possibility of attending two conferences during the 18-month membership period depending on when the 2007 conference is scheduled;

4. Leave-sharing program (all FCCA members, who received donated leave, received more than they needed!);

5. FCCA is committed to several humanitarian programs including an active blood drive program and a disaster relief fund. We have set up a fund for the recent Hurricane Katrina victims;

6. As an FCCA member you can volunteer to serve on a committee;

7. Organize FCCA activities within your court;

8. Submit articles for the FCCA *Journal*;

9. Run for election for a position on the FCCA Board of Directors;

10. Educational scholarships for job related education and attendance at conferences.

I have given you ten excellent reasons to renew your membership or become a member. It is time to let change happen. 

over the past 21 years is 10304 pints of blood. I do expect that once this report is published, there will be some courts who find out they were not included in the total. Don't worry! If that happens, please send me the information and I will modify the reports.

We have several people who donated five pints of blood or platelets: Ginny Hurley, Judy Litwin and Chris Kargel from Massachusetts, and Don Emineth from North Dakota. One person donated six pints of blood: Jenine Wright from Kansas. Finally, we have one person who receives a certificate of appreciation for the most pints of blood/platelets donated: Ariana Estariel from the Judicial Panel on Multidistrict Litigation in Washington, D.C. Ariana donated eleven pints this year.

Our top three courts this year are: Southern District of New York with 94 pints and Utah with 96 pints. And, the court with the most pints donated did an outstanding job this year – the District of Massachusetts collected 247 pints, with 27 pints donated by FCCA members. Awesome job! A framed certificate of appreciation was presented to the District of Massachusetts.

The five winners of our drawing for a check for \$50.00 each are: Chris Kargel (USDC-MA), Marlin Miller (USDC-KS), Jenine Wright (USDC-KS), Kathy Bartholomew (USDC-OR) and Teresa Salazar (USDC-DC).

Congratulations to everyone and thank you for your donations.

**NOTE: The 2005 Final Blood Drive Report and 2004-2005 21<sup>st</sup> Annual FCCA Blood Drive Statistics are posted on the FCCA Web site in the electronic version of the *Journal*.**



## FCCA Blood Drive Report 2005

By Jane R. Bauer, Blood For Life Chair  
District of Connecticut



*Ariana Estariel receiving award*

May 2004 - April 2005 was another successful year for FCCA blood drives. With 21 courts reporting, we collected 857 pints and platelets. FCCA members donated 172 pints of blood and platelets. This year marks the occasion of breaking 10000 pints! Our grand total

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## Blood for Life - A Story

By Maria Carpenter,  
District of Connecticut

As the previous Blood for Life Chairperson, I have always known how important it is to give blood. After all, one pint can save three people! This was recently brought home to me.. My father was rushed to the hospital due a low red blood count. He was immediately given one unit of blood, followed by two others. Without this donated blood, he may not have made it. He wasn't happy spending his 87<sup>th</sup> birthday at the hospital, but he was happy to be alive! I don't know who the blood donors were who saved his life, so I wish to thank all of you who donate during blood drives. Your pint could really mean life or death to someone's family member!



## Court Interpreters Work Under Contract

By Carolyn J. Kinney, Ph.D.,  
Court Interpreting Program Specialist  
District Court Administration Division  
Office of Court Administration,  
Administrative Office

The judiciary has been making steady progress over the years to have all major procurements formalized and in writing. A contract for contract court reporters was developed in 1999, and in 2005 a contract was developed for contract court interpreters. This is one of the last major procurement areas to be formalized. Many interpreters have signed the first-ever Contract Court Interpreter Services Terms and Conditions document since it was distributed to courts in February 2005, and have been working under it for the balance of this fiscal year.

Many benefits of a formal procurement process have been realized through implementation of the Terms

and Conditions document in the last few months. Court staff are more familiar with the Court Interpreters Act, 28 U.S.C. §1827, and the Interim Court Interpreter Regulations of 1989, including the requirements to use certified interpreters whenever possible, and to comply with the Director's fee schedule and the Judiciary Staff Travel Regulations. They also are more aware of the procurement process, and know which terms are negotiable and which are not, and procurement specialists are becoming involved with the negotiation of terms and accounting processes, just as they do with other procurements. Although each court negotiates specific terms and contracts separately with interpreters, the interpreters are finding more consistent standards across courts when they travel to provide service in different districts. Both courts and interpreters are protected by having terms settled before service is provided, rather than wondering whether invoice charges are appropriate. The AO is able to better manage the ten million dollars in the centralized contract court interpreter general authorization account. There has been a surge of interest among interpreters of Spanish in seeking certification. The National Court Interpreter Database, the statutorily required list of all certified interpreters as well as most otherwise qualified interpreters, is being used and updated more consistently, making it even more useful to the entire court community. And, most important, defendants and other court participants eligible for interpreter services are receiving those services from more highly-qualified interpreters, so that defendants can participate more fully in their own defense.

An ad hoc focus group of staff interpreters, interpreter coordinators, procurement specialists, and operations managers from the courts and a representative of the National Association of Judiciary Interpreters and

Translators met in July to suggest modifications to the document.

As a result of the recommendations from the focus group, the AO is making the following revisions to the Terms and Conditions document for fiscal year 2006:

- Moving all fillable fields to a cover sheet;
- Deleting all direct and indirect references to translation and transcription (except sight translation);
- Deleting the phrase "regardless of time of day" in regard to half-day or full-day service;
- Adding the "Standards for Performance and Professional Responsibility for Contract Court Interpreters in the Federal Courts";
- Revising the statement about complaints and disruptions by defendants;
- Stating terms in positive rather than negative language, such as that courts are obliged to pay the contract court interpreter within 30 days of receiving a proper invoice;
- Clarifying other issues.

The Instructions and Procedures also are being updated to clarify procedures and to reflect these modifications.

The revised Contract Court Interpreter Services Terms and Conditions document will be distributed to courts as soon as possible in September, for implementation for fiscal year 2006. Until the new document is distributed, the terms for fiscal year 2005 are still in effect as previously stated and described. As the judiciary moves toward the new fiscal year with an updated version of the Terms and Conditions document, we anticipate that

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## Court Interpreters

Continued from page 12

these procurements will be easier to handle.

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.



## Court Compensation Study

By Rowie Pangilinan, HR Specialist/  
Compensation Officer and  
Allen Brown, Chief of Policy and Strategic  
Initiatives Office, AO

In the FCCA Journal's Spring 2005 issue, then chair of the FCCA Executive Board, Bill McCool, reported on the Court Compensation Study being conducted at the request of the Judicial Resources Committee. As many of you know, a flurry of communications and activity regarding this study has started, particularly in August. The following background aims to provide more detailed information on the study.

In September 2004, the Judicial Conference approved the Executive Committee's *Cost-Containment Strategy for the Federal Judiciary: 2005 and Beyond*. The report called for a court compensation study to "explore fair and reasonable opportunities to limit future compensation costs" because personnel costs are projected to increase significantly faster than funding levels over the next ten to fifteen years. While the court compensation study initially stemmed from a cost-containment strategy, recent developments in the executive branch make this study timely. The White House and the Office of Personnel Management (OPM) have drafted a bill to Congress (Work-

ing for America Act of 2005) that would sunset the General Schedule (the basis for judiciary pay) by FY 2010. The Act would require that agencies develop new systems by 2008 to replace the automatic, across-the-board, annual General Schedule increases (known in the judiciary as the "ECI") with pay-for-performance. The Act would also replace the current locality pay (which is applied to all positions within a geographic area regardless of occupational category) with local market supplements that are based on the current market-rates for specific occupational categories.

Director Mecham of the Administrative Office of the US Courts (AO) chartered a Working Group comprised of judges, unit executives, and court employees representing every circuit, court type, and occupational category. The Working Group provides advice to the AO and helps to ensure that adequate, appropriate and meaningful input is provided from, and communicated to the court community. Judge Royal Furgeson, the Chair of the Judicial Resources Committee (JRC), also established an Ad Hoc Subcommittee on Court Compensation, which includes judges who are members of the full committee, to assist in providing guidance to the study.

The study covers all biweekly court positions (both chambers and non-chambers) under the Judiciary Salary Plan (JSP), Court Personnel System (CPS), and court reporter classification system. The study aims to examine the courts' current compensation and classification systems to determine whether they need to be modified or updated in order to contain future cost growth while also preserving the commitment to local flexibility and budget decentralization.

Phase 1 of the court compensation study kicked off in January 2005 and was completed during the second quarter of 2005. The study identified

and quantified the primary drivers of court compensation costs from 1998 to 2004. Consultants from The Segal Company, whose services have been retained for the study, conducted the "data-mining" project, with oversight from the Policy and Strategic Initiatives Office of the AO. The study found that the courts' total salary costs, which increased by 42.8 percent were attributable to pay schedule adjustments (ECI and locality), increases in pay grade and steps, and increases in the number of full-time-employees. The largest single contributor to the courts' salary cost increases during this period was the "automatic" ECI and locality adjustments to the pay schedules, which are consistent with the annual adjustments granted to federal employees covered by the general schedule (i.e., those who are paid on the GS pay structure). Since the judiciary's pay scales are based on the general schedule, the courts' pay scales have been generally comparable with agencies in the executive branch.

Phase 2 of the study will review the classification and compensation systems, policies, and practices to determine whether any modifications, updates, or changes should be recommended to the Judicial Conference. A substantial portion of phase 2 will involve data collection from the court community. Currently, three web-based surveys have been released to the court community. First, an Appointing Officer Survey, designed for judges and court unit executives who are appointing officers, solicits their perceptions about recruitment and retention challenges. Second, an Employee Survey, engages all court employees (including court unit executives) regarding the various aspects of compensation. Third, a Job Analysis Questionnaire collects job-specific information such as duties, responsibilities, and skills associated with work

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## Court Compensation Study

Continued from page 13

performed by court employees. All three surveys were developed by The Segal Company, with input and guidance from the Working Group. In order to validate the job analysis data, focus group sessions with managers and supervisors are being planned for the first quarter of 2006.

Following validation of data collected from the courts, a market survey of comparable public and private employers will be conducted. The market survey will include chambers and non-chambers positions in CPS, JSP (including circuit and court unit executives), and court reporter classifications. Judicial salary levels can then be compared with those of comparable organizations in applicable geographic markets.

If any modifications, updates, or changes are recommended as a result of phase 2 analysis, phase 3 of the Study will involve implementing changes that are approved by the Judicial Conference. Recommendations to the Judicial Conference may include viable options on pay delivery systems (considering longevity and locality pay, occupationally-based market rates, and/or performance pay options).

courses were offered at the FCCA/NCBC 2005 Combined Conference in Chicago: Purposes and Responsibilities of the Court and Caseflow Management. A total of 50 people participated in the courses. Twenty-eight completed both courses, 13 completed Purposes and Responsibilities and 7 completed Caseflow Management. Four students will complete their course work on-line.

Several students have asked for an extension to complete applications and send payments. In order to accommodate busy schedules and budgets, JA encourages all students to contact Sharon George at georges@msu.edu for arrangements. Students are reminded that the application is easy to complete.

Courses were also offered at conferences sponsored by the following Partner-Providers: Michigan Court Managers, NACM, North Carolina Conference of Court Administrators, New Mexico Judicial Education Center, and the Federal Judicial Center. Several courses offered through ICM of the National Center for State Courts are currently being approved for credit in the Judicial Administration Program. Several courses also are scheduled to go live on-line in the next few months.



## MSU Judicial Administration Program Update for FCCA

By Sharon L. George and  
Maureen E. Conner, Ph.D.  
Judicial Administration Program

Michigan State University's Judicial Administration Program experienced an exciting summer. Two



Jeff with Sue receiving award

### Congratulations

#### 2005 Special Service

#### Award Recipients

Pat McNutt

Sue Rigan

Pam Swiford

**WE APPRECIATE YOU AND YOUR SERVICE!**

## The "Green Eye Shade" Awards

By Karen Mitchell, Chair Executive Board  
Northern District of Texas

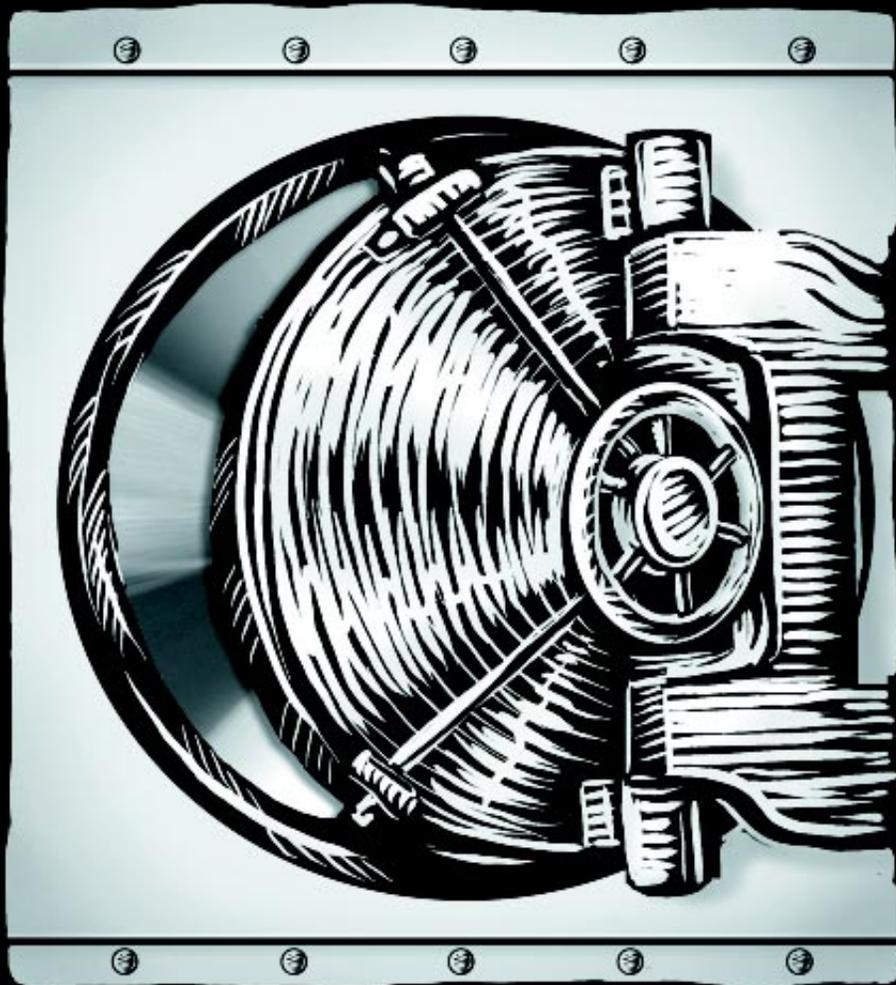
Two of our colleagues – Sherri Carter, California Central and Sheryl Loesch, Florida Middle – were selected by the Board to receive the "Green Eye Shade" award. This award is given to the clerk who has best weathered the storm over the past year in good humor.

Sheryl literally "weathered the storm" in Florida, having experienced three major hurricanes in her district in one year. Despite the many challenges in her district, Sheryl did not miss a step in serving the rest of us through her work with the FCCA and on the District Clerk's Advisory Group.

Sherri Carter did not face any natural disasters in California, but she did face the many challenges that come with running a huge court with more than fifty judges! Sherri has been an effective advocate for district clerks on various AO committees, and she has done so with grace and humor. We appreciate both of these top-notch professionals and hope they enjoy the green eye shades!



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# Addendum

## CORRECTION NOTICE:

There was an error in the Spring *Journal*. On pg. 22 there's a picture from the Mid-Year Meeting with three smiling faces, with the caption: "Steve Ludwig, Pam Twiford and David Stechmann." That is actually Ian Keye not Steve Ludwig.

## IN FUTURE ISSUES

- ★ ListServe for FCCA members of work groups
- ★ FCCA Advertising Rates Increase
- ★ Conference Updates
- ★ FCCA Conference Guidelines