

NCBC Impact

Dedicated to the professional development of its members

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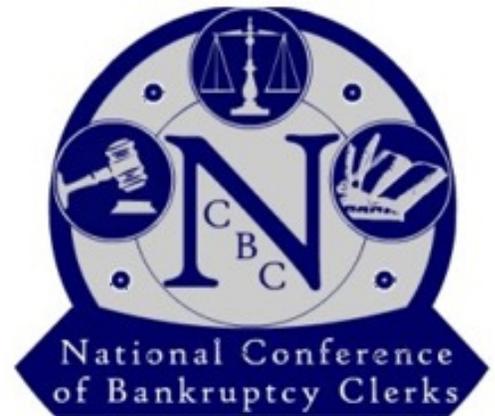
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We're rounding the calendar for summer and you know what that means - the NCBC 2008 Conference in San Antonio is almost here! The Impact will be sharing more information with you from now until the conference begins. Look for an update in *Tech Trails* and a preview of our hotel, shopping and food in *About San Antonio*. Be sure and check the Conference website for the latest info at www.ncbcimpact.org.



Also in this edition:

- Our president, Ken Gardner, explains the conference hotel situation in his *President's Message*.
- Announce your candidacy and/or nominate a deserving person for awards. See *Run for Office* and *Award Nominations* for details.
- Mark Hatcher, our soon to be president, recaps the International Association for Court Administration conference that he and Ken recently attended in *IACA Conference*.
- Kathy G. shares all of the initiatives the new *Benefits Committee* is working on.

Thanks-
Sandy

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President's Message

Hello and Happy Summer NCBC members!

It seems that we have had an unusually long winter this year here in Chicago. We had snow at the end of April and going into the Memorial Day weekend our temps only hit a high of 59 degrees. Oh to be back in California where it's been hot and dry!

Let me first address the issue with our hotel situation in San Antonio. I personally told many of you that we would be able to accommodate as many folks as we wanted in San Antonio at the Grand Hyatt property because it has 1,000 rooms and we would be able to grow the room block as needed. Up until the beginning of April I still thought this was the case. Unfortunately, a rather large group (18,000 people) decided to have their conference the same week and gobbled up our overflow space in the Grand Hyatt. While I am quite disappointed and apologize that we were not successful in delivering on this promise, please understand that when we negotiate the contract, the NCBC is responsible to fill the room blocks. If we don't fill them up to our contract percentage (80% is normal) then we have pay for these rooms anyway. Two years ago we had no idea how the Clerk's offices would be staffed, nor if there would be any funding available from the courts to send employees to the conference. As it turned out, neither was an issue, but we played this one on the conservative side given the uncertainty that was prevalent when the contract was negotiated. In future years I think the reality of having more than one hotel will be the rule rather than the exception because of our size. We have approximately 500 people registered for the San Antonio conference already. Aside from the hotel situation, the education agenda is fantastic and our host court is working hard to make this another excellent conference!

I am also excited to report that our members who have participated in the MSU program from its inception will be eligible to graduate in 2009 if they have completed all course requirements. One issue that has come up is that many of our members have not paid MSU for the courses. If you are one of these members, please try and rectify this situation at your earliest convenience. Some may graduate earlier if they accelerated their course content, like April Colling did last year, but most who started the first year will graduate in 2009. We plan on having a special ceremony for this graduation, so please mark your calendars for the next conference in St. Petersburg, FL. at the Vinoy Resort. The dates are June 29 – July 2, 2009.

Nominations are now open for our Vice-President/President Elect, Treasurer, and two Board Member seats. Nominations must be received by June 2, 2008 and can be sent to Therese Buthod, Clerk of the Oklahoma Eastern Bankruptcy Court at Therese_Buthod@okeb.uscourts.gov.

And finally, I would like to mention the International Association of Court Administration conference that Mark Hatcher and I attended in Dublin, Ireland from April 21-23. This is a newer association whose charter is to try and help out other countries to implement the rule of law and provide assistance and guidance in that endeavor. Mark has written an article that covers the highlights in this *Impact* edition, so please take a moment and find out more about the conference.

Here's hoping that I see the first 80-degree day here in Chicago before June!

Kenneth S. Gardner
President, NCBC

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2008 Conference

BLAZING NEW TRAILS

The deadline for registering for the 2008 NCBC Conference in San Antonio has been moved up to Monday, June 16. You must be registered by that date in order to attend. As a reminder, payment for conference events is due no later than July 11.

Be on the lookout in June for the next installment of the "Texas Tattler" with updated conference information. In the meantime, please visit our website at www.txwb.uscourts.gov/information/NCBC%202008/index.html or e-mail us at ncbc_2008@txwb.uscourts.gov.

We're looking forward seeing 500+ of our closest friends in San Antonio in August. Drink lots of fluids.

George Prentice, Clerk
Texas Western



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Benefits Committee

by Kathy G.

Greetings from the Benefits Committee! During this past year this committee was brought back to life with a new slate of members. Our combined strengths include a commitment to NCBC; a passion for benefits administration; a penchant for problem solving; and a strong desire to help people.

Here is a roster of current committee members and a summary of some of our projects.

Kathy Grzybowski, Chair, WIWB
 Jackie Cherrybon, PAMB
 Clarence Parson, INSB
 Kathy Popejoy, MOWD
 Carol Thompson, TXEB
 Jeanne Tuell, KYWB

Long Term Disability (LTD) Insurance: We have requested and Gallagher has agreed to provide statistical data on a regular basis so the committee can analyze program usage including averages and trends. Looking at data collected from claims filed during April 1, 2007 and March 26, 2008, we learned 60% of the LTD claimants would have had no income if it were not for the NCBC LTD payments. These indicators suggest the LTD Plan fills a large gap in our benefit plans.

NCBC Survey: Back in March we sent you an on-line survey to find out how you feel about NCBC-sponsored benefits educational programs. We learned that 23% of the respondents are not currently NCBC members. Topics of interest for future training include understanding retirement benefits; explanations of investment alternatives; understanding federal benefits, and financial planning. Many of you prefer opportunities for one-on-one financial counseling. Our goal is to align our training programs with your needs and expectations. Thanks to all who responded.

NCBC Life Insurance Program: We are about to launch another benefit for you - a new Life Insurance Program with Aetna that will save you money on your insurance protection or supplement your current coverage. In addition, you will have benefits including guaranteed issue (no proof of health status) during the initial rollout, portability of coverage, coverage after retirement, as well as the ability to get coverage for your spouse and children. More information regarding this program will be provided soon.

Financial/Retirement Education Programs: If you are attending the 2008 NCBC Conference this summer in San Antonio and you've registered to attend Introduction to Financial Planning and/or Understanding Federal Retirement, be sure to let us know about your learning experience.

The Benefits Committee welcomes your NCBC benefits-related feedback and invites you to e-mail any of its members with your comments.

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Run for Office

The NCBC Board is opening up the period for nominations and declaration of candidacy for the following positions for the NCBC Board of Governors for the term 2008 - 2010. This year the positions that are open are:

Two Board Members
Treasurer
Vice-President/President Elect

You are encouraged to nominate someone or declare your candidacy for any of these positions. The description of the duties of each of the positions are contained in the NCBC bylaws which may be found at the NCBC website, www.ncbc.impact.org.

The current bylaws do not allow an officer to run for consecutive terms (section 8.6). The By-laws committee has recommended that this provision be modified to allow for one consecutive term of the Treasurer and Secretary positions. This will be up for a vote at our annual conference for future elections. For this upcoming election, the NCBC Board of Governors has waived this provision since there was such a strong belief by the board for continuity and the feeling that members really begin to make meaningful contributions after they have served more than one term. Thus, our current Treasurer, John Ginocchetti, will be allowed to run for a consecutive term.

The position of Vice-President/President Elect will require a six-year commitment. The person elected to this position will serve two years as Vice-President/President Elect, followed by a two year term as President and an additional two year term as a non-voting past President.

If you are being nominated or declaring candidacy, please submit your candidate statement along with your declaration. The statement submitted should describe your interest in serving in the position sought. These statements will be circulated to the general membership at the time of the election.

Anyone desiring to submit a nomination or declare their candidacy for any of these four positions should contact Therese Buthod, Chair of the Nominations Committee, at Therese_Buthod@okeb.uscourts.gov on or before June 2, 2008. Voting by the membership to fill these positions will take place shortly after the nomination period closes.

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Award Nominations

Just a reminder that Nominations are due by June 2, 2008. Time to bestow recognition upon those who have achieved great things that have benefitted the courts and/or the NCBC. The NCBC will be honoring both individuals and groups at the conference in San Antonio. We need your nominations so that these awards can truly and accurately reflect those efforts of your fellow co-workers.

Your nominations are sought for the following awards:

Outstanding Service Award:

Represents service provided to NCBC and/or the courts that goes beyond a single task or assignment.

This award is usually presented for longer term efforts.

Outstanding Achievement Award:

You could say that this award is the next level up from the outstanding service award; it represents an achievement by an individual or group that resulted in savings or changes which benefited the court system as a whole).

Special Service Award:

Represents service performed that is more limited in nature; this award tends to recognize one time efforts or assignments on behalf of the NCBC or the courts.

Administrative Excellence Award:

An award for accomplishments that are more administrative in nature.

Linda Spaight of the District of Rhode Island is serving as Chair of the Awards Committee, and is joined on the committee by Kathleen Crosser (WA-W), Kelli Felkel (ME) Kathy Gryzbowski (WI-W) John Horner (PA-W) and Rick Thompson (MD).

Nominations must be received by **Monday, June 2, 2008**, and may be submitted to the Chair by email at linda_spaight@rib.uscourts.gov. or by fax to her attention at 401-626-3150.

When submitting a nomination, please include the following information:

- the nominee's name and court,
- the award for which you are nominating them,
- and the reasons/accomplishments you believe qualify him/her/them for the nomination.

A list of past recipients can be found at <http://www.ncbcimpact.org> in the Membership>Hall of Fame link.

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IACA Conference

*International Association for Court Administration
Third International Conference
Worldwide Innovations in Court Systems
April 21 - 23, 2008_
Dublin Castle
Dublin, Ireland*

Random Personal Notes by Mark Hatcher_

General Session: Technological Innovations in the Courts

It is very easy to assume that technological innovations in the courts originate in America and migrate one direction out to other countries. This session served to illustrate that this isn't universally the case. In fact, the Honorable Richard Magnus, Chief Judge, Subordinate Courts of Singapore, very aptly displaced that notion. Among other things, he explained how in Singapore, low level criminal defendants (as well as traffic offenders) can plead guilty to the equivalent of ATM machines and pay their fines in the same transaction. [Note: Imagine filing bankruptcy and making Plan payments via this sort of system.]

Case Assignment Systems: Lessons Learned and Best Practices

How cases are assigned and what processes are involved in transferring a case from one judge to another is a big issue for courts in emerging countries that are trying to establish the rule of law. Corruption was a major discussion point in this segment and clearly a very real issue to these courts. It is an issue that isn't necessarily void in the American court system, but it is rampant in emerging countries, at least based on the conversation in this segment.

Achieving Justice in States Torn By War and Civil Turmoil

Afghanistan

Honorable Abdul Rasheed, Justice, Supreme Court of Afghanistan, Kabul, Afghanistan

- * 30 years of war
- * erosion of public confidence in the courts
- * professional skills obliterated
- * in 2006, reforms began to restore confidence by establishing standards and training for judges and administrators
- * continuing education was begun for the country's 1500 judges, including ethics training
- * Afghanistan wants its judges to have educational training opportunities abroad
- * the country needs more adequate facilities
- * the Supreme Court is housed in inadequate facilities, but a new court building is being built. However, most other court facilities across the country are inadequate
- * security of judges is poor; six judges have been killed in recent times; hard to attract new judges; consequently, the existing judges oftentimes must travel long distances to hear cases
- * the road ahead is daunting; key to rebuilding is to stay the course
- * funding for the courts is beginning to increase
- * a perception of fair justice verdicts is beginning to prevail
- * assistance to Afghanistan courts by the U.S., Finland, and others is increasing
- * there has been a major propoganda campaign against the justice process in Afghanistan which must end

Lebanon

Honorable Choucri Sader, Judge and Director of the Institute of Judicial Studies, Ministry of Justice of Lebanon, Beirut, Lebanon
(Speaking eloquently on short notice in English since a French interpreter was not available.)

- * between 1973 - 1991, there have been many conflicts and wars; civil war; wars between Lebanon and other countries; war with Palestinians
- * this has had a severe impact on the judicial system
- * the population of Lebanon includes at least 18 diverse and varied groups, including Druze, Sunni Muslims, Shiite Hezbollah, Christians, etc.
- * there has been structural and human level impacts on the courts
- * on the structural level, courts everywhere in the country except Beirut were burned and destroyed
- * All records were destroyed
- * most outlying courts had to be moved to safer places in the country such as to Beirut
- * bombings and shellings would prevent judges from coming to work so predictability was lost to lawyers and litigants. This created major problems for the system of justice
- * 1970s - 1990s, there was no opportunity to take advantage of technological advances. Lebanon could not even copy technology from other countries and courts
- * hope is that in the next 5 years Lebanon will be able to apply technology
- * Lebanon courts need money
- * on the human level, there was a degradation of the schools during this period. Whereas kids used to go to school five days a week, for 15 years, kids could only go to school one day a week for little more than half-day
- * consequently, there was no talent to recruit highly qualified lawyers and judges; those who were selected were not the best of the best, they were the best among those available
- * the very best educated most often left Lebanon
- * there is a need to totally restructure court management in Lebanon
- * there must prevail an emerging political will to improve the rule of law in order to develop the court system
- * there is still a big political mess which prevents Lebanon from moving ahead

Palestine

Honorable Assad Mubarak, Judge, High Court of Palestine and Member, High Judicial Council, Ramallah, West Bank, Palestine

- * since 1946, Gaza/West Bank, two different legal/court systems have developed based on different historical roots.
- * no harmonization has taken place
- * there are 172 judges, too few for a population of 4 million people; there is a major backlog of cases; 76,000 pending criminal cases; a shortage of clerks to handle the administration
- * there is a lack of security in Gaza/West Bank
- * check points have made ordinary life difficult; Judge Mubarak lives in Bethlehem and it used to take him 30-minutes to drive to Ramallah. Now, it takes him 4-hours.
- * judicial independence is in jeopardy
- * Palestine is seeing a second uprising of the Infitada, with new militias
- * judges have been kidnapped for not releasing militia leaders
- * sometimes court staff have not been paid
- * Hamas has been seizing court building
- * there is limited automation; 12 courts are automated

Rwanda

Honorable Tharcisse Karugarama, Minister of Justice and Attorney General of Rwanda, Kigali, Rwanda
(Starts with joke. Husband and wife have had poor relationship for years. He tells her when she dies he will engrave her headstone: "Dead, and cold as ever". She tell him she will engrave his: "Stiff, at last".)

- * more than 1 million people slaughtered in 1993-94
- * international community failed Rwanda even after saying 'never again' after the Holocaust
- * why the U.N. left during the genocide is unexplainable
- * in 1994, Rwanda was a nation without hope
- * immediate problems: how to handle the corpses, including dogs; how to prevent revenge; how to prevent anarchy; how to restore the economy; how to reconcile the nation
- * for the courts, the question was how to deal with a huge backlog of civil and criminal cases
- * since 1999, Rwanda is stable and peaceful
- * justice has been restored; faith in the justice process has been restored
- * there is still much to do in Rwanda, but there is much hope
- * in 2007, the death penalty was repealed, and the death penalties of those already convicted were commuted to life in prison
- * for non-violent offenders, most of the criminal sentences in Rwanda are major community service sentences rather than prison

Sudan

David Pimentel, Asst. Professor, Florida Coastal School of Law
Former Senior Judicial Affairs Officer, United Nations Mission in Sudan, Juba, Sudan

- * the Sudan is the largest country in Africa and has been at war for 50 years
- * it has a population of 11 million people
- * the fighting today is between factions in the north against factions in the south
- * there is very extreme poverty in the Sudan
- * the Sudan sits on vast oil reserves - so has potential wealth - but there is no mechanism to bring it to market
- * there is no meaningful economy
- * the population does not have the education to be qualified to be lawyers and judges
- * automation of any kind is out of the question
- * no business enterprises are willing to work in the Sudan because: 1) it is simply too unstable and dangerous and, 2) there is no effective justice system so the financial risks are too great
- * ultimately, for business interests to ever venture into the Sudan, there will have to be some effective form of commercial court, which also has some form of bankruptcy protection

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Mid-Year Board Meeting

by Sandy Smith

As a staff employee for the NCBC, part of my job is to attend the twice-a-year in-person Board Meetings. My goal is to report the meeting topics, but also to give some insights about how the board works. By the way, all the monthly minutes are now posted on the NCBC website, under the Board link (thanks, Trisha).

This mid-year meeting had a one-day packed agenda. Below is a recap of the topics, but I want you to know that every year, the Board members take on more work outside of the meetings in order to be really prepared to make decisions at the meeting.

[Michigan State University](#)

Maureen Conner gave an update on the five-year plan. After this conference, the program is going into it's second cycle. The classes will be more spread out over the 5 year cycle, so MSU students will be able to go to other sessions starting next year. We have many potential graduates next year, so plans are under way for a special celebration. MSU is working on developing a Master's program, more news coming soon!

[Benefits Committee](#)

See the great write up from Kathy in the *Benefits Committee* article.

[2008 Conference Update](#)

So far, almost 400 folks have registered, but more hotel rooms are booked. So we're expecting closer to 500 attendees. TXWB is checking into the cost of using shuttle service to get folks from their hotels to the conference. The Board is developing guidelines for conference sponsors to address conflict of interest issues.

[By-laws Committee](#)

A draft of the revised By-laws was reviewed by the Board. Suggested edits were made. The final draft will be published in an upcoming *Impact* edition as the membership will vote on the changes at the conference.

[Awards Committee](#)

The presentation of the various awards will be done throughout the conference.

[Historian](#)

Mary Lynn is looking for photos and materials from past conferences. Please bring what you can share to the conference or contact her to send via email.

[Dues Review](#)

The Board held a discussion on increasing dues. The Board agreed to consider this in the future, but felt the timing was not good and some research was needed to determine an amount.

[2009 Conference Planning](#)

Conference is set for June 29 through July 2 in St. Petersburg, Florida. This is a Monday through Thursday as July 3rd is a court holiday. The President's Reception will be held Monday night, although other Monday activities, such as MSU classes have not yet been scheduled.

[2010 Conference Planning](#)

Potential sites were discussed, but no decisions made. Possible regions to look at

are the mid-west and the southwest.

2011 Conference Planning

The Board agreed to strongly consider holding the conference in New Orleans.

NCBC Board Orientation

Some Board members suggested providing an orientation packet to new board members so they can get on board a little faster. John agreed to start by putting together guidelines for trip reimbursements.

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Calling all Trail Blazers!



It's not too late to register your court as an exhibitor for the court information sharing plenary, known as Tech Trail, during the 2008 NCBC Conference in San Antonio.

The event will occur on Thursday, August 7th from 9:30-11:30 a.m. There will be plenty of room for attendees to casually explore the Tech Trail exhibits and to meet with local innovators. For those who attended Discovery Cove in Rhode Island, you may remember the ample space provided for this event. Tech Trail will be situated in a similar style.

So, consider the possibility of your court contributing to the bonanza of innovations that await discovery by our conference attendees. Think about those tips, techniques, or other locally created programs and stake your claim along the Tech Trail.

For more information, visit the conference website and click on Tech Trail or drop me an e-mail. See you in San Antonio!

Happy Trails to you ...
Kathy Grzybowski

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About San Antonio

At every mid-year Board Meeting, I try to check out the location so I can share some early insights with the Conference attendees. Forcing myself to walk around, check out the shops and restaurants, just so you can get a head start in August, such a sacrifice!

The ride from the airport to the hotel was 15 minutes by taxi, about \$20. One tip on the way out, be sure and get your boarding passes at the Front Desk, not the Business Center. The Business Center charges for the printing, but it's free at the Front Desk or Concierge Desk.

Speaking of the Concierge Desk, very friendly and helpful staff at the hotel. The hotel is gorgeous! Still had a few minor bugs they were working out. But in August, no hot water for your shower will feel great! Just kidding, I'm sure THAT will be fixed! Each room is spacious and bring those iPods for your IHome alarm clock. I had a nice view of a fantastic lightening storm the first night there.

San Antonio is as flat as a pancake, or maybe that's road armadillo in Texas! No hills to climb this year. Do be ready for the heat, but it's a dry heat. Even in April, I carried a water bottle everywhere. There's a little convenience store (with a Starbucks, Jim) right in the hotel. But the better deals are about two blocks from the hotel on Alamo Street. Look for the local drug store where you can stock up cheap for the week, it has some cute souvenirs, too. Stores were offering some great deals on jewelry, clothes and t-shirts. One of my favorite antique stores is on Travis and Loyoso, they will deal with you on the prices. All very close to the hotel.

San Antonio has two levels, the street level and the Riverwalk level. The Riverwalk level is a little cooler, but the restaurants and shops are more touristy and expensive. I found the better deals on the street level. Good eats at Shilo's deli and the little restaurant on Alamo that has steak and eggs. I felt very safe walking all over downtown on both the street and Riverwalk levels. It's pretty easy to find the hotel from anywhere downtown, but take a map just in case. Folks are allowed to smoke in the bars, but not the restaurants, fair warning.

That's all for this trip, see you in San Antonio!

Sandy

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