



# BEHIND THE BENCH

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**Hon. Prudence Carter Beatty**

Judge Prudence Carter Beatty was appointed to the bench for the Southern District of New York on September 1, 1982. At that time she was the fourth woman bankruptcy judge in the country.

Prior to her appointment she practiced bankruptcy law in New York City handling primarily corporate debtor cases. Judge Beatty graduated *cum laude* from the University of Michigan Law School with a J.D. and has a B.A. with a major in anthropology from the University of Michigan.

During the past 26 years, she has presided over a docket of mainly corporate and partnership cases. Among her largest cases, she has handled are those of Revere Copper and Brass, Rockefeller Center, as well as the singer Meatloaf. Early in her career she oversaw the liquidation of what was then the 4<sup>th</sup> largest law firm in the country, Finley, Kumble, Wagner, Underberg, Manley, Myerson & Casey, which had 250 partners. During the Finley, Kumble case the *Wall Street Journal* wrote an article about Judge Beatty's humorous remarks in the courtroom.

Other interesting and challenging cases were the "KWELM" group of English insurance companies. These ancillary cases were ground-breaking international cases under former Bankruptcy Code Sec. 304.

Judge Beatty, who has a 27-year-old daughter, enjoys doing crosswords and sudoku in her spare time. She plans on retiring at the end of 2009.

## Making Chambers Flow - The Importance of the Judicial Assistant

By Hon. Prudence Carter Beatty, Bankruptcy Judge  
SD/NY

Judicial assistants, or courtroom deputies as they are sometimes known, are the grease that makes chambers flow. Without them, the judge does not have the calendar or papers required. The attorneys cannot get the information they need from chambers in order to process their cases appropriately. But the judicial assistants are usually invisible.

At a recent retirement dinner for a bankruptcy attorney, another attorney came up to me to compliment my courtroom deputy on his help to her in a very large Chapter 11 case a few years ago. It involved billions of dollars and was on a very fast track. It went from filing in May to confirmation in December. I thanked her but I also thought how infrequently I, as a judge, hear comments about my staff. It was a wonderful moment and my courtroom deputy was very appreciative when I repeated the compliment to him. He remembered the case and how much effort it had required at the start of the case to work with all of the attorneys from the various firms to get the case running smoothly for my benefit as well as theirs.

My courtroom deputy attends almost all of my hearings and does such things as handing me the papers and keeping the files for the next matters organized. In court I can only do one thing at a time, which normally is listening or talking. I often get so focused on what is going on in the hearing that the courtroom deputy is a valuable adjutant who can calm the crowd in the rear, put them out into the hall if necessary and remember where they are when I call their matter on the calendar if they are not in the courtroom.

In order to be a good judicial assistant, one must be tactful, strong, knowledgeable about people as well as about the substantive issues of law and rules.. One must be computer savvy and fully familiar with ECF. Likely to have been there many years longer than the law clerks, the judicial assistant still has to let the law clerks have their "moment in the sun" while subtly preventing their inexperience from upsetting chambers' routines. It is a balancing act that the judge may not even be aware of but would thank them for if he or she knew.

Telephone etiquette is in the judicial assistant's area of expertise but both the law clerks and the judge benefit when it is done well. In this era of easy telephone conferencing, gathering all of the parties on the phone at the same time to fix important calendar dates falls to both judicial assistants and law clerks. It is an important part of the multifaceted job of the judicial assistant.

Judicial assistants have the job of getting the courtroom ready, at least mine does, as well as making sure that the water pitcher has fresh water, the court reporter is

(Cont'd. on pg. 2)

### INSIDE THIS ISSUE ....

<b>Statement of Judge McGarity</b>	<b>2</b>
<b>President's Message</b>	<b>3</b>
<b>News from the AO</b>	<b>4</b>
<b>Circuit Reports</b>	<b>5</b>
<b>Newcomer - Laura Strong</b>	<b>14</b>
<b>CM/ECF OPS Forum</b>	<b>14</b>
<b>Jumpstart Workshop</b>	<b>15</b>
<b>Grammar Gremlins</b>	<b>16</b>
<b>2008 CBA's</b>	<b>16</b>
<b>JA Spotlight - Susan Miller</b>	<b>17</b>
<b>CBA Spotlight</b>	<b>17</b>
<b>Committee Reports</b>	<b>18</b>
<b>Conference Pictures</b>	<b>23</b>

**Making Chambers Flow ....(cont'd. from pg. 1)**

ready and that any telephone appearances are on tap. There are a lot of little details to take care of that can add up to a job well done, or when not so well done, have everyone, including the judge, sitting around tapping toes or fingers.

Attorneys may never tell you that you did your job well. Or that how well you did your job saved them time and educated them for the future and helped them serve their clients better.

So to all of the judicial assistants and courtroom deputies, I would like to commend you for your jobs well done, for your cases well handled and give you the compliments you may not have heard.



*Judge Beatty & Carlos Pabon, Courtroom Deputy*



Hon. Margaret D. McGarity

*Judge McGarity presented a report to the Subcommittee on Commercial and Administrative Law on the Judiciary to the House of Representatives on September 16, 2008. This was her report.*

### **Statement of Margaret Dee McGarity** *Chief Judge, U.S. Bankruptcy Court, ED/WI*

I would like to thank the members and staff for allowing me to address this subcommittee on the issue of the current antiquated level of trustee compensation. I wholeheartedly support just compensation for the men and women who are a vital part of the bankruptcy system, and I am here at my own expense because of my commitment to the court system I work for.

My name is Margaret Dee McGarity. I am the chief judge of the United States Bankruptcy Court for the Eastern District of Wisconsin. I have been a bankruptcy judge for slightly over twenty years, and before that I practiced law in Milwaukee, which included serving as a chapter 7 trustee in bankruptcy, the first time in January of 1978 under the former Bankruptcy Act.

Thirty years ago, trustees received \$10 per case. However, all that was necessary to be a trustee was a legal pad, a telephone, and the federal building law library. There were no audits, no U.S. Trustee meetings, no means test analysis, no mandatory electronic filing, no PACER court records access, and no notices to special claimants. Someone from the clerk's office ran the tape recorder at meetings of creditors. There was no specialized overhead, no unproductive time of significance. Other trustees in my district were experienced and generous with their knowledge and expertise. My best research tool was my telephone.

My experience as a trustee has no resemblance to what it means to be a trustee today. Offices require regular updates of hardware and software to manage their cases and to interface with the court system. This is the electronic age - we can't go back, and I am not suggesting we do. There is additional oversight now, with reports and audits - accountability is good, but it is not compensable. The 2005 Act requires additional duties for trustees, such as notifying domestic support obligation claimants about state agency services. These duties not only have nothing to do with the bankruptcy or adjudicative process, they are not compensated. They should be, but not at the expense of the courts.

The trustees I worked with long ago were at the top of our profession. Many are today. But as time has gone on, these experienced trustees have often told me, "I can't afford to do this anymore." With the changes in technology and the law since 1994, no one should be surprised at this. I have heard that nontrustee law practice, or other business for nonlawyer trustees, has had to support the trustee portion of the business. They can do this for a while, and they do because there are many very dedicated trustees who enjoy the work and believe it is valuable. Many experienced trustees are still working in the system, and the courts and creditors depend on them, but this situation cannot continue.

What happens when service to the courts becomes so unproductive that a good attorney or accountant reluctantly gives it up for more lucrative pursuits? Sometimes unfortunately, people who can't make more money at other pursuits move in to fill the void in trustee positions. Or if the trustees don't quit, more energy is spent on whatever makes money, and

*(Cont'd. on pg. 3)*



## President's Message

*By Cindy Korbol, WD/WI*

Greetings everyone! First of all, I want to thank you for giving me the opportunity to serve as your President this past year. It was a great experience, and I look forward to working with our new President, **Elaine Coker**, during the upcoming year.

Second, to those of you that attended the educational conference in San Antonio, I want to say thank you for helping to make the conference such a success. We had a record attendance and it was great to see old friends and meet new ones.

After the past year, I have a much better understanding of just what is involved in putting together our educational conference and running our organization. Our Board, Committee Chairs, and their members did a fabulous job; and I sincerely appreciate all of the work that they did in making the conference such a success and the year so enjoyable.

I also want to thank the judges and the National Conference of Bankruptcy Judges for their continued support. We could not offer the quality programs that we have without their support.

It seems our workloads will only continue to increase this year as the economic news lately does not look good. However, if you have some time and would like to become more involved with the work of the ABJA, please consider volunteering to serve on one of our committees. If you aren't currently a member, please consider joining this coming year (dues are only \$30 and are due January 1).

Our 2009 Educational Conference will be in Baltimore in October of 2009, and the committees are already planning some wonderful training for us. I hope to see you there.

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### Statement of Hon. Margaret McGarity .... (cont'd. from pg. 2)

the trustee duties move to the back burner. Recently I received a letter from a wage claimant of a defunct corporation, who told me that the trustee was not answering phone calls. She had waited two years for wages owed by the former employer. I do not know what this trustee must do to administer this case, but I do understand that the trustee is more motivated to work on something that will pay the bills, as opposed to the trustee work that doesn't, but it causes work for the courts, and the legitimacy of the system in the eyes of the public suffers.

Bankruptcy is the only exposure many ordinary people have to the federal justice system. The trustees are on the front lines of contact with creditors and debtors. Failure to provide just compensation for those who represent the system means that dedicated trustees may prop up the system for a while, but soon only the mediocre - and worse - will work for us. This is not what I want for a system of justice that I have served for my entire career.

The current proposal is that filing fees will fund the increase in trustee compensation. But what about the 2005 provision for waiver of the fee? The trustee still has all of the duties prescribed by statute, but he or she is required to work for nothing. We do not do that to attorneys for the indigent accused, and we do not do that to jurors. But we do it to bankruptcy trustees. This is deplorable treatment of people who render a very valuable service to the courts and to creditors, and who are the face of the federal government to many citizens who have no other exposure to the courts.

I urge you to recognize the importance of bankruptcy trustees to the court system and to modify their compensation so talented, skilled, and experienced individuals will continue to serve it and make it work.

Thank you for your kind attention and consideration. I would be happy to answer any questions the subcommittee might have.

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## News From the Administrative Office

By Jim Wannamaker, Staff Attorney  
Bankruptcy Judges Division



### Means Test Exclusion

Congress has passed the National Guard and Reservists Debt Relief Act of 2008, S.3197, which provides a temporary exclusion from the means test for National Guardsmen and Reservists called to active duty or homeland defense activity after September 11, 2001, for at least 90 days. The amendment to section 707(b)(2)(D) of the Bankruptcy Code was passed on October 3, 2008, and was presented to the President on October 9. The amendment will be effective 60 days after it is signed by the President.

The exclusion expires 540 days after the debtor is released from active duty or is no longer performing homeland defense activities. The exclusion applies to cases filed during the three-year period starting on the effective date of the legislation.

The Advisory Committee on Bankruptcy Rules is considering an amendment to Official Form 22A, the means test for individual chapter 7 debtors, to incorporate the exclusion. If approved by the Advisory Committee, the Committee on Rules of Practice and Procedure (the Standing Committee), and the Judicial Conference, the amended form is expected to be effective in mid-December at the same time S.3197 is effective.

The Advisory Committee is also considering an Interim Rule which sets out the procedure to be followed if the exclusion expires during the course of the debtor's case. If approved by the Advisory Committee, the Standing Committee, and the Conference, the Interim Rule will be transmitted to the courts for adoption, as was done in 2005 after the enactment of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA).

### Bankruptcy Filings Near Million Mark

A total of 967,831 bankruptcy cases were filed in the 12-month period ending June 30, 2008, according to statistics released by the Administrative Office. The nearly one million filings represents a 28.9 percent increase compared to the previous 12 months, when 751,056 cases were filed. Total filings increased in 86 of the 90 bankruptcy courts.



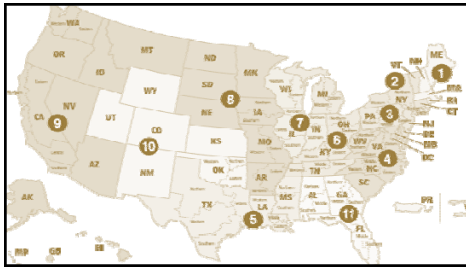
Filings in the three months of April, May, and June totaled 276,510, up 12.5 percent from the 245,695 filings in the preceding three months. The 276,510 filings represented the highest quarterly filings since the last three months of 2005, which included part of the surge in filings just before the effective date of many of the provisions of the BAPCPA on October 17, 2005.

Chapter 7 filings totaled 615,748, up 36.7 percent in the 12-month period ending June 30, chapter 13 filings totaled 344,421, up 16.9 percent; and chapter 11 filings totaled 7,293, up 30.6 percent. Chapter 12 filings fell 18.7 percent, dropping to 314. Chapter 7 filings increased in 88 of the 90 bankruptcy courts, chapter 11 filings increased in 68 courts, and chapter 13 filings increased in 79 courts.

The 934,009 non-business filings represented an increase of 28.4 percent. Business were up 41.6 percent, for a total of 33,822. The Central District of California had the largest numerical increase in total filings, in chapter 7 filings, and in chapter 13 filings during the 12 months ended June 30. Total filings in the district were up 21,787 to a total of 47,140, chapter 7 filings were up 15,923 to a total of 35,536, and chapter 13 filings were up 5,657 to a total of 11,143. The Southern District of New York had the biggest numerical increase in chapter 11 filings, up 242 to a total of 457.



Information on per capita filings during the 12 months ended June 30, filings by month, filings and terminations by district, and filings by quarter were released along with the press release from the Administrative Office on August 27. Tables setting out the information are posted on the Press Release section of the Judiciary's website at [http://www.uscourts.gov/Press\\_Releases/index.html](http://www.uscourts.gov/Press_Releases/index.html). Historic data on bankruptcy filings is available on the Judiciary's website under Bankruptcy Statistics. Additional bankruptcy statistics, including bankruptcies by county, can be found on the Judiciary's PACER system.



## 1st Circuit

By Kate Kelly, D/ME

Congratulations and welcome:

**Sheila Dilios**, administrative assistant/case administrator in Portland started work on Monday, August 4, 2008. She came to us from the U.S.Trustee's office in Portland.

**Mary Withee** and her husband Jon welcomed a new baby girl into their family on September 2, 2008. Mary and Jon also have a son who will be 3 in November.

Retired: **Linda Kowanic**, case administrator in Bangor. Linda had worked with court for almost 22 years.

Retiring: **Sandra Dwyer**, case administrator in Bangor. Sandy will be retiring at the end of this year. She has been with the court since 1988.

As I write this, our court is interviewing candidates for a case administrator position. Lots of change going on here. Good luck to Linda and Sandy and we can't wait to have you back Mary! In the meantime, case filings continue to rise...

In March of this year the Bankruptcy Court for the District of Maine began participating in a Digital Audio Pilot program. The goal is to place digital recordings of court proceedings onto the electronic docket and make them available to the general public. The pilot program includes several court types, including District, Appellate, and Bankruptcy. Through this program the AO hopes to see how often the recordings are used by the public, thereby saving phone calls to the court and increasing public access. Because different courts across the country are using different digital recording programs, the pilot includes at least 3 different commercial software packages. Part of the pilot will be to create best practices depending on the particular digital recording program used in the local court. As we've all know, not all recording programs are created equal, so some programs will be easier to adapt to the program than others. The pilot courts meet via phone every few weeks and a face-to-face meeting is planned in October. Response from the bankruptcy bar in Maine has been very positive.

## CIRCUIT REPORTS

### 2nd Circuit

By Vivian Greene, ED/NY



Fall is officially here. The frost is on the pumpkin, apples are selling out at the farmer's market along with delicious gallon containers of apple cider. Yummy. The weather is a chilly 40°, the sun is shining and all is well in Brooklyn. Time to turn the clocks back.

I would like to welcome **Frances Fredericks** as our new 2d Circuit representative. She is the judicial assistant to Judge Cecelia Morris of the Poughkeepsie bankruptcy court.

Theresa Xavier is recovering from a serious illness and would appreciate hearing from as many of you as possible. Please send to her home your get well wishes along with a wish for her quick return to the Brooklyn court.

It seems that many career court employees as well as ABA members are retiring in the next few years, leaving a gapping hole to fill. The people newly hired to fill these gaps are truly wonderful team players as we march to a faster drum beat into the 21st century. So many new tech programs to be mastered and installed by our respective IT groups as well as receiving training on new electronic docket systems and word processing programs. What would life be without change.

Speaking of change – a word much in use today – I hope the change of season fills you with the holiday spirit while celebrating this country's heritage at a Thanksgiving dinner with your loved ones. Happy T-Day to all.



Rosemary, Kathi & Cheryl

## 3rd Circuit

By Pamela Friend, WD/PA



Hello! I sure hope everyone has weathered the storms well.

It was announced at the recent NCBC Conference that our Clerk, **John Horner**, has been elected to the Board of Governors for a two-year term. We are also pleased to report that the Clerk's Office received a "Bronze" Award at the conference for having over 25% of the staff enrolled as NCBC members. In addition, our Court has been asked to host the NCBC Conference in Pittsburgh in 2010. It is an honor for our office to have been selected as the host court for this event. We have a well-run office, and hosting the NCBC Conference will be an opportunity to showcase our Court.

Several JAs from the *Third Circuit* got together during the end of May for a "retreat" in Long Beach Island, New Jersey. **Cathy Farrell** (DE), **Marleen Young** (NJ), **Pam Friend** (PA) and **Shirley Fuller** (PA) and our husbands had an awesome time at the Young's beach house. We did some sightseeing, walking on the beach, biking, tennis, shopping and, of course, eating. That was the first time I have eaten Striper caught that same afternoon. What a beautiful place! Thank you **Marleen and Michael**, you are the greatest hosts!



**19<sup>th</sup> Annual ABJA Conference:** I had the pleasure of attending the Annual Conference in San Antonio, Texas. It was a great location, the hotel was luxurious, I met some awesome people and even learned a few things.



The Opening Fiesta Reception was fun... the food was authentic... and as the evening went on... picture a bunch of women dancing as if no one was looking. The program on Thursday was informative and entertaining. Thursday evening a group of us explored the Riverwalk. On Friday we went to the FJC Computer Training Center.

I would have preferred to concentrate on one aspect of training instead of just "touching" on each, but hopefully we can have more training at future conferences. The *Howl at the Moon* event in the evening was a hoot! "JA's don't judge, they RULE!" (*Editor's note: Only those who attended will understand this*). On Saturday, we thoroughly enjoyed the presentation by **George Prentice** entitled "It's More Than Rock N' Roll." George was very knowledgeable about music and he entertained us with his vocals and guitar playing. You had to be there to experience the group participation when we rewrote the words to songs and then performed them. The closing banquet at the famed *Buckhorn Saloon & Museum* was a great finale to our stay in San Antonio. A big thank you to all who had a hand in planning this year's conference! Plan ahead so you can be sure to attend the 2008 Conference in Baltimore, Maryland.



Marleen, Maxine, Pam, Dana, Cathy, Laura, Carmen & Nicole

Charlie and I have set the DATE: July 4, 2009. There will be fireworks!

**News from Dana Mucci, New Jersey:** I attended the Bankruptcy Operational Practices Forum in Salt Lake City, Utah on July 22 and 23. It was the first OPS Forum I have been to and my first time in Utah. I was impressed with how many people attended the Forum and in general thought the conference was really informative. What was most interesting to me was the way the conference agenda was created. There were a few pre-planned break out sessions and some demonstrations of court developed applications, but what I thought really made a difference was the "open space" concept. They asked the attendees for suggestions of topics and used them to create the remaining agenda. In addition, you were able to move from session to session, so you were never "stuck" in a session that didn't interest you. Some of the topics included Judicial Assistant Networking, FJC Case Weighing Study, discussions regarding E-Orders, and a few demonstrations about calendaring in chambers.

The AO and FJC allowed 4 attendees per Bankruptcy Court to attend the Forum and it was great to see so many Judicial Assistants, Chamber's staff and Bankruptcy Court Clerk's Office staff take advantage of such a great opportunity to network and exchange useful information.





## 4th Circuit

Barb Lewis, ED/VA

Happy Fall to All. I'm **Barbara Lewis, JA, to Judge Robert G. Mayer**. Thank you for electing me again as your 4<sup>th</sup> Circuit Representative. I'm sure everyone is settling into Fall. We've had wonderful weather here in Alexandria this Fall. I attended the ABA conference recently held in San Antonio, Texas. There were eight JA's from the 4<sup>th</sup> Circuit that attended the conference. The conference was a success!. Congratulations to those who were involved in putting it together.

**Sharon Angel, (NCEB)** Judicial Assistant to **Chief Judge Randy D. Doub** of the Eastern District of North Carolina submits the following:

*Greetings from the U.S. Bankruptcy Court, Eastern District of North Carolina. We have a few milestones in our Court to report.*

**Judge A. Thomas Small** received his 25 year federal service pin in December, 2007. Judge Small sits in Raleigh, North Carolina and has recently completed his service as Bankruptcy Judge representative to the Judicial Conference of the United States. Judge Small was also the moderator of a Federal Judicial Network telecast reviewing United States Supreme Court and Fourth Circuit Bankruptcy decisions.

**Judge J. Rich Leonard** received his 30 year federal service pin in December, 2007. Judge Leonard sits in Raleigh, North Carolina and has recently completed his service as the Bankruptcy Judge representative to the Fourth Circuit Judicial Council. Judge Leonard was elected to the Board of Directors of the National Conference of Bankruptcy Judges and continues to serve as an editor for the *American Bankruptcy Law Journal*.

Judge Leonard continues to lead the Digital Audio Pilot Project which went live on August 6, 2007. The U.S. Bankruptcy Court for the Eastern District of North Carolina is the lead pilot court in this project which also includes the U.S. District Court in Nebraska, the U.S. District Court for the Eastern District of Pennsylvania, the U.S. Bankruptcy Court in Maine and the U.S. Bankruptcy Court for the Northern District of Alabama. The Digital Audio Pilot Project makes digital audio recordings of courtroom proceedings publicly available on-line. These five courts have integrated their recording and Case Management / Electronic Case Files systems to make audio files available the same way written files are available on the Internet. The audio files are accessible through Public Access to Court Electronic Records (PACER) system and are generally posted within 24 hours of the court proceeding. One concern has been assuring that personal information such as Social Security and financial account numbers, birth dates, and names of minor children not be available on any on-line audio recording. Each of the pilot courts uses various means to advise lawyers and litigants that they can, and should, request that recorded proceedings including such information not be posted.

**Judge Leonard** is also overseeing the restoration of his new chambers and courtroom located on the third floor of Century Station in Raleigh. Century Station first opened to the public in 1878 and was designed by Alfred P. Mullett, then the Architect of the Treasury, who is now recognized as the leading public architect of the nineteenth century. The original courtroom and court offices were located on the third floor and this restoration is aimed at accurately replicating the historic detail of that space. Century Station served as the headquarters for the federal courts in eastern North Carolina until 1967, and now functions as a post office, the United States Bankruptcy Court, and the headquarters for the General Services Administration.

Chief Judge Randy D. Doub moved into his renovated chambers in July, 2008. The newly renovated Chambers is designed to host mediations. The Chambers area includes two conference rooms and two witness rooms, all suited with conference tables and chairs. There is also a library with a large conference room table to accommodate larger groups. Wilson has hosted a mediation for the Fourth Circuit Mediator. The Wilson Chambers is available for use by the bar and by the Magistrate Judges of the Eastern District of North Carolina to conduct mediations.

**Peggy B. Deans** has completed her 33<sup>rd</sup> year as Clerk of the Bankruptcy Court. Ms. Deans oversees the main office in Wilson and the divisional office in Raleigh which includes 41 employees collectively.



Jane, Judy, Carol & Sharon

(cont'd. to pg. 8)

**4th Circuit ....** (cont'd. from pg. 7)

As bankruptcy filings continue to rise, the U.S. Bankruptcy Court, Eastern District of North Carolina is moving forward with its commitment to serve. Thank you to our strong leadership team for guiding the way!

**Pam Barnes (EDVA)** Judicial Assistant to **Judge Frank J. Santoro**, Eastern District of Virginia:

Pam recently made a coast-to-coast trip, traveling from Virginia to California to visit her daughter and grandchildren. She was in Disneyland with her daughter and grandchildren when the Los Angeles earthquake occurred. She has never experienced an earthquake before and hopes never to do so again! Pam also recently vacationed in Myrtle Beach with her husband where they participated in their favorite hobby – shag dancing!

**Pixie Shannon (EDVA, Alexandria)** Judicial Assistant to **Judge Stephen S. Mitchell**, submits the following:

This past summer I had the opportunity to attend the Bankruptcy Operational Practices Forum in Salt Lake City, Utah. It was amazing. Nearly 450 participants from every level of the court attended. In fact there were 9 attendees from my District alone - from Judge Mitchell (MY Judge), me, our Clerk of Court, our divisional manager from Richmond, DQ and case managers.

One of the best aspects of this forum is that the agenda is driven by the interests of the group. We would meet for a plenary session and at that time the audience would be canvassed for suggestions for the topics of breakout sessions. You'd have the opportunity to attend whichever you'd like – to learn something new or perhaps attend a session where your experiences would help others. There were a total of 103 breakout sessions with 12 different topic choices available for almost every time block. In addition to having my court family, there was a large number of Judicial Assistants attending. One of the breakout groups concerned the case weighting study and another was specifically for judicial assistants – almost as good as attending the ABA conference, but not quite.

Both evenings were “free” and arrangements were made one night to take a bus trip up to the 2002 Olympic Winter Games venue and then to Park City for dinner. The time at the Olympic venue was spent touring the museum, walking along a path enjoying the incredible landscape of Utah, or even taking a ride in a bobsled or (including my Judge) a zipline.

The CM/ECF Working Group page is located at <http://jnet.ao.dcn/it/ecf/workinggroups/bcad/bankruptcy.htm> where you can view the materials from the software demonstrations and program presentations.

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## 5th Circuit

By Anna Saucier, ND/TX

Hurricane Ike came roaring ashore in Texas on Friday, September 12. The eye of the storm made landfall in Galveston at approximately 3:10 a.m. on Saturday. Ike measured 600 miles across before it made landfall. The devastation in Galveston was tremendous. Approximately 2.9 million people in the Houston area lost power, and the restoration of power has been a slow process. Amazingly, on October 7 some of the schools in Galveston were able to reopen. The United States Courthouse is closed until further notice and the Galveston courts are operating out of Houston.



Beth, Beckie, Susan, Jan,  
JoAnn, Anna, Ann, & Barbara

**Jane Ekdall**, Southern District of Texas, lives north of Houston and reports that she was without power for eleven days. She considers herself lucky since her worst damage was a tree in the swimming pool. Her judge was without power for sixteen days. **Sheryl Cody**, also from the Southern District, reported that her power was back on Monday, September 22, and thankfully her home was not damaged. The bankruptcy court in Houston had to close but was able to reopen for regular business on September 22. We are thankful that all the court staff made it through, though many suffered damage (great and small) to their homes.

(cont'd. on pg. 9)



**5th Circuit ....** (cont'd. from pg. 8)

On a happy note, **Susan D. Miller** from the Middle District of Louisiana, one of our newest members, attended the conference in San Antonio. Susan had a real good run of luck at the conference. She and **Ann Virgadamo** were awarded half-price memberships for 2009 because Ann recruited her to join this past year. At the CBA portion of the conference, Susan won the drawing for half of the CBA seminar fee/study guide (\$125). At the closing banquet, Susan won \$109 in the raffle. I have a feeling Susan will be one of the first to sign up for next year's conference in Baltimore.



Last but not least, our bastion of longevity here in Dallas, **Jan Houchin**, JA to the **Hon. Harlin D. "Cooter" Hale**, was recognized at the Northern District of Texas awards ceremony on August 22 for 35 years with the court. Jan started working with the Bankruptcy Court in December of 1972 as one of six in the Clerk's Office. She waited on the counter; answered the phone; typed mailing matrices (in carbon triplicates) from the schedules; typed and sent all notices using mimeograph, addressograph, stuffing and postage machines and was also called on to repair said machines; posted and filed documents; and this was all in addition to filling in as secretary to the Bankruptcy Referee, the **Hon. Dean M. Gandy**, who then became Judge in 1974. She worked for Judge Gandy until 1983. From 1983 to 2002, Jan then worked for the **Hon. Robert C. McGuire** and in 2002 became **Judge H. DeWayne "Cooter" Hale's** Judicial Assistant when she said she was "carried out feet first".

The following is a little personal history about Jan which regrettably the author has greatly condensed.

*I was born in Oklahoma City . . . and celebrated one of those Big "0" birthdays while in San Antonio at the conference. I was a bit of a tomboy growing up. I had a swimming scholarship to Oklahoma Women's College, but during that summer after high school, my boyfriend talked me into getting married. . . After 11 years of marriage, we divorced. We have two wonderful sons, Craig and Blake. Besides my sons and their wives, I've also been blessed with 5 grandchildren; 3 boys from Craig and two girls from Blake. . . Rich Kruse, my partner of 12 years, is retired, and we lead a rather quiet life in Arlington, Texas, with our 4 year old Maltese, Chester. All in all, life is good, and my ABA family of friends are an important part of that feeling.*

Congratulations to Jan for more than 35 years of exemplary service to the courts. We are lucky to have you!

**6th Circuit**

By Sherie Hitch, ED/MI

The Sixth Circuit includes the states of Kentucky, Michigan, Ohio, and Tennessee. There are a total of 42 Bankruptcy Judges and 28 Judicial Assistants within the Circuit. Only 14 of those Judicial Assistants are members of the ABA (3 MI, 5 OH, 5 TN, and 1 Honorary Member). Looks like we need to increase these numbers and work on the state of Kentucky! The Sixth Circuit also has 9 Associate/CBA Members.

Detroit, Michigan - Sherie Hitch, JA to Judge Thomas Tucker

Will I-75 ever be **without** construction?! Salute to those of us who commute!

Toledo, Ohio - Cheryl Kahler, Sr. Admin. Scty to Judge Speer

An addition was added to the Toledo Bankruptcy Court family with the birth of Judge Speer's grandson, Zachery Evan Speer. Zachery made his debut at 12:00 a.m. on Friday, September 5, 2008. Judge Speer is the proud grandpa of 4 grandsons and 1 granddaughter.

Also our Clerks offices are getting a face-lift. Lots of paint and new carpeting in the offices with in-take getting an extreme makeover. (This is being done a little slower than the Extreme Makeover Home Edition which is being done in Toledo this week.) In-take is getting a couple walls, new counters, cupboards and will be completely enclosed for security.



Sandy, Theresa, Shirley, Monica,  
Greg, Cindy, Elaine.,  
Sherrie & Jackie





## 7th Circuit

By Debra Graff, ED/ WI

It's hard to believe a year has passed since I was elected your 7<sup>th</sup> Circuit Representative, and I am happy to report you're stuck with me for another year. Yup, in San Antonio I was re-elected for another term. I would also like to thank **Cindy Korbol** (WD/WI) for her service as President of the ABA this past year. I'm sure she would tell you it was very rewarding, but I know it was a lot of hard work, and she did a fantastic job. Thank you, Cindy!! And many thanks also to **Penny Brellenthin** (WD/WI) for her work on the Support and Assistance Committee. We all can use some of that!!

In my own District, my Judge, the **Honorable Margaret Dee McGarity** (ED/WI) celebrated 20 years with the Bankruptcy Court this past year. And, we also have a new Clerk of Court, **Wayne Blackwelder**, from Seattle, Washington, who started on August 4, 2008.

This year, the Bankruptcy Court Operational Practices Forum invited chambers staff to participate in the Forum which was held July 22-23, 2008, in Salt Lake City, Utah, and I had the privilege of attending. Topics of interest to chambers staff ranged from *pro se* tips, 90-day transcript policy, B102 reports, the work measurement study, nationally supported calendars for the judiciary, and educational opportunities to name just a few. The Forum proved to be very informative and enlightening not only for people new to the bankruptcy courts, but also for long-time employees. I'm told notes from the Forum will be posted on the J-Net sometime after September 19, 2008, but I haven't verified it yet. On a personal note, one evening I was able to visit the Mormon Tabernacle Choir rehearsal, and to my surprise, the Osmond Brothers joined them on stage. The Osmonds were practicing for a final appearance after 50 years of performing and wanted the Choir to join them in that final appearance. Donny and Marie were in Las Vegas performing, but were to join the other family members for the actual final appearance. I was told that appearance was taped, but I am not sure when it will air nationally. It was quite a thrill to be within feet of these great performers.

I also attended the Jumpstart Workshop in Washington, D.C., this past August and would highly recommend it to anyone who has never been or has not been for some time. The program provided a wealth of information, and it was truly enjoyable. We had the privilege of touring the Supreme Court, the Capitol, and some of the memorials. The Lincoln Memorial at night is absolutely magnificent. And I was surprised to learn a live Maine lobster was cheaper than a steak there.

Also reporting in are:



Becky W., Cindy K., Karen,  
Cindy O., & Mimi

**Rosemary Alexander** (IL/NB) writes that on Saturday, September 13th, the **Honorable Eugene Wedoff** presided over the marriage of his JA, **Patti McCoy**, to Dan Freeland. The ceremony was on a cruise boat on Lake Michigan in the middle of the remains of Hurricane Ike that had made its way up to Chicago. But, it's good luck to have rain on your wedding day! Congratulations, Patti!!

Rosemary also reports that hardest hit by Hurricane Ike were those in Northern Indiana. No news from those folks, so we hope everyone is doing okay there.

**Cindy Grossman** (IL/NB) says, "After 24 years on the bench, **Judge Schwartz** has been recalled for an additional year with a Judicial Assistant (me!) for six months. As of Oct. 1, Judge Schwartz will stop hearing cases and will remain to assist the other Judges and to mediate cases."

**Dorothy Clay** (IL/NB) reports she was unable to attend the Annual Conference because, "I will be attending a conference for Just the Beginning Foundation of which I am the treasurer. The Just the Beginning Foundation holds a bi-annual conference, and this year it is being held in Washington, D.C. This organization brings together a diverse group of federal and state judges, lawyers, law professors, with law, college, high school and middle school students to enjoy the living stories of judges of diverse backgrounds and participate in public panel discussions for the community focused on contemporary legal issues. In short, JTBF is an organization that's goal is to increase racial diversity in the legal profession and on the bench. There is a full web site devoted to this organization – [www.jtbf.org](http://www.jtbf.org) – if anyone is interested in taking a look. Will miss seeing everyone this year."

(cont'd. on pg. 11)

**7th Circuit ....** (cont'd. from pg. 10)

And, some facts and figures I thought you might like to know: Of course, we all know the Seventh Circuit comprises the states of Indiana, Illinois, and Wisconsin.

In **Illinois**, the Central District has five authorized judgeships. Four are filled and there is one recalled Judge. The recalled Judge has a career law clerk – no JA. Four have a secretary/administrative assistant, and one uses two law clerks – no JA. The Northern District has ten authorized judgeships. Ten are filled and there is one recalled Judge. Nine have JA/secretaries and two have law clerks. The Southern District has one Judge with a law clerk – no JA.

**Indiana** has two districts. The Northern District has three authorized judgeships and a recalled judge. All have JAs. In the Southern District there are four authorized judgeships. Three of the Judges have JAs, and one JA has been replaced with a law clerk.

For **Wisconsin**, the Eastern District has four authorized judgeships, and all of those Judges have JAs. In the Western District, there are two authorized judgeships, and those Judges have one JA and one secretary.

**FINAL FIGURES:** 5 out of 30 judges do not use JAs or secretaries.

Best wishes to everyone for a great fall season!!

**8th Circuit**

By Barb Sutton, ED/MO

Greetings from the 8<sup>th</sup> Circuit!

Yahoo! What a wonderful conference we had in San Antonio. The Eighth Circuit was represented this year with attendance by: **Joan Brown** - Kansas City, MO, **Kerry Brown** - Kansas City, MO, **Chicquita Greene** - St. Louis, MO, **Sally Hanson** - Pierre, SD, Karen Crouch - Minneapolis, MN and myself (**Barb Sutton** - St. Louis, MO).

The seminars were a wealth of information and the comradeship priceless. I want to thank everyone for allowing me to serve as your Eighth Circuit Representative this past year and for electing me to the position again for 2009. I look forward to serving and hope you will inform me when you have news to share.



Joan, Karen, Sally,  
Barb & Chicquita

**9th Circuit**

By Connie Ray, CD/CA

I'm happy to announce that I will be your Ninth Circuit Representative for the 2008-2009 term! Many thanks to all those who supported my nomination. I hope to provide you with great representation this coming year.

I was fortunate enough to be able to attend this year's conference in San Antonio, Texas. It was great to see familiar faces, meet new people, and make new friends. Attendees from the Ninth Circuit included JAs, **Suzanne Marx** (OR), **Andrea Lovgren** (ED/CA), **Roma London** (SD/CA), **Katie Kwok** (CD/CA), **Rosa Green** (CD/CA), **Christine Rhambo-Hudson** (CD/CA), and **Connie Ray** (CD/CA), along with three CBAs: **Christine Flores**, **Lisa Summers** and **Mary Beth Blair**. The conference was not only very educational and informative, but a lot of fun!

Here in the Central District of California, we've had to bid farewell to another Bankruptcy Judge and his Judicial Assistant. On September 1, 2008, the **Honorable David N. Naugle** retired after 32 years on the bench. His Judicial Assistant, **Linda Parnell**, left the Court as well, though she currently has no plans of retiring. A ceremony was held on August 28, 2008, to honor Judge Naugle in his retirement. There are so many memories I have of working in Riverside with Judge Naugle these last nine years, but those that stand out the most are his incredible knowledge and wisdom, his kindness in always taking the time to chat with all the Clerk's office and judicial staff, and lastly, the sound of his voice as he sang, hummed and whistled various melodies while strolling down our hallways. We should have recorded him all those years ... our hallways are too quiet these days. Best Wishes to Judge Naugle and Linda Parnell as they begin new phases of their lives.



Andrea, Katie, Rosa, Connie,  
Christine, & Roma

(cont'd. on pg. 12)

**9th Circuit ....** (cont'd. from pg. 11)

**Rosa Green** (CD/CA), Judicial Assistant to the **Honorable Erithe Smith**, recently went on an amazing vacation to Egypt. I'm including some information she has provided about her experiences, along with a few pictures. I've never even been out of North America ... and yet Rosa keeps taking every opportunity to see all that this world has to offer! Way to go, Girl!

Again, it was great to see everyone in San Antonio!

**10th Circuit**

By Thora Searle/D/UT

**Mary Anderson** sent me the following from Albuquerque, New Mexico: *This is one of the best times to live in Albuquerque, because it is the week of the International Balloon Fiesta. Every morning the sky is filled with hot air balloons, of all shapes and sizes. There are anywhere from 800 to 1000 balloons. In the evenings the sky is also filled or there is a special event at the fiesta grounds. Although it has been an annual event for 20 years, every year it is so great to see the sky fill with balloons. If you get a chance to come see it you really should. It is the first full week of October, every year.*



*I went to San Antonio for the annual conference and as always came home renewed and ready to do my job. I learn so much and enjoy my peers. If you haven't gone to a conference you should, it is well worth it.*

Mary sent this to me on the 9<sup>th</sup> of October. What a neat thing to see? Hot air balloons fascinate me - not that I would get up in one - but they are so pretty and so graceful as they float through the air. Thanks Mary!!

WOW!! This year there were 5 of us from the 10<sup>th</sup> Circuit at the ABA Conference in San Antonio. I understand that is a first. It was great!!! I enjoyed the conference very much. It was good to see everyone again and to rub shoulders with and learn from all of you who attended. I thought the workshops were very informative and really enjoyed Saturday morning's event. It really is all about working together for the good of all.



Mary, Linda, Thora & Kristin

San Antonio was great. We were able to enjoy many of the sights and sounds including a face to face meeting with the cobblestone driveway of the Westin Riverwalk Hotel thanks to a bellman and a piece of luggage poorly placed by him. However, those scars are getting much better.

Thanks to all those on the various committees that made this all possible. You did a great job. As the 10<sup>th</sup> Circuit Representative, I look forward to another year of communicating with the JA's in the circuit and enjoying learning about what is going on in the various districts that make up the 10<sup>th</sup> Circuit.

I am certainly going to miss **Kris Nitzel**. She was a great co-worker and a awesome friend. She was very supportive of me and the others here in Utah. I want to wish her the best as she continues her court experiences in California. I truly envy those who will get to work with her there.

**DON'T FORGET TO  
MARK YOUR CALENDARS!**



**RENEW YOUR ABA MEMBERSHIP  
JANUARY 1, 2009**

**APPLICATIONS WILL BE SENT  
TO EVERYONE AT A LATER DATE**



## 11th Circuit

By Victoria Rodriguez, ND/GA

This year has gone by so quickly. I've enjoyed being your circuit representative for two years. Our new circuit representative will be contacting us soon.

We had an enjoyable conference in San Antonio, Texas. Those who attended the conference can testify to that. We have talented people planning these conferences for us. I'd like to thank them on behalf of the 11<sup>th</sup> Circuit for all their arduous work. We look forward to next year's conference in Baltimore, Maryland.

As for news from the Atlanta Division, I would like to report that a masked bandit that had been vandalizing our courthouse has been caught! He was breaking and entering different chambers. He especially loved to eat apples and an occasional sandwich and to drink chocolate milk.



Once again, the 11th Circuit came out in full force!



I am speaking of **Russell the Raccoon** (he was named after our courthouse, the Richard B. Russell Federal Courthouse). On a Monday morning, I arrived at work and, as usual, went into my Judge's office to turn on his office equipment. I came upon a half-eaten apple and apple peels. At first I thought my Judge had been at work over the weekend and had left a mess on his desk. But, when I looked further, I noticed paw prints all over some documents. They looked like raccoon prints. I did not want to believe that a raccoon was in our office, especially when we are on the 14<sup>th</sup> floor of a building in Downtown Atlanta and our doors were locked. Did he have a key?

When I called our facilities person, she told me that a raccoon had been spotted in the basement of our building. Upon further investigation by our building supervisor, it was confirmed that the raccoon had been able to enter our office through the ventilation system. We were in disbelief. Pictures were taken of the evidence. Rid-A-Critter came to our office and set a trap. It wasn't a pretty sight sitting next to the Judge's desk.

Russell did not come back to our office, though. He was smart enough to visit other chambers that were not expecting him. Traps were set up in different chambers and offices all over our building where he had left his evidence.

**Jean Sloan**, Judicial Assistant to **the Hon. Mary Grace Diehl**, heard the whimpers. At first she thought it was a bird outside her window. When she kept hearing the noise, she placed a call to the appropriate authorities. Rid-A-Critter had placed a trap over a ceiling tile close to her desk. That was where the noise was coming from. The authorities arrived to check out the trap. The bandit had been caught! Russell the Raccoon appeared skinny and depressed behind the chrome bars. I was called to go check him out, too. The attached picture was taken by **Judge Margaret Murphy** of the Atlanta Division.

Russell became quite famous in the Atlanta area. There was even an article written about Russell in the [Atlanta Journal Constitution](#).

**Laura Stevenson** (MD/FL) reports that Florida's newest Judge, **the Hon. Caryl E. Delano**, was appointed on June 25. Fortunately, Laura was hired to work for the new Judge. She works for Judge Delano in the morning and **Judge Catherine Peek McEwen** in the afternoon.



Latonia, Claire, Debra & Bill

**Martie Kantor**, (ND/FL) says that in celebration of Constitution Day, several employees in their Clerk's Office performed a skit which included a history of the Constitution. Each member really got into their role by acting out and represented the past, present and future of our judicial system. The cast included **William (Bill) Blevins**, Clerk, who played the part of *Benjamin Franklin*; **Claire Bikowitz** acting as *Judge Present*; and **Debra Cook** played future *Judge Judy Jetson*, **Latonia Isom** and **Julie Gibson** acted as narrators. Each member took their parts seriously by dressing for their respective roles. The staff gathered in the courtroom to observe the presentation and refresh on our Constitution's history.

This is the news for now. Thanks again for giving me the opportunity to be your circuit representative.



## Conference Makes A Believer Out of Another Newcomer!

*By Laura Strong, D/DE*

My first ABA conference was a memorable experience! Every part of the conference, from the diversity of subjects taught to the extra activities were very well planned.

The Westin Riverwalk Hotel was the icing on the cake. Being able to walk out of the hotel into the beautiful oasis of the Riverwalk with a variety of shops and restaurants was absolutely wonderful. The opportunity to network with other judicial assistants, paralegals and secretaries from all over the country was very interesting as well as a valuable learning experience. Even though from court to court the structure of our chambers' staffs and daily responsibilities may differ, we shared a common bond so there was never a lack of topics for conversation. I met many kind and capable women and made some new friends. My favorite educational part of the conference was the day spent at the Judicial Training Center. The sessions on Excel and PowerPoint were informative and the staff was very professional and helpful.

Even though the days were filled with classes - at night we kicked off our boots and had some fun. We had a howlin' good time at a dueling piano bar (let's face it - some of us did howl) and our closing ceremony gave us a lesson in Texas history as we were cast back into the Wild West at The Buckhorn Saloon & Museum. The museum displayed a zoo full of animals - you just couldn't feed them. I arrived a few days prior to the conference to visit with my sister who lives just 20 minutes from the hotel. It is very seldom that we have the opportunity to see each other so the conference being held in San Antonio was a perfect opportunity to catch up. We toured the air force base where my brother-in-law works, ate lunch at a British tea room which was featured in magazines and on the Food Network and enjoyed a dinner at a Mexican restaurant - big surprise. Even though the puffy tacos and steak fajitas were delicious, by the time I got back home I was ready for a greasy Philly cheesesteak.

I feel very fortunate to have had the opportunity to attend a conference of this caliber with such a superb group of women. Thank you to everyone that helped to organize the conference. You deserve a pat on the back. Great job! Baltimore - can't wait! I am already counting down the days.

For those of you who haven't attended an ABA conference, I ask - what are you waiting for?

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## 2008 Bankruptcy Operational Practices Forum Salt Lake City, Utah

*By Bethany Towery, ND/TX*

I had the privilege of attending this year's Forum which was held July 22-23, 2008, in Salt Lake City. There were 450 Judges, court staff, Clerk's office and IT personnel who attended.

Each morning we met in a large auditorium and decided the breakout sessions of the day. This was an open forum which allowed you the freedom to decide which session fit your needs. The participants decided on the topics and if there was a specific topic you wanted discussed, you would add it to the daily grid schedule and it would be assigned a room. You were allowed to attend any of the breakout sessions and if you found one that wasn't for you, you could leave and join another session. Since there were a number of JA's that were in attendance, we had a session for All of the curators were very knowledgeable and well informed.

I found this type of training to be a perfect opportunity to learn what's working and not working in other courts. Many examples of court-developed applications were available. In addition to the breakout sessions, there were also plenary sessions which covered anything from statistics to the latest software releases. I was afraid the IT portion would be greek to me, and while many acronyms were tricky, the speakers did a great job at "dumbing" it down to layman terms. All questions were welcomed and thoroughly discussed. Group discussions seemed to rule most sessions.

This Forum is open to a member of Chamber's staff in addition to the judges every year. If you weren't able to attend this one, I highly recommend you try to attend the next Forum.

Information about this and future forums can be found at <http://jnet.ao.dcn/it/ecf/workinggroups/bcad/>

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## JUMPSTART WORKSHOP FOR JUDICIAL ASSISTANTS AND JUDGES' SECRETARIES

By *Martie Kantor, ND/FL*



On August 4-6, 2008, eighty-eight judicial assistants / judge's secretaries representing District Courts, Bankruptcy Courts, U.S. Court of Appeals and U.S. Court of Claims attended the JSAG Jumpstart Workshop at the Administrative Office in Washington, D.C.



It began with a welcome reception at the Washington Court Hotel on Sunday evening, August 3<sup>rd</sup> to enable everyone an opportunity to meet and get acquainted. The Workshop itself was held in the FJC Auditorium in the Thurgood Marshall Federal Judicial Building, which also houses the Administrative Office.

Five representatives from the Judges Secretaries Advisory Group (JSAG) assisted with the Workshop: They were **Carla Gibson Baker** (E.D. La), **Sandy Hanning** (4<sup>th</sup> Cir.), **Dawn McNew** (M.D. Pa), **Sandi Middleton** (D.D.C.) and **Becky Woodrum** (Bankr. C.D. Ill). Presenters from the Article III Judges Division were the **Hon. Margaret I. (Peggy) Irving**, Chief; **Michele E. Reed**, Deputy Chief; **Debra Fiorillo**, Administrative Officer; **Carol Messito**, Senior Attorney, **Stacey C. Nicholas**, Program Assistant; and **Lavonne R. Pherson**, Management Analyst.



Three days were jam packed with topics. Our first day's session included discussions on *Ethics for Chambers Staff* (**Robert Deyling**, Assistant General Counsel); *Financial Disclosure* (**George D. Reynolds**, Staff Counsel); *Computer Security Information* (**Daniel Patton**, Information Security Specialist); *Learning and Development Opportunities* (**Rosann F. Reed**, Chief, Training Staff); *OSCAR* (**Nancy A. Hurlburt**, HR Specialist); and remarks by **Jill Sayenga**, Deputy Director. At the end of the first day, the group gathered outside for a photo.

On Tuesday, we heard from **Leslie Campbell**, Administrative Librarian on *Library Services*; **Janice Jackson**, Acting Chief, regarding *Travel Regulations & Procedures*; **Michelle Reed** on *Non-Case Related Reports* and **Rebecca Fanning**, Public Affairs Specialist about the *Office of Public Affairs Resources*. The morning finished off with individual breakout sessions by court type to address concerns we each had in our respective courts. Our session was attended by **Richard Goodier**, Attorney Advisor in the Office of Judges Programs, with Becky acting as moderator. After lunch, the AO had arranged for a visit to the United States Supreme Court. The Supreme Court has been undergoing renovations so we weren't actually able to see inside the courtroom itself but touring such a remarkable building knowing that all of the famous, well known decisions were handed down there left one feeling in awe.

Our third day was no less packed in that it covered an *Overview of the J-Net* (**Darleen Gamble**, Management Analyst); *Using Adobe Acrobat* (**Stephen P. Levenson**, IT Specialist); and an *Update on Legislation Affecting the Judiciary* (**Ralph Watkins**, Senior Attorney). We also had two additional breakout sessions, one regarding *New Developments in CM/ECF* and our choice of either *OSCAR, Proof Reading and Cite Checking Tips*; or *Security in the Judiciary*.

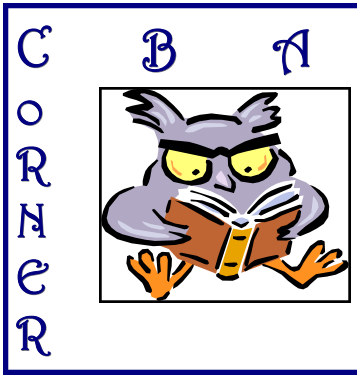
So much information was crammed into so little time, but we all came away better informed on many subjects. It was stressed on more than one occasion that the Administrative Office is there to help, and we were encouraged to call on them for any questions or concerns we may have.

Our thanks to JSAG and the aforementioned AO representatives who work so hard to put these workshops on. If you were not lucky enough to go this last time, I encourage you to keep applying until you get selected. The JA's that attended, had anywhere from one to thirty plus years experience and everyone learned something new. Those of us with many years with the court system were able to address concerns we had which in turn, hopefully, assisted new JA's who are just getting their feet wet.



*Robert Deyling, Jill Sayenga & Peggy Irving*

Also - Thanks to **Gail Shafer**, JA to the **Hon. James Randal Hall** (USDJ) from Augusta, several of us were able to go on a guided tour of The Capitol and a self-guided tour of the White House. Our tour of the Capitol was further highlighted by the chance to be invited by **Congresswoman Virginia Foxx** to the floor of the House of Representatives to hear part of a filibuster on the energy crisis. We were told by the interns giving us the tour that the general public usually does not have access to this area so we felt quite honored at having been given this rare opportunity.



## GRAMMAR GREMLINS

By Don Ferguson, ED/TN

Pronunciations ....

**Poinsettia** - Is *poinsettia* pronounced *poin-set-ah* or *poin-set-ee-ah*? The question arises in the minds of many every Christmas season.

Both pronunciations are correct. It is just a matter of preference. (Incidentally, this popular Christmas plant is named for J.R. Poinsett, American minister to Mexico, who discovered it there in 1828).

Is a Christmas tree *lighted* or *lit*? Both are correct and can be used in all contexts. However, in the adjective sense, *lighted* is probably more common, as in a *lighted* tree. But in the verb sense, *lit* probably gets the nod; for example, *he lit the tree*.

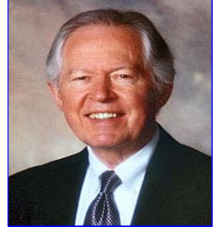
**February** - February is notable as the shortest month, but it has another distinguishing feature. It is the only month whose pronunciation presents a problem.

The first "r" is frequently dropped, although sounding it is correct. But doing so makes the pronunciation more difficult.

What we most often hear is "Feb-u-ary," a pronunciation that very likely results from the close association with *January*, which does not have the first "r"

*Random House Dictionary* says that although the pronunciation without the first "r" is sometimes criticized, it is used by educated speakers and is considered acceptable.

In reality, the pronunciations of both months most often sound like "Jan-yoo-wary" and "Feb-yoo-wary."



Don K. Ferguson, Eastern District of Tennessee, welcomes comments and questions via telephone, 865-545-4234, extension 222, or by e-mail at Don\_Ferguson@TNEJ.uscourts.gov. His office address is U.S. District Court, 800 Market Street, Ste. 130, Knoxville, TN 37902. Don writes a weekly newspaper column titled "Grammar Gremlins" and is the author of a book by the same name, published by Glenbridge Publishing Lt., Aurora, CO.



## CONGRATULATIONS 2008 CBA's!

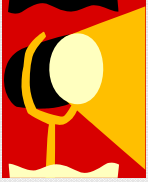


Sandra Beck (JA) Memphis, Tennessee  
Linda Collins Bulverde, Texas  
Sue Durkovich Vista, California  
Lil Ellison Kerrville, Texas  
Betty Gary Martinez, Georgia  
Christina Gary Martinez, Georgia  
Kendra Gradney Austin, Texas  
Susan Guinn Lake Elsinore, California  
Catherine Gutierrez Oceanside, California  
Charlotte Howard Oklahoma City, Oklahoma  
Jermaine K. Johnson Houston, Texas  
Maureen Joyce Lakewood, Ohio  
Donna Krupa Austin, Texas  
Patricia Lemay San Antonio, Texas

Vicki Lingley  
Carmen F. Meyer  
Susan Miller (JA)  
Toni L. Morgan  
Christyne M. Murray  
Cassandra Oliver  
Letitia Reyna  
Victoria Ring  
Diana L. Rocha  
Sherri Thompson  
Tina Tongate  
Beth M. Tsounakas  
Sonja Williams  
Lori Wilson

Bangor, Maine  
Martinez, Georgia  
Baton Rouge, Louisiana  
Tulsa, Oklahoma  
Savannah, Georgia  
Tulsa, Oklahoma  
San Antonio, Texas  
Columbus, Ohio  
Modesto, California  
Evans, Georgia  
San Angelo, Texas  
San Antonio, Texas  
Jackson, Mississippi  
Austin, Texas





### SPOTLIGHT ON SUSAN MILLER, JA

JA to Hon. Douglas Dodd, MD/LA



I started working for the **Hon. Douglas Dodd** in the Middle District of Louisiana in August, 2007. For many years prior to coming to work for the Court, I worked as a temporary legal secretary at various firms in New Orleans and for eleven of those years, as a floater at a large New Orleans firm.. This is a great job but it took a bit more adjusting than I'd anticipated.

The first time I saw a motion day docket here I about fell over! It was hard to imagine how literally hundreds of cases could be heard on the same day! It was a whole new perspective on things. When I began, Judge Dodd let me sit in the courtroom during a couple of Chapter 7 and Chapter 13 days and it was really interesting to finally see the view from inside the court, instead of simply preparing the pleadings and watching the attorney leave to "go to court" -- something that always seemed a bit mysterious.

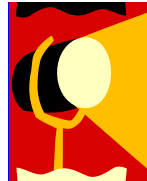
I felt for a while that many of my best office skills -- i.e. word processing -- weren't really of much use here. Much of my work now is helping with docket preparation and signing orders, so I rarely prepare the kind of complex documents that I used to. But I have found that my knowledge of various WP programs helps me edit some of the strangely formatted orders that we receive. (Our Local Rules require orders to be submitted in either Word or WordPerfect format, not PDF, so we can easily edit them before they're entered into CM/ECF.)

Signing orders was a big mental hurdle for me, too. At the law firm, I was in awe of the courts and very tentative about having to do electronic filing and submitting of orders. To actually sign them was very intimidating. I had a fear of messing up and putting something into the court record in error. I'm pleased to say that my confidence is improving and feel that I'm making more of a contribution to Chambers and the workflow.

Another challenge is not being too helpful when people phone Chambers. I've always tried to be a problem solver helping as much as I could at the law firm; but here, of course, I have to be aware of *ex parte* communications and while I still try to be courteous, I know I must be mindful of that and not give any inappropriate advice or comment.

I'm very grateful to Judge Dodd for giving me the opportunity and to work with such a wonderful group of people. Our Court is small, just one judge, so it's nice to get to know everyone in the Clerk's office and fortunately we all work well together. I'm also very appreciative of the ABA

and send a big "thank you" to everyone who has made me feel welcome. I was very nervous about becoming a judicial assistant but the advice and reassurance from other ABA members have really helped me feel less alone and lost in trying to figure out this new job of mine.



### SPOTLIGHT ON THERESA PALJIC, CBA



Theresa joined Brouse McDowell, LPA in 1997 supporting the Commercial practice group in both their Cleveland and Akron, Ohio, offices. Prior to joining Brouse McDowell, Theresa worked in other law firms and in the legal departments of local companies. She earned her degree in Paralegal Studies from The University of Akron. In addition to becoming a CBA in 2004, she is a member of both the Akron and Ohio Bar Associations.

Theresa is experienced in managing complex commercial and litigation cases as well as federal foreclosure cases, transactions, tax and corporate matters. She is actively involved in chapter 11 cases from the preparation of the petition and schedules to claims administration.

On a more personal note, Theresa has two children, Kristen (27) and Craig (25). She loves to travel, read and spend time with family, friends and her two miniature schnauzers.





## CONTINUING LEGAL EDUCATION AND CERTIFICATION FOR BANKRUPTCY ASSISTANTS COMMITTEE

By Ann Virgadamo, CLE/CBA Chair

## COMMITTEE REPORTS

I thought we had the largest attendance in Orlando, Florida, in 2007, but we surpassed that this year and had more than **80** Judicial Assistants attend the ABA Annual Conference in San Antonio! And yes, we broke another record this year. We hope to do even better at the 2009 Conference in Baltimore.

We welcomed back our regular CBA instructors - **Claude C. Lightfoot, Jr.**, Grammar and Writing, and **Tamara Blenkhorn**, Legal Research, who travel with our program and are always informative. We added two new instructors on our agenda: The **Honorable Brian K. Tester**, District of Puerto Rico, taught Bankruptcy Code and Rules, and **The Honorable Douglas D. Dodd**, Middle District of Louisiana, Baton Rouge Division talked about Legal Ethics. Both infused their humor into otherwise very dry subjects and made each of the topics interesting.



Judge Tester

The following comments are taken from the survey that was given to the CBAs at the end of the program:

*"The training overall was excellent." "The educational materials were good, informative, and I liked the PowerPoint presentations." "Judge Tester covered code and rules relevant to my job." "All topics gave credibility to our jobs; all of the speakers did a great job; training was on point and not boring; all of the speakers kept my attention and were very thorough in their training."*

Every year the attendees comment that they enjoy meeting us, the camaraderie gained by meeting new people is a great experience, and they learn so much from their peers. And of course, who doesn't enjoy socializing and having fun while meeting new people?!

As always, we appreciate the comments every year, the good as well as the constructive criticism. By applying your concerns and needs, we strive to improve each year. The study guide is constantly being improved and revised.

If you are planning to take the Bankruptcy Certification Seminar in the future, I **strongly** suggest that you register early and not wait until the last minute!

### ABJA's Annual Educational Seminar

The first day's presentation at the Annual Conference was, and while I have to use my memory skills now, "Recall, Recollect, Recognize, and Relearn." It was indeed a success -- yes, the 4 R's were on the agenda. Presenters **Angela Stewart**, Senior Program Assistant at the FJC, and **Stephan Harris**, Clerk of Court, United States District Court, District of Wyoming, taught us how to improve our memory skills by using different methods for remembering and memory techniques.



Stephan Harris &  
Angela Stewart

As always, **Dr. Michael Siegel**, Senior Training Specialist in the Division of Education at the FJC, is always a delight to have as a trainer. His flair in teaching leadership training programs are always different. He is witty and very knowledgeable. His presentations provide food for thought on how to improve personally and be more beneficial in the workplace and his ideas and topics are always effective to bring back to the office.

We could not get through our day without having a good ethical background, and we were fortunate to have Judge Tester return to talk about this subject. While most of us are familiar with the basics, it's always good to have a refresher course to keep us in line and live by the Codes of Conduct in the workplace.



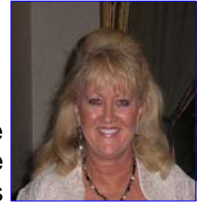
George Prentiss

On Saturday morning after a long week of listening to speakers, we were brought back to life with **George Prentice**, Clerk of the Bankruptcy Court for the Western District of Texas, who taught us the art of teamwork using lessons from the Beatles, the Rolling Stones, U2 and other great bands in the history of rock'n roll. Yes, he brought us back to life with his music, and at the end of his presentation we had to re-write some great songs and perform them. Too bad we could not remember the words we wrote to put in this article! (I guess we need another refresher course on the 4 R's!) All joking aside, it was a wonderful week of good speakers, education, and lots of fun learning.

(cont'd. on pg. 20)

## Conference Committee

By Marleen Young, D/NJ



Beautiful weather, a gorgeous hotel and a fantastic turnout sum up our Annual Educational Conference held in San Antonio, Texas. The program was jam-packed with great classes, and any free time the attendees did have was quickly filled by just walking a few steps from our hotel. Restaurants and bars galore, historical sites to tour and plenty of shopping made this location ideal for everyone.



The opening reception was held at the Westin Riverwalk in a luxurious ballroom overlooking the famous Riverwalk. Everyone donned a cowboy hat and started line dancing that continued until the last minutes that we could squeeze out of our D.J. The hotel outdid itself in the food presentation, and no one went hungry. The buffet gave everyone a good taste of Tex-Mex fare and provided fuel to burn for dancing.

Thursday's classes consisted of three different speakers covering subjects relating to memory and effectiveness in the courts. With over 100 attendees, this was one of the biggest classes we have ever had. This was due to the fact that so many of our ABJA members signed up for our conference – 84 ABJA members registered.

Friday, we held computer training all day at the Judicial Training Center. **John Leonard** and his staff did an excellent job accommodating all our attendees. Everyone was able to use his or her own computer for hands-on training, which is the best way to learn and retain what you have learned. After our shuttle returned us to the hotel, about 55 fun-loving attendees gathered at Howl at the Moon for a night of singing and shouting out requests for the dueling piano players (lady-like, of course), which provided hours of great fun and comradery.



Saturday's business meeting started with lively, "crank up the volume" tunes from the Beatles, the Rolling Stones & the Beach Boys. **George Prentice**, Clerk of Court, United States Bankruptcy Court, Western District of Texas, taught the art of teamwork using lessons from the great ones of music. We broke into groups and created our own songs and lyrics which were presented for everyone's enjoyment. Everyone loved this program!



Sheraton Hotel

The 2009 ABJA Educational Conference will be held in Baltimore, Maryland. Visit [www.baltimore.com](http://www.baltimore.com) and numerous other web sites for further information. Our host hotel will be the **Sheraton Inner Harbor Hotel** (visit [www.sheraton.com/innerharbor](http://www.sheraton.com/innerharbor)).

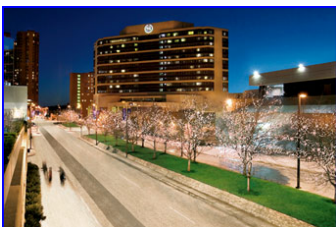
Once again, the Conference Committee, along with our President-Elect, have selected a hotel which will give all attendees easy access to the area attractions. The leaves will be turning by October, so come prepared to take great photos of Fall in the Northeast. Connected by a skywalk to the Inner Harbor, you will never lack for fun things to do and see all within walking distance of the hotel. Room rates will be \$155 or the prevailing government per diem room rate (history of per diem increase is about \$8). Maybe the Ravens (football team) will have a home game against one of your favorite teams while we are in town.



Inner Harbor

The dates will coincide with the NCBJ's conference and will not be in the same fiscal year, so we will not run into the funding problems we had this year. **The CBA portion will be held Tuesday & Wednesday, October 20-21, 2009; the opening reception on Wednesday, October 21, 2009; the Advanced Bankruptcy Seminar on Thursday & Friday, October 22-23, 2009; and the business meeting and closing banquet on Saturday, October 24, 2009.**

From that old Roy Rogers & Dale Evans song – **Happy trails to you, until we meet again . . .** (in Baltimore)!



## JSAG Committee

By Becky Woodrum, CD/IL



Eighteen Bankruptcy Judicial Assistants/Secretaries attended the JSAG Jumpstart Workshop on August 4-6, 2008 in Washington, D.C. Administrative Office personnel spoke to us on Ethics, Financial Disclosure Reporting, Computer Security, Training Opportunities, Library Services, Travel Regulations, Non-case Related Travel Reports, the J-Net, Adobe Acrobat, CM/ECF, new legislation, OSCAR, Cite-checking and security in the Judiciary. There were two breakout sessions by court type that enabled us to meet and discuss topics pertinent to bankruptcy chambers. We had a tour of the Supreme Court building and a group photo. We were assured that we can always call anyone at the Administrative Office. They are there to help.

We learned that the J-Net contains a wealth of information that will make you invaluable to your Judge. Take some time to look through all the options on the J-Net. Useful topics on the "Welcome" page include "Often Used," "Especially For Judges," and "The Week's Top Pages." Also, please read the Judges' Secretaries and Judicial Assistants Quarterly Bulletin when you receive it. It is full of information especially chosen to benefit you.

I strongly encourage those of you who have not attended a Jumpstart Workshop to keep applying. You may not be selected one or two times, but keep sending in an application. They have to limit the attendance to a manageable number, but eventually you should have a chance to attend.

As always, if you have any questions or issues to bring before the JSAG, please contact me by e-mail or at 217-431-4817.

### *WHAT'S NEW IN THE CBA - See the ABJA Website*

**CBA Rules and Regulations:** The CBA Rules and Regulations have not been updated since 2006 and have recently been revised. Please refer to the website - [www.abja.org](http://www.abja.org) for a copy and please make sure you read them.

**Use of the ABJA's Logo:** Use of the ABJA Logo is restricted and **only** for the purposes of the Association.

Any applicant holding a certification is **not** allowed to use the ABJA's logo for any advertisement, use on any website, or on any letterhead, nor for any other purpose .

### **CLE/CBA Committee ....** (cont'd. from pg. 18)

The ABJA appreciates the good evaluations and comments:

*"Great Program!" "Excellent!" "All programs were refreshing and applicable to the workplace." "All facilitators were effective, prepared, and well spoken." "Very informative and knowledgeable!" "It reinforced personal effectiveness and organization." "Prioritizing and its importance to job effectiveness, as well as memory." "The two programs worked well together."*

On behalf of the CLE/CBA Committee and the ABJA, we appreciate the comments, and we thank all of you who attended. Your positive response and encouragement is what we strive for as an organization. We will continue to take pride in getting the best instructors who are knowledgeable in specific fields. We will try to bring you new opportunities in our education program. You, the members and associate members, make this possible.

Next year, we expect another record attendance, and hope to see over 100 members attend the Baltimore, Maryland extravaganza. With the availability of chambers training funds, there's really no excuse to miss these educational conferences.



## Membership Committee

By Sherie Hitch, ED/MI

Wow – I can't believe the conference has already come and gone I know that all of the Board members were very, busy working to ensure that the conference went smoothly -- and what a great agenda this year! Thanks to all of you who are made it come together!

Membership applications continue to come in, which requires Sally Hanson to constantly update our membership list, and me to send out the welcome letters and membership certificates. Thank you, Sally!

I have been in contact with all ABJA members to submit a photo for the membership directory.

The Membership Drive flyer went out prior to conference and it was very successful. Winners, announced at the conference, were as follows:

### Misc Drawings

\$100 spa cert	<b>Jackie Marshall, CBA</b>
\$125 CBA exam	<b>Susan Miller, JA</b>
\$50 each	<b>Kerry Brown and Sharon Angel</b>

### Incentive - first 5 recruits

1/2 - 2009 Membership dues @ \$15.00 each :

<b>Sharon Angel</b>	by <b>Judith Clarke</b>
<b>Regina Fabre</b>	by <b>Roma London</b>
<b>Pamela Last, CBA</b>	by <b>Sterling Wheeler Dixon, CBA</b>
<b>Stephanie Mayberry</b>	by <b>Linnie Patterson (given by Victoria Rodriguez)</b>
<b>Susan Miller</b>	by <b>Ann Virgadamo</b>

### Incentive - reach out

1/2 - 2009 Membership dues:

**Jeanann Janisse, Las Vegas, NV**  
**Sally Hanson, Pierre, SD**

### Incentive - mentor

1/2- 2009 Membership dues:

**Becky Woodrum, CD/IL**

### Incentive - 5 year consecutive member - \$50 Drawings:

**Julia Brodhag, JA**  
**Pamela Oates, CBA**

### First Time Conference Attendees Recognized

**Sharon Angel - Cathy Barnes - Sandra Beck - Alexia Bible - Lisa Chick - Chiquita Greene - Evelyn Mann - Jackie Marshall, CBA - Stephanie Mayberry - Michele Phillips, CBA - Valeria Radosevich, CBA - Laura Strong - Lisa Summers, CBA**

Thank you to all the members of the Committee who assisted me at the conference New members, please consider taking part next year! Also a big thanks to all those who volunteered to be a mentor at the conference! Your time was appreciated!

Last, but definitely not least, the meat and potatoes of the ABJA is the membership enrollment update! Thank you, **Marleen Young**, for keeping up with enrollment processing!

#### ABJA Members

New	12
Restored	13

#### CBA / Associate Members

New	29
Restored	8

(Cont'd. on pg. 22)

**Membership Committee ....** (cont'd. from pg. 21)ABJA Members

Renewed 108  
 Honorary 7  
 Retired 5

Total = 145

CBA / Associate Members

Renewed 57

Total = 94



*Cash Raffle Winners -  
 Marleen, Barb, Roma,  
 Susan, Cindy & Thora*

Let's keep the Association growing! If you know someone eligible to be a member, let her or him know what a great privilege and opportunity it is to be a member of the Association of Bankruptcy Judicial Assistants!!

**Nominations Committee**By: *Beth Towery,*

The nominations committee is proud to introduce our new 2009 ABJA officers:

**Cathy Farrell**, President-Elect; **Cindy Courtney**, Secretary; **Dana Muccie**, Treasurer; **Kate Kelly**, 1st Circuit Rep.; **Frances Fredericks**, 2nd Circuit Rep.; **Pam Friend**, 3rd Circuit Rep.; **Barbara Lewis**, 4th Circuit Rep.; **Anna Saucier**, 5th Circuit Rep.; **Sherie Hitch**, 6th Circuit Rep.; **Debra Graff**, 7th Circuit Rep.; **Barb Sutton**, 8th Circuit Rep.; **Connie Ray**, 9th Circuit Rep.; **Thora Seale**, 10th Circuit Rep.; and **Janet Payton**, 11th Circuit Rep.

The President-Elect vote was very close this year.

Both the Bylaw Section 3.4 and Standing Rule No. 2 were approved. This means the newest ABJA members can run for the office of Circuit Rep. This is a great position to learn about this wonderful organization.

Please consider running for office next year. Become involved.

Thanks,

*Beth Towery, Barbara Sutton and Barbara Groves*

**Support & Assistance Committee**By: *Penny Brellenthin, WD/WI*

This past quarter contained both celebration and sympathy for our ABJA members. The Support & Assistance Committee offered our prayers and support for the following:

The family of **Cheryl B. Kleven** (11<sup>th</sup> Circuit, Georgia), JA for **Judge John T. Laney**, who passed away in May;

**Rosemary Rizzico** (2<sup>nd</sup> Circuit, Vermont) who lost her long-time partner, Joel, this past summer;

**Kathi Dempsey** (2<sup>nd</sup> Circuit, New York), JA for **Judge Stephen Gerling**, who retired in June;  
**Claude Lightfoot's** wife, **Ivonne**, passed away in late August following a long battle with liver cancer.



Please do not hesitate to contact me or one of the following committee members: **Dorothy Clay** (Illinois Northern), **Jan Houchin** (Texas Northern), **Barbara Groves** (Texas Northern) or **Kerry Brown** (Missouri Western) if you know of an ABJA member or family who could use our support and well wishes.



There was education, eating, dancing, howling, sharing, sightseeing, meeting friends.  
No matter what we were doing—we were having fun! .

*Greeting friends ...*



*Dancing ...*



*Howling ...*



*Learning ...*



*Sightseeing ...*



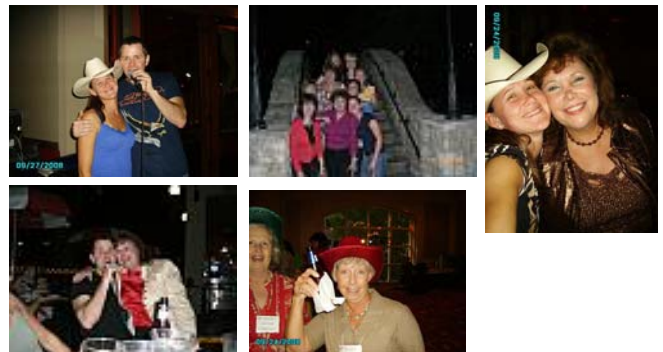
*Working ...*



*Eating ...*



*And having FUN!*



***The purpose of this Association, shall be to promote the general welfare of its members; to encourage the highest standards of conduct among its members and in the profession at large; to promote the continuing education of its members; and to foster among its members a feeling of camaraderie and mutual confidence."***

***Behind the Bench*** is a non-copyrighted, in-house publication of the Association of Bankruptcy Judicial Assistants. Circulation includes members of the ABA and Bankruptcy Judges. Opinions recited in the material are those of the authors and not necessarily those of the ABA.

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Greetings from chilly North Florida. Fall is definitely in the air and it's hard to believe another conference is behind us and the holidays are just around the corner.

What a conference! I enjoy every one, but I have to say this one holds a lot of special memories and fun times. It seems good times were had by all. I enjoyed seeing everyone and am already looking forward to Baltimore.

Many thanks to **Judges Prudence Beatty and Margaret McGarity** for sharing their words of wisdom with us. I really appreciate it when a judge (or in this cases several judges) offer to write something. I know any topic that's chosen is going to be something we're all going to enjoy reading and get something out of.

My appreciation also goes out to **Jim Wannaker** who unfailingly comes through with a wealth of information from the AO and to **Don Ferguson** for allowing me to plagiarize his *Grammar Gremlins*.

Of course the newsletter wouldn't be possible without all of you, but more specifically the Circuit Representatives and Committee Chairs. Their assistance in gathering information and providing it to me is most appreciated. While it's not a difficult job, it can be challenging if they're not getting the information from you **so please help to keep them informed**. Whenever you see or hear of something going on in your individual courts, immediately pass the information on to your representatives, or in the case of Support and Assistance, your Committee Chair.

Thanks to **Cindy Korbol**, our outgoing President and to all the officers and board members that have served this past year. Their efforts are most notable at the conference, but the time is put in year round.

KUDOS to **Marleen Young**, Conference Chair, and **Ann Virgadamo**, CLE Chair, for another successful and wonderful conference.

Since you won't hear from me until January - stay safe and enjoy the upcoming holidays!

*Martie*