



NCBC IMPACT

Dedicated to the professional development of its members

Archived Articles

May 3, 2011

Volume 11, Issue 4

Board Corner

The FY 2011 budget problems prompted unusual activity from the Board and host court Clerks in preparing for the upcoming annual conference. Contract considerations were sought from the main hotel and overflow hotels to accommodate later than expected registration activity.

All the hotels were understanding and willing to address the issues to support the later conference registration. The social event contracts were similarly addressed and modifications are being managed to provide for a seamless transition into what could have been a very difficult situation involving time constraints conducive to a successful conference. Most recently, the Board approved an extension of the conference registration deadline from May 15th to the 20th to accommodate those courts making final decisions on attendees. Regardless, the conference registration is continuing and holding about average for this point in the registration process.

The Benefits Committee has been working with MetLife to direct a survey to members to better direct the insurance product lines

to meet the needs of the membership. The Membership Committee, working closely with the Circuit Liaisons and Local Representatives, brought forth a suggestion to offer a lifetime membership for deputy clerks at a cost of \$150. The board approved the recommendation. The annual membership drive is winding down a successful membership campaign for this year. Results will be forthcoming. The Website Redesign Committee is putting the final touches on the new website that is expected to be released by the end of May. A survey will be forthcoming from the Mentoring Committee to focus its efforts in considering a program offering for interested members. The Awards Committee has selected a number of individuals and courts for the upcoming awards ceremony at the annual conference. The By-laws Committee finished the final touches to update the By-laws. The changes will be reported elsewhere in this edition of the Impact and a vote taken at the annual meeting to ratify the changes. The By-laws were last modified at the 2008 annual conference. The elections for four Board positions closed April 30th. Results will be announced at the annual conference.

President's Message by Ken Hirz

It was a relief to see the political battles subside such that a government shutdown was averted on April 8th. Given the passage of the appropriation bills, the judiciary fared better than expected and we understand cuts to the FY 2011 allotments will be less than previously anticipated. Despite this difficult fiscal year and the next several to come, training is, and will continue to be, even more important as we focus efforts on maintaining the skills, knowledge and abilities of our most precious resources...people.

The 2011 Annual Conference planning has continued with greater focus on our host courts' planning as they prepare for the 3½ days of activities that begin on June 14th. Our co-host clerks, Marla Hamilton (LA-E) and Monica Menier (LA-M) and their dedicated staff have increased their efforts as they set the table for the hundreds of conference-goers that will ascend on the Crescent City to partake in the educational and social activities. Those of you planning to attend will be treated to an extensive educational program, wonderful social activities, and the opportunity to come together to learn, network and exchange ideas with your colleagues in one of the largest groupings of bankruptcy staff of the year. Two overflow hotels have been added to the website. The hotels are within a block or two of the main hotel. The Marriott has the ability to expand to meet the needs of the conference. There will not be any cap on attendance and there should be room for everyone that registers. Registration deadline is **May 20th**.

For more information on the agenda and registration information, you can visit the host court website at www.laeb.uscourts/ncbc2011.

Look forward to seeing you in New Orleans next month.



President's Message	1
Board Corner	1
<u>Third Circuit News</u>	2
<u>Dental & Vision</u>	3
<u>Website Construction</u>	3
<u>Judgeship Vacancy</u>	3
<u>NCBC 2011 French Quarter</u>	4
<u>Information Sharing</u>	5
<u>Peer to Peer</u>	5
<u>Benefits Question</u>	6
<u>NCBC By-laws</u>	6
<u>Editorial Committee</u>	7
<u>Circuit Liaisons and Local Reps</u>	8

News from the Third Circuit

by David Bird

GETTING THE JOB DONE

The Delaware Bankruptcy Court, which resides in a public building in Wilmington, was getting buried under paper even in a “paperless” CM/ECF filing system environment. After many years and many requests by the court to have the building management run a recycling program, they had shown no interest in getting the job done.

In the summer of 2009 our procurement specialist, Todd Kirk, took on the cause. To get everyone on board with recycling, Todd ordered a variety of containers through GSA Advantage so that every office had a convenient place to put their recyclables.

The job of collecting the recyclables is handled by Todd and Fiona Mulligan, our administrative technician, who come around to all the offices and chambers every Friday to collect and sort. Todd then delivers it to four different recycling facilities.

To date these efforts have resulted in an impressive 50,000 pounds or 25 tons of recyclable materials that have been kept out of our area landfills.

As we approach the two-year anniversary of this effort, we have been informed by the building management that they will finally be starting a recycling program and will take over where Todd left off.

Thanks again, Todd!

Penn Law Professor Leads Bankruptcy Panel Discussion

David Skeel, author of *Debt's Dominion* and Professor of Corporate Law at the University of Pennsylvania Law School, led a robust panel discussion on the history of bankruptcy in America at a recent forum held in Philadelphia. The lecture, co-sponsored by the U.S. Bankruptcy Court for the Eastern District of Pennsylvania and the Bankruptcy Conference for the Eastern District of Pennsylvania, was the second in a series planned for the Nix Federal Courthouse and Post Office.

In addition to Professor Skeel, the distinguished panel included the Honorable Eric L. Frank, U.S. Bankruptcy Judge for the Eastern District of Pennsylvania, Henry J. Sommer, Supervising Attorney for the Consumer Bankruptcy Assistance Project, and Michael L. Temin, Senior Counsel at Fox Rothschild LLP.

Approximately 90 members of the bankruptcy bar, law clerks, and Clerk's Office staff attended the discussion held in Judge Frank's courtroom in Center City, Philadelphia. Introductory remarks were provided by Attorney Scott Waterman of the Debtor Bar Roundtable and Timothy McGrath, Clerk of the Bankruptcy Court. Professor Skeel followed with a comprehensive lecture on the history of bankruptcy in America and a subsequent panel discussion focused on the impact of recent bankruptcy reform legislation, including the Bankruptcy Abuse Prevention and Consumer Protection Act (“BAPCPA”) of 2005.

Audio and DVD copies of the lecture are available by contacting Charmaine Richardson at (215) 408-4411 or charmaine_richardson@paeb.uscourts.gov.

Helping Out

At one of the monthly Unit Executives' Meeting in the District of Delaware where the Clerks of the District and Bankruptcy Courts and the Chief Probation Officer meet to discuss issues of mutual concern, the Chief Probation Officer indicated that his office was short of staff to carry out a document scanning project of their client records and other clerical functions. David Bird, Clerk of the Bankruptcy Court volunteered to make one of the Clerk's Office Staff available one day a week to assist. During the last month, Fiona Mulligan, an Administrative Technician has assisted on the scanning project as well as other matters to supplement the Probation Office's limited staff. As budgets get tighter, more of this intra-district and maybe even inter-district staff sharing is an example of how courts can help each other out, and with automation the possibilities are even more expanded.

Third Circuit Kicks Off NCBC Membership Drive

Just as many other Bankruptcy Courts did across the Country, the Bankruptcy Courts in the Third Circuit held Membership Drive Open Houses at which the benefits of joining the NCBC were described. Here is a picture of the display that was used in the Delaware Bankruptcy Court which hosted a breakfast buffet with a little New Orleans flare.



YOUR ARTICLE COULD GO HERE!!!

U.S. BANKRUPTCY JUDGESHIP VACANCY

Western District of Pennsylvania

Third Circuit Chief Judge Theodore A. McKee recently announced the application process for a bankruptcy judgeship in the Western District of Pennsylvania,
seated in Pittsburgh.

Applications must be submitted electronically by
noon on Thursday, May 12, 2011.

For more information and to apply, go to
<http://www.ca3.uscourts.gov/>
or call the Circuit Executive's Office at 215-597-0718.

- Registration deadline is SOON!
- www.laeb.uscourts/ncbc2011.
- Hotel Reservation Confirmed
- Read [The Parade Volume 1](#)
- Read [The Parade Volume 2](#)
- **Airline Reservations !!!**

2011-2012 Dental & Vision Care Plan Enrollment Season

Offered Through the Conference of Bankruptcy Clerks (NCBC)
Enrollment forms and checks must be received by June 10, 2011 for coverage to begin July 1.

Complete separate enrollment forms and mail separate checks to enroll in both dental and vision coverage.

Control + click to follow the www.cigna.com link for plan details, sample patient charges, rates, payment options and enrollment forms for the CIGNA Dental Care (DHMO) and the CIGNA Dental PPO (DPPO) plans. Live customer service is available 24/7 at 1-800-244-6224.

Control + click to follow the www.vsp.com link for Vision Service Plan (VSP) options and details. Call 1-800-877-7195 to locate a provider.

Compare plan features and premium rates, and check your state provider list before enrolling.

Single and family option plans (for children under age 26) are offered.

WEBSITE CONSTRUCTION

By Lee Ann Bennett

NCBCimpact.org has been undergoing major reconstruction over the past few months. The goal has been to make the site more dynamic, more attractive, and more useful. In fact, you might have noticed some changes to the site when you registered for the Conference this year. We hope to unveil the new site before this year's conference. Once release, I encourage you to take some time exploring the new site. If you have any suggestions or ideas to add to the site, please contact one of the Committee members. **The Website Committee Members are:**

Erick Jones OHNB Kenneth Gardner ILNB

Lee Ann Bennett FLMB Martin Sanche ILNB

Richard Arendt FLMB Sharon Gardner ILCB

Dental Service Center, P.O. Box 3907, Gardena, CA 90247-7599
Phone: 888-293-4903 Fax: 310-323-7881



French Quarter

by Brian Richoux

The French Quarter, or Vieux Carré (“Old Square”), is the original “city” of New Orleans established by the French in 1718. Set out as a grid of over 70 square blocks on relatively high ground, the Quarter extends from the Mississippi River to North Rampart, and from Canal Street to Esplanade Avenue.

French legacies include the Quarter’s layout, Creole cottages, the central square with a church, and names of streets. In 1762, Louis XV turned over Louisiana to his Bourbon cousin Charles III of Spain. Many of the

buildings and architecture today are from the Spanish period, including the Cabildo and Presbytere, arches and wrought iron balconies, and private courtyards. Unfortunately, fires also played a part in the city’s transformation over the centuries.

The public market was built by the Spanish and was originally called the Indian Market, but it took on the name French Market because of the heavy French influence in the city. Jackson Square was originally called Place d’Armes, but was renamed in 1851 to honor Andrew Jackson, hero of the Battle of New Orleans.

New Orleans was first “settled” by Native Americans. It then came under French, Spanish, French (again), and American rule. But in the end, New Orleans – especially the French Quarter – has always been and remains a place rooted deepest in French culture and traditions.



Laissez les bon temps rouler (“Let the good times roll!”)



Information Sharing Fair Jammin' to the Beat of Change

by Kathy K. Bernart

The Information Sharing Jam Session is taking shape with a great lineup of talent, and there's still time for you to register and harmonize with us by sharing your court's developments. We're jazzed for the journey, and ready to present a diverse collection of innovative ideas that are sure to have you dancin' and jammin' to the beat of change!

This year there will be something for everyone. Wisconsin Western will count off the session tempo by showing us how to enhance workplace productivity through telework. California Northern will croon a dynamic falsetto of COOP ideas, so that we know how to continue court operations when the workplace is not available.

Manually tracking CM/ECF errors will be a blues arrangement of the past with the help of ErrorTrack by Wisconsin Eastern. And, if you're tired of getting creditor matrices in paper or in the wrong format, Wisconsin Eastern has a bebop tune on the Creditor Matrix Submission program to share. Speaking of creditors, Wisconsin Western will exhibit their remarkable chops by blowing a chord of their Creditor Webpage with Speed Claim Filing.

BMAP will demonstrate its talents in improvised syncopation by helping us to find a "better way", and the Bankruptcy Noticing Working Group will exhibit a new genre of creativity when they perform a special solo on ways to Reach Out(!) with BNC innovations and initiatives.

New York Southern is sure to hit a conference high note when they display their Loss Mitigation Program for debtors and lenders who are singing the blues and want to reach consensual resolution whenever a residential property is at risk of foreclosure, while Utah will be singing the sweet praises of their CHAP Calendaring program's upgrades and innovations. Finally, we're sure to boogie down Bourbon Street when the FJC belts out ways to keep the training and development beat alive with their many on-line and in-person educational sessions.

That's just a sample of the talent lineup so far. There's still room in the information sharing jazz ensemble for you to jam with us, so sign up, and don't be shy. Submit the registration form provided on the link below by May 12, 2011, and join your fellow bankruptcy clerks for an information crescendo that will be talked about by court artists for years to come! We'll see y'all in the crescent city of New Orleans with your creative dancing shoes on!

Click here for the information sharing sign up form

<http://www.laeb.uscourts.gov/ncbc2011/docs/2011InfoShareRegistrationv2.pdf>

Peer to Peer Needs Your Help!!

By Trisha Harrington

The Peer to Peer session was formed at the NCBC Conference a few years ago to allow individuals of the same court position to come together in groups of their peers and discuss topics that are of concern or are relative to that peer group. A facilitator is there to help keep the discussion flowing. A scribe is also set up at each group to take notes of the discussions. These notes are then posted on the conference website for reference after the conference ends. Peer to Peer is a great way to meet peers within your same position from courts across the country. This session gives you the opportunity to form networking relationships with your peers long after the conference is over.

The main focus of Peer to Peer is the Peers - or YOU! In order for Peer to Peer to be as effective and successful as possible, everyone needs to be involved.

The ways in which you can be involved are to first of all attend your Peer to Peer session on Friday, June 17, 2011 from 8:30 am - 9:45 am. The success of Peer to Peer relies on everyone being involved to give valuable input.

If you'd like to be involved in other ways, facilitators, scribes and topics are needed! Please consider being a part of this valuable session at the conference so that everyone attending can get the most out of each Peer to Peer session.

If you are interested in facilitating a session, serving as a scribe to take notes or if you have a topic you'd like to see addressed, please send me an email at trisha_harrington@wawb.uscourts.gov.

Please send your email no later than

Monday, May 16, 2011.

In your email, please let me know if you would be interested in serving as a facilitator or a scribe, and for which peer group. If you have a suggestion for a discussion topic, please let me know which peer group you're attending and what topic you'd like to see discussed.

*Everyone can come together to
make this session a success!*



The Benefits Committee wants to know.....what's on your mind? Have a question about your federal benefits? Send them to our e-mailbox, we'll research them, ask the experts and provide an

Q: Can an employee be both CSRS and FERS? What happens with a federal employee who has active duty military time before FERS came into existence? For example, Joe served on active duty in the Army from 1972 until 1979. He starts civilian federal work with the Bankruptcy Court in 1990, and is still working there in 2011. Is Joe covered by CSRS or FERS for his combined 28 years of federal employment?

A: The Office of Personnel Management (OPM) website advises that military service performed before 1957 is creditable without deposit. For service performed on or after January 1, 1957, "a deposit must be paid to credit the service to establish title to an annuity or to compute your annuity." **If your military service was performed before the effective date of your FERS coverage, the military service will be credited under CSRS rules.** Military service in the U. S. Armed Forces is creditable for retirement purposes if it was active service terminated under honorable conditions, and performed prior to your separation from civilian service for retirement. The CSRS Retirement Facts 2 pamphlet *"Military Service Credit Under the Civil Service Retirement System"* advises, "If you were first employed by the federal government under retirement coverage on or after October 1, 1982, you will receive Civil Service Retirement credit for any post-1956 military service at the time of retirement only if you make a deposit for the military service. Under current law, the deposit is 7 percent of your military basic pay. If you made this deposit before October 1, 1986 (or within 3 years of being hired if that date was later than October 1, 1986), no interest will be charged." This pamphlet is available at www.opm.gov. The J-Net's Federal Judiciary Benefits Program "Benefit For Life" quick reference, *"Military Deposits for Retirement Purposes"* (revised June 2010), discusses creditable military service in detail and outlines the steps for paying the military deposit.

NCBC Benefits Committee WIWBML_NCBC_Benefits

NCBC By-laws by Trisha Harrington

The NCBC By-laws were reviewed and revised this year by the By-laws Review Committee. The By-laws were last reviewed and revised in 2008. Please review the attached revised copy of the NCBC By-laws, with changes noted. If you have questions or comments regarding any of the revisions, please forward them to Trisha Harrington at trisha_harrington@wawb.uscourts.gov by Tuesday, May 31, 2011. There will be a vote to approve the revised By-laws at the conference in New Orleans in June.

I'd like to thank the By-laws Review Committee for all of the time and hard work that went into the review and revision of the By-laws. Many thanks to Michelle Pierce, Chris Callies, Ken Gardner, Jeffry Dorocak and Jerry Truitt.

[Click here to read the By-laws.](#)



Editor's Note: We hope that you have enjoyed this newsletter and that it has proven to be resourceful to you as a member of the NCBC. We would be grateful to receive your comments on the newsletter, both on its content as well as on its structure, and ways to improve it further. We are also welcoming ideas on how to improve membership. All suggestions are welcome. Happy reading!

Yvonne Cherokee (919) 856-4752 ext. 125 yvonne_cherokee@nceb.uscourts.gov



Correspondents:



Alyson Johnson



Carol Thompson



Laura Whitehead



Leslie Taylor

All newsletter requests should be submitted to the editor.

Ask The Editorial Committee

The NCBC Impact Editorial Committee is here to serve you. Additionally, this is our 'always open' invitation to share your questions, comments, and suggestions for articles that will provide helpful information to NCBC members. Material should be emailed to Yvonne_cherokee@nceb.uscourts.gov.

This is your newsletter -- let your voice be heard!

CIRCUIT LIAISONS AND LOCAL REPRESENTATIVES

Circuit	Circuit Liaison	District	Local Representative
1st Circuit	Kristen Batty	District of Columbia	Michael Wint
		Rhode Island	
		Maine	Sheila Dilios
		Massachusetts	Eileen Garrity
		New Hampshire	Kerri Mikolaities
		Rhode Island	Carolyn Sweeney
2nd Circuit	Becky Collette	Puerto Rico	Lizette Torres
		Vermont	
		Conneticut	Lou DiLella
		New York Eastern	Dwayne Cox (co-rep)
		New York Eastern	Donna Tenga (co-rep)
		New York Western	Paul Warren
3rd Circuit	David Bird	New York Northern	Jeffery Dingman
		New York Southern	Laura Brundage
		Vermont	Becky Collette
		Delaware	
		Delaware	Barbara Torres (co-rep)
		Delaware	Lora Johnson (co-rep)
4th Circuit	Laura Whitehead	New Jersey	Jeffrey Peirce
		Pennsylvania Eastern	Tim McGrath
		Pennsylvania Middle	Jackie Cherrybon
		Pennsylvania Western	Jan Hunger
		North Carolina Eastern	
		Maryland	Tracey Matthews (co-rep)
5th Circuit	Debbie Duke	Maryland	Cherita Martin (co-rep)
		North Carolina Eastern	Anne Moell
		North Carolina Middle	Debbie Payne
		North Carolina Western	Robin Felts
		South Carolina	Renee Surette
		Virginia Eastern	Renee Paxton (co-rep)
6th Circuit	Michelle Pierce	Virginia Eastern	Val Valentine (co-rep)
		Virginia Western	Carol Rickerson
		West Virginia Northern	Chris Warsinsky
		West Virginia Southern	Sheila Huffman
		Texas Eastern	
		Louisiana Eastern	Gaynell Donelon
		Louisiana Middle	Monica Menier
		Louisiana Western	Mitzie Denis
		Mississippi Northern	Sandra Peoples
		Mississippi Southern	Collette Derouen
		Texas Eastern	Maria Sheppard
		Texas Western	Daniel Paez
		Texas Northern	Katherine Floyd
		Texas Southern	
		Kentucky Western	
		Kentucky Eastern	Amy Smith
		Kentucky Western	Jeanne Tuell
		Michigan Eastern	Natalie King
		Michigan Western	Kim Davis
		Ohio Northern	Lynn Baldwin Bergmeyer (co-rep)
		Ohio Northern	Katherine Shvak (co-rep)
		Ohio Northern	Brenda Heminger (co-rep)
		Ohio Southern	Yvonne Ventre
		Tennessee Eastern	Karen Gwinn
		Tennessee Middle	Sharon Wingler
		Tennessee Western	Cindy Coady

Circuit	Circuit Liaison	District	Local Representative
7th Circuit	Ron Hayward	Illinois Central Illinois Northern Illinois Northern Illinois Central Illinois Southern Indiana Northern Indiana Southern Wisconsin Eastern Wisconsin Western	Patricia Reed (co-rep) Margie Maldonado-Rahmoun (co-rep) Sharon Gardner Cathy Hart Robin Stanley Jill Lass Pam Creydt
8th Circuit	Beth Wilbanks	Iowa Southern Arkansas Iowa Northern Iowa Southern Minnesota Minnesota Missouri Eastern Missouri Western Nebraska North Dakota South Dakota	Tammi Pennington Rebecca Hoefer Kris Botts Grace Goede (Minn.) Sam Runck (St. Paul) Matthew Parker Cecelia Parle Lisa Smith Ginger Elless
9th Circuit	Maggie Bondi Theola Ross	Alaska Washington Western Alaska Arizona California Northern California Eastern California Central California Central California Southern Guam Hawaii Idaho Montana Northern Mariana Islands Nevada Oregon Washington Eastern Washington Western	Maggie Bondi Cindy Ribar Sharon Hurt Beryl Dixon (co-rep) Sabrina Palacio-Garcia (co-rep) Shawna Dahl Charles White Amy Young Debbie Jenson Colleen Grady Maria Sanders Jonni Paulsen Shannon O'Brien Theola Ross
10th Circuit	Angie Martin	Oklahoma Western Colorado Kansas New Mexico Oklahoma Northern Oklahoma Eastern Oklahoma Western Utah Wyoming	Deb Beatty Donna Urbom-McClure April Colling Sharon Washburn Debbie Anderson Angie Martin Kyle Crockett James Baumhover
11th Circuit	Tracey Couling	Alabama Southern Alabama Northern Alabama Middle Alabama Southern Florida Northern Florida Middle Florida Southern Georgia Northern Georgia Middle Georgia Southern	Doug Wedge Henrietta Foster Tracey Couling Latonia Isom Alyson Johnson Katrinka Covington Regina Thomas William Tanner Sam Kay

Your Local Representative is available to answer your questions concerning NCBC membership and benefits.

DATES TO REMEMBER

- May 15 - Last day to make changes to your registration
- May 15 - Early registration ends; Fees due to NCBC
- May 23 - Last day to book a room at the New Orleans Marriott
- June 14 - Conference begins!



Inside this issue:

Banquet	2
Educational Sessions	2
Social Events	2
Our Unique Streets	3
Why we Ride...	4
Wining & Dining	5
Etouffee Recipe	5

Welcome to NCBC 2011!

The Eastern and Middle Districts of Louisiana are excited to be hosting the 2011 NCBC Conference in New Orleans. The NCBC is dedicated to the professional development of its members, so we chose a theme that signals the need for ongoing development and the reward of pursuing excellence.

Visit our conference website to get acquainted with the city and all it has to offer, to review the conference agenda and the array of educational offerings, and to see the exciting social activities we have planned for you.



We're "Jazzed for the Journey," and we know you

will be, too! Bienvenue ("Welcome").

<http://www.laeb.uscourts.gov/ncbc2011/>

Conference Registration & Hotel Information

Registration for the 2011 NCBC Conference in New Orleans opened on March 1. The fee for members is \$375, and for non-members it's \$390. After May 15, NCBC members will pay a registration fee of \$400, and non-members will pay \$415.

A new feature allows registered members to go back through the registration process and make changes to their food, breakout sessions, and social activities. To do this, go back to the registration page, log in, and your registration

will appear. You may edit your options and then click submit. Your new registration confirmation will appear. A deadline of May 15 has been set for participants to make changes.

The New Orleans Marriott at 555 Canal Street is the host hotel for the conference. Located on the edge of the French Quarter, the hotel is a short walk to the Warehouse/Arts district, the Riverwalk, sites along the Mississippi River, and of course, the French Quarter. The Marriott has scores of

guest services and amenities, including a fitness center, outdoor pool, restaurants and lounges. The hotel has a smoke-free policy.

The hotel registration link on the NCBC 2011 site will only allow you to book a room for June 13, 2011 to June 16, 2011. If you want to book rooms either before or after those dates, you must call the hotel.

We have also arranged for overflow hotels that are a short walk from the Marriott. Updates on the room availability at the host hotel and new information about the overflow hotels will be added to the NCBC 2011 website, as needed.

Please direct any problems or questions to Elizabeth Hager (USBC - MDLA) at 225-346-3308 or elizabeth_hager@lamb.uscourts.gov

Mardi Gras World Banquet

Dust off your dancing shoes and get ready for the banquet of the 2011 NCBC conference! The experience of Mardi Gras awaits you at Mardi Gras World. We have planned a night you will always remember with the sights, sounds and tastes of real New Orleans. Dance the night away with

Rockin` Dopsie, Jr. & the Zydeco Twisters, feast on fabulous Louisiana cuisine and catch some throws at our own

parade with the "Krewe of the NCBC." You don't want to miss it!

<http://www.mardigrasworld.com>



Did you know that
you can edit your
registration until
May 15?

MENU:

Cajun Chicken & Andouille Gumbo
Bronzed Catfish Filets
Sausage Jambalaya
Cocktail Muffalettas
Crawfish Beignets
Mini PoBoys
Red Beans and Rice
Caesar Salad
White Chocolate Bread Pudding
Coffee

Educational Sessions

The education committee has put together some great plenary and breakout sessions for you. The opening plenary session is John Petz's "*It's Showtime – And This Isn't a Dress Rehearsal.*" Petz is a keynote speaker and motivational entertainer who has spoken to over a million people around the world, including some of the biggest corporations in America. Michael Gold and the Jazz Impact Ensemble's "*Jazzed For Tomorrow*" will be the closing plenary. Gold and his world-class ensemble will demonstrate improvisation and performance, and interact with the audience to teach about group dynamics, organization, and individual integrity. See the course descriptions at <http://www.laeb.uscourts.gov/ncbc2011/edu.htm>.

- Social Events -

New Orleans has so much to offer. With this year's social events, attendees can sample it all! The Swamp Tour, Haunted Tour, City Tour, Riverboat Dinner Cruise, Cocktail Tour, Plantation Tour, and Late Night with George Prentice are all waiting for you to sign up and climb aboard! Head over to our website (link below) and see what entices you. In the "Big Easy", finding that perfect pastime is effortless.

Please contact Jennifer Poche, social chair. jennifer_poche@lamb.uscourts.gov with any question you may have!

<http://www.laeb.uscourts.gov/ncbc2011/social.htm>

Our Unique Streets



The streets in the French Quarter are named for something or someone French, and the street signs are in French. “Rue” is French for street. If you were thinking that Rue Bourbon is named for the whiskey or for its many drinking establishments, you’re wrong. Truth is, it’s named for the House of Bourbon – the ruling French family during Louisiana’s colonial period. Conti is named for Prince de Conti, also a member of the Bourbon family. Iberville and Bienville are named for the LeMoyne brothers who settled New Orleans. Local historian Ron Chapman says that Dumaine Street and Toulouse Street were named for the illegitimate sons of King Louis XIV, but for good measure each was flanked by streets named after saints. Dumaine is sandwiched between St. Philip and St. Ann, and Toulouse between St. Peter and St. Louis!

It’s such an amusing irony how the Quarter’s religious traditions and legacy have co-existed for almost 300 years with the less wholesome ones!

rectly by the locals. Some even refer to it as Tchoup, which is pronounced like the word “chop.” Tchoupitoulas is named for an extinct Indian tribe. But that’s news to most of us here. What’s important is that Tchoupitoulas is the street by our parking garage.

The most famous thing about our streets? Potholes. Blame the geology or blame the city, but blame yourselves if you don’t drive with caution!

Finally, keep in mind that French Quarter streets near the river start at the “100” block, and the numbers get larger as you get farther away from the Mississippi. And, the first blocks on either side of Canal Street are the “100” block, and the numbers get larger as you get farther away from Canal in both directions. So, you’ll notice that when walking from the Marriott toward Jackson Square, the addresses will increase from the “100’s” to around “700.”

But in New Orleans, it works.

The lower Garden District includes streets named for the nine daughters of Zeus – the muses. They are Calliope, Clio, Erato, Euterpe, Melpomene, Polymnia, Terpsichore, Thalia, and Urania. Locals know the streets all too well, but our pronunciations would make Zeus turn over in his grave..., if he ever had a grave!

Tchoupitoulas is a mouthful and usually pronounced cor-

**Beware the potholes
and uneven
sidewalks!**



“Mardi Gras: Why We Ride...”

Some of the legacies of the French in south Louisiana are language, “interesting” politics, and civil parishes (counties). Another is Mardi Gras, and it’s embedded in our cultural DNA! While some like the Bourbon Street version of Mardi Gras as seen on MTV, most like the traditional family fun along parade routes. But for me, it’s all about the ride and being a part of traditions that happen without fanfare.

I belong to the Krewe of Thoth, which “rolls” on the Sunday immediately before Mardi Gras day. The organization was started by about a dozen folks in 1947 and paraded on an Uptown route near hospitals and institutes for the elderly and handicapped. Thoth continues to roll past its adopted hospitals and institutes, but now with almost 1400 members. Raising money for charities and bringing joy to the sick and elderly remain a proud Thoth tradition, and one we all take very seriously.

Parade organizations operate with dues from their members. With Thoth, a portion of dues and all money earned



from fund-raisers throughout the year go to charities. The newest “adopted” charity added to our growing list is the American Cancer Society. All sales of shirts, cups, and various carnival throws – pink, of course! – go to the cancer society, and specifically for breast cancer research.

Two weeks before we ride on our floats through the streets of New Orleans, Thoth members in costume participate in the Thoth Walk – the “Krewe

of Angels.” With a police escort, a marching band, and arms full of beads and stuffed animals, we walk from hospital to hospital delivering insignificant “throws” and priceless happiness to the sick and needy of all ages. It’s a tremendously rewarding experience.

After the hurricanes in 2005, scores of spectators held up “thank you” signs for the riders to see. During the Thoth Walk, patients of all ages just showed us great big smiles. It’s hard to describe the fun that goes along with riding on a float and throwing hard-earned money to happy and (sometimes) complete strangers! It’s easy to describe the joy of bringing happiness to those most in need of it. PRICELESS.

Hail Thoth!

Several court employees belong to carnival organizations, including one of our chief deputies pictured here.



Please also visit the
Federal Court Clerks
Association website
at.....

<http://fccs.ws/>



Don't forget to check out
<http://www.ncbcimpact.org>

Photos Provided by:

www.neworleansonline.com

Flawed Events

Crawfish Etouffee

Serves 4-6

Recipe from River Road Recipes II

www.jlbr.org or "Like" us on Facebook

1/4 lb. butter
2 large onions, chopped
2 stalks celery, chopped
1 med. bell pepper, chopped
Salt & pepper to taste
Tabasco sauce to taste
1-2 lbs. Crawfish tails w/ fat
4 T. flour
2 cups water
4 chicken bouillon cubes
3 green onion tops, chopped (optional)
Parsley to taste, chopped (optional)

Melt butter in a large, heavy skillet. Saute vegetables in butter for 30 minutes. Add seasonings to taste, then crawfish and fat. Saute for one minute and stir in flour. Continue to simmer for three minutes and add the water and chicken bouillon and the optional green onions and parsley. Simmer for 10-15 minutes. Serve over rice.

Wining and Dining in the Big Easy

No one ever goes hungry in New Orleans! In a city like no other, the cuisine is like no other! World class dining awaits you, so throw your diet and self control out the window.

Many ask, "what should I get?" We will help you order like a local (and pronounce the names like a local) and give you insight on where to get that memorable meal. So, loosen your belts, don't count the calories and just enjoy!

ETOUFFEE' (ay' too fay) - From the French word for "smothered", etouffee' is a sauce made of butter, seasoned vegetables and crawfish or shrimp served over rice. There is endless debate on the recipe. Roux or no roux? Tomatoes or no tomatoes? The answer is simple - any way you make it, it's GOOD! Also, if crawfish are not available, shrimp may be substituted.

TRY IT AT: Bon Ton Cafe - 401 Magazine St.

PO BOY - If you say "poor boy", you are giving yourself away as a tourist! This French bread (only the freshest of

French bread will do) sandwich is made with oysters, shrimp, ham, roast beef or just about anything else you can think of. When the waiter asks if you would like it "dressed", that means with lettuce, tomato and mayo.

TRY IT AT: Mother's Restaurant, 401 Poydras St. at Tchoupitoulas (ask for the "Ferdie" pobo: ham, roast beef and "debris". This "debris" you eat! It's the roast shavings and gravy.)

Also recommended:

Serio's Deli - 133 St. Charles Ave.

Acme Oyster House - 724 Iberville St.

Deanie's - 841 Iberville St.



DATES TO REMEMBER

- May 20 - Last day to make changes to your registration
- May 20 - Early registration ends; Fees due to NCBC
- June 14 - Conference begins!



Inside this issue:

Jazz Impact	2
Information Sharing	2
Late Night w/ George	2
Baton Rouge	3
Cemeteries, Voodoo	4
Shrimp Remoulade	5
Pralines	5



Registration ending soon

Registration is going well and has gained momentum recently. Please remember that the early registration fee through May 20 is \$375 for members and \$390 for non-members. After May 20, fees increase to \$400 for members and \$415 for non-members. Finally, you can make changes to your food choices, breakout sessions, and social events by going back to the registration page. This edit feature will be available through May 20.

One event is already sold out and another is almost full so register now!

www.laeb.uscourts.gov/ncbc2011/

Conference Hotels Update

Our conference hotel – the New Orleans Marriott – is full. Rooms may open up, so feel free to try and book your room through the hotel link on the NCBC 2011 website. Keep in mind that you must call the hotels directly if you need rooms before June 13 or after June 16. If you are unable to get a room at the Marriott, contact one of our two overflow hotels and be sure to mention that you are booking a room for the National Conference of Bankruptcy Clerks.

One of the overflow hotels is the Astor Crowne Plaza. It's only two blocks from the Marriott. The other hotel is the Royal Sonesta which is five blocks from the Marriott in the heart of the French Quarter. Links to the hotels are on the conference website.



Astor Crowne Plaza New Orleans Hotel

739 Canal Street
New Orleans, LA 70130
(504) 962-0500

Royal Sonesta Hotel

300 Bourbon St
New Orleans, LA 70130
(504) 586-0300

Jazz Impact - Closing Plenary Speaker

Trust us, you don't want to skip out early and miss this one. Jazz Impact ensembles are comprised of the finest jazz musicians working on the global jazz scene today. Musicians are drawn from New York, Chicago, Los Angeles, and New Orleans. This program was developed by Michael Gold, Ph.D and a jazz bassist from New York.

By transposing the jazz metaphor onto the dynamics of the office environment, Jazz Impact plants the seed for developing innovative response to change. In an environment where the only constant is change, the improvisational techniques of jazz go beyond metaphorical inspiration- tech-



niques that can have an immediate effect on your court. So don't miss out, and you will end your NCBC conference on a high note!

<http://www.jazz-impact.com>

Late Night with George Prentice – SOLD OUT

Late Night with George Prentice on Wednesday, June 15 at 9:00 p.m. is **sold out!** For those who are attending, keep in mind that the Howlin' Wolf Den is located at 901 St. Peters Street in the Warehouse District, and that transportation will not be provided. The club is less than a mile from the Marriott Hotel, but in the opposite direction from the French Quarter. Taxis are an option, although groups may choose to walk along St. Peters Street or Convention Center Boulevard, which is better lighted. The Howlin' Wolf Den is near the intersection of St. Peter and St. Joseph Streets.

You may know George Prentice as the Texas Western Clerk, but did you know his hometown is New Orleans?

Information Sharing Fair – Jammin' to the Beat of Change

The Information Sharing Fair will showcase a host of talented performers at NCBC 2011 on Thursday, June 16 from 10:45 a.m. to 12:15 p.m. At this time the Fair includes:

- ♪ **Bankruptcy Best Practices** - Stacey Manley, Bankruptcy Methods Analysis Program Working Group;
- ♪ **Jazz It Up: How teleworking enhances workplace productivity** - Ron Smith, Cathy Losenegger, and Julie Ellingson, Western District of Wisconsin;
- ♪ **ErrorTrack** - Derek Higgins, Eastern District of Wisconsin;
- ♪ **Creditor Matrix Submission** - Derek Higgins, Eastern District of Wisconsin;
- ♪ **COOP/Emergency Preparedness** - Toni Taylor, California Northern;
- ♪ **Creditor Webpage with Speed Claim Filing** - Monica Olson and Jorge Jimenez, Western District of Wisconsin;
- ♪ **The Loss Mitigation Program** - Una O'Boyle and Milton Aguila, Southern District of New York;
- ♪ **Noticing Issues** - Bankruptcy Noticing Working Group and BCAD;
- ♪ **CHAP Nationally Supported Calendar Program for Judges and Support Staff** - Brenda Dowler, Utah Bankruptcy Court;
- ♪ **CMAssist** - Grant Price and Sheila Sewell, and Stacey Roberts, Oklahoma Western Bankruptcy Court.

Baton Rouge - Louisiana's Capital

Baton Rouge is just a one-hour drive from New Orleans on Interstate 10. It is a vibrant city along the Mississippi River with a growing population, two universities – Southern University and Louisiana State University (LSU) – and one of the country's largest ports. Points of interest include the Old State Capitol ("the castle"), the new state capitol, the Old Governor's Mansion, a wonderful State Museum, the Rural Life Museum, the USS Kidd, the Shaw Center for the Arts, and casinos.

The capital city is also part of the growing film industry that is active throughout Louisiana. We've started to use the phrase, "Hollywood South." Some films made in Baton Rouge over the years are *Dead Man Walking*, *Everybody's All American*, and *All the King's Men*. Upcoming movies are *Flypaper* (Patrick Dempsey), *Battleship* (Liam Neeson), and



The Louisiana Old State Capitol

Twilight: Breaking Dawn.

Baton Rouge is French for "red stick," a seemingly strange name for a city. When French explorer D'Iberville led his exploration party up the Mississippi River in 1699, the group came to a cypress pole

on a bluff above the river covered with bloody animal and fish heads. The "red stick" marked the boundary between the hunting grounds of Houma Native American tribes and became symbol for Baton Rouge.

Did you know that Louisiana has the tallest capitol building in the United States at 450 feet tall, 34 stories?



The Louisiana State Capitol

RED STICK BLOODY MARY



River Road Recipes IV - Serves 6

2 cups vegetable juice cocktail

1 ½ cups vodka citron

1 cup cocktail sauce

Juice of ½ of a large lemon and juice of one small lime

2 t. cracked pepper

1 t. Tabasco

1 t. celery seeds

¼ ground cumin seeds

Celery salt to taste

The custom of above ground burial is a mixture of folklore and fact. New Orleans has a high water table that complicates below ground burials, but mostly it is a tradition carried over by French and Spanish Settlers.



Cemeteries, Voodoo, and Marie Laveau

Curious tourists are drawn to our cemeteries to either marvel at the elaborate above-ground tombs and sculptures, or to get a glimpse of the final “resting places” of prominent locals. Our “Cities of the Dead” look more like the ancient city of Pompeii than the typical cemeteries in other parts of the country.

St. Louis Cemetery #1 (St. Louis and Basin Streets) is within walking distance from the French Quarter, and the burial place of Marie Laveau and Homer Plessy (Plessy vs. Ferguson). Other cemeteries can be easily reached by taking the (red) Canal Street streetcar from around the Marriott Hotel to the Mid-City area, about a 15 minute ride away.

Marie Laveau practiced a unique combination of West African religions. With a knowledge of medicine and herbs she began practicing voodoo. She was so revered for her powers that she became known as the Voodoo Queen of New Orleans.

To most locals, voodoo remains a very real piece of our

cultural past, but is now mostly a thing of curiosity and amusement. Or, maybe not to some! Many locals who practiced voodoo used talismans (charms) to bring good fortune or bad luck to someone. The talismans were called gris-gris, and were typically cloth bags filled with herbs and bones. Even today someone may jokingly tell another, “I’m going to put the gris-gris on you!” Sounds silly, no doubt, but it’s part of what makes New Orleans the interesting place that it

is.

My voodoo doll really, really works! The white pin in the head of the doll cures my migraines, while the black pin, strategically placed and together with a wish that I modify as needed, has other effects. The voodoo doll was with us during the making of our NCBC promotional film in 2010, with some unintended consequences. But that’s a story for another article....



The AO and FJC Team to be well represented



The training offered at the conference is enriched considerably with the support of the Administrative Office and the Federal Judicial Center, whose staffs make up a large part of the faculty.

Jill C. Sayenga, Deputy Director of the AO, will speak at the opening ceremony. Glen Palman, Chief of BCAD, and James Baugher, Chief of the Budget Division, will give updates during the business

luncheon.

AO and FJC subject-matter experts will present breakout sessions on a variety of topics, including, leadership and teamwork, human resources, career building, structured writing, budget and internal controls.

AO staff presenting or moderating are Kelly Chadwick, Brenda Chen, Pearlie Collier, Lou Gil, Stuart Kurlancheek, Austin Matthews, Christopher Mays, John McGrath, Pat Tuc-

cio, and Jackie White.

FJC staff are James Buchanan, Garbo Cheung-Jasik, Esther DeVries, Phyllis Drum, Corrin Gee, Stephanie Hemmert, and Richard Marshall.

We are indebted to these administrators and education specialists for their dedication and contribution to the success of the conference!

Wining and Dining in the Big Easy

SHRIMP REMOULADE



As the weather heats up, no one in Louisiana could dream of spending extra time in a hot kitchen. The perfect answer to “what’s for dinner?” is Shrimp Remoulade (rum a laud). *This spicy sauce is served cold over cold boiled shrimp and lettuce. No oven required!*

Serves 8

Recipe from River Road Recipes II
www.jlbtr.org or “Like” us on Facebook

4 T. horseradish
½ cup tarragon vinegar
2 T. ketchup
1 T. paprika
½ t. cayenne pepper
1 t. salt
1 whole garlic clove, minced
1 cup vegetable oil
½ cup finely minced green onions with the tops
½ cup finely minced celery

Mix all ingredients in a blender. Pour over cooked shrimp and serve over cold lettuce.

PRALINES

In Louisiana, sweet is the name of the game. We like everything sweet : sweet tea, sweet potatoes, sweet talk, you get the idea. A staple of good ol’ Louisiana sweetness is the praline (praw leen). This candy is easy to make and easy to love. They are sold all over New Orleans in gift shops and candy shops.

River Road Recipes II

2 cups brown sugar
1 cup white sugar
1 cup water
1 cup cream
3 cups pecans

Combine sugar, cream and water in sauce pan. Stir together over medium heat until soft ball stage (238 degrees). Remove from heat and beat until creamy. Add pecans and drop by spoonfuls onto a buttered sheet. Allow to cool.



**BY-LAWS
of the
NATIONAL CONFERENCE OF BANKRUPTCY CLERKS**

~~(As approved August 7, 2008)~~

(With Proposed Revisions 2010)

SECTION 1: OBJECTIVES

The National Conference of Bankruptcy Clerks (NCBC) is a professional association committed to the professional improvement of its members, the continued improvement of the federal judiciary and the bankruptcy system of the United States of America. The NCBC is formed, in part, to provide its members certain membership benefits, such as the opportunity to participate in voluntary benefit programs sponsored and endorsed by the NCBC.

SECTION 2: OFFICES

2.1 PRINCIPAL OFFICE

The conference shall maintain a principal office at the U.S. Bankruptcy Court for the Middle District of North Carolina, Federal Law Center, 101 South Edgeworth St., Greensboro, NC 27401-2219. It shall be the duty of the Secretary to notify the Secretary of State of North Carolina should the NCBC change its address.

2.2 OTHER OFFICES

Other designated offices shall be at the U.S. Bankruptcy Court where each Officer of the Conference serves, the address of the Business Manager, or, at such other places as the Officer or the Board of Governors may designate.

SECTION 3: MEMBERS

3.1 GENERAL MEMBERSHIP

General Membership in the conference shall be open to any individual employed in the Clerk's Office of any United States Bankruptcy Court, on an active, permanent appointment, who has made application for membership and who is current in paying the requisite membership dues.

3.2 EMERITUS MEMBERSHIP

Members who retire from federal service or resign from office, without cause, may continue as members emeriti with voting privileges so long as they are current in paying the requisite membership dues.

3.3 ADJUNCT MEMBERSHIP

Adjunct Membership shall be open to any court employee employed in a federal, state or local court system. ~~Such persons~~ **Adjunct members** shall be eligible for a nonvoting adjunct membership and will not be required to pay dues.

3.4 ASSOCIATE MEMBERSHIP

Any person not eligible for membership under Sections 3.1, 3.2, or 3.3 shall be eligible for a nonvoting associate membership so long as they are current in paying the requisite membership dues.

3.5 HONORARY MEMBERSHIP

The President, with the consent of the Board, may confer honorary membership in the Conference upon any person. Honorary membership does not include voting privileges.

3.6 ~~REMOVAL~~ **TERMINATION OF NCBC MEMBERSHIP**

Section 9.3 applies.

3.7 VOTING RIGHTS

Each general member and each emeritus member shall be entitled to one vote on each matter submitted to a vote of the membership.

3.8 TRANSACTING BUSINESS GENERALLY

The Conference membership may transact any or all business at a membership meeting, by mail or by electronic means, such as e-mail. All matters not specifically reserved in other sections of the By-Laws for action by the Board of Governors shall be matters that the Conference membership may act upon. The election of the Conference's Board of Governors and the adoption of Membership Resolutions shall be matters that only the membership as a group can act upon.

3.9 ANNUAL CONFERENCE AND EDUCATIONAL MEETING

An Annual Conference and Educational Meeting of the full membership of the Conference shall be held at a place and time designated by a majority of the Board of Governors. Other general membership meetings may be held upon a Board of Governors resolution to that effect. The Secretary, or a designee, shall give not less than 30-days notice to all members as to the time and

place of membership meetings. In order for the membership to transact business at a membership meeting, a quorum composed of a majority of those members registered for the meeting is required. Voting by proxy will not be allowed.

3.10 TRANSACTING BUSINESS BY EMAIL OR MAIL

To be enacted by email or mail, a matter must receive the majority vote of voting members provided that a quorum of at least ten per cent (10%) of the eligible members actually votes. The Secretary, or a designee, shall give not less than 30-days notice to all members as to the voting deadline for business transacted by email or mail. If less than a quorum of ten per cent (10%) vote, then a second call to vote will be solicited or the business shall be deferred until the Annual Conference and Educational Meeting or until the next general membership meeting.

~~3.11 TRANSACTING BUSINESS BY E-MAIL~~

~~To be enacted by e-mail, a matter must receive the majority vote of voting members provided that a quorum of at least ten per cent (10%) of the eligible members actually votes. The Secretary, or a designee, shall give not less than 10-days notice to all members at their designated e-mail address as to the voting deadline for business transacted by e-mail. If less than a quorum of ten per cent (10%) vote, then a second call to vote will be solicited or the business shall be deferred until the Annual Conference and Educational Meeting or until the next general membership meeting.~~

SECTION 4: LEADERSHIP

4.1 BOARD OF GOVERNORS

The Conference shall be lead and managed by its Board of Governors, which shall be composed of four Officers as provided for in section 5 and six additional members as provided for in section 6.

4.2 VOTING RIGHTS

Each member of the Board of Governors, except the immediate past president of the Conference, shall be entitled to one vote on each matter submitted either to a vote of the Officers or to a vote of the Board.

4.3 TRANSACTING BUSINESS GENERALLY

The Board of Governors may transact business at a Board Meeting, by mail, by telephone or by any electronic means. The expenditure of Conference funds for expenses of any member of the Conference can be approved at the discretion of the Board or Officers upon unanimous agreement

of the Officers or two-thirds of the Board of Governors. Reimbursement of member expenses arising from attendance at meetings, seminars or conferences may be approved at times and in such amounts at the discretion of the Board or Officers upon agreement as stated above. Payment of grants in aid to members or nonmembers may also be made at the discretion of the Board or Officers from time to time in such amounts and upon such requirements as the Board or Officers may determine. A Board of Governors Resolution shall be a matter that only the Board of Governors can act upon, and can be approved only by the agreement of the majority of the Board of Governors.

4.4 MEETINGS

The Board of Governors may hold a meeting whenever three-quarters of the Board request a meeting. The place and time of a Board meeting shall be as agreed to by a majority of those members of the Board calling for the meeting. At least one week notice of a meeting shall be given by the Secretary to the Board of Governors, and shall contain the purpose(s) for which the meeting has been scheduled. In order for the Board to transact business at a meeting, a quorum - composed of two-thirds of the **voting** Board members - is required to be present. Expenses of the participants in the meeting, or a portion thereof, shall be payable out of Conference funds only upon unanimous agreement of the Officers or two-thirds of the Board of Governors.

4.5 TRANSACTING BUSINESS BY MAIL OR ELECTRONIC MEANS

A matter acted upon by mail or electronic means, such as e-mail, by the Board of Governors shall require the same vote as otherwise required elsewhere in section 4.

4.6 TRANSACTING BUSINESS BY TELEPHONE

The procedures for the Board of Governors transacting business by telephone shall be the same as those provided for in section 4.5, with the additional requirement that the minutes of all meetings must reflect how each Board member voted on each matter brought forth for a vote.

4.7 RESIGNATION

Any member of the Board of Governors may resign at any time by giving a written notice of such resignation to the President, or to the President-Elect if the President is tendering a resignation.

4.8 REMOVAL **OF A MEMBER OF BOARD OF GOVERNORS**

Upon the agreement of two-thirds of the Board of Governors, or upon a vote of a majority of the full membership of the Conference, any member of the Board of Governors may be removed for conduct detrimental to the interests of the conference, for lack of sympathy with its objectives, or for refusal to render reasonable assistance in carrying out its purposes. Any member who is removed by a Board of Governor vote may, within 5 business days of notification of such vote, submit a written request to the President that the entire Conference membership ratify the removal by a majority vote of the Conference membership which votes on such ratification. Any member of the Board of

Governors proposed to be removed shall be entitled to at least five days written notice by mail of the meeting at which such removal is to be voted upon, and shall be entitled to be heard or present written documentation in opposition to such removal.

SECTION 5: OFFICERS

5.1 DESIGNATION OF TITLE

The Officers of the Conference shall be a President, President-Elect, Secretary, and Treasurer. The Officers shall be elected by the full membership of the Conference in a manner prescribed in sections 3 and 8. No member may simultaneously hold more than one office in the Conference.

5.2 SALARIES AND COMPENSATION

The Officers shall not be entitled to a salary for their service as Officers of the Conference. The Officers may receive reimbursement for their expenses, or a portion thereof, incurred in connection with their attendance at meetings or their transacting business of the Conference, as provided for in sections 4.3 and 4.4.

5.3 VACANCIES

The President-Elect shall fill a vacancy in the Office of the President automatically for the duration of the former President's term of office; the ascending President-Elect shall be eligible to continue in office as President for the unexpired portion of the term and for the succeeding two-year term. A vacancy in the Office of the President-Elect, Secretary or Treasurer shall be filled for the duration of the former incumbent's term of office by a majority vote of the Board of Governors.

5.4 TERMS OF OFFICE

The term of office for the officers (President, President-Elect, Secretary, and Treasurer) shall begin at the close of the Annual Conference and Educational Meeting in the year in which their elections are held, and shall conclude at the close of the Annual Conference and Educational Meeting in the second year following the year in which their elections were held.

5.5 DUTIES OF THE PRESIDENT

The President shall be the chief executive officer and preside at meetings of the membership, all Board meetings and officers meetings. The President shall sign all instruments requiring execution on behalf of the corporation, and shall sign all Resolutions approved by the Conference. The President shall perform all duties imposed by the Articles of Incorporation and By-Laws. The President is empowered to speak on behalf of the Conference, and the President's action shall be binding upon the Conference until such time as the membership or the Board of Governors approves a Resolution disavowing a President's action. The President is empowered to act for the Board when time is of the essence and the Board cannot timely meet, subject to any ratifying vote deemed

appropriate by the Board at a later time.

5.6 DUTIES OF THE PRESIDENT-ELECT

The President-Elect shall perform those tasks specifically assigned to him/her by the President, one of which shall be to supervise the work of the Committees described in section 11. In addition, the President-Elect shall perform the duties of the President during the absence or disability of the President.

5.7 DUTIES OF THE SECRETARY

The Secretary shall maintain minutes of all meetings and will provide a copy of the minutes to the Board for approval on a monthly basis. The Secretary shall be primarily responsible for seeing that an annual election is conducted as provided in section 8. The Secretary shall maintain a copy of all official correspondence issuing from the Conference. The Secretary preserves the records of all meetings of the Association with the records of the past two years going to the successor. All other records go to the Historian.

5.8 DUTIES OF THE TREASURER

The Treasurer shall maintain complete and accurate records of the Conference's financial affairs, and shall furnish a report of the financial condition of the Conference to the President within two weeks following the **end of every month.** ~~close of every calendar quarter.~~ The Treasurer shall prepare (or ensure accurate preparation of) and file such tax returns as may be required of the corporation by law. The Treasurer shall prepare and distribute to the full **voting** ~~Conference~~ membership semi-annually a summary report of the financial transactions of the Conference. The Treasurer shall perform an audit of the records of the Business Manager every other year. The audit shall be timed to be concurrent with an incoming President's term. Audit results shall be provided to the new President.

5.9 PARLIAMENTARIAN AND RULES OF ORDER

Upon taking office, the President may appoint a Parliamentarian from the general membership of the Conference, exclusive of members of the Board of Governors. The term of office of the Parliamentarian shall be the same as that of the President who made the appointment. Robert's Rules of Order shall be the Conference's Official Guide to Parliamentary Procedure. These rules of order shall be effective at both the meetings of the membership and the meetings of the Board of Governors.

5.10 QUALIFICATIONS

The only qualifications for an individual to serve as an Officer of the Conference are that such individual shall be a member of the Conference under Section 3.1 with voting privileges and remain current with his/her dues payment during the period of holding office. An Officer that retires from

federal service during their term will be allowed to complete their term.

SECTION 6: BOARD OF GOVERNORS

6.1 COMPOSITION OF BOARD OF GOVERNORS

The Board of Governors shall be composed of ten Conference members, four of whom shall be the four officers of the Conference; one of whom shall be the immediate past president of the Conference, who shall be an ex officio non-voting member; the remaining five members of the Board of Governors shall be elected at-large from among Conference membership. At least one of the at-large members shall be a deputy clerk. Members on the Board of Governors shall be permitted to serve without regard to circuit representation.

6.2 SALARIES AND COMPENSATION

The members of the Board of Governors shall not be entitled to a salary for their service as the members of the Board of Governors of the Conference. The Governors may receive reimbursement for their expenses, or a portion thereof, incurred in connection with their attendance at meetings or their transacting business of the Conference, as provided for in sections 4.3 and 4.4.

6.3 VACANCIES

A vacancy in the Board of Governors shall be filled for the duration of the former Governor's term of office by an individual appointed by the President with approval of a majority of the Board of Governors.

6.4 TERMS OF OFFICE

The terms of office for members of the Board of Governors who are not Officers shall begin at the close of the Annual Conference and Educational Meeting in the year in which their elections are held, and shall conclude at the close of the Annual Conference and Educational Meeting in the second year following the year in which their elections were held.

6.5 DUTIES OF THE BOARD OF GOVERNORS

Each Governor shall be primarily responsible for undertaking at least one project, assigned or designated by the President or agreed upon by a majority of the Governors. The Board of Governors, individually and as a body, shall assist the President in formulating policy for the Conference.

6.6 QUALIFICATIONS

The only qualifications for an individual to serve as a Governor in the Conference are that such individual shall be a member of the Conference under Section 3.1 with voting privileges and remain current with his/her dues payment during the period of holding office. An Officer that retires from

federal service during their term will be allowed to complete their term.

SECTION 7. STAFF TO THE BOARD

7.1 COMPOSITION OF STAFF TO THE BOARD

The Staff to the Board **including Business Manager, Impact Editor, Historian and Website Administrator will** may be composed of ~~three~~ conference members **as deemed necessary by the Board.** ~~Currently, those positions are: Business Manager, Impact Editor, and Historian, and Website Manager, or any other staff positions deemed necessary by the Board.~~

7.2 SALARIES AND COMPENSATION

The Staff to the Board shall not be entitled to a salary for their service. The Staff may receive reimbursement for their expenses, or a portion thereof, incurred in connection with their attendance at meetings or their transacting business of the Conference, as provided for in sections 4.3 and 4.4.

7.3 TERMS OF OFFICE

The President may appoint these positions after completion of an application process and after consultation with and approval by the Board. The incumbents will serve at the pleasure of the President and the Board. If the incoming President desires to continue to staff these positions, the Board will determine when those positions will be reopened for new applicants, identify any and all prerequisite requirements or qualifications and determine the application process. Staff positions shall be reopened to the membership no less than every three (3) years with the opportunity for incumbents to reapply. The Staff will not have any voting rights other than general membership voting rights, but will attend the Annual Conference and Educational Meeting and any other meetings as approved by the Board.

7.4 DUTIES OF THE HISTORIAN

The Historian shall maintain an historical record of the NCBC. The Historian shall document the activities of the NCBC by taking and retaining photos, including video, of NCBC events – specifically the Annual Conference and Educational Meeting – and by generally collecting items of interest, such as copies of The IMPACT, flyers, programs, letters of acknowledgment, newspaper articles, etc. The Historian shall be responsible for the manner in which information will be collected and maintained and shall report on these at the Annual Conference and Educational Meeting. The Historian shall coordinate efforts with the IMPACT editor to provide materials for publishing and respond to official requests for historical records and information.

7.5 DUTIES OF THE BUSINESS MANAGER

The Business Manager shall collect membership dues, maintain the NCBC membership database, prepare and distribute certificates of membership and determine annually the percentage of NCBC

membership of the onBoard staff of each Clerk's Office and provide that information to the Chair of the Awards Committee not later than 30 days prior to the Annual Conference and Educational Meeting. The Business Manager shall maintain such checking and savings accounts as he/she deems necessary and appropriate for the benefit of the Conference. The Business Manager will also cooperate with the Treasurer during regular audits of these accounts. The Business Manager shall process all invoices and perform reconciliation of accounts receivable and payable under the supervision and oversight of the Treasurer. The Business Manager shall also act as the conference registrar for the Annual Conference and Educational Meeting by handling registration fees and all other associated transactions. All financial and Conference records of the association – except for those maintained by the Treasurer – shall, with the approval of the Board, be held at the Business Manager's location.

7.6 DUTIES OF THE IMPACT EDITOR

The Impact Editor shall author and edit articles submitted for inclusion in the organization's newsletter, The Impact. The Editor will plan the content, produce the newsletter in print or web-based format, and publish it on a regular or as needed basis. ~~The editor is also in charge of updating the NCBC's master member e-mail address list and ensuring its accuracy.~~ The Editor may be called upon by the President or majority of the Board to send messages out to the the membership. The Editor will receive inquiries from the general membership and will refer the member, as necessary, to the subject matter expert.

7.7 DUTIES OF THE WEBSITE ADMINISTRATOR

The Website Administrator shall be responsible for the administrative and operational responsibilities associated with the software application that NCBC utilizes to communicate with our membership. These duties include the creation, editing and updating of the website and forms which allow the membership to view information on upcoming conferences, newsletters, offerings, email lists and membership information. The Website Administrator ~~Liaison~~ is responsible for communication directly with Memberclicks, and will act as the resource to the Board to help develop necessary information or forms as directed. Major duties will include: assistance in creating membership forms and communication vehicles for the membership committee, assistance in creating the annual conference registration form, as well as reports and communication vehicles for the annual conference committee, recommending appropriate communication vehicles and generate reports to the Board, and developing and editing the NCBC official website.

7.8 QUALIFICATIONS

The only qualification for an individual to apply for a Staff position to the Board of Governors is that such individual shall be a member in good standing of the Conference with voting privileges and, if appointed, remain current with his/her dues throughout the appointment.

SECTION 8: ELECTIONS

8.1 CONDUCTING OF ELECTIONS

An election of those Officers and Governors with expiring terms shall be conducted in a manner described in Section 3.8, and shall be concluded ~~by May 15th or~~ at least 30 days prior to the **beginning of the** Annual Conference and Educational Meeting, ~~whichever is earlier~~. The candidates receiving the greatest number of votes from those entitled to vote and voting shall be elected. In the event that there are more than two candidates for at-large Governor position(s), if no current at-large position is held by a deputy clerk, then the deputy clerk receiving the greatest number of individual votes shall fill one of the open at-large governor position(s). In the event of a tie for a specific position, a new run-off election for such position shall be held.

8.2 CANDIDATE RECRUITMENT COMMITTEE

The President (or his/her designee) shall appoint a Candidate Recruitment Committee by March 15, if needed for the purpose of securing willing candidates for positions for which the election is to be held. The Candidate Recruitment committee shall be composed of not less than three Conference members, none of whom are members of the Board of Governors. At the conclusion of the period for the declarations of candidacy as provided in 8.3, if there are an insufficient number of candidates for the positions to be elected, the Candidate Recruitment Committee shall prepare and submit to the President a list of one or more names of candidates for each position to be elected. **If no candidates are forthcoming within 15 days of the Candidate Recruitment Committee being formed, the position will be reopened for a period of 15 days or the incumbent may choose to declare candidacy for the position at the end of the 15 day period.**

8.3 DECLARATION OF CANDIDACY

By February 15th, the Secretary shall notify members that they have 30 days in which they may declare candidacy for any office and submit their statements of candidacy. The statement of candidacy should describe the candidate's interest in serving in the position sought and must be submitted to the Secretary. Such notification may be included in the Conference newsletter to general membership or by any means appropriate. Any Conference member, who is current with his/her dues, including incumbents, may declare candidacy. No member may declare candidacy for more than one office, except that a member may concurrently be a candidate for the Board of Governors and one of the offices listed in section 5.1.

8.4 STATEMENTS OF CANDIDATES

On or before the transmittal of the election ballots to the membership, the Secretary shall ensure that the candidates' statements are available for viewing by the general membership and are posted on the NCBC website.

8.5 ELECTION BALLOTS

The Secretary shall prepare election ballots containing the names of declared candidates and the deadline for voting, and shall transmit the ballots to all members of the Conference eligible to vote. At the conclusion of the election process, the Secretary shall certify the results of the voting to the President. The President shall be responsible for notifying the candidates of the election results prior to the Annual Conference and Educational Meeting.

8.6 CONSECUTIVE TERMS

The Secretary, Treasurer, and an at-large member of the Board of Governors may run for one additional term at the conclusion of his/her initial two-year term. In all other circumstances, there shall be at least one intervening year between terms of an individual holding the same office. **Except if no other candidates declare candidacy for an available position within the prescribed open period as outlined in Sections 8.2 and 8.3, then the incumbent may declare candidacy for that available position if he or she so desires.**

SECTION 9: DUES

9.1 ANNUAL DUES

The annual dues for the membership commencing January 1 and ending December 31 of each year shall be determined by the Board of Governors for each category of membership established by the Board. The categories and amount of dues shall be periodically published in the conference newsletter, The Impact, and on the application for membership forms. **The membership period shall run for one year from the date the first membership dues are paid or for however many years are included in the dues payment.** ~~The Treasurer will mail~~ **or email** ~~A~~ statement of membership renewal and dues payment **will be mailed** by January 15 of each year to all members, **at least 30 days prior to the expiration of each member's membership period.** All membership dues are payable by March 1 of the same calendar year. New membership between January 1 and September 30 shall pay full dues for that calendar year and receive membership status immediately. New membership between October 1 and December 31 shall receive membership status immediately; however, their dues will be applied to the following calendar year.

9.2 PAYMENT OF DUES

Dues for a member of the Conference shall become due at the time the Treasurer mails the statements of membership renewal **are delivered** as per section 9.1. ~~Dues shall be payable on or before March 1 of the same year in order to renew and effect membership.~~ Dues for any applicant for membership are due in full at the time of application and payment of such dues will provide membership **for one year from the date of payment, or for the number of years that are included in the renewal payment.** ~~until December 31 of that calendar year. Dues paid by a previously active member after March 1 will reinstate membership for the remainder of the calendar year.~~

9.3 DEFAULT AND TERMINATION OF MEMBERSHIP

If renewal dues are not paid by March 1 of the year at the time in which they become due, the membership shall become inactive. ~~be automatically terminated.~~

9.4 REFUNDS AND INCREASED RATES

Partial refunds will not be made nor increased rates charged due to change in membership status within a given year.

9.5 EXCEPTION TO MEMBERSHIP DUES

Upon request of the court hosting the current year's Annual Conference and Educational Meeting, the Board of Governors may extend an exception of membership dues to those employees of the host court serving as volunteers at the Annual Conference and Educational Meeting.

SECTION 10: MISCELLANEOUS

10.1 AMENDING THE BY-LAWS OR ARTICLES OF INCORPORATION

The Conference membership by a majority vote, may make, amend, and repeal the By-Laws of the corporation or amend the Articles of Incorporation, and all By-Laws and amendments to the Articles of Incorporation made by the Governors may be altered or repealed in the same manner. Subject to the aforesaid, the Board of Governors shall have the power to make, amend and repeal the Articles of Incorporation or By-Laws of the Corporation by vote of a majority of the Board, at a meeting of the Board. The Board of Governors may not, however, alter, amend, or repeal any By-Law establishing the number of the Board of Governors or what establishes a quorum of the Board.

10.2 WAIVER OF THE BY-LAWS

Any or all of the By-Laws of this Conference may be waived at any meeting of the general membership or at any meeting of the Board of Governors whenever two-thirds of the members present and voting so vote; and provided further that a quorum be present at said meeting.

10.3 APPROVAL OF EXPENSE REIMBURSEMENT

For the expenses involved in administering this Conference, except for expense reimbursements and grants in aid as otherwise provided for in sections 4.3 and 4.4, all requests for expense reimbursement shall have been approved by the President or in the event of his/her absence, the President-Elect prior to payment by the Treasurer or Business Manager.

10.4 MEANS OF COMMUNICATION, MEETING AND NOTIFICATION

Any reference in these by-laws to: meeting, notify, mail, telephone or other type of communication may be interchanged, upon approval of the President, with similar types of communication as appropriate for the circumstances including, but not limited to, e-mail, teleconference and web posting.

SECTION 11: COMMITTEES

11.1 STANDING COMMITTEES

In order to address matters of continuing interest to the members, the Conference shall maintain such permanent ("standing") committees as the Board of Governors deems appropriate and necessary. Each Standing committee shall be chaired by a member of the Board of Governors.

11.2 SPECIAL AND AD HOC COMMITTEES

The President, with the advice and consent of the Board, may constitute additional special and ad hoc committees as needed to further the objectives of the Conference.

11.3 COMMITTEE CHAIRMEN

The President shall select the chairman of each committee upon the advice and consent of the Board.

11.4 BOARD LIAISON

At the President's discretion, each member of the Board of Governors may be assigned as liaison to at least one committee. The Board member so assigned shall serve as an ex officio member of that committee and shall work with the committee chairman to see that all committee recommendations receive the attention of the Board of Governors.

11.5 COMMITTEE MEMBERSHIP

The President or his/her designee shall select members of a committee.

11.6 COMMITTEE FUNCTIONS

Annual Conference and Educational. To assist the Board of Governors in selection of a site for future Annual Conference and Educational or general membership meetings; to coordinate preparation for the meetings; to oversee the logistics of conducting the meetings. To ensure the Annual Conference and Educational Meeting focuses Bankruptcy Court expertise on education and training issues of unique concern to Bankruptcy operations; to work in close coordination with the Federal Judicial Center in addressing identified needs. To locate speakers, arrange workshops and develop programs of interest and educational value for the Annual Conference and Educational meeting, addressing topics of interest to the Conference.

Awards. To coordinate the nomination and selection process relating such special awards as the Conference shall, from time to time, deem appropriate to recognize exceptional service and accomplishment.

Benefits. To research benefits needs of members and to explore and evaluate various benefits programs.

Deputy Clerks. To ensure that the Conference addresses concerns relating to deputy clerks in all areas.

Legislation and Rules. To assist the Conference in evaluation and policy matters arising from proposed legislation potentially affecting its membership or the bankruptcy system at large. When called upon, to assist the President or the Board in the drafting of proposed legislation to further the objectives of the Conference. To also stand ready to assist the Rules Committees of the Judicial Conference of the United States as requested; to focus rules and legislative initiatives of the Conference and its members to appropriate channels.

Membership. To develop materials and programs designed to advance membership growth and retention; to spearhead an ongoing membership drive working in close collaboration with local Conference representatives.

SECTION 12: CIRCUIT LIAISONS & LOCAL REPRESENTATIVES

12.1 CIRCUIT LIAISONS

The President, with the consent of the Board, may appoint Circuit Liaisons in each judicial circuit to coordinate the activities of the Conference within those circuits. Any member of the Conference with voting privileges is eligible to serve as a Circuit Liaison. If the size of the circuit so warrants, the President may appoint two such Circuit Liaisons within that circuit.

12.2 LOCAL REPRESENTATIVES

The Board of Governors may designate Local Representatives to coordinate the activities of the Conference within particular districts and/or divisional offices within a district. Any member of the Conference with voting privileges is eligible to serve as a Local Representative.

SECTION 13: BENEFIT PLANS

13.1 BENEFIT PLANS

a) Any voluntary benefit plan available to Qualified Members in Sections 3.1, 3.2 or 3.3 must be sponsored and endorsed by the NCBC, ~~and~~

b) ~~All persons holding a General Membership under section 3.1 or an Adjunct Membership under Section 3.3 are Qualified Members for purposes of participating in the voluntary benefit programs available through the organization, if they meet benefit program requirements such as number of hours worked per week. NCBC members, who have retired from federal service, are Qualified Members for purposes of participating in voluntary benefit programs as long as they maintain Emeritus Membership under Section 3.2. All persons that elect to participate in such programs must abide by the terms of that arrangement.~~