



NCBC IMPACT

Dedicated to the professional development of its members

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Issue #2

March/2013

A Message From the President

John Horner

This is a critical time for the federal courts systems and the other branches of the United States government. The NCBC continues to find ways to represent you and our other members on issues of national importance. One example is a study currently being conducted by the U.S. Government Accountability Office (GAO).



A subcommittee of the Congressional Committee on Financial Services has asked the GAO to conduct a study concerning court consolidation. The GAO has contacted several courts and other offices within the judiciary to take part in this study. The NCBC reached out to the GAO to offer its view on court consolidation as well as shared services. A number of representatives for the NCBC were able to meet telephonically with the GAO group undertaking the study. In addition to Lee Ann Bennett and me, the members of the Past Presidents Committee took part in the meeting. I would like to thank past presidents Ken Hirz, Mark Hatcher, Mary Weibel, Ken Gardner, David Bird, Barry Lander, and Brenda Argoe for their participation in the meeting. The NCBC was able to provide the GAO with the perspective of clerks from varied court sizes in different parts of the country.

The NCBC Board has traditionally held a board meeting at the location of the host court six months before the annual conference. Because of budget concerns, the board has decided to forgo its mid-year meeting and conduct its business this year by telephonic meetings. This will allow for more funds on reserve for unanticipated expenses that may occur during the course of the year.

Planning for the annual conference which will be held in Baltimore is progressing. Mark Sammons, the Clerk in Maryland, and his staff are working with the education committee to develop a program that will be informative and thought provoking. I hope that you will plan on attending the conference that will be held from August 12 to 15, 2013. Thanks to all who answered the recent survey concerning the annual conference. 673 responses were received. Your answers will help in planning this year's conference.

I extend my thanks to all who contributed to the Hurricane Sandy Relief Fund. Thanks to the generosity of our members, \$5,205 was collected and distributed to five bankruptcy court staff members who suffered damage to their homes during the hurricane.

I would also like to thank the NCBC Board members who have been working on many varied projects over the last several months. Please see the Board Corner article for more information about the board's activities.

The annual NCBC Membership Drive has commenced. Please renew your membership!

2013 Publication Dates

January 4

March 8

May 3

July 5

September 6

November 1

Articles are due to the editor by the 25th of the month preceding publication

laura_whitehead@nceb.uscourts.gov

Membership Committee Releases Video for Membership Drive

Over the past few months, the Membership Committee has worked to design promotional materials for the 2013 Membership Drive that highlight the professional developments and benefits of NCBC affiliation that are not always common knowledge. The committee recognized the importance of providing convenient, but informative pre-packaged resources for local representatives. The committee's first order of business in November 2012 was to explore inexpensive, creative, member building options. As a result of the committee's efforts, a flyer summarizing NCBC benefits, a comprehensive list of activities that could be implemented locally, and a humorous video depicting the reasonable cost of membership entitled, "*What 15 Can Do for You*," were distributed to local representatives on February 5, 2013.

Education Committee Making Plans for the Conference

The committee met on February 7, 2012 and preliminarily reviewed suggested breakout sessions that the Federal Judicial Center can offer. A general discussion regarding possible plenary speakers also took place. The committee has chosen to hold further discussions until after results from the February 8 survey regarding attendance at the Baltimore Conference have been reviewed. Once the results have been discussed, the committee can move forward with selecting the breakout and plenary sessions.

Award Committee Activity Summary

The committee is creating Word templates for the Gold, Silver and Bronze membership awards. The committee also worked diligently with Ken Gardner in getting the information regarding both the Hurricane Sandy Relief Fund and the Scholarship Award on our website. The committee members have worked with the president in collecting the information on employees that were affected by the hurricane.

Hurricane Sandy Relief Fund Results

In November, 2012, a letter was sent to NCBC members requesting contributions to the Hurricane Sandy Relief Fund to aid bankruptcy court employees and their families who were impacted by the hurricane. The deadline for contributions was January 31, 2013 and we are pleased to announce that we collected \$5,205.00. The clerks of the areas impacted by this super storm were contacted to determine who had been most affected by the storm. These individuals were given financial assistance from the hurricane fund. The NCBC Board would like to thank its members for their continued generosity.

Benefits Committee Projects

- Creating a survey for members to help determine what other insurance benefits members might want the organization to pursue. The survey will also inquire as to what benefit/financial training sessions members would like to see offered at this year's conference.
- Helped determine which courts would receive the Gallagher Financial training this year. The courts selected: were California Northern, Illinois Northern, Alabama Northern, and North Carolina Eastern. The benefits committee is working with Gallagher to hopefully increase the number of courts to receive training next year.
- Tested the VPI Pet Insurance site and worked with VPI on possible payroll deduction for insurance. After not being able to work through the issues with payroll deduction, the insurance benefit has been released to allow for credit card payment only.
- Working on a Benefits Flyer/Brochure to help inform members of benefits available.

NCBC Scholarship/Tuition Assistance Program

Eileen Garrity

U. S. Bankruptcy Court, District of Massachusetts

Last year the board approved the creation of a scholarship/tuition assistance program to assist deserving, qualified NCBC members in their pursuit of continuing education. The program currently has an annual budget of \$4,000.00. Recipients will receive up to \$500.00 which can be used for attendance at the annual conference or for approved continuing education courses. Eligibility requirements are as follows:

- Must be a current NCBC member and in good standing for a minimum of two (2) consecutive years.
- Must be a deputy clerk, currently employed by the U. S. Courts.
- Must complete the application process before the deadline provided.

The application is available on the NCBC website at: <https://ncbc.memberclicks.net/conferences>. You must be logged in to access this information.



The Awards Committee Needs You!

Kris Botts

U. S. Bankruptcy Court, Southern District of Iowa

The Awards Committee needs your help! We are looking for volunteers to serve on the awards committee to help us seek out the valuable and talented individuals within our court community for potential awards. This year we are also tasked with awarding the NCBC's new Scholarship Assistance Tuition Program.

If you would be interested in volunteering, please contact Eileen Garrity and/or Kris Botts for more information.

Eileen_Garrity@mab.uscourts.gov

Kris_Botts@iasb.uscourts.gov



MetLife Auto & Home Insurance Spring and Summer Household Tips

Provided by the Benefits Committee

After the long winter months come to an end, your house may be in need of some extra care. MetLife Auto & Home® offers these tips to add to your annual spring cleaning and summer preparation.

Inspect the air conditioner. Check the outside condenser unit and remove all debris and leaves that may have built up in and around the unit during the winter. Replace air filters monthly during the summer months when your air conditioner is working the hardest. Clogged filters make the cooling system less efficient.

Clean your gutters. Prevent flooding and leaks in your house by cleaning your gutters in early spring. Leaves, branches and other debris should be removed so that rain can easily drain away from your house.

Change the batteries in smoke detectors. Do this at least once a year; the first day of spring is a great time to start this habit. Make sure to test smoke alarms regularly by pushing the testing button included on all models.

Look for signs of termites. Springtime is when termites thrive. Check your basement and house foundation for damage, including any cracks or holes, which can be an easy entryway for termites. If you're not sure if you have a problem, call a pest control professional. Many offer free consultations.

Federal First Auto and Homeowners Insurance underwritten by MetLife offers savings for NCBC members.

Call MetLife Auto & Home today at 1 800 GET-MET 8 (1-800-438-6388) or follow the link on the NCBC website for more information about possible discounts on auto and home* insurance.

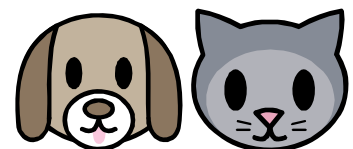
*Home Insurance is not part of MetLife Auto & Home's benefit offering in MA and FL.

MetLife Auto & Home is a brand of Metropolitan Property and Casualty Insurance Company and its affiliates: Metropolitan Casualty Insurance Company, Metropolitan Direct Property and Casualty Insurance Company, Metropolitan General Insurance Company, Metropolitan Group Property and Casualty Insurance Company, and Metropolitan Lloyds Insurance Company of Texas, all with administrative home offices in Warwick, RI. Coverage, rates, and discounts are available in most states to those who qualify. L0412255138[exp0315][All States]

Pet Insurance

As reported in an email blast to NCBC members, pet insurance is now available via credit/debit card payments. Visit the NCBC website at ncbc.membersclick.net and follow the link on the Benefits page or call 877-PetsVPI (877-738-7874).

If calling, please refer to Federal First (NCBC) in order to obtain a quote.





The Judicial Administration Program is a community of learners, scholars, practitioners, and organizations dedicated to the advancement of the missions, mandates, and purposes of judicial systems across the globe through expert management and timeless, steadfast leadership principles and practices. The goal of the Judicial Administration Program is to bring academic rigor and standing to judicial administration through a comprehensive curriculum that offers academically-based certificate programs and a master's degree. Decades of research in emerging professions indicates that professionals accumulate greater recognition and acknowledgement when they acquire such credentials and practice their knowledge and skills with distinction. It is no different with judicial administration professionals. This program thus allows prospective students to determine which level of credentialing fits their academic interests and career goals, keeping in mind that each level can be a stepping stone to the next.

Academic Programs

Noncredit Certificate

This program is the first of its kind. It allows students an opportunity to gain academic credentials through participating in MSU online courses or those offered live by MSU partner-providers such as NCBC. The Judicial Administration Program is designed to allow students to “start where they are” and build upon their existing professional skills and credentials all the way to an academic degree. Students may start and stop with the noncredit certificate, or students can complete the noncredit certificate and apply it toward credit-bearing courses that can culminate in either a bachelor's or master's degree.

Objective: To build a solid foundation of basic knowledge and skills in judicial administration that can be readily applied in the court environment.

Who should enroll: There are three primary audiences—individuals who are working in the courts or want to work in the courts and aspire to achieve positions of management and leadership and individuals who have come to the courts with expert knowledge from other professions and want to learn the foundations of judicial administration.

As the summer season approaches, the Judicial Administration Program is preparing for the delivery of two noncredit certificate courses in Baltimore, MD. For students who are just joining the MSU noncredit certificate program or those continuing their studies, **Education, Training, and Development** and **Essential Components of Courts** will be offered at this year's conference.

Details of MSU activities at the 2013 NCBC conference are forthcoming.

Continued on page 6

The NCBC board has recently approved a new five (5) year plan for MSU noncredit certificate courses offered live through the 2018 conference year. The schedule of courses offered, along with the number of contact hours, appear below:

NCBC
2014
Purposes & Responsibilities of Courts (6)
Leadership (6)
2015
Court & Community Communication (5)
Caseflow Management (8)
2016
Resources, Budget, & Finance (7)
Human Resources Management (7)
2017
Information Technology Management (6)
Visioning & Strategic Planning (5)
2018
Education, Training, & Development (5)
Essential Components of Courts (5)
NCBC Total Hours Available: 60

Credit-bearing Certificate

If students would like to earn a bachelor's degree, or they are working professionals with a bachelor's degree interested in earning a master's degree, they are ideal candidates for this credit-bearing certificate. This credit-bearing certificate can also stand on its own as a graduate certificate, which allows individuals the opportunity to explore and deepen their knowledge and practice of judicial administration without enrolling in a degree-granting program.

Objective: To add to the basic knowledge and skills of judicial administration by integrating theory and practice from multiple disciplines that will challenge students to develop complex reasoning and critical thinking, broaden their exposure to multiple approaches and methods to managing and leading the courts, and deepen their understanding of the role of the courts in society.

Who should enroll: Individuals who want to apply the twelve graduate credits toward either a bachelor's or master's degree or, individuals who would like to experience a broader treatment of the subject matter without enrolling in a degree-granting program.

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Michigan State Programs

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Master of Science in Judicial Administration

If students have a bachelor's degree or any other advanced degree, they may apply directly to the Master's Degree Program or do so while they are in the credit-bearing certificate program.

Objective: To build the academic credentials of the student through graduate education that specializes in judicial administration and blends theory and practice from other disciplines, thus allowing the student to master complex issues in judicial administration.

Who should enroll: Individuals desiring a master's degree and a career in judicial administration.

Questions?

For additional information about the various MSU Judicial Administration Program credentialing options (i.e. noncredit certificate, a credit-bearing certificate, or the master of science degree in judicial administration), individuals are encouraged to contact Catharine M. White, Academic and Student Administrator at gamperca@msu.edu.



2013 NCBC Conference

**August 12, - 15 in Baltimore,
Maryland**

The Next Generation of CM/ECF Bankruptcy Working Group held its monthly conference call on February 21st. The group discussed the claim transfer fee training module (see article on CM/ECF Release 5.0 and 5.1), which was also discussed the previous day on the Bankruptcy Information Sharing Calls. The Technology Division (TD) gave an update on the Release 5.1 software which contains this claim transfer fee module and which was posted on January 10, 2013 for courts to download. All courts should be live on release 5.1 by May 1, 2013, in order to implement the new claims transfer fee.

To avoid the overhead of sending out a release and taking resources away from NextGen, the working group endorsed the placement of TD supplied code changes (“easy-fixes”) to four E-orders related MRs (MRs 3033, 3034, 3043, 3044). If your court uses the E-orders module, you will want to review these MRs and discuss making the code changes locally.

The Working Group also heard reports and updates related to the NextGen Project. Work on all the task areas continues to progress, including the review of design documents by the expert panels, and coding being done by the Technology Division and court volunteers who are participating in the court collaboration process. The next meeting of the working group will be the biannual in person meeting scheduled to take place in Washington, D.C., on March 7-8, 2013.

A monthly project update is now posted on Next Generation of CM/ECF J-Net page: http://jnet.ao.dcn/Information_Technology/National_Systems_Supported/CMECF_Next_Generation/Project_Status_Report.html.

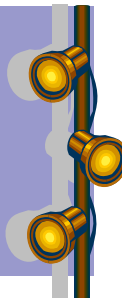
If you have questions regarding the Next Generation CM/ECF Project, they should be directed to [Robby Robinson](#), Bankruptcy Court Administration Division, [Charlene Hiss](#), Co-Chair, Bankruptcy Clerk of the District of Oregon, [Richard Goodier](#), Bankruptcy Judges Division, or the [Hon. Tamara Mitchell](#), Co-Chair, Northern District of Alabama.

Spotlight on Court Developed Programs

Loss Mitigation Program

Deanna Anderson

U. S. Bankruptcy Court, Southern District of New York



The Loss Mitigation Program was designed by the U.S. Bankruptcy Court for the Southern District of New York to provide a forum for debtors and lenders to reach a consensual resolution when a debtor's residential property is at risk of foreclosure. This program allows for an open dialogue between the debtors' and lenders' decision-makers and encourages parties to finalize any agreement under the protection of the bankruptcy court.

There are many instances when parties to a case would benefit by using the Loss Mitigation program. For example, a debtor may want to avoid the loss of their property to foreclosure, or a lender may want to avoid increased costs, or both. Loss mitigation allows parties to enter into agreements to achieve such goals, including: loan modification, loan refinance, forbearance, short sale, or surrender of the property in full satisfaction. Of course, the terms of a Loss Mitigation agreement will vary from case to case according to the particular needs and goals of the parties.

Loss Mitigation can be requested by the debtor, a creditor, or the Bankruptcy Court. Parties have an opportunity to object to the Loss Mitigation and the court enters a separate order for each party listed in the loss mitigation.

Since the court oversees the process, agreements are ensured to be entered into in good faith. Periodic status reports and status conferences are required. Court oversight also extends to resolution or settlement reached during Loss Mitigation; parties are directed to seek bankruptcy court approval of these. If necessary, mediation is available to assist in the Loss Mitigation process.

The Loss Mitigation procedure is clearly laid out by court order. There are several different effects of having a Loss Mitigation order, or orders, entered. First, all communications between parties are made through designated contacts unless the Court rules otherwise. Second, lift stay motions are not permitted to be filed during the Loss Mitigation period. Any lift stay motions that have been filed will be decided after the Loss Mitigation Period. This allows the stay to be extended, thereby preventing irreparable injury, loss or damage from affecting the Debtor. Third, in a Chapter 13 case, the deadline for a Creditor to object to confirmation of the Chapter 13 plan is extended for 14 days after the termination of Loss Mitigation. Lastly, all communications and information exchanged by the Loss Mitigation Parties during Loss Mitigation are deemed inadmissible in any subsequent proceeding.

To ensure that the Loss Mitigation process runs smoothly, written or verbal status reports are periodically filed in the Bankruptcy case. Overall, the process is efficient and effective in helping the Bankruptcy process run smoothly.

If you would like more information please consult our website at www.nysb.uscourts.gov, click on the "For Attorneys" drop-down list and click on "Loss Mitigation".

JFinSys: A Developer Court's Perspective

Bill Redden, Clerk of Court

U.S. Bankruptcy Court, Eastern District of Virginia

JFinSys

copyright U.S. Taxpayer.
Developed using NetBeans, Eclipse,
SwingX, and iReport

Like projects of similar scope, JFinSys has seen its measure of challenges. Many bankruptcy courts, including our court, for some time, recognized the need to replace FinSys. How best to do so, however, required consensus-building both within the courts and with the AO. Achieving buy-in of our court's vision to create a new, integrated financial system of record, using technologies new to the Judiciary, was accomplished with the help and guidance of many Judiciary supporters.

In 2007, discussions with AFSD, BCAD, and Office of Audit began in earnest about creating a successor to FinSys. These discussions also led to collaboration with OFB, OCA-TD, OIT, and SDSD. Functionality requirements were collected from FinSys user courts' financial SMEs. Kearney & Company (Contractor) was engaged by the AO to evaluate JFinSys and to confirm that the system would be audit compliant. From both an accounting and audit perspective, much had changed since FinSys was created, and, as we learned, much more was required of its successor, JFinSys.

As described in a [December 1, 2010, memorandum](#) from Charles Glenn, AFSD Chief and Controller, AFSD had "committed its resources . . . to review the JFinSys requirements and test the solution against GAAP (Generally Accepted Accounting Principles) requirements and the financial systems standards prescribed by the Federal Systems Integration Office (FSIO)." The FSIO standards were multitudinous, and each, as applicable to JFinSys, was reviewed together by the court, AFSD, BCAD, and Office of Audit. Using agile development to create JFinSys, the Contractor, AO staff, the initial test courts' representatives, and FMWG bankruptcy clerk representatives met periodically via conference calls and in-person to discuss the project's development.

The first three JFinSys user courts went live on JFinSys in late 2011 and early 2012. The Contractor issued its final JFinSys Assessment Report to the AO in February 2012. In a [May 30, 2012, memorandum](#), George Shaffer, Assistant Director, OFB, strongly recommended that the bankruptcy courts use JFinSys, noting, in part, that, "Integrated with a national web services system managed by the office of Information Technology, JFinSys reduces a court's workload and helps prepare courts for the Judiciary Integrated Financial Management System (JIFMS), the national accounting system."

As of February 2013, 21 courts are live on JFinSys, with other volunteer courts to follow. The court is collaborating with AFSD's Deposit Fund Reconciliation & Assessment Team. As described in a January 2013 *Dollars & Sense*, article, titled, *Out of Balance*, that team is working with courts "to reconcile court deposit, registry and unclaimed balances with AOFAS₄T balances. . . ." The principal challenge to a court implementing JFinSys is first ensuring that its accounts are in balance. Once that need is met, testing and going live on JFinSys has been straight-forward. Those interested in learning more about JFinSys are welcome to contact me at william_redden@vaeb.uscourts.gov.

The Financial System (FinSys) was first developed by the Virginia Eastern Bankruptcy Court in 1987, and shared with interested courts beginning in the early 1990s. It is maintained and supported by the court. JFinSys, the successor to FinSys, is a financial system that processes and maintains funds that are received via cash register applications and the bankruptcy CM/ECF system and then disbursed in accordance with AO policy. As JFinSys is made operational in the bankruptcy court community, FinSys will be retired. Additional information is accessible on the court's [JFinSys Home Page](#) and on the [CourtForge-hosted JFinSys Project site](#)

IP Telephony Comes To Texas Western

**Lou Phillips, Telecommunications Administrator
Texas Western Bankruptcy Court, San Antonio**

On Tuesday, February 19, 2013, the El Paso Division of Texas Western Bankruptcy (TXWB) entered into a new era of communications. No longer were its employees confined to the expensive, unsecure, and often times unreliable public telephone switched network (PTSN) in order to communicate with the world. Now they would be able to conduct business with a new and powerful instrument on their desk, using Internet Protocol Telephony (IPT) technology, that was connected directly to our court-wide Digital Communications Network.

The new telephone sets, manufactured by Cisco, look pretty much like any modern digital phone set, with its multi-line and feature buttons and display, but they really are small data network appliances. These sets are plugged directly into the Local Area Network (LAN) wall jacks in our El Paso Courthouse, which then connect to the Court's Digital Communications Network (DCN) through our local data network router.

By virtue of various gateways and interfaces to public networks, our El Paso end users can then communicate to virtually any telephone user in the world. Our IPT users can also take advantage of abbreviated four or five digit dialing to other US Court employees in other similarly-equipped court units in the US and its foreign territories, all without having to pay for long distance charges.

“I have found the telephone system easy to use; as with anything new, it will take a bit of getting used to, but it is very user friendly and essentially guides you with the display screen.” - Laura Resendez, Case Manager

With the DCN's access to the World Wide Web, IPT phones have the ability to forward voice mail messages to the user's home PCs, tablets, and smart phones, as well as provide a variety of other web-based services both into and out of the IPT phone itself.

“From a management perspective, the project was a success. For the first installation, the learning curve is fairly large. But, with program management from the AO and AT&T, we have been provided the equipment, trained, installed and supported extensively. Our AO contact, Heather Neuland, (IT Specialist, Infrastructure Management Division) has been very helpful throughout the entire process. We look forward to bringing our other four divisions on line.

From a user perspective, the phones are easy to use (the training up front helps a lot) and we have had no problems. The coolest feature of all: when you receive a voice mail the system automatically sends you an e-mail with a WAV file attached.” – Julie Herrera, Administrative Services Manager

IP Telephony Comes To Texas Western

**Lou Phillips, Telecommunications Administrator
Texas Western Bankruptcy Court, San Antonio**

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Because of the excellent project management support from the AO/OIT and AT&T, Julie was able to successfully complete her division's conversion to IP Telephony, while at the same time orchestrating a major office and courtroom relocation from rented facilities to the newly-renovated Federal Courthouse in downtown El Paso.

"The best part that I like about the new IP phones is the ability to hear my voicemails through my email. I also like the fact that we have a directory for all of the courts that use IP phones." - Bobby Yarbrough, Case Manager

Provided by the Administrative Office Of Information Technology (AO/OIT), this nationally funded IPT Service is transported via AT&T infrastructure under the national GSA Network telecommunications contract. All courts have the option to sign on to this cost-saving service. Interested courts may go to: <http://infrastructure.ao.dcn/site/?q=imd-homepage> for more information.

Next month we will explain in more detail about how IP Telephony works, the multitude of features it offers, its fail-safe provisions in the event of network outages, and how IPT can be a part of your COOP and other emergency preparedness programs. Stay plugged into NCBC's IMPACT for more of what's coming up next in court technology.





**Join or Renew
Your
NCBC
Membership!**

CALLING ALL UNIVERSITY OF DENVER STURM COLLEGE OF LAW GRADUATES

The MSJA/MSLA Program is Turning 40!

The university is hoping to see all NCBC members who are alumni at the celebration.

When: April 19—20, 2013

Where: University of Denver Sturm College of Law

Ricketson Law Building

2255 East Evans Avenue

Denver, CO 80208

For program information, event registration and sponsorship details, please visit MSLA

registration page at: <http://alumni.du.edu/40thanniversary>, or contact Hope Kentnor at hkentnor@law.du.edu or 303-871-6308. To view MSLA program details or to read more about the MSLA 40th anniversary celebration and history, visit the MSLA homepage at

www.law.du.edu/msla