



NCBC IMPACT

Dedicated to the professional development of its members

Issue #4

July/2013

President's Comments on the Upcoming Conference



John Horner
NCBC President



This year's annual conference has presented unique challenges to the host court and NCBC. The contract for the conference hotel, the Baltimore Marriott Waterfront, had to be renegotiated to reduce the guest room and meeting space requirements. Severe contract penalties were avoided by modifying the original contract's terms. The contract could not be renegotiated until the following two events occurred: (1) a decision was made by the Judicial Conference of the United States concerning the expenditure of court funds for educational sessions at private association meetings, and (2) a determination that sequestration would take effect on March 1, 2013.

The NCBC issued a survey to determine the level of interest in this year's conference. The survey responses showed that the conference attendance would be much lower than previous years. It was anticipated that 125 people would attend the conference. Based on the responses received to the survey, space for 200 registrants would have been more than adequate.

The registration for this year's annual conference, therefore, was limited to 200 registrants due to the reduced space provided under the renegotiated contract. In a time of great uncertainty, it was important that the NCBC limit its financial risks. It is regrettable that the NCBC had to limit the attendance, as much information as possible was gathered from our members and bankruptcy clerks in making our decision.

The NCBC Board is supporting its members to make the conference as accessible as possible. The registration fee has been reduced to \$199 to help registrants in funding the cost of attendance. Despite the reduction in the registration fee, there will be no diminution in the quality of the programs presented at the annual conference. The conference will feature information sharing fair, twenty five breakout sessions, and two plenary session speakers. The NCBC's mission to provide educational programs of value to its members will continue throughout the conference.

The Maryland court is working tirelessly to accommodate as many people as possible who would like to attend the conference. They have overcome significant obstacles to offer an exceptional conference that will provide a host of educational and networking opportunities to those in attendance.

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Congratulations

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

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Board Corner



Awards Committee

The members of the awards committee met and discussed both awards and the new scholarship program. Eligibility for scholarships was determined. The committee received 20 applications for scholarships. Deadlines for both the scholarship applications and awards nominations have passed and the scholarships will soon be awarded.

Education Committee

The education committee has finalized the agenda for the 2013 annual conference. Partnering with the FJC and AO, the committee selected 25 breakout sessions with a wide range of topics to offer. In addition, two plenary speakers were selected. Aine Donovan will open the conference and speak about Integrity. Steve Morgan will close the conference with his presentation on the Four Phases of Attitude/Paradox of Our Times. An Ideas, Trends and Innovations session has been scheduled with five important issues related to the bankruptcy courts. The information sharing portion of the conference will allow courts to "show case" new technology.

The Mentors group has selected their pairings and is now into its inaugural program.

Membership Committee

The membership committee has successfully completed the 2012 Membership Drive season, and is now accepting applications for circuit liaison and local representative positions. Active NCBC Members who wish to network with others to develop creative ways to sustain the organization's membership base may submit an application to Teresa Underwood by August 23, 2013. Applications and a list of available positions may be found under the "Latest News and Announcements" section of the NCBC website at ncbcmemberclickks.net. The Membership Committee is also happy to announce the activation of electronic membership expiration notifications that will be issued to members seven and thirty days prior to membership expiration.

Benefits Committee

The Benefits Committee has posted the Dental and Vision Plan 2013 enrollment kit on the NCBC website. Three courses concerning financial planning will be offered during the annual conference in Baltimore: Understanding Federal Retirement; Charting the Course to Living the Dream; and Surviving Tough Economic Times.

Benefits Corner

LeeAnn Bennett, Benefits Committee Chairperson, FLM

The Benefits Committee is excited about the benefit training being sponsored by Gallagher Benefit Services at this year's annual conference. For those attending the conference, we encourage you to take advantage of these offerings. Phyllis Conary will present *Understanding Federal Retirement*. This course highlights the basics of your retirement plan including retirement eligibility, creditable service, annuity computation formulas, and how the FERS annuity supplement works. Survivor benefits and continuation requirements for health and life insurance in retirement are also discussed. Saundra Davis will present *Surviving Tough Economic Times*. This course will focus on family budgeting, debt management, dealing with financial crisis, and maintaining retirement goals. The course is designed to give practical ways of getting on and staying on the right financial track to achieve your goals. John Wahlers will present *Charting the Course to Living the Dream*. This course is designed to help you determine how much you really need in retirement and how to plan accordingly. It will also provide detailed information on the Thrift Savings Plan (investment choices, determining risk tolerance, in-service withdrawals, and withdrawal methods and taxes) and provide other investment options to consider. We look forward to seeing everyone at the conference!

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Financial News

John Ginocchetti - NCBC Treasurer

The following is a summary of the financial status of the National Conference of Bankruptcy Clerks organization as of December 31, 2012 and May 31, 2013.

Our total assets as of December 31, 2012 were \$196,707.41 which includes \$109,190.93 in our checking account and \$87,516.48 in our savings account. This is an increase of \$47,746.23 from the amount of \$148,961.18 as of December 31, 2011.

As of May 31, 2013, our total assets were \$234,469.06 which is an increase of \$37,097.76 compared to the total assets of \$197,371.30 as of May 31, 2012.

As you can see, we are doing very well financially. However, we are facing the same unpredictable financial conditions as are all the courts. We are constantly monitoring our expenses and are diligently seeking ways to increase our revenues.

Also, we are committed to the improvement of services to our members by appointing committees for Education, Benefits, Mentoring, Scholarship and Awards.

Hope to see you at our conference this year in Baltimore, MD.

Interesting Facts About Baltimore

- ◆ The first umbrella factory in America was established in Baltimore in 1828.
- ◆ The first post office system in the United States was inaugurated in Baltimore in 1774.
- ◆ The first dental school in the world was founded in Baltimore in 1840.
- ◆ The first telegraph line in the world was established between Washington, D.C. and Baltimore in 1844.
- ◆ The first professional sports organization in the United States, The Maryland Jockey Club, was formed in Baltimore in 1743.
- ◆ Baltimore was the first United States city to illuminate its streets using hydrogen gas in 1816.
- ◆ Snowballs—grandfathers to slushies, snow cones, and shaved ice, were invented in Baltimore during the American Industrial Revolution.
- ◆ Baltimore/Washington International Thurgood Marshall Airport is the first and only United States airport to have a dedicated trail for hiking and biking.

Ch-ch-ch-ch-Changes

Ken Ridgeway - District of Maryland



In contemplating what to focus on in this article, the old song by David Bowie, *Changes*, came to mind. As we have all faced many challenges and changes over this past year, so has our planning for the annual conference.

When we last hosted the conference in Annapolis in 1999, it was a much more intimate affair than what we have experienced over the last few years. That being said, it doesn't mean that great things don't come in small packages. As a Court and as your host for this year's conference, we have had to be flexible in adapting this year's conference to what is most likely the wave of the future. After all, hasn't flexibility been the Bankruptcy Courts' strength over the years?

The Education Committee has planned an agenda that will assist in adapting to the many changes that may lie ahead. As your host, we have faced the challenge of making this year's conference as memorable as those of the past, while dealing with the reality of limited resources and smaller attendance. While we have had to modify our initial plans, we are happy to report that our enthusiasm has not diminished. Just like many of you have had to do in your offices, we have tapped into our creativity and best utilized our skills and talents.

We sincerely hope that those of you able to attend this year's conference find it an enriching experience. You are in for a robust educational agenda that focuses on dealing with the present and adapting to the future. We look forward to showcasing our city and sharing the history of Baltimore and Maryland.



MSU Judicial Administration Program News

2013 NCBC Annual Conference: MSU Happenings

Catharine White - Student & Course Administrator, MSU

New and Returning Student Orientation/Information Session

NCBC members interested in the Michigan State University Judicial Administration Program are encouraged to attend an orientation/information session on **Monday, August 12, 2013 at 8:00 am**. The various credentialing options available will be presented to students, including an overview of the new Master of Science Degree in Judicial Administration set to commence in the fall of 2013. Current and future students are highly encouraged to attend.

Course Offerings

The two noncredit certificate courses that will be offered this year are: **Education, Training, and Development** and **Essential Components of Courts**.

Stephanie Hemmert and Phyllis Drum will be presenting **Education, Training, and Development** for 5.0 contact hours on Monday, August 12, 2013 (8:45 am – 3:15 pm). Students must attend all sessions in order to receive full course contact hour credit.

Barry Lander, the Honorable Margaret M. Mann, George Prentice, John Casey, Denise Marks, and Michael Bevenour will be presenting various sessions of **Essential Components of Courts** for 5.0 contact hours, Monday -Tuesday, August 12 -13, 2013. The individual sessions are identified below:

Courthouses: An Introduction to Space and Facilities Planning in the Federal Courts (Monday, August 12, 2013; 3:30 pm – 5:00 pm)

Eve of Destruction: Why Bad Things Happen to Good Bands

(Tuesday, August 13, 2013; 1:00 pm – 2:30 pm)

Deciding Cases-The Role of Courts and Bankruptcy Courts in the Federal Judiciary (Tuesday, August 13, 2013; 2:45 pm – 4:15 pm)

Wrap Up Session (Tuesday, August 13, 2013; 4:15 pm – 4:45 pm)

Students must attend all sessions in order to receive full course contact hour credit.

NCBC /MSU Student Graduation

The Michigan State University Judicial Administration Noncredit Certificate Program student graduation is slated for Wednesday, August 14, 2013. We encourage all NCBC conference attendees to attend the ceremony recognizing the personal and professional accomplishments of their colleagues. MSU is expecting approximately six student graduates this year.

Additional Information

Michigan State University Judicial Administration Program: <http://judicialadministration.msu.edu/> or contact Cathy White, student and course administrator, @ gamperca@msu.edu.

MSU looks forward to seeing you in Baltimore August 12th – 15th!



Full Time Teleworking

Pamela Smith - North Carolina Eastern

In 2010, I started working for the U.S. Bankruptcy Court, Eastern District of North Carolina and within a year of starting as a case administrator, my husband received notice that he would be moved for his job to Groton, Connecticut. I did not relish leaving this court or court family. I began to think of ways to maintain my job with the court and move to Connecticut. At this time in our court, employees could telework one day a week and I proposed to our clerk, Stephanie J. Edmondson, to work full-time as a teleworker from Connecticut. I started researching and found a federal court employee who was working from the west coast and assigned to a federal court on the east coast. Through our discussions, I realized that my proposal would benefit both the court and me.

In the summer of 2011, I met with our clerks and my supervisor and I presented my proposal. In addition to full-time teleworking as a case administrator, I offered to take on additional projects to help balance the work load that occurs in an office. Our clerk was supportive and she agreed to consider my proposal. After a review, the clerk allowed me to work full-time as a teleworker on a 6 month trial basis and I am happy to report that I am still a full-time teleworker. One other employee is now a full-time teleworker and other employees can now telework a total of four days during a pay period. This produces a telework schedule and effective office coverage. If you are a clerk or an employee reading this article and you are considering teleworking in your court or allowing someone to work full-time as a teleworker, I hope as I share our court's experience with teleworking, it will help with your decision.

Success in teleworking is based on the individual and the court unit. Full-time teleworking for me could not have succeeded without close collaboration and support from my case administrator team, supervisors, clerks, judges, IT and human resources departments. This was a new territory for our court and we had to test the waters with work assignments, phones, attendance for court meetings, etc. and our court family worked together to make this successful. A big tip to future teleworkers, you may not be in the office to physically stay in touch but I strongly encourage you to find other ways to maintain close communications. At the start of each day, I try to instant message members of our team to say "good morning" and then periodically throughout the day, I am in contact with each of them.

The basics for teleworking are a room dedicated as an office, a dependable high-speed internet connection, a laptop, and the ability to log in to the court server remotely. I work the normal hours of the court and initially, my calls were forwarded to my home phone. Recently the court upgraded the phone system and within my laptop, I have a "soft phone" that pops up on my computer screen allowing phone calls to come directly to me. In addition, this feature allows me to participate in answering random calls to the court. I participate in court meetings via the phone or a web-ex conference. Documents not filed electronically are scanned and e-mailed to me for docketing.

During the first two weeks, I found that I could get my assigned work done faster and I requested more work which resulted in an increase in my work assignment range of numbers. Communication is critical at this stage. At some point, if the extra work is too much, discuss it with your court to find the right balance.

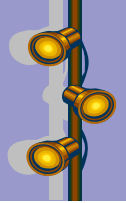
Full-time teleworking and/or a teleworking policy is a great way for a court to boost employee morale and retention and it provides a creative solution that eliminates commuter time and travel cost for employees. In this time of budget concerns, this may be an answer to save some costs for the courts in reduced overhead expenses and office space or increased sharing of office spaces. In addition, employees can continue to be productive during inclement weather or when an employee is not feeling well, they can stay home and work. The reduction in commuting back and forth to the office may also reduce an employee's carbon footprint, fossil-fuel consumption and traffic congestion. Well planned, managed and executed teleworking has the potential to benefit employees, courts and the environment.

For an additional project, I am compiling the history of our court, and in my next article I will discuss the project in more detail. If you have any questions or comments, please feel free to contact me at 919.334-3847 or Pamela_Smith@nceb.uscourts.gov.

Spotlight on Court Developed Programs

The Distributor

Jenny Rivers - California Eastern



The California Eastern Bankruptcy Court launched a new program this June referred to as the Distributor. With a shrinking federal budget, an emphasis is being placed on maximizing what resources the courts already have. Courts with several divisions within their district can use the Distributor to help manage workload district-wide instead of within their separate offices.

What was the goal of creating the Distributor?

The Distributor was designed with several key goals in mind. These include:

- ◇ Balancing workload across the three divisional offices in the district
- ◇ Disburse docketing when needed for coverage throughout the district
- ◇ Balancing docketing workload with non-docketing assignments
- ◇ Ensure that all case administrators have an equalized workload over time
- ◇ Build a system that is easy to use and flexible for unpredictable coverage needs

What did we come up with?

The end result was a program that works outside of CM/ECF. The program employs a two-step system to distribute digits that need coverage due to a case administrator being out on leave or filling a non-docketing position.

- ◇ Step one is to look for those individuals who have the most time available that day to absorb an extra digit.
- ◇ Step two is to look for individuals within the group identified in step one who have taken the least amount of extra digits to date.

Following these steps, the Distributor “distributes” digits across the district to those who are in the best position to handle the extra workload. The system tracks the amount of additional digits a person covers in real time so as to equalize the distribution of digits over time.

How does it work?

Team leaders enter information about what positions their team members are in each day on the ‘Daily Assignment’ page of the Distributor. They can also indicate on this page how many hours an employee may be out of the office, in a meeting, or attending to other court business. Once all the team leaders have entered and submitted this information the distribution of digits is triggered. An email is sent out to all case administrators letting them know what permanent digits and what additional digits, if any, they will be responsible for docketing to that day.

Information can be added to the Distributor up to two weeks in advance. This can help the court plan for coverage well in advance. This may be an especially useful tool around holidays when several people take annual leave. The test version is also used for this purpose.

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Spotlight on Court Developed Programs

The Distributor

Jenny Rivers - California Eastern

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How did we do it?

The first step was to form a committee and go to work on a charter which outlined our goals and objectives and included a timeline for meeting our goals. The committee included case administrators and operations managers from all three division offices, the Clerk of the Court and the Chief Deputy. Together we brainstormed ideas for the Distributor. The primary obstacles we faced could be grouped into three categories:

- ◇ Building the system to meet our goals.
- ◇ Standardizing the different policies and procedures in place between the three divisional offices.
- ◇ Developing a communication plan between the three divisional offices.

The Charter

We also started a new approach in project management which we called a Charter. As the committee worked through the project, the Charter evolved to be the 'one-stop' document to share with non-committee members. The committee was tasked with working out all the details before the project was shared with IT. IT was able to produce the Beta version of the Distributor program within 2 weeks. The Charter and the FAQs became the written communication for the rollout to staff.

Stop by our booth at the Lighting the Way Information Sharing event at the NCBC in Baltimore for more details or contact Jenny Rivers at 916-930-4403 or jenny_rivers@caeb.uscourts.gov.

Basic IP Telephone Concepts - Part II

Louis Phillips - Texas Western

In Part 1, we looked at the recent conversion of our El Paso, Texas Clerk's Office conversion from a standard PBX telephone system to Voice over IP (VoIP). In this next segment, we will look at some of the technical principles by which a VoIP system operates, and how its basic components function.

VoIP is nothing short of complete reinvention of the standard, analog telephone system, which has been in place and, however limited, served us worldwide for well over a century. It was pioneers such as Alexander Graham Bell, Elisha Gray, and Thomas Edison who developed the basic components of the telephone itself, but it was the network of copper wires strung over long distances that constituted the worldwide telephone network which made the telephone a practical device for communicating voices over long distances.

Under the original concept, the telephone's analog signals, which are simply undulating or variable voltages that are created by and closely follow human speech, were carried by copper wires from the originating telephone to the receiving telephone. Refinements included amplifiers to carry the voice signals over long distances, and switching systems (called Central Offices) which could route one caller to any number of recipients. Even undersea cables still used this basic method of copper wires and amplifiers to drive voice signals to enormous distances.

Even so, the basic analog voice signal transmission of telephony remained the same until the 1960's, when digital transmission of voice signals (and eventually all types of sound, data, television, and other signals) took over major inter-city and international routes. Digital transmission is simply taking an analog signal and slicing it into short bursts of voltage that are represented by a simple two-digit (i.e. binary) string of electrical pulses. At the receiving end of this digital string, a converter takes the string of on/off pulses and faithfully converts it back into an analog voice that the human ear can understand.

Since these digital pulses are either on or off, it is easy to transmit them over great distances by just using simple repeaters of the two-digit "code" rather than the old, complex telephone amplifiers, which had not only had amplified the voice but also tended to add distortion and noise as well.

Now with a method to transmit clean digital signals over long distances firmly in place, it was possible to increase the speed of data, to compress many voice signals into a single string of high-speed data. Later developments in fiber optics in the 1970's enabled telephone network providers to dispense with copper wires altogether and send these high-speed digital signals over thin glass filaments using pulsating lasers (light emitting diodes) and laser detectors.

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Basic IP Telephone Concepts - Part II

Louis Phillips - Texas Western

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Even after all these developments, it was really up to the newly-developed world wide web of data networks, the Internet, to make modern Voice over IP systems possible. Note that the term IP means "Internet Protocol," which is a standard method of transmitting data over the Internet, by breaking up continuous data strings into short segments of either 32 or 128 on/off pulses (bits) into "packets" that can be sent from one point on a network to another point.

The advantages of using packets to transmit data are that if the network is either momentarily interrupted, or congested by more data than it can handle at one time, these packets can be quickly re-transmitted so that none of the original information is lost. The method of how these packets are constructed, coded, and accounted for, is what constitutes the Internet Protocol (IP).

While it is somewhat complex, the composition of each Internet packet consists of a header which contains the identification, characteristics and makeup of the packet, plus the payload, which is the segment of data being transmitted. Older 32-bit packets are used on the original IP network version 4 (IPv4), while newer 128-bit packets are used on the latest IP network version 6 (IPv6). [Now that you know basically what these terms mean when you see them in technical literature, you should be able to impress your friends!]

Seriously, once we are able to digitize voice into data streams, and have an Internet in place that exchanges data signals in "packets" for literally billions of sources to billions of recipients, it becomes a relatively simple matter of marrying the two into a massive voice network that can cover virtually the entire world with the human voice.

Of course, anything this revolutionary is seldom very simple, but the principle of its operation is, and that forms the basis of our modern method of the age-old task of connecting people from small to great distances with the human voice.

In the next issue, we will explore how Voice over IP actually operates inside the "cloud" of the Internet, and how virtual private networks, like the U. S. Courts Digital Communications Network (DCN) are used to free us from the traditional century-old telephone network. Please stay tuned!

CM/ECF Next Gen Update

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The Bankruptcy CM/ECF Working Group held its monthly call on June 20th. On the agenda for current CM/ECF was a discussion to inform an updated 'Expungement' topic in the Clerk's Manual and Statistics Division's development of guidelines for courts to follow when a case is ordered "expunged" from the public record. In bankruptcy 'expunged' records generally fall in the category of fraudulent filings. The Working Group commented on an update the statistics division is making to its reporting guidance whereby instructions are given to seal these cases, instead of deleting them completely. When complete, the Bankruptcy Clerks Manual will also be updated with this information.

The working group members who also serve on the NextGen Release 1 Expert Panels provided updates on the work taking place in the different task areas. Technology Division (TD) provided information on operating system and Informix updates associated with NextGen Release 1. The group received an update on the Electronic Self-Representation (eSR) pathfinder. In addition, a Change Control Document from the BK Case Expert Panel, recommending a change based on an unintended consequence created by a requirement for real-time notification of a barred debtor, was considered and supported.

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.

E NOTE

Dear readers,

I hope everyone enjoyed the July 4th holiday! The editorial committee has worked hard to provide another issue filled with information to help courts perform their mission in the most efficient manner possible. The Impact provides a forum for courts to showcase programs and procedures they have created which may be beneficial to other courts. If you have information to share, please contact me. We would love to publish an article in an upcoming issue. If you would like to share, but don't like to write, an editorial staff member will be assigned to work with you or write the article on your behalf.

The September issue will feature a new series titled "What the NCBC Can Do For You! Sharon Gardner, will kick off the series with an article on the benefits of being an NCBC member. In order to keep this series alive, we need your help. Please consider submitting an article on what the NCBC has done for you.

A few of the Impact editorial committee members and myself will be attending this years conference. We will be at the information sharing session to meet and greet members. We'd like to know what you think of the newsletter and would love to talk with you about how it can be improved. We will also be assisting the membership committee in trying to fill the vacant circuit liaison and local rep positions. Please stop by and talk with us.

Looking forward to seeing you in Baltimore!

Laura Whitehead, Editor

Editorial Staff:

Allyson McNeill, NCE, Deanna Anderson, NYS, Ellen Haas, FLS, Jeffrey Peirce, NJB,

And Louis Phillips, TXWB

Congratulations!

Congratulations to Norman Meyer, Clerk of Court, NMB who received the Outstanding Achievement in International Court Administration award at the University of Denver Sturm College of Law 40th anniversary celebration on April 20, 2013.

The Impact staff offers congratulations to one of our own. Louis Phillips, TXWB, will be retiring in September. Louis is a lifetime member of NCBC and plans to continue attending the annual conferences.