

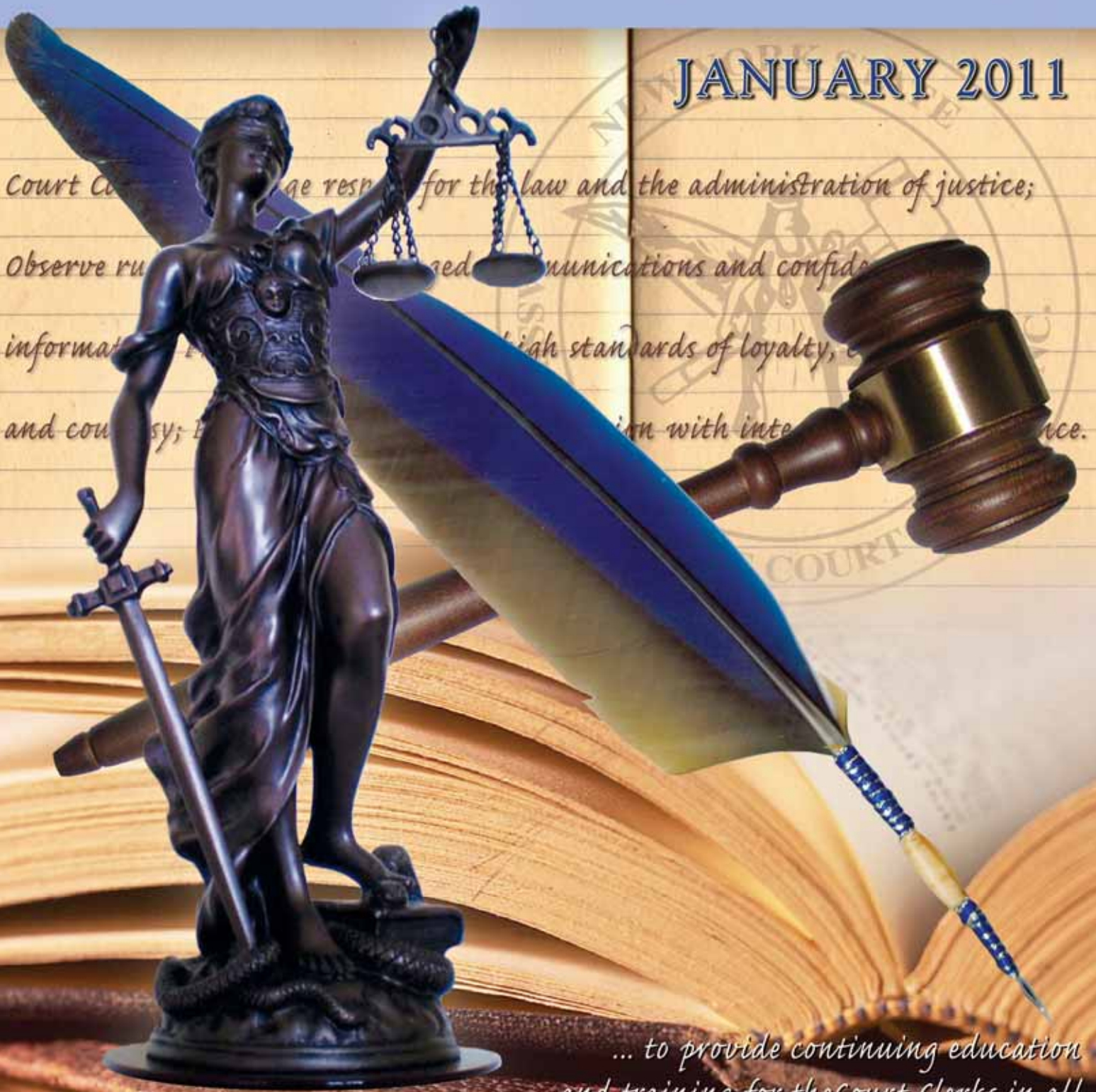
# THE DOCKET



*Published by the NYS Association of Magistrates Court Clerks, Inc.*

**JANUARY 2011**

*Court Clerks shall be responsible for the law and the administration of justice;  
Observe rules of professional conduct, including communications and confidentiality;  
Inform the public of the high standards of loyalty, integrity, and courtesy;  
and cooperate with the courts in the administration of justice.*

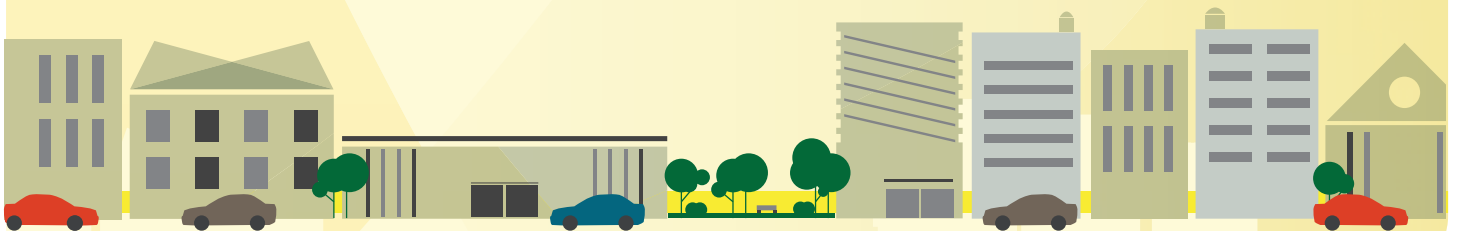


*... to provide continuing education and training for the Court Clerks in all the state's town and village courts as well as for these same court clerks to be recognized as honorable members of the justice system who present themselves as professional and efficient in all aspects of performing the duties of their office.*



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**JUNE 2011 DOCKET DEADLINE IS**

**MAY 31, 2011**

Please send inquiries and information to

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Attn: Ramona Persan

75 West Fairview Avenue, Valley Stream, NY 11580



# MESSAGE FROM THE PRESIDENT

## I AM HONORED ...

This is my first message for you as the new president of the New York State Association of Magistrates Court Clerks. I want to begin by telling you how honored I am to be in this position and to be following such a long line of hard-working court clerks who have served as your presidents throughout the thirty years of this organization's existence. I especially want to acknowledge our most recent president, Maryann Baake, who did an amazing job of performing the functions of her office and dealing with some sensitive problems that arose during her tenure with tact, grace and wisdom. She was an admirable officer and I hope that I will be able to fill the footprints she left with the same sense of fairness and good humor.

I am especially lucky to be the president at a time when we have such exceptional people on our board of directors. Each of these officers and directors have worked hard for our Association over the years and they are all dedicated to continuing the tradition of providing the best possible education for the town and village court clerks in New York State. The present economic time and the continued budget crisis in our state have and will make for some changes in how we conduct the business of training for the clerks, but as always we are nothing if not flexible. We intend to meet each new challenge the next two years may bring and work around any problems that may arise.

The Office of Justice Court Support, the Resource Center and the state agencies on whom we depend for trainers and information have always been supportive of our educational priorities and they constantly find ways to give us the help and instruction that we need. We all recognize the fact that "Mandatory Training" for court clerks has been an issue that our Association has requested and pursued for many years now. Although the

state legislature has not seen fit to enact legislation that would turn the dream into reality, we are not giving up the pursuit. We will continue to ask and to expect that the legislature will see that the benefits of mandatory training for court clerks far outweigh any costs involved. Hopefully, with the help of the SMA we will be able to work with the state to find a reasonable solution for the implementation of mandatory training.

I also want to use this opportunity to remind all of our members that a strong statewide court clerks' association is the responsibility of every court clerk – not just the members of the board. Your board is always working for you, but we need your help. Please contact us with your thoughts and with your ideas. If you are interested in any particular area, i.e., education, membership, by-law changes, legislation, etc., contact the chair person of any of those committees and volunteer to be involved with the work. Also, encourage any clerks in your area who are not members to join. The greater our numbers the stronger our voices will be.

Again, I am honored to be your president and I encourage you to contact me with any issue or question. My contact information is here in *The Docket* and I will always



answer your emails and/or calls. I'm looking forward to the next two years and I am counting on your help in making these years productive ones.

**Judy Bromley**  
NYSAMCC President



**Find 'em FAST...  
FORMS & RESOURCES**

NYSAMCC Membership Application .....pg 24  
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 2011 Conference Tax Exemption Certificate ....pg 26  
 2011 AOT Training at a Glance.....pg 27  
 AMAROSA Product Order Form.....pg 33

## DOCKET SUBSCRIPTIONS

Do you know someone who would like to receive this magazine? The subscription rate for 2011 is \$25.00. Please send mailing information and payment made out to NYSAMCC, Inc. to:

**R. Persan, NYSAMCC, Inc.**  
75 W. Fairview Avenue  
Valley Stream, NY 11580



*Try not to become a man of success, but rather try to become a man of value.*

— Albert Einstein

## NOTE FROM THE EDITOR

Word is .. that the 2010 conference went well. The walls buzzed with ‘court clerk speak’. In my conversations with many of the attending Court Clerks I can honestly say I am hearing the verb; motivation. Motivation to take the information and/or ideas presented in the classes, hallways and lobby. At the class tables, at dinner, even at the hospitality room and apply them in one way or another to daily tasks, procedures and in managing their offices.

I know I learned many things at this conference. One thing in particular; court clerks who are organized, know their job, respect their judges and colleagues, are not afraid to ask any questions or use their resources are brilliant! It’s not always about being book-smart, believe it or not, it really isn’t about using common-sense and it certainly is not always about uniformity! It is definitely about taking some or all of these things and knowing where to apply them! Don’t forget to throw some ethics into the mix. The result is that you have the make-up of being an excellent court clerk.

Speaking of ethics, on page 12 in this issue Gerald Stern gives us some very interesting information on “Why Court Clerks Should Know About Judicial Ethics”. Ethics information seems to be a hot topic for the court clerk position.

Also in this issue we will try to help you be a better court clerk. Take a copy of the list of acronyms on page 11. It will be a good tool for your own court clerk manual/procedures file and particularly useful for new court clerks. This list will be featured annually with additions as they come in.

The Executive Board information page has been revamped to supply you with the names, phone numbers and email. If you need a mailing address or fax number simply go to [www.nysamcc.com/contact](http://www.nysamcc.com/contact).

Are you thinking you are getting close to retirement age? Well Claire Mason of the Town of Southampton doesn’t. She was a feature in The Southampton Press called “Age is No Obstacle for A Court Clerk” by Rohma Abbas and is reprinted for your enjoyment on page 20.



**Janet Smith,  
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Magistrates Court Clerks, Inc.:  
[www.nysamcc.com](http://www.nysamcc.com)

*Once an organization loses its spirit of  
pioneering and rests on its early work, its  
progress stops.*

— Thomas Watson

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three dollars for pins and  
two dollars for window decals.

Pins and decals will be available  
at the conference or see the order  
form in this issue of **The Docket**.



# CLERK CHATTER

## LETTER TO THE EDITOR

## IN MEMORIAM

It is with many regrets that I will be unable to attend this year's VERY special training classes and celebration. Due to a family wedding, the Columbus Day holiday & our Court's schedule for appearances on the 13th of October, I must remain behind to "woman the Fort".

I have asked a friend & co-worker from a neighboring Court to gather information for me and maybe some fun stuff, too!

It is the first time I will be unable to attend since I became a Court Clerk 5 years ago and I wish to send my sincere congratulations to all who have made our job's easier, better informed and more organized with each passing year.

Thanks & Congratulations

Laura H. Barody  
Kingsbury Town Court Clerk



### Remembering Barbara M. Andrade

Barbara journeyed into Heaven on June 27, 2010. She was the Senior Justice Court Clerk for 52 years in the Town of Southold Court. She and her husband Pete lived in Orient on the end of Long Island. They raised their family and served the community as members and leaders of many organizations.

Barbara loved being a court clerk and had been a member of the NYSAMCC for the past thirty plus years. She treasured her family, her beautiful flower garden, riding, traveling and horses. Barbara loved forget-me-not flowers. She will not be forgotten!



## ARE THERE ANY CHANGES IN YOUR COURT?

Please keep us informed of any changes that have happened in you court!

Send your information on changes in staff or court information to:

Email: [rpersan@nycourts.gov](mailto:rpersan@nycourts.gov) OR Fax: (516) 872-3819

You may also complete this form and send it to: NYSAMCC, 75 West Fairview Avenue, Valley Stream, NY 11580

### COURT CLERK INFORMATION:

New Court Clerk: \_\_\_\_\_

Retired Court Clerk: \_\_\_\_\_

### COURT INFORMATION:

New Court Address: \_\_\_\_\_

Other: \_\_\_\_\_

THANK YOU!

## CELEBRATING 30 YEAR'S OF SHARING

For the last 30 years our mission has been "to provide continuing education and training for the Court Clerks in all the state's town and village courts" as well as for these same court clerks "to be recognized as honorable members of the justice system who present themselves as professional and efficient in all aspects of performing the duties of their office." Our Association is committed to the "sharing" of knowledge that has made our success possible. In this issue you will find a current list of the committees that serve the NYSAMCC as well as a compilation of acronyms court clerks use in their day to day responsibilities. We have a section dedicated to the latest news and events happening in the counties that serve our Association and we are now adding a section to address the "health" of our members as well. Please continue this strong tradition of communication and sharing of knowledge by sending your questions, answers, updates and any other FYT's, even the fun ones, to [docketeditor@nysamcc.com](mailto:docketeditor@nysamcc.com)



## YOUR 2011 NYSAMCC COMMITTEE ASSIGNMENTS

Below is a list of the current NYSAMCC Committees and the members they are comprised of for the coming year. Any changes to the committees listed below will be noted in the next issue of *The Docket* to be printed following the change(s)/addition(s). Keep in mind that the NYSAMCC, Inc. is always looking for willing and able persons to act on these committees. Contact any member of the committee you are interested in serving on.

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Maryann Baake  
Terri Bolt  
Jill Bodie

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Barbara Hodom\*  
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Linda McCartney\*  
Maria Burns  
Sonia Mercado-Jimenez  
Denise Cookingham  
Ramona Persan  
Richard Szarowicz  
Velma Richardson  
Maryann Baake  
Janet Smith

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All Past Recipients

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Terri Bolt  
Janet Smith  
Richard Szarowicz

\*denotes chairperson



## MEMBERSHIP MESSAGE

**C**ALLING ALL MEMBERS & POTENTIAL MEMBERS! Thanksgiving is over; Christmas is done; all gifts are distributed and the wrappings discarded. Now the New Year is here and that means new memberships. The total membership for year 2010 is well over 1200 and we are looking to increase this number. More clerks have become retirees so we must work to replace them. We know many courts are experiencing budget constraints and membership fees for the clerks are not among the “must-haves”. Our membership at the Annual Conference in Albany during October 11-13, 2010 was approximately 265. This number is less than last year’s attendance, mostly due to tight budgets. You, as the court clerk, must not let this stop your participation in the Association.

There are several reasons to join the Association. One, there is a wealth of information to be learned when you have access to other clerks. The exchange of knowledge and ideas can help you to become more efficient and effective in doing your job. There is strength in numbers and when clerks present a united front on issues which impact their performances, the various State agencies are even more committed to help the clerks. Another reason — the access to one of the best magazines in print — *The DOCKET!* This magazine carries information that is current, concise and just what the clerks need to know.

The new mailing for membership enrollment begins in January 2011 and usually winds down around the first of March. As your new Membership Chair, I am challenging all the County Reps to find at least one new member in their counties to join the Association during this enrollment period.

Remember, you do not have to be the clerk of the court to join this Association. You just have to want to be a part of this professional organization which provides a venue for clerks to have access to information to assist them in their positions.

Now, the first training session of the New Year is on the horizon, to be held at the Association of Towns’ Conference during President’s Week in February 2011. The new schedule of classes will be presented and we can look forward to another year of learning how to do our jobs better. We know that some of you will

not be attending that Conference, however, this should not impact your decision to sign up for another year as a registered member of this professional and prestigious organization.

Respectfully submitted by  
Velma Richardson on behalf of  
the Membership Committee.



## CONFERENCE MESSAGE

**T**hirty Years and Counting!! We all know that the organization is politely aging and growing, but just review the past conference and then look in the mirror and ask yourself “are you ready for a party?” Well, we were and despite the lack of entertainment on Tuesday night, the party was well done. After all, when the party is headlined by Peter Gerstenzang and Neal Schoen one can hardly go wrong. Yes, our overall attendance was down but, our in-house count (clerks staying at the venue) was very good. We are still working out the final financial picture but in the future we will have to be careful about having the conference when a holiday weekend falls. That did seem to be a problem. The proximity of the venue compared to the availability of state instructors and the staff from the Office of Justice Court support favors a return to this venue in the future. The 2011 Conference is contractually guaranteed for Niagara Falls. Dates and pricing will follow in our next edition of *The DOCKET*. It appears that we will return to Albany thereafter.

Just a few comments about Peter and Neal. Peter has long been a very close friend and a frequent lecturer of the clerks. He is a gentleman amongst gentleman and his quick wit and subtle stories will forever cement him in the annals of this organization. It also helps that he appreciates the role of the court clerk in the organizational format of the Town & Village Courts. As for Neal, his career at DMV parallels the inception and growth of our organization. He has always possessed a quick wit and an uncanny ability to diffuse a potentially contentious situation with his vast knowledge of the subject matter, which were almost always the legislative changes at DMV. In most cases those changes affected the court clerks and given their ability to speak their minds at a conference, the court clerks were never shy about voicing their opinions. So when he literally “took over” the audience at our 30th conference installation banquet, it was vintage Neal Schoen. His humor, his recollections of so many past stories and his unique ease of delivery made his stint as the Keynote Speaker one for the ages. My personal thanks to both of these gentlemen for making our “birthday party” and my last conference a huge success. Who needed entertainment when you had these two celebrities to entertain you?

Richard Szarowicz,  
NYSAMCC Past President



## EDUCATION MESSAGE

**H**ello everyone, let me introduce myself, I am Maria Burns and have recently been elected as 2nd Vice President of the NYSAMCC, Inc. I am pleased to be working for the clerks and with the various state agencies, as Education Chairperson. It gives me great joy to play a big part in the education of our members. I have always been a firm believer that you can never have enough education, especially in our profession as court clerks.

I am very excited about my new assignment. Your President, Judy Bromley organized what I consider to be a group of dedicated people for your Education Committee and I look forward to working with all of them.

My first task will be for the Association of Towns Conference held in NYC in February 2011.

So all aboard! Trains, planes and automobiles, I don't know how you are going to get there but I urge all of the clerks to let their towns and villages know how important it is for your education and training.

Throughout the year we offer training in NYC, Potsdam and at our Annual NYSAMCC Conference. District training and teleconferences are also offered at various sites in your judicial district which is a great way to continue the education especially if your town or village won't let you attend the "away" training. HINT: The teleconferences are also available to watch on the website [www.nycourts.gov/courts/townandvillage](http://www.nycourts.gov/courts/townandvillage) shortly after each teleconference (contact the Resource Center at 1-800-232-0630 for your password). I urge the clerks to take advantage of these wonderful options.

We introduced some new classes at the 2010 training in Potsdam that received positive comments so they were placed on the schedule for the fall conference in Albany. They will also be scheduled for NYC. The feedback on the comment forms helps to make the schedule work.

Comments from the clerks included many positive expressions of the class content and presentation. These comments give the Education Committee an idea of the avenue to take for future conferences, i.e.; subject, content, speakers and materials. Positive or negative comments are necessary to put together a great program. One thing on the table is that we question if the classes should be longer or shorter and will be working on that issue. We do know that offering basic/core and elective classes works well and for the future I envision the development of an interacting scenario in the class with procedures from beginning to end as in the DWI and Small Claims classes.

In closing let me quote the song from On the Town .....

"New York, New York what a wonderful town!" Hope to see as many of you as possible there in February 2011.



Submitted by  
**Maria C. Burns**  
NYSAMCC 2nd Vice President  
and Education Chairperson



### \$\$ PINS AND DECALS \$\$

Association pins and window decals are available for purchase to all members. Purchases may be made at the conference or by sending a check made out to NYSAMCC to:  
**75 West Fairview Ave., Valley Stream, NY 11580**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**PINS \$3.00 (each)**

**WINDOW DECALS \$2.00 (each)**

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QTY      TOTAL

**ORDER TOTAL**

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**Ramona Persan, Treasurer**  
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## FROM THE DESK OF TINA RICHBURG

On 9/29/2001 a memo was sent to New York State Law Enforcement agencies advising that the Division of Criminal Justice Services cannot accept a 10 million (10000000 or greater) NYSID number for any criminal fingerprint submission. For example, John Smith was printed for employment as a school bus driver. When his "civil" prints were processed, he received NYSID #19999999Q. He was subsequently arrested and fingerprinted on a criminal matter. He should be assigned a criminal NYSID such as 9999999Q. If the arresting agency does not submit the fingerprints then the only NYSID that will show up is the civil NSYID on an inquiry rap sheet. That number can't be used for the criminal case.

As you may be aware, DCJS has run out of existing NYSID numbers and has been assigning recycled NYSID numbers (less than 10000000) to new arrest transactions. At this time, 10 Million NYSID numbers are assigned to civil fingerprint submissions such as a job or license application only. **Should an individual who was assigned**

**a 10 million NYSID for a civil event be fingerprinted for any type of criminal matter, including a criminal inquiry, a recycled NYSID is automatically assigned and the 10 million number is no longer valid.**

**It is important that the court clerks be made aware that no dispositions at this time can be submitted using a NYSID number that is 10000000 or greater.** DCJS is moving off of its current mainframe computer system and expects to assign all new transactions a 10 million NYSID sometime in late summer of 2011. Should a police department submit a 10 Million NYSID, the court clerk should verify that a fingerprint transaction was processed for the arrest and use the NYSID that was returned to your in-box or the arresting agency in-box. **If the arrest was not processed, the disposition should be sent without any NYSID number.**

For your information, I am including the memo in this article, as seen below.

State of New York • Division of Criminal Justice Services  
4 Tower Place, Albany, NY 12203 • <http://criminaljustice.state.ny.us>

TO: All New York State Law Enforcement Agencies  
FROM: Joseph N. Morrissey, Director, Office of Criminal Justice Operations  
DATE: September 29, 2010  
SUBJECT: 10 Million NYSID Number Problem



The New York State Office of Court Administration (OCA) and the New York State Division of Criminal Justice Services (DCJS) have been experiencing problems in initializing court cases for arrests where the court of arraignment reports a criminal history with a NYSID above 10 million — a history with only civil information. The court receives the 10 million NYSID from the arresting agency which does a non-fingerprint based search on the arrestee to identify the NYSID. **DCJS, however, cannot update a 10 million NYSID number for a criminal event until after we move off our mainframe (Legacy Renewal) which is scheduled for early 2011.**

To address this problem, please ensure that your department follows the procedures below:

1. For arrests with fingerprintable charges, the court and the arresting agency should use the fingerprint-based criminal history that is provided to the arresting agency and to the court of arraignment electronically in their eJusticeNY Criminal In-Box.
2. When giving the court of arraignment with a criminal history under Criminal Procedure Law Section 160.40, the arresting agency should provide the court of arraignment with the fingerprint-based rapsheet received from DCJS in your eJusticeNY Criminal In-Box. **This will always ensure that the court of arraignment**

**will have a NYSID number that can be processed for disposition processing as DCJS assigns a new NYSID that is below 10 million during arrest processing.**

3. When a fingerprint-based history is not available for arraignment, some courts request that the arresting agency provide the court with a non-fingerprint-based (name search) criminal history for the defendant to facilitate decision making. If your agency provides a name search criminal history in this situation, **do not provide the court a criminal history with a NYSID number above 10 million.** You should inform the court that the fingerprint-based rapsheet will be provided when available from DCJS.
4. Once Legacy Renewal is completed, DCJS will be able to process NYSIDs above 10 million as criminal events. You will be notified when arrests can be updated to a 10 million NYSID.
5. Timely submission of arrest fingerprints to DCJS will reduce the number of situations where the court and the arresting agency must rely upon name search criminal histories for arraignment purposes.

If you have any questions about these procedures, please contact David Rowell of my staff at (518) 457-6063 or at [david.rowell@dcjs.state.ny.us](mailto:david.rowell@dcjs.state.ny.us).



## QUESTIONS ANSWERED

Here are a couple of Q&A's regarding sealing cases that might be of interest.

**Question:** Defendant charged with a penal misdemeanor and AUO3rd a misdemeanor. The defendant PG to AUO 3rd in full satisfaction. The defendant was fingerprinted because of the penal misdemeanor and both charges are listed on the rap sheet. (The AUO is a non-printable charge) Is it sealed in any way?

**Answer:** No, it would not sealed because the AUO is a misdemeanor and not eligible to be sealed.

**Question:** Defendant charged with one penal misdemeanor and three V&T violations. Defendant PG to one of the V&T violations in satisfaction of all charges..... would the case be sealed 160.55?



**Answer:** Yes, that is correct, 160.55.

If you have any questions on this or other information, please do not hesitate to contact our office at 1-866-246-2361.

**Tina Richburg**  
Senior Management Analyst  
CDR Unit at OCA



## INVALUABLE RESOURCES

Thank you to the many people who make available their time and services to the NYSAMCC and their members. Be sure to remember those who make being a court clerk a little easier.



*Brendon Dupree, Mary Shufelt, Matthew Cheevers, Nancy Sunukjian, Diane Schilling, Kevin Reilly and David Fryer were all at the 30th Annual Conference in Albany.*



## COUNTY TO COUNTY WITH KEVIN REILLY

Recently, some of you may have received notification from our office that your Judge's bail account was about to be closed out due to inactivity. Additionally, your Judge may have received a phone call from me or Mary Shufelt inquiring as to why they have yet to utilize their credit card machine. The reason for such action being taken is primarily due to the fact that the state is charged a monthly fee for each account listed on every credit card machine account within each town and village court. While such fees were not unexpected when we entered into this agreement with Key Merchant Services back in 2007, what has been unexpected are the number of town and village court credit card machine accounts that have never been utilized. Such inactivity involving so many credit card machine accounts has caused the State Comptroller's Office to delay the issuing of credit card machines to courts that have requested machines dating back to April of 2010. Our office is therefore attempting to close out credit card machine accounts in town and village courts that have yet to be used in an effort to encourage the State Comptroller's Office to approve the distribution of credit card machines to courts which have requested them. Therefore, your cooperation and patience regarding this issue is greatly appreciated.

The Association of Magistrates Court Clerks held their annual conference at the Holiday Inn in Albany from October 11th – 13th. Despite our shaky economy, the conference was well attended and the positive feedback our office received from many of the attendees on the topics covered and faculty members presenting during the three day conference indicated that the conference was a success. Congratulations go out to **Terri Bolt** for being named Court Clerk of the Year at the conference's annual banquet. With all the help she provides me and my colleagues throughout the year, I can't think of a clerk who is more deserving of the award.

During this past budget season, I had the opportunity to work with several court clerks around the state in an effort to increase their rates of pay. These clerks include **Cynthia Cook**, Windham Town Court, **Louise Musacchio**,

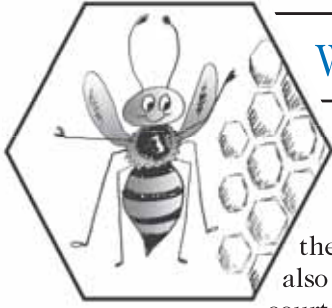


Sanford Town Court, **Kathy Canary**, Johnstown Town Court, and **Maribeth Pavelehak**, Cazenovia Village Court.

**Kevin Reilly, Management Analyst**  
Justice Court Advisory and  
Support Team Unit,  
Office of Court Administration



# ARTICLES



## WHAT'S ALL THE BUZZ ABOUT IN THE RECORDS ROOM?

**R**ecords Management is not just about destroying records that have met their retention requirements. It also includes the preservation of court records that need to be retained permanently. Whether your records are maintained electronically, on paper, or on microfilm, you must ensure that such information is permanently preserved. Court staff members are frequently unaware of the many types of court records that need to be maintained permanently. This information is found on the retention and disposition schedules provided on our website. The following records are to be maintained permanently by the courts.

### SAMPLING REQUIREMENT

Felony Arraignments and Misdemeanor Convictions are subject to the sampling requirement. These case files for years ending in "0" will be permanently retained and will constitute the sample. For more information please see Records Management Policy # 8. <http://www.nycourts.gov/admin/recordsmanagement/policies/Policy8.pdf>

"Example: In 1980 A defendant was arrested and charged with Assault 3rd, a Class A Misdemeanor. He was convicted of the charge. Based on the sampling requirement this record will need to be retained permanently. If the charge had been reduced to a violation, it will not fall under the sampling requirement.

### THE RECORD OF COURT ACTIVITY

The Record of Court Activity is a manual or machine-readable record, containing a summary of actions in a case. Examples include docket books, docket sheets, conviction log books or any other record which serves as the principal record of case activities, including your case management software. The Record of Court Activity must include the defendants' name, disposition, arraignment dates, charges, judge's name, adjournment dates, court reporters name and attorneys' name.

Not all Records of Court Activity are permanent records. For more detailed information please see RECORD OF COURT ACTIVITY as listed in the Records Retention and Disposition schedule for Criminal Records of The Criminal Court of The City of New York, City Courts, District Courts and Town and Village Courts.

[http://www.nycourts.gov/admin/recordsmanagement/court\\_records/LOWER%20CRIMINAL%20MAY%202009%20REVISION%20COLOR%20ADOBE%20PDF%20VERSION.pdf](http://www.nycourts.gov/admin/recordsmanagement/court_records/LOWER%20CRIMINAL%20MAY%202009%20REVISION%20COLOR%20ADOBE%20PDF%20VERSION.pdf)

NOTE: Retention of the Record of Court Activity is determined by the arrest charge. If there is no Record of Court Activity, the case file itself must be retained as the Record of Court Activity.

### OTHER PERMANENT RECORDS

All Records prior to 1920  
Criminal misdemeanors convictions prior to 1950  
Felony Arraignments prior to 1950  
Approved Records Disposition Request forms  
Juror Panel Sheets

### IMPORTANT REMINDERS!

The Office of Records Management has guidelines for electronic and micrographic records. These guidelines are outlined on our website as Policy #3 Micrographics Guidelines and Policy #9 Guidelines for Electronic Records. Many courts have recently applied for grant funds to scan or microfilm their court records. Courts awarded grant funds from The Local Government Records Management Improvement Fund (LGRMIF) or The Justice Court Assistance Program (JCAP) should contact our office before starting a conversion project. For more information check out Policy #3 Micrographics Guidelines and Policy # Guidelines for Electronic Records at

[www.nycourts.gov/admin/recordsmanagement/policies](http://www.nycourts.gov/admin/recordsmanagement/policies)

Courts wishing to destroy records must first submit a Records Disposition Request (RDR) form. A separate RDR form is required for each record series title and record series number. RDR forms may be submitted by fax, mail or by scanning to an e-mail address.

Fax: (212) 428-2880

Mail: OCA, Division of Court Operations  
Office of Records Management  
25 Beaver Street, Room 883  
New York, NY 10004

Email: [DISPOREQ@courts.state.ny.us](mailto:DISPOREQ@courts.state.ny.us)

Courts must have approval before ANY records can be destroyed. Fiscal records will require additional approval from the NYS Office of the State Comptroller.

Retention schedules, forms, and training materials can be found on our website:

[www.nycourts.gov/admin/recordsmanagement/](http://www.nycourts.gov/admin/recordsmanagement/)

We value your comments and suggestions. If you have questions regarding records management or would

like to schedule training, please contact **Kristy Barton** at (518) 238-4327 or email her at: [KMBARTON@courts.state.ny.us](mailto:KMBARTON@courts.state.ny.us)

You may contact our main office at (212) 428-2875 or email us at [records@courts.state.ny.us](mailto:records@courts.state.ny.us)



## COMMON COURT CLERK ACRONYMS

Here is a compilation of acronyms a court clerk may encounter during the course of the day. I am looking to run this list annually. If you have an acronym to add to this list please send it to [docketeditor@nysamcc](mailto:docketeditor@nysamcc) and please type the word “acronym” in the subject line.

ACD/ACOD	Adjournment in Contemplation of Dismissal	ICE	Bureau of Immigration and Customs Enforcement
ADA	Assistant District Attorney		
AEYO	Apparent Eligible Youthful Offender	i.e.,	that is
AKA	Also Known As	IID	Ignition Interlock Device
ARI	Agency Record Identifier	III	Interstate Identification Index
ATF	Bureau of Alcohol, Tobacco, Firearms and Explosives	INTERPOL	International Criminal Police Organization
BJS	Bureau of Justice Statistics	MCDV	Misdemeanor Crime of Domestic Violence
BOP	Bureau of Prisons	NCIC	National Crime Information Center
Brady Act	Brady Handgun Violence Prevention Act of 1993	NICS	National Instant Criminal Background Check System
BRD	Brady Indicator	NFOP	Non-Family Order of Protection
CD	Conditional Discharge	NYS DMV	New York State Dept. of Motor Vehicles
CDR	Criminal Disposition Report	NYSID	New York State Identification Number
CHR	Criminal History Record (Request Notification Message)	OCA	Office of Court Administration
CHRI	Criminal History Record Information	OFF	Offense
CJIS	Criminal Justice Information Services Division	OOP	Order of Protection
CJTN	Criminal Justice Tracking Number	ORI	Originating Agency Identification Number
COB	Close of Business	OSC	Office of State Comptroller
CPL	Criminal Procedure Law	PCO	Protection Order Conditions
CTI	Court ORI	PD	Public Defender
CTZ	Citizenship	PL	Penal Law
CVAC	Crime Victim Assistance Center	PNO	Protection Order Number
DA	District Attorney	POP	Permanent Order of Protection
DCJS	Division of Criminal Justice Services	POB	Place of Birth
DDP	Drinking Driving Program	PSI	Presentence Investigation
DF	Deported Felon (NCIC)	SC	Surcharge
DOA	Date of Arrest	SID	State Identification Number
DOB	Date of Birth	SOC	Social Security Number
DOJ	Department of Justice	SSN	Social Security Number
DOW	Date of Warrant	STF	Suspension Termination Fee/Scoff Termination Fee
DRA	Driver's Responsibility Assessment	TOP	Temporary Order of Protection
FBI	Federal Bureau of Investigation	TSLED	Traffic Safety Law Enforcement Disposition
FFL	Federal Firearms Licensee	UCS	Unified Court System
FNC	Fine Not Collected	UTT	Uniform Traffic Ticket
FNU	FBI Number	VGTOF	Violent Gang and Terrorist Organization File (NCIC)
FOIL	Freedom of Information Law (courts are NOT governed by FOIL)	VOP	Violation of Probation
FOP	Family Order of Protection	VTL/V&T	Vehicle and Traffic Law
FPC	Fingerprint Classification	UCMJ	Uniform Code of Military Justice
FPC	Fingerprint Classification	UD/UCD	Unconditional Discharge
FYI	For Your Information	VA	Department of Veterans Affairs
		VIP	Victim Impact Panel
		YO	Youthful Offender

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## WHY COURT CLERKS SHOULD KNOW ABOUT JUDICIAL ETHICS

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### Lessons from a recent judicial disciplinary case

A town court Justice was recently disciplined for failing to disqualify himself in various cases. Six traffic cases concerned either the judge's nephews or the judge's employers' sons (who also worked with the judge), and four small claims cases concerned his co-judge as the claimant. The judge apparently believed that his court clerk could handle his nephews' traffic cases when they pleaded guilty, and that as long as he could be fair, he could handle his co-judge's cases.

Understanding why the judge was disciplined may help judges and clerks avoid serious problems.

### The details of the case

As to traffic cases, the practice in that town court was for the clerk to open the mail and impose fines for mailed-in guilty pleas to certain traffic infractions pursuant to a schedule established by the judge. There is no indication whether the judge supervised the imposition of fines on guilty pleas. It is especially troubling that the clerk also imposed fines after receiving reductions offered by the prosecutor in written plea agreements.

In one case, the clerk imposed the scheduled fine and surcharge after the judge's nephew pled guilty to the charge of Unsafe Start. On another occasion, the nephew received a ticket for No Front Plate Attached and eventually pled guilty. The clerk imposed a \$25 fine and a \$55 surcharge. The clerk told the judge that his nephew had paid the fine and the judge told the clerk to deposit the fine in the court account.

At that time the court had only one judge. The judge told the Commission on Judicial Conduct that he knew he should not preside over his relatives' cases, but he did not think it was worth "the hassle" of transferring the No Front Plate case to County Court since it was a minor charge. The defendant had pled guilty and paid the usual fine.

Another of the judge's nephews told the judge that the nephew had been issued a speeding ticket for driving more than 30 miles per hour over the limit. The judge replied that judges could not "reduce tickets anymore" and he had to "go by the book." The defendant hired a lawyer who worked out a reduced plea with the District Attorney; the defendant pled guilty to a speeding charge, but at a reduced speed. The judge's clerk received the plea agreement and imposed a \$95 fine and a \$55 surcharge. The fine receipt bore the judge's name, the same last name as the defendant.

In a speeding case involving the son of the owner of a business that employed the judge, following an ex parte conversation between the defendant and the judge, the judge dismissed the charge "in the interest of justice," but failed to record any basis for the dismissal. The issuing officer later testified that he did not believe he consented

to the dismissal, which contradicted the judge's earlier testimony. When the judge was asked in the disciplinary proceeding what the interest of justice was that prompted him to dismiss the charge, he could not recall.

The defendant later received another speeding ticket, and successfully negotiated a reduction with the prosecutor since the defendant had no prior speeding convictions. The clerk processed the reduction and set the fine from a schedule, just as she did in cases of mailed guilty pleas.

In one of four small claims cases brought by the judge's co-judge, the judge presided over a hearing and issued a verbal decision in favor of the claimant on uncontradicted evidence of the claim. In a second case, the defendant paid the amount due after he received the notice to appear. In the third case, the defendant's father told the judge that the defendant was in the hospital. The judge said he would "take care of it," eventually dismissing the claim for failing to prosecute. The records were incomplete as to all four cases.

### The net result

What does all of this add up to? Unfortunately for the judge, it added up to a public censure. Two members of the Commission on Judicial Conduct dissented because they wanted the judge to be removed from office.

Unquestionably, the traffic case dismissed in "the interest of justice" qualifies as a "ticket fix" and by itself is serious misconduct. The record also reveals that the record-keeping was sloppy, and both the clerk and the judge were handling matters that should have been transferred to another court.

When a court clerk imposes a fine based upon a plea agreement between the prosecutor and the defendant, the clerk is exercising judicial discretion since it is the exclusive obligation of judges to accept or reject such proposed reductions. Another judge, not the clerk, should have considered these cases.

### The clerk's role

So, why is it necessary for court clerks to know about judicial ethics? As this case demonstrates, the functions of the judge and the clerk often are intertwined. It is the responsibility of both the judge and the clerk to make sure that court records are accurate and complete. The clerk's errors could indicate that the judge is not properly supervising the clerk, which could be a basis for judicial discipline.

What constructive role can a clerk play when the judge does not realize that his or her conduct is improper? When a judge fails to make a record, it may be awkward for the judge's clerk to call it to the judge's attention, but it might be helpful to the judge for the clerk to do so. A clerk might remind a judge that the basis for a dismissal in the interest of justice by law must be recorded or that

## COURT CLERKS/JUDICIAL ETHICS...CONTINUED

when a decision is rendered after a hearing, the decision should be reflected in the court records. Both the judge and the clerk should realize that it is better for such errors to be caught early than to be the basis of disciplinary charges. Of course, when a case is dismissed in the “interest of justice” and the actual reason is to do a personal favor in the interest of a judge’s co-worker, there is little that a court clerk can do. That judge probably knows that he or she is taking a calculated risk and will pay the price if the personal favor is exposed.

The more a clerk knows about when judges should be disqualified, the more the clerk can assist well-intentioned judges to avoid even the appearance of impropriety. Obviously, a court clerk will not know every time a judge has a conflict in a case. But when the clerk knows that the judge’s close relatives have matters before the judge, or that the judge’s campaign manager from a recent campaign is appearing as a lawyer before the judge, the clerk might diplomatically suggest that another judge handle the matters.

Ironically, there was no evidence that either the judge or the clerk gave favored treatment to the judge’s nephews. That was good. But the judge’s court clerk should not have imposed fines in their cases, especially on a reduced charge. Another judge should have handled the cases.

Some courts have appropriate procedures in place to avoid the problems that arose in this recent disciplinary case. If procedures are unclear, clerks would be doing their judges a big favor if they were to discuss with the judges how such issues should be handled. Judges and clerks should have a plan how to process cases that the judge should not handle, including guilty pleas in traffic cases from relatives and co-workers of the judge.

### The overriding lesson here

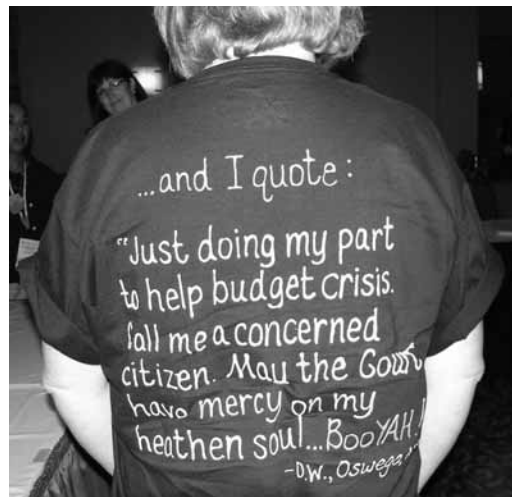
Ethical conduct means more than having integrity and being fair. It means knowing the rules and the difference between judicial and clerical functions. The more clerks know about rules of judicial ethics, the better prepared they will be for the responsibilities of a court clerk’s tough job.



*Submitted by Gerald Stern,  
Special Counsel to the  
Judicial Institute and faculty in  
the Town and Village Justices'  
Education Program,  
140 Grand St., Suite 701  
White Plains, NY 10601  
(914) 824-5715*



## THE T-SHIRTS ARE BACK



**T**hey’re back and those gals are at it again, this time with new t-shirts. Tina Cox from the town of Ira and Wendy Bates from the town of Weedsport in Cayuga County sported their newly created t-shirts with what we can only assume must be on their minds at the 2010 Annual NYSAMCC Conference. The only question is “Will this become an annual event for the court clerks to look forward to?” Only these two can know the answer, but we might just know “what’s on their minds” at next year’s conference .... stay tuned and keep your eyes out.



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## NYSAMCC SCHOLARSHIP PROGRAM

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We had a wonderful turnout of applications this past year for the Scholarship Program! We awarded two scholarships, which gave two very deserving clerks the opportunity to attend the Annual Conference held in Albany!



Our winners this year were: **Kimberly Stahley** from the Westfield Village Court in Chautauqua County and **Diane Weissberg** from Hamptonburgh Town Court in Orange County.

Each winner was introduced at the Annual Meeting of the NYS Association Magistrates Court Clerks, Inc., and asked to tell a little bit about themselves along with what they felt when they were selected as a scholarship winner. Throughout the conference we would get input from each of the winners on their experiences and what

they each thought of the material being presented. One consistent comment that they all expressed was that the selection of classes was fantastic and that everyone was extremely helpful.

This is a wonderful tool (scholarship) that we as a committee are diligently continuing to perfect and streamline. We have now included our conference in Potsdam to include a Scholarship. This Scholarship was in honor of the NYS Magistrates Association 100th year and will be offered annually. This gives another great opportunity for our fellow clerks who are unable to attend educational training. At this time I would like to thank my Committee Members **Ramona Persan**, **Maryann Baake**, **D. Renee Brathwaite** and **Jill Bodie** who helped with the selection process, which by the way is never easy!

For those eligible clerks please apply, for those clerks who may know of an eligible clerk in a neighboring Town or Village please spread the news!

Any questions or concerns please feel free to contact any member of the committee; we look forward to hearing from you!

**Terri Bolt, Committee Chairperson**  
**Jill Bodie, Committee Chairperson**  
**Ramona Persan, Committee Member**  
**D. Renee' Brathwaite, Committee Member**  
**Maryann Baake, Committee Member**




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### SCHOLARSHIP WINNER

**H**i, my name is **Diane Weissberg**. I was one of two scholarship winners this year for the 2010 Albany Conference. It was such a wonderful experience, from the moment I arrived until the moment I left. There was always someone there for me. What a group of women and men the Court Clerks are! You are all the most helpful people I have every met (also the craziest). If I went to a class where I didn't know anyone, someone invited me to sit with them. The instructors answered any of the many questions I had.

It was great going on those A.M. walks with all the girls. Have lunch with all the girls from Westchester and other Towns/Villages and still have them answer all my many questions. How can I thank you all. I have never had a support group as I do in this job. It is a comfort to know I can call any Court Clerk and know they will be more than helpful.

It was an honor to be chosen with Kim to be a scholarship winner. And again thanks to Terri and Jill and all the others that made me feel so welcome.




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### RULES OF CONDUCT

As prescribed by **Thomas Jefferson**

- Never put off 'til tomorrow what you can do today.
- Never trouble another for what you can do for yourself.
- Never spend money before you have it.
- Never buy anything you do not want because it is cheap.
- Take care of your change; dollars will take care of themselves.
- Pride costs us more than hunger, thirst, and cold.
- We never repent for having eaten too little.
- Nothing is troublesome that one does of his own volition.
- How much pain has cost us the evils which have never happened.
- Take things always by their smooth handle.
- Think as you please, and so let others, and you will have no disputes.
- When annoyed count to 10 before you speak.  
If very annoyed, count to 100



## 2010 COURT CLERK OF THE YEAR — TERRI BOLT

2010 is the year that we celebrated both our 30th Annual Conference of the New York State Association of Magistrate's Court Clerks as well as Terri Bolt, Court Clerk for the Town of Victor, Ontario County. Terri was awarded the highest honor bestowed on a member of the NYSAMCC, Inc., "Court Clerk of the Year."

Terri parents, Ken and Diane Paige, sister, Sandee Cody, Terri's judge, the Honorable Reid Holter along with his wife Lynn and Victor Court Clerk, Sue Ricci proudly watched as Terri accepted this award at the banquet. Unable to be there but certainly with Terri in spirit were Terri's husband Tom, daughter Emily, twin sons Josh and Jacob and co-Court Clerk in Victor, Molly Volk. Tom had to tend to family duties as their children are very active in school and sports while Molly had to keep the court office on track.

Terri, a Court Clerk for 21 years for the Town of Victor is a Past President of NYSAMCC, Inc. and is a very active member on the Executive Board. Since her tenure on the board, she has served on numerous committees and Terri gives no less than 100% to any committee on which she has served. She has been a speaker at meetings for both the Magistrates and Court Clerks in Oneida, Erie, Ulster, Seneca and Herkimer Counties. She has been an instructor/speaker at various training programs throughout New York and has been on the speaking panel at the teleconferences. Currently, Terri sits on the Education, Audit, Parliamentarian and newly formed Ethic Ad Hoc Committees, she is Chairperson of the District Training, and close to her heart is her position as Chairperson of the Court Clerk Scholarships. These scholarships are available for members of the NYSAMCC for training in Potsdam as well as for the annual conference training.



Terri Bolt is a model court clerk for all Town and Village court clerks. She is knowledgeable, respectful, professional, courteous, approachable and most of all she is always in a good mood. She has dedicated her professional life to improving not only her court, but the courts all across New York State.

**CONGRATULATIONS TERRI!**



*Congratulations to Judy  
in her Presidency  
from  
Westchester & Putnam  
County Court Clerks*



*It was a pleasure meeting Judy's daughters!*

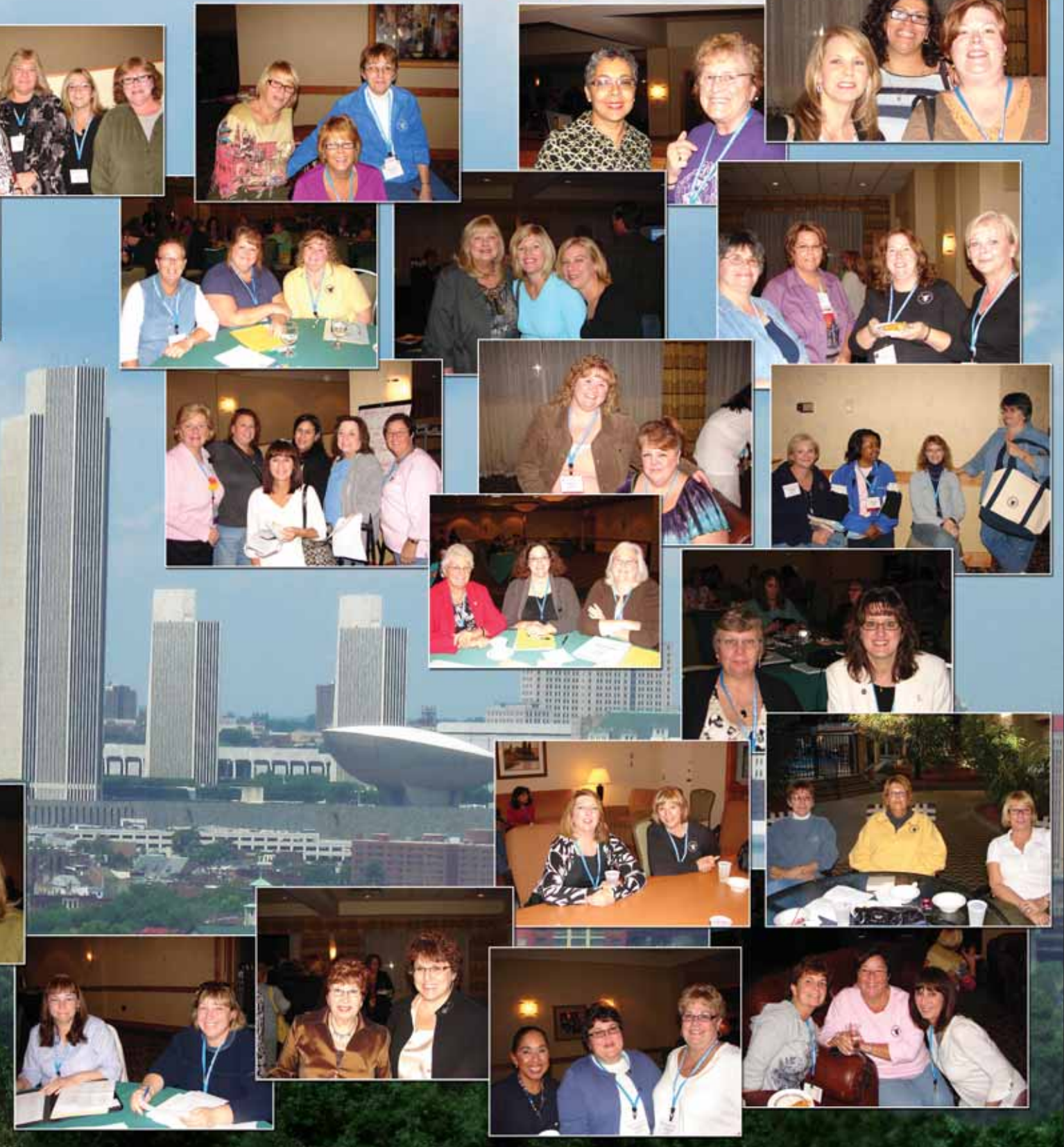


# 2010 ANNUAL CONFERENCE



# ALBANY, NEW YORK

## Welcome to the Capitol





# ARTICLES

## CERTIFICATES OF RECOGNITION FOR 2010

Each year many Court Clerks are awarded a Certificate of Recognition acknowledging their years of service in the position as a Court Clerk. This year the awards were presented to the following:



**25 Years of Service (Above)**  
 Evette Sanchez – V/ Freeport  
 Nancy Earl – T/ Lake George  
 Vicky Coraci – T/ Aurelius  
 Not pictured:  
 Carolyn Hughes – T/ Lake George

**20 Years of Service (Right)**  
 Sonia Mercado-Jiminez – T/ Rockland  
 Not pictured:  
 Patricia Mills – T/ Rockland



**15 Years of Service (Below)**  
 Vicki Allen – T/ Shelby  
 Barbara Conroy – V/ Montgomery  
 Denise Cookingham – T/ Mamaroneck  
 Not pictured:  
 Nancy Luke – T/ Ontario  
 Jane Curtiss – T/ Malta  
 Jane Decker – T/ Blooming Grive



**10 Years of Service (Above)**  
 Julie Gansle – T/ Colonie  
 Melissa Genier – Lynn Craig – T/ Candor  
 T/ Lake Lazerne  
 Lisa Dockery – T/ Kingston  
 Patricia Loomis – Ellen St. Cyr – T/ Newfane  
 T/ Schodaek  
 Karen Kentor – T/ Rochester



**10 Years of Service (Above)**  
 MaryAnn Mastromarino –  
 Janette Peter – V/ Castleton V/ Old Westbury  
 Mary Pascarelli – Pamela Ormsby –  
 T/ Southeast T/ Gorham  
 Cindy Vicedomini – Marcia Puorro – T/ Athens  
 T/ Groton



**5 Years of Service (Above)**  
 Lynette Nickels – T/ Nichols  
 Donna Contelmo – Ruth Bramer – T/ Wilson  
 V/ Wappinger Falls  
 Gillian Moore – V/ Arcade  
 Jessica Edwards – Not pictured  
 T/ Hyde Park  
 Sandra Crandall – T/ Malto  
 Rita Gerald – V/ Westbury  
 Margaret Quintal –  
 Nora Zambrano – T/ Queensbury  
 T/ Wappinger Falls



## ELECTION OF OFFICERS

A number of changes in positions resulted in the elections this year. Elected to serve you in new positions are: **Judy Bromley, President (bottom middle), Velma Richardson, 1st Vice President (bottom left), Maria Burns, 2nd Vice President (bottom right) Julie Gansle, 3rd Vice President (top right)**

Re-elected are: **Ramona Persan, Treasurer (top middle) Mary Waibel, Secretary (top left)**



Newly elected as Directors are:

L-R: Dawn Marie Klingner and Denise Cornick

**Dawn Marie Klingner** is from the Town of Amenia Court in Dutchess County. Dawn Marie was a 2006 scholarship winner and has been an avid supporter of the NYSAMCC ever since. She hopes to make you proud by serving the member's needs in this position.

**Denise Cornick** from the Town of Albion in Orleans County. Denise may look familiar to you because she served the executive boards needs as secretary for the NYSAMC, 2003 – 2004 and now she is anxious to serve the members needs as director.



## SPECIAL AWARD TO NANCY SUNUKJIAN

The New York State Association of Magistrates Court Clerks, Inc. recognized Nancy Sunukjian, Supervising Counsel for City, Town & Village Courts Resource Center at the 2010 Annual Conference held October 12, 2010.



Nancy was honored with the NYSAMCC Special Recognition Award for her dedicated service and outstanding commitment to the court clerks. I know I can speak for our members by saying we are grateful for all she does for the court clerks and for her participation in many of our educational classes.

A native of Albany, New York, Nancy received her BA in Political Science from Siena College in 1986 and her JD from Albany Law School of Union University in 1990. She joined the Resource Center in 1994 and was named Supervising Counsel in 2007. She currently oversees the staff at the Resource Center and is available for questions from the judges and court clerks via their 800-number. Nancy is actively involved in the training of the newly elected judges at their basic certification program as well as the advanced programs for the judges and court clerks. Nancy attends many local magistrate and court clerk group meetings throughout the state and is a featured speaker at most of them. For the past several years she has developed and moderated many of the satellite teleconferences/web-casts which have aired throughout the state. Nancy is also a member of the Judicial Curriculum Committee, Exam Review Committee, and Committee for the Approval of Judicial Education Credits. Nancy has written numerous articles which have appeared in both *The Magistrate* and *The Docket*. If you have attended any class or presentation where Nancy was a participant, you have experienced her extraordinary sense of humor and it's hard to walk away without having learned something new or without wearing a smile. This recognition is well-deserved.

Attending this celebration as Nancy accepted this award were her husband Alan, daughter Mary, son Michael, her proud parents Jerry and Gloria Miller and many of the staff from the Resource Center.

Congratulations Nancy!

Submitted by **Barbara Hodom**  
Past President, NYSAMCC

## AGE IS NO OBSTACLE FOR A COURT CLERK

**N**o one has to hold the door open for Claire Mason. In fact, the 80-year-old Southampton Town Justice Court senior clerk will hold it open for you.

The Hampton Bays resident, who lives just minutes away from the justice court complex, is celebrating her birthday today — Thursday, September 9 — and is sprier than ever, according to her coworkers. Ms. Mason said she lives her life unafraid and unmoved by her age. Her special daily diet includes two to three Dewar's scotches after work, a couple of Salem cigarettes, and three meals — with lunch taken between 3 and 4 p.m. She usually wakes up between 5:30 and 6 a.m., and turns in around 10 p.m. each night. The list goes on. She works long hours at the court, arriving at 9 a.m. and leaving about 7 p.m. each weekday. She said she loves to dance and enjoys working in her garden and completing other chores. She is also a traveler, pointing out that she just returned from a trip to Nova Scotia. She also visits Atlantic City twice a year with some of her friends at Town Hall. Standing at just about 5 feet tall, Ms. Mason is bubbly and effervescent, possessing a positive outlook on life. She punctuates almost all of her sentences with a cheery laugh. She sports a youthful spirit and a charming, larger-than-life personality that automatically draws people to her.

There are three things that Ms. Mason credits to her full life: good thoughts, nice friends and a beautiful family. And her guiding principle: "You've got to make yourself happy," as she often says.

That is not to say Ms. Mason hasn't experienced her share of sadness. She is twice widowed and she spent several years of her life battling breast cancer, eventually losing her left breast to the disease. Her doctor said she wouldn't beat the disease, she recalled during a recent interview.

"I was 49, and I'm still here," she said. "I'm still here." Ms. Mason takes on a wealth of different tasks throughout the day at the justice court. Her primary role as senior court clerk is to deal with the court's various monetary transactions, such as the collection of money posted for bail and parking fine fees. She also records other revenues and interacts with attorneys.

Ms. Mason also writes grants for the court every year, and those have landed the facility some of its hi-tech equipment, including a safe in her office, an X-ray machine, and new computers and printers for town employees.

She also supervises the office when her supervisor, Chief Court Clerk Renee Brathwaite, is absent. Ms. Brathwaite, who says she is very fond of Ms. Mason, said she depends on her coworker to keep things running smoothly. Ms. Brathwaite said she rests easy knowing

that Ms. Mason will be able to handle any situation that is thrown her way.

"She actually handles and runs this court just like a leader is supposed to," she said.

Ms. Mason moved up to the position of senior justice court clerk about four years ago. She started working at the court 16 years ago — on March 15, 1994 — as a cashier, where she dealt with "all the complaints of the day," she said, while laughing.

Aside from her normal duties, Ms. Mason said she often finds herself taking on extra work when the office's 13 other court clerks are tied down or busy helping others.

Ms. Mason said she is proud of where she works, having helped to organize the move of the court complex from the basement of Southampton Town Hall in Southampton Village to Hampton Bays earlier this year. While leading a tour of the new space, Ms. Mason eagerly showed off the building, opening doors to all the rooms, including the judges' offices, the drug court, the jurors' meeting room, the cubicle area where the clerks work and the building's vast, sunny kitchen.

"You think we're happy?" Ms. Mason said, stopping in the middle of the tour. "We're ecstatic."

She explained that while the court was in the basement of Town Hall, there were no windows and the 14 women had to share one bathroom. Now, she said, they share eight bathrooms and, more important, court employees no longer have to contend with unusual odors.

"We love it," Ms. Mason said of the new court digs. "No mold. No mildew. No stink from the cesspool. We have windows we can see out of."

She also pointed out that the new building has helped bump up morale around the workplace. "The attitudes and teamwork improved considerably," she said.

Ms. Mason said she does not have any plans to retire soon. And, she added, not one of her coworkers, including those who are eligible to retire early as part of a new state incentive, seems too interested in taking it.



"There was three of us here who got letters, and nobody wants to retire," she said.

**Submitted by  
Rohma Abbas**

(Rohma Abbas is a reporter for The Southampton Press and this article has been reprinted in this Issue of *The Docket* with her permission)



## NICS

**H**ave you ever received a request from the FBI Criminal Justice Information Services (CJIS) Division's National Instant Criminal Background Check System (NICS) Section requesting information on a recent Driving Under the Influence (DUI) arrest and wondered why?

The reason NICS users investigate recent DUI arrests are to determine if the person was driving under the influence of alcohol or drugs. In 1973, there were 328,670 arrests logged in the FBI's Uniform Crime Reports for drug law violations. In 2007, that number rose to 1,841,182, representing a 460.2 percent increase during that thirty-four year span. Title 18, United States Code (U.S.C.), Section 922(g) (3) prohibits the purchase and/or possession of firearms by persons who are unlawful users of or addicted to any controlled substance for one year from the date of arrest or date of conviction.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) 27 Code of Federal Regulations 478.11 specifically defines an unlawful user of or addicted to any controlled substance as, "A person who has lost the power of self-control with reference to the user of a controlled substance; and any person who is a current user of a controlled substance in a manner other than prescribed by a licensed physician."

Many DUI statutes include driving under the influence of drugs. NICS users conduct research on DUI/drug offenses with no dispositions that have occurred within the past three years; DUI convictions within the past year; or if there is a DUI/drug conviction that is under current active probation. Research includes requesting the disposition and police report.

Prescription drugs may also qualify under 18 U.S.C. § 922(g) (3) if the prescription drug is used in a non-prescribed manner. This would include driving a vehicle after taking a dosage higher than prescribed; driving when such activity is advised against (painkillers, muscle relaxers, mind altering drugs); taking a drug that was not specifically prescribed for the individual; or taking a prescribed drug and drinking when alcohol use is advised against.

If it can be proven that the individual, or the substance in his/her possession, was drug-tested positive, this would be enough to establish inference of current or recent drug use or possession. This would require establishing that a field or chemical drug test was administered and a positive result was returned. If an individual admits to using or possessing a controlled substance, this would be enough to establish recent use/possession as well.

So, how can you help? When asked for information to assist a NICS user, you can provide the disposition and level of conviction on the R84 disposition request form in a timely manner and supply the disposition information to your state record repository. NICS users generally have only three business days to obtain requested information before the firearm can legally transfer. NICS users may also contact your office to inquire about recent drug tests and terms of probation related to this firearm prohibition. This type of information can also be added to the NICS Index. The NICS Index is one of three databases searched with every NICS transaction. The NICS Index contains information provided by local, state, tribal and federal agencies of persons prohibited from receiving firearms under federal law. By providing the above information, your office will serve to keep firearms out of the hands of disqualified individuals and keep our streets safe.



*L-R Julie Gansle, Tammy Phillips, Diane Schilling & Deidra Hefner*

**I**f you attended the new and very interesting NICS class offered in Albany with Tammy Phillips and Deidra Hefner then you were there when the question about giving out sealed information to the FBI NICS UNIT was brought up.

Some of the court clerks had a problem with releasing the information so the question was posed to Diane Schilling and Nancy Sunukjian. The response references the April 18, 2000 Memorandum from Michael Colodner which is printed in this issue of *The Docket* on page 22 for your judge's review. Upon review, you or your judge can certainly contact the Resource Center for any further questions, clarifications or discussions.

If you were not able to attend this class, it will be available at the Association of Towns Conference in NYC in February as well.

## OCFS &amp; FBI CRIMINAL HISTORY CHECKS MEMORANDUM

A Memorandum was sent out on April 18, 2000 from the Office of the New York State Unified Court System from Michael Colodner, Counsel to Hon. Jonathan Lippman, Chief Administrative Judge addressing all Judges, Justices and Chief Clerks of Courts on a question regarding OCFS and FBI Criminal History Record Checks/Access to Sealed Court Records. The following is that memorandum:



State of New York  
UNIFIED COURT SYSTEM  
26 Beaver Street • New York, NY 10004  
(212) 428-2160

**TO: Judges, Justices and Chief Clerks of Courts  
Exercising Criminal Jurisdiction**

**FROM: Michael Colodner**

**SUBJECT: OCFS and FBI Criminal History Record  
Checks/ Access to Sealed Court Records**

**DATE: April 18, 2000**

A question has been raised as to how a court clerk should respond when certain public agencies request court records of a criminal case that has been sealed, either as a result of a "favorable termination" of the action (e.g., a dismissal or acquittal of all charges) (see, CPL §160.50) or as a result of the defendant being granted youthful offender ("YO") (see, CPL §720.35) status at the conclusion of the case.

Pursuant to Chapter 7 of the Laws of 1999 ("Chapter 7"), the Office of Children and Family Services ("OCFS") is required to conduct criminal history record checks of prospective foster and adoptive parents and persons over the age of 18 residing in the parents' home. The statute provides, *inter alia*, that an individual's application for certification or approval as a foster or adoptive parent be denied where the records check shows a prior conviction for any one of several enumerated crimes. To facilitate these background checks, Chapter 7 further empowers OCFS to request State and local law enforcement agencies and courts to provide supplemental information relating to criminal convictions and pending criminal charges. See Social Services Law §378-a(2). This supplemental information is typically requested by OCFS when the criminal history record ("rapsheet") it obtains from DCJS shows an "arrest incident," but does not give the ultimate disposition of the case. When OCFS contacts the court clerk in the county of arrest to get information about the status of the case, the clerk, upon retrieving the records, sometimes finds that the arrest in question resulted in a sealed disposition (i.e., a "favorable termination" or a YO).

The same question has also arisen following the recent implementation by the U.S. Department of Justice of the National Instant Background Check System ("NICS") for prospective purchasers of firearms, §103 of Public Law 103-159 (establishing NICS), where the FBI conducts criminal history searches to determine whether the prospective purchaser has a criminal history that would render his or her receipt of the firearm unlawful under state or federal law. As with OCFS criminal history checks under Chapter 7, a rapsheet or other criminal history record obtained by the FBI when conducting a NICS background check may contain incomplete or conflicting information, and the FBI then contacts the court. As with the OCFS inquiries, some court clerks have expressed uncertainty as to whether the FBI should be given any information about the case where the arrest charges resulted in a sealed disposition (i.e., a "favorable termination" or a YO adjudication).

We have reached an informal agreement with OCFS to resolve this problem. Under the agreement, a court clerk responding to an OCFS request for information on an arrest that has resulted in a CPL §160.50 sealed disposition or in a YO adjudication should simply respond "case concluded; record sealed." The same response should be given where the FBI submits a NICS inquiry about a case that resulted in either a YO adjudication or a sealing under CPL §160.50. This response is sufficient to advise the inquiring agency (i.e., OCFS or the FBI) that the apparently "open" arrest has in fact been resolved with no resulting conviction. It also avoids the further delay that would ensue if our response in such cases were "no record found," since the agency would then still be obliged to continue its search for the ultimate disposition of the "open" arrest to determine if it resulted in a disqualifying conviction.

You may address any questions concerning this issue to John Amodeo at (518) 474-7469.

c: Hon. Jonathan Lippman  
Hon. Joseph J. Traficanti, Jr.  
Hon. Joan B. Carey  
John P. Amodeo, Esq.

Please note that the original memo was sent out on April 18th of 2000. The most current contact information can be found at:

[www.courts.state.ny.us/admin/directory](http://www.courts.state.ny.us/admin/directory)

or there is a link (Contact Us) to directly email NYSUCS available at their homepage:

[www.courts.state.ny.us](http://www.courts.state.ny.us)



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# MEMBERSHIP APPLICATION



## NEW YORK STATE ASSOCIATION of MAGISTRATES COURT CLERKS, Inc. [www.nysamcc.com](http://www.nysamcc.com)

INVOICE: ANNUAL MEMBERSHIP DUES: JANUARY — DECEMBER 2011

FIRST NAME \_\_\_\_\_ LAST NAME \_\_\_\_\_

TOWN OF \_\_\_\_\_ or VILLAGE OF \_\_\_\_\_ COURT \_\_\_\_\_

COURT ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_, NY ZIP \_\_\_\_\_

**COURT INFORMATION**

COURT PHONE \_\_\_\_\_ COURT FAX \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

COUNTY OF \_\_\_\_\_

**Please complete this section ONLY if you are joining the Association for the first time.**

DATE/YEAR YOU BECAME A COURT CLERK \_\_\_\_\_

NAME OF CLERK YOU REPLACED \_\_\_\_\_

ARE YOU THE CLERK IN MORE THAN ONE COURT?  YES  NO

NAME OF OTHER COURT(S) YOU ARE CLERK IN \_\_\_\_\_

DESCRIPTION	ANNUAL \$ DUE	TOTAL PRICE
<input type="checkbox"/> <b>FULL MEMBERSHIP</b> Annual membership dues for NYS Association of Magistrates Court Clerks, Inc.	<b>\$35.00</b>	
<input type="checkbox"/> <b>RETIRED MEMBERSHIP</b> Annual membership dues for Retired Members of the NYS Association of Magistrates Court Clerks, Inc.	<b>\$17.50</b>	

TOTAL

Make checks payable to NYS Assoc. of Magistrates Court Clerks, Inc. or NYSAMCC, Inc.  
Please return this statement with your payment.

**Mail to:** 75 West Fairview Avenue  
Valley Stream, NY 11580

For questions or information please contact: **Velma Richardson, Membership Chair** at (516) 487-0775 (x110) or **Ramona Persan, Treasurer** at (516) 872-3819

COURT CLERKS encourage respect for the law and the administration of justice; Observe rules governing privileged communications and confidential information; Promote and exemplify high standards of loyalty, cooperation, and courtesy; Perform all duties of the profession with integrity and competence.



**ASSOCIATION OF TOWNS 2011 TRAINING SCHOOL & ANNUAL MEETING  
February 20-23, 2011**

Registration Fee: \$100 per person prior to January 21, 2011. After January 21, 2011, all registrations will be processed on-site at the cost of \$135 per person. Please send one form for EACH room required.

<p><b>1 Please Print or Type</b></p> <p>Name _____ Title _____</p> <p>Municipality _____ County _____</p> <p>Address _____ (Street or Road, City, State &amp; Zip)</p> <p>Daytime Phone (    ) _____</p> <p><input type="checkbox"/> I DO NOT need a Room</p> <p><input type="checkbox"/> I DO need a Room: (We encourage you to use the <b>online</b> registration/reservation links at <a href="http://www.nytowns.org">www.nytowns.org</a>)</p> <p>Do you want a Room Confirmation from the SHERATON: fill in your fax (    ) _____</p> <p>Do you want a Room Confirmation from the HILTON: fill in your email address _____</p>	
<p><b>2 Other Room Occupants (sharing same room)</b></p> <p>Name #2 _____ Title _____</p> <p>Name #3 _____ Title _____</p>	<p><b>3 Special Requirements</b></p> <p>Handicap Accessible _____</p> <p>Non-Smoking _____</p> <p>Other _____</p>
<p><b>4 Hotel Choice/Room Type (Place an X in the box)</b></p> <p>Hilton NY <input type="checkbox"/>      Sheraton <input type="checkbox"/></p> <p><input type="checkbox"/> Single (1 person/1 bed)</p> <p><input type="checkbox"/> Double (2 person/1 bed)</p> <p><input type="checkbox"/> Double/Double (2 person/2 bed)</p> <p><input type="checkbox"/> Triple (3 person/2 bed)</p> <p><input type="checkbox"/> Quad (4 person/2 bed)</p> <p><input type="checkbox"/> 1 Bd Suite</p> <p>Arrival Date _____ Departure Date _____</p> <p>Executive Tower Requested <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>	<p><b>5 Room Guarantee</b></p> <p>All rooms MUST be guaranteed with a credit card. <b>**Please note: For the Hilton ONLY, a one-night deposit will be charged to your credit card immediately upon making your reservation. For ALL hotels: room reservations will not be processed without the following information.</b></p> <p>Type of card _____</p> <p>Account # _____</p> <p>Expiration Date _____</p> <p>Cardholder's Signature _____</p>

**Mail Completed Registration/Reservation Form with the registration fee to:**  
 Association of Towns • 150 State Street, Albany, NY 12207  
 (518) 465-7933 • Web: [www.nytowns.org](http://www.nytowns.org)

**6 Questions?** Contact Meeting Coordinator Linda Shannon at the Association of Towns



New York State Department of Taxation and Finance

# Exemption Certificate

Tax on occupancy of hotel rooms

# ST-129

(10/00)

This form may only be used by government employees of the United States, New York State, or political subdivisions of New York State.

Name of hotel, motel, lodging house, etc.		Dates of occupancy	
		From: / /	To: / /
Number and street	City, village, or post office	State	ZIP code
			Country
<p><i>This is to certify that I, the undersigned, am a representative of the department, agency, or instrumentality of New York State, the United States government, or the political subdivision of New York State indicated below; that the charges for the occupancy at the above establishment on the dates listed have been or will be paid for by that governmental entity; and that these charges are incurred in the performance of my official duties as a representative or employee of that governmental entity.</i></p>			
Governmental entity (federal, state, or local)		Agency, department, or division	
Employee name (print or type)	Employee title	Employee signature	Date
			/ /

### Instructions for the government representative or employee

If you are on official New York State or federal government business and staying in a hotel or motel:

1. Complete all information requested in the box above.
2. Sign and date this exemption certificate in the box above.
3. Show the operator of the hotel or motel your appropriate and satisfactory identification.
4. Give this completed Form ST-129 to the operator of the establishment.

You may pay your hotel bill with cash, with a personal check or personal credit card, with a government voucher, or with a government credit card.

#### Please note:

- If, while on official business, you stay at more than one location, you must complete an exemption certificate for each establishment.
- If you are in a group traveling on official business and staying in this particular hotel, each person must complete a separate exemption certificate and give it to the hotel operator.

**Caution:** Willfully issuing a false or fraudulent certificate with the intent to evade tax is a misdemeanor under section 1817(m) of the Tax Law and section 210.45 of the Penal Law, punishable by a fine of up to \$10,000.

### Instructions for the operator of the hotel or motel

Keep this completed Form ST-129, *Exemption Certificate*, as evidence of exempt occupancy by New York State and federal government employees who are on official business and staying at your establishment. You must keep this exemption certificate for at least three years after the later of: 1) the due date of the last sales tax return to which this exemption certificate applies; or 2) the date when you filed the return.

This exemption certificate is valid if the government employee is paying with:

- Cash.
- A personal check or personal credit card.
- A government voucher.
- A government credit card.

**Do not accept this certificate unless the representative or employee presenting it shows appropriate and satisfactory identification.**

# 2011 ASSOCIATION OF TOWNS TRAINING

## NYSAMCC, INC. TRAINING AT A GLANCE — POTSDAM, NY

Here is a tentative class schedule for the Association of Towns Conference at the Sheraton.

As always, the schedule is subject to change.

If you have questions on the content of a particular class, email your question to your Education Chairperson, Maria Burns at [mburns@nycourts.gov](mailto:mburns@nycourts.gov)

### MONDAY, FEBRUARY 21, 2011

BASIC/CORE	ELECTIVE	ELECTIVE
9:00 – 10:15 AM <b>Court Clerk's Day</b>	9:00 – 10:15 AM <b>Court Clerk's Day</b>	9:00 – 10:15 AM <b>Dangerous Dogs</b>
10:30 AM – NOON <b>Fiscal Responsibility</b>	10:30 AM – NOON <b>Court Office Management</b>	10:30 AM – NOON <b>Ethics</b>
NOON – 1:00 PM Lunch Break	NOON – 1:00 PM Lunch Break	NOON – 1:00 PM Lunch Break
1:00 – 2:30 PM <b>CDR'S/DCJS</b>	1:00 – 2:30 PM <b>FBI/NICS</b>	1:00 – 2:30 PM <b>FBI/NICS</b>
2:45 – 4:00 PM <b>Criminal Procedure Law</b>	2:45 – 4:00 PM <b>Public Access to Records</b>	2:45 – 4:00 PM <b>DWI/Clerks</b>
4:00 – 5:00 PM <b>Clerks on Clerks</b> <b>How Do You Do It</b>	4:00 – 5:00 PM <b>E-Justice</b>	4:00 – 5:00 PM <b>Jury Trials</b>

### TUESDAY, FEBRUARY 22, 2011

BASIC/CORE	ELECTIVE	ELECTIVE
9:00 – 10:15 AM <b>Domestic Violence and Orders of Protection</b>	9:00 – 10:15 AM <b>E-Tickets/TSLED</b>	9:00 – 10:15 AM <b>Digital Recorders</b>
10:30 AM – NOON <b>Ask the Resource Center</b>	10:30 AM – NOON <b>Ask the Resource Center</b>	10:30 AM – NOON <b>Forms</b>
NOON – 1:00 PM Lunch Break	NOON – 1:00 PM Lunch Break	NOON – 1:00 PM Lunch Break
1:00 – 3:30 PM <b>Small Claims/Civil</b>	1:00 – 3:30 PM <b>Small Claims/Civil</b>	1:00 – 3:30 PM <b>Recordkeeping</b>
3:30 – 5:00 PM <b>DMV/Leandra's Law</b>	3:30 – 5:00 PM <b>DMV/Leandra's Law</b>	3:30 – 5:00 PM <b>Web/DVS</b>

FYI ... For *Your* Information

### GOT UPDATES?

Do you have updates to information that others would benefit from ... Send your updates, amendments, corrections to past information and any other FYI's to:

[docketeditor@nysamcc.com](mailto:docketeditor@nysamcc.com)

# DISTRICT NEWS — TRAINING

## DISTRICT TRAINING — WHERE IS IT & WHO DO I CONTACT?

I am the *District Training Liaison* and thought that an informative article concerning district training would be beneficial to all. Each judicial district in New York State holds district trainings at some point during the year. Some districts hold spring and fall training and some just spring. This educational training is in addition to the three conventions held throughout the year along with local county association and webcast trainings. The goal is to make education as accessible as possible to all court clerks. By having the trainings held in different locations on different dates gives a wide variety to choose which best fits your schedule.

Each district has a *District Administrator* that creates the agenda and secures instructors to teach each class. Many times the administrators may teach the class themselves if an instructor is unable to attend. I like to give credit where credit is due; when it comes to the administrators they are a wonderful group of leaders who commit to creating a program that benefits not only the clerks in their respective districts, but any clerk who comes through their doors.

Included is a list of the administrators, check out your state association's website ([www.nysamce.com](http://www.nysamce.com)) to get the latest information concerning district training, also where/when it is being held in your district.

District #3: Becky Letko – [Bletko@courts.state.ny.us](mailto:Bletko@courts.state.ny.us)

District #4: Julie Gansle – [Jgansle@nycourts.gov](mailto:Jgansle@nycourts.gov)

District #5: Sandi McKee – [Smckee@nycourts.gov](mailto:Smckee@nycourts.gov)

District #6 : Tina Majeski – [Tmajeski@nycourts.gov](mailto:Tmajeski@nycourts.gov)

District #7: Joyce Mahoney – [JAMahoney@nycourts.gov](mailto:JAMahoney@nycourts.gov)

District #8: Maria Burns – [Mburns@nycourts.gov](mailto:Mburns@nycourts.gov)

Lisa Fochtman – [Lfochtman@nycourts.gov](mailto:Lfochtman@nycourts.gov)

District #9: Judy Bromley – [JBROMLEY@nycourts.gov](mailto:JBROMLEY@nycourts.gov)

Denise Cookingham – [Dcookingham@nycourts.gov](mailto:Dcookingham@nycourts.gov)

District #10:

Debbie Newham – [Dnewham@nycourts.gov](mailto:Dnewham@nycourts.gov)

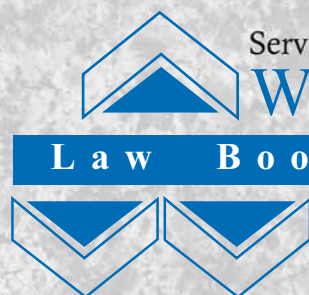
Nassau County:

Linda McCartney – [LMcCartney@nycourts.gov](mailto:LMcCartney@nycourts.gov)



Any questions on District Training please feel free to contact me at (585) 924-6955 or [TBolt@nycourts.gov](mailto:TBolt@nycourts.gov).

Terri Bolt  
District Liaison Coordinator


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| <input checked="" type="checkbox"/> Marriage Forms     | <input checked="" type="checkbox"/> T-SLED Dockets         |
| <input checked="" type="checkbox"/> Dockets            | <input checked="" type="checkbox"/> Justice Cash Books     |

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# DISTRICT NEWS

## WANT TO KNOW “WHAT’S YOUR JUDICIAL DISTRICT”?

Have you ever wondered what Judicial District your Court is in? The map below shows the twelve Judicial Districts for New York State. Below is a breakdown of the Districts and the Counties that are in them.

**1st District:**

New York County

**2nd District:**

Kings County  
Richmond County

**3rd District:**

Albany County  
Columbia County  
Greene County  
Rensselaer County  
Schoharie County  
Sullivan County  
Ulster County

**4th District:**

Clinton County  
Essex County  
Franklin County  
Fulton County  
Hamilton County  
Montgomery County  
Saratoga County  
Schenectady County  
St. Lawrence County  
Warren County  
Washington County

**5th District:**

Herkimer County  
Jefferson County  
Lewis County  
Onieda County  
Onondaga County  
Oswego County

**6th District:**

Broome County  
Chemung County  
Chenango County  
Cortland County  
Delaware County  
Madison County  
Otsego County  
Schuyler County  
Tioga County  
Tomkins County

**7th District:**

Cayuga County  
Livingston County  
Monroe County  
Ontario County  
Seneca County  
Steuben County  
Wayne County  
Yates County

**8th District:**

Allegeny County  
Cattaraugus County  
Chautauqua County  
Erie County  
Genesee County  
Niagara County  
Orleans County  
Wyoming County

**9th District:**

Dutchess County  
Orange County  
Putnam County  
Rockland County  
Westchester County

**10th District:**

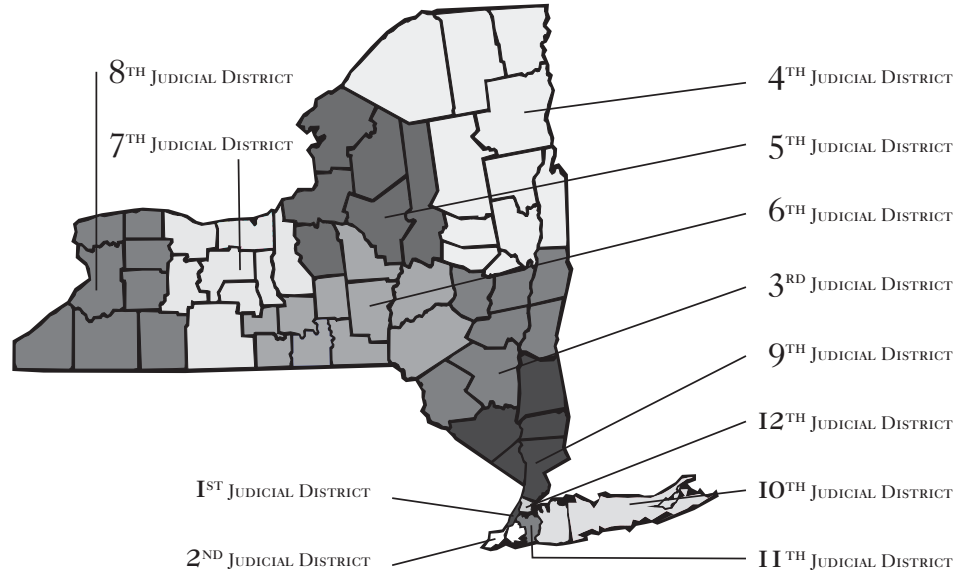
Nassau County  
Suffolk County

**11th District:**

Queens County

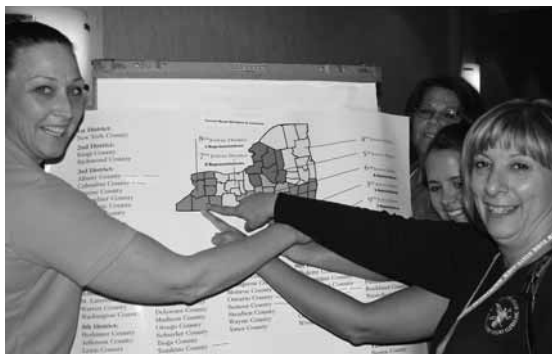
**12th District:**

Bronx County



## YOUR JUDICIAL DISTRICT?

## 5TH JUDICIAL DISTRICT NEWS



Need help finding your Judicial District?  
Don't be afraid to ask someone who knows!

### What's Happening in the 5th Judicial District?

Clerks from far and wide joined together on Friday, October 1st for the 5th Judicial District Fall Training. Our training was held at Mohawk Valley Community College in Oneida County in the technology building (also referred to as “The Love Boat” as that’s what it looks like). Fortunately for most of us, we did NOT sail away, as this was the day of torrential downpours with extreme flooding across the state.

Attending was someone whom I consider a most dedicated clerk from Oswego County (Hi Laura). She frantically phoned home in an effort to reach her husband to pick the kids up from school because her babysitter’s backyard had collapsed into the river when the retaining wall was swept away! The Mayor declared a State of Emergency, and yet, Laura stayed all day at training.

## 5TH JUDICIAL DISTRICT NEWS ... CONTINUED

I'd like to express a huge thank you to all the instructors who continually support the Court Clerk training year after year. **Marty Maloney** who taught 3 continuous hours of SEI, Cathy Deaton from TSLED who always manages to keep us laughing while drumming into our heads that it's never as hard as we seem to make it and **Michael Klein**, 5th Judicial District Executive, who taught Court Clerk Ethics, which was a big hit and very important for all clerks to know.

Last, but definitely not least, a very sincere and gigantic thank you to **Marianne Buttenschon** (Town of New Hartford) who helped to coordinate this great day and

arranged for the college's food services to cater our event. Our lunch included New England clam chowder, a variety of subs, sandwiches and wraps, chef salad with balsamic vinaigrette, chips, soda and delicious cookies for dessert. I've eaten restaurant food that wasn't this good!

Kudos to all the clerks who braved the weather and the long drive. The day was a wet albeit huge success. We have already started planning the spring training and hope to have it at Onondaga Community College in Onondaga County in May 2011.

Have a great winter,  
**Sandi & Terri, 5th JD Coordinators**

## 9TH JUDICIAL DISTRICT – NEWS FROM WESTCHESTER COUNTY

**RECENT RETIREMENT:** Karan Moseman, Assistant Court Clerk for the Town of Yorktown Court retired this past September 17th. We asked Karan to write a little something for *The Docket*.

"Although I've worked in the Yorktown court since March of 1988 (no such thing as not in my job description), I became assistant court clerk in February 2006. It's been an interesting time, especially with all the changes to go electronically. The conferences and dinner meetings were very informative. I had some good laughs and will miss all of you. My plans for retirement? Not having to get up in the morning and wonder what I'm going to wear to work. My husband (who will retire from the Town in November) and I will stay in Yorktown. We'll be able to spend more time with the grandchildren and do some traveling. I enjoy quilting, so hopefully, I'll be able to finish all the projects I started and start new ones plus all the other crafts I need to finish. I will continue to bake (which has been my stress reliever all these years) for all my family and friends."

**NEW POSITION:** Tina Cardinale, Clerk for the Town of Cortlandt Court, recently accepted the position of Chief Court Clerk for the City of Peekskill Court in Westchester County, this past October.

The Court Clerks in Westchester will certainly miss both Karan and Tina who were very active in all the meetings of our local organization as well as attending many of the conferences held by the State association. Thank you to both for participating and supporting our organizations and we wish you both well in your future endeavors.

**THANK YOU** to **Mary Ann Ambrosino** and **Trish Rubino** from the Town of North Salem Court for hosting our annual holiday meeting/dinner that was held on Friday, December 3rd. This is an annual event that is always well attended and is very enjoyable. The

guest speaker for this meeting discussed the recent "Ignition Interlock Requirements".



**DON'T FORGET TO  
SUBMIT YOUR DISTRICT NEWS  
docketeditor@nysamcc.com**

## "THE EARLY MORNING WALK"

A poem Submitted by Court Clerk, Nancy Artese of Lewisboro Justice Court, Westchester County.

What a great way to start the day  
To go for a walk for stress to allay  
With comrades to enjoy and forget the aches  
Feel refreshed and perky for good health's sake.

Come one and all join the walking company  
In the next conference at Saratoga, Niagara or Albany  
Jump out of bed and get in your exercise gears  
Invite your Court Clerk colleagues, friends and peers.

## SONIA'S MORNING WALKING GROUP

**W**e began with a “Pilot” walk on Sunday. First, we met in the lobby at 7:15 a.m. for our walk to The Crossings of Colonie. Everyone was enthusiastic and ready to go. There were 7 of us and it was a beautiful day. Gee. we all started off at the same pace and low and behold it turned into a heat of three groups! It was like horses at the starting gate. Velma Richardson and I just left everyone in the dust and not intentionally, we began with a stride and got lost in our walk then the gap got bigger and bigger! We would look back periodically to make sure the walking crew was still there. We were puzzled when we arrived at the park, looked back and no one was there! I had my cell phone in my pocket and all of a sudden it rang. It was Denise Cookingham letting me know that they were turning back. We did not lose a stride and continued eagerly on the walk. The park was beautiful. And the walk was refreshing. As we made a turn and were chugging along near Starbucks when we were stopped in our tracks with another call from Denise. Seems my walking crew had retired to Starbucks! The joke is that they could see my red hat and my ponytail swinging!

The walking “pilot” was a success. Every morning we met at the lobby at 7:00 a.m. (Our target was to walk between 30 to 40 minutes). The walking group grew each day! We were delighted to hear that word did get around about our morning walks because Harold Chinn (the significant other of Traci Culver, Ridgeway Orleans County) joined us! Attending the morning walks were: Board Members: Linda McCartney, Judy Bromley, Denise Cookingham, Velma Richardson, Sonia Mercado-Jimenez and my elite walkers, some of which are in the photographs: Diane Weissberg, T/Hamptonburgh, Vicky Coraci, T/Aurelius & Owasco, Tina Cox T/Cato, Ira, V/Meridian, Marie Gressler, T/Manheim, Judy “Julia” Parry, T/ Schuyler and Donna Albert, upper Nyack Court. Jeanne Romeu, V/Croton-on-Hudson. For those that do not appear in the pictures or I did not get your name, I apologize. I will do a better job in taking photographs and getting names at the next conference! Thank you so very much for making our walks memorable.

During the walks there was great chatter going on about each other’s workout routine and for those without a routine, this was a great motivator on taking the plunge into getting a workout routine in place. You should discover what best suits your lifestyle either low impact or high impact. Decide what it is you want to achieve, so get rid of those flabby arms — get into cardio and strength building. And let’s not forget the old fashioned, “I just want to drop some weight .... hey ZUMBA is a great way to do that!

If you want a mental boost or some tips, just shoot me an e-mail at: [soniamj138@gmail.com](mailto:soniamj138@gmail.com).

*Remember there is no turtle too slow for our walks :-)*

Submitted by Sonia Mercano-Jimenez,  
Director NYSAMCC (and Health Guru)



### SYNOPSIS by Nancy Artese

Sonia Mercado-Jimenez, a fitness instructor, initiated this early morning activity of gathering Court Clerks to go for a walk in the early morning of the first two days during the NYSMCCA conference.

I wasn’t able to join the group in the first day, but decided to try getting up early on the second day to walk or go jogging and planned to meet the group. To my dismay, everyone had left, but I went my own way to walk and jog by myself. I walked and jogged...I breathed the fresh air and felt the early morning breeze. I took pictures of the sunrise as it peeked through the clouds.

Walking is among my regimen of exercises, but jogging was not part of it. Thanks to Sonia for the encouragement and inspiration to start this healthy activity. Suffice it to say that walking or jogging does a great job in gearing up the brain and body to start the day’s work.

A good and healthy body brings about a happy disposition and a willing learner. What with the challenges that every Court Clerk faces – with the inherent obligations and the new responsibilities that come along the way due to the incessant changes in laws and regulations of the State of New York!



# COUNTY REPS



**C**an you find your County Representative?  
**Left side, top to bottom:** Kim Howard  
 Dawn Marie Klingner  
 Wendy Leach  
 Jill Bodie  
 Vicki Coraci  
 Barbara Hodom  
 Sonia Mercado-Jimenez  
**Right Side, top to bottom:** Denise Richards  
 Deb Newham  
 Gillian Moore  
 Denise Cookingham  
 Maria Burns  
 Julie Gansle



Above: Court Clerks from Nassau County



Above: Court Clerks from Tioga/Broome County 

County	First Name	Last Name	Work Phone	Fax Number
Albany	Barbara	Hodom	(518) 439-9717	(518) 475-1822
Allegany	Penny	Coleman	(585) 593-1750	
Broome	Robin	Kratz	(607) 693-1172	(607) 693-3500
Cattaraugus	Cheryl	Howard	(716) 933-6432	
Cayuga	Vicky	Coraci	(315) 255-0065	(315) 255-0065
Chatauqua	Fairlee	Fischer	(716) 753-5245	(716) 753-5241
Chemung	Helen	Schwartz	(607) 562-8443	(607) 562-8796
Chenango	Diane	Gregory	(607) 687-2236	(607) 687-3568
Clinton	Pamela	St. John	(518) 563-6870	(518) 563-8142
Columbia	Dora	Schultz	(518) 329-3033	
Cortland	Margaret A.	Capps	(607) 756-2352	(607) 756-6753
Delaware				
Dutchess	Dawn Marie	Klinger	(845) 373-8434	(845) 373-7017
Dutchess	Ursula	Plock	(845) 758-6960	(845) 758-1175
Erie	Maria	Burns	(716) 773-9600	(716) 775-3257
Essex	Cindy	Anslow	(518) 532-7737	(518) 532-9104
Essex	Angela	Heroux	(518) 523-2004	(518) 523-2004
Franklin	Donna	Cole	(518) 358-9939	(518) 358-9939
Fulton	Rebecca	Selee	(518) 357-4047	(518) 357-4049
Genesee	Dawn	Rindell	(585) 768-6910	(585) 768-2983
Greene	Jean	Close	(518) 943-2142	(518) 943-7652
Hamilton	Charlotte	Smith	(518) 548-3625	
Herkimer	Wendy S.	Leach	(315) 733-1093	(315) 733-5837
Jefferson	Diane	Gregory	(607) 687-2236	(607) 687-3518
Lewis	Aimee	Murphy	(315) 376-3752	(315) 376-2242
Livingston	Norma	Geary	(585) 243-0666	(585) 243-4618
Madison	Kim M.	Howard	(315) 687-3347	(315) 687-1098
Monroe	M. Dawn	Rejewski	(585) 637-1134	(585) 637-1140
Montgomery	Heather	Rose	(518) 853-4825	(518) 853-4343
Nassau	Linda	McCartney	(516) 599-0722	(516) 887-4363
Niagara	Jacqueline	Teixeira	(716) 215-1480	(716) 297-7006
Oneida	Sylvia	Crandall	(315) 794-3243	
Onondaga	Sandy	McKee	(315) 469-1674	(315) 469-3094
Ontario	Sue	Ricci	(585) 924-5775	(585) 924-6958
Orange	Wendy	Michaels	(845) 692-7821	(845) 692-7816
Orleans	Nancy	Draper	(585) 798-4875	(585) 798-1388
Oswego	Susan	DeMong	(315) 676-3522	(315) 676-4910
Otsego	Victoria	Robbins	(607) 432-0124	(607) 432-0418
Putnam	Pat	Genna	(845) 628-1500	(845) 628-4550
Rensselaer	Deborah	Coppola	(518) 733-5636	(518) 733-9057
Rockland	Marie	Cush	(845) 753-5506	(845) 753-5512
Saratoga	Jane	Curtiss	(518) 899-6797	(518) 899-2312
Schenectady				
Schoharie	Arlene	Needleman	(518) 294-6626	(518) 294-3221
Schuyler	Carmella	Hoffman	(607) 594-2273	(607) 594-2274
Seneca	Janet	Camp	(315) 568-9234	(315) 568-5870
St. Lawrence	Deborah	Coppola	(518) 733-5636	(518) 733-9057
Steuben	Tracy	Wilson	(607) 936-9062	(607) 936-2616
Suffolk	Debra	Newham	(631) 475-2753	(631) 475-1650
Sullivan	Mary Jean	Carroll	(845) 794-7130	
Tioga	Cheryl	Adams	(607) 687-2822	
Tompkins	Linda	Becker	(607) 564-9982	(607) 564-9982
Ulster	Jean	Savaço	(845) 256-0017	(845) 855-9146
Warren	Nancy M.	Earl	(518) 668-5420	(518) 668-5420
Washington	Lisa	Ringer	(518) 747-3292	(518) 747-8215
Wayne	Liz	Dibble	(315) 589-8250	(315) 589-2363
Westchester	Denise	Cookingham	(914) 381-7875	(914) 381-7896
Westchester	Sonia M.	Mercado-Jimenez	(914) 764-3983	(914) 764-3990
Wyoming	Gillian	Moore	(585) 492-4479	(585) 492-3052
Yates	Tammy	Hullings	(315) 536-7243	(315) 536-7243

**COURT CLERK'S ORDER FORM**

ITEM	DESCRIPTION	PRICE	ITEM	DESCRIPTION	SIZES	PRICE
5000	Court Clerk's Badge - Brass	\$80.00	5040	Sweatshirt - Navy - Embroidered	S-M-L-XL-2XL-3XL-4XL	\$24.00
5003	Padfolios - Black	\$18.00	5042	Sweatshirt - Ash - Screened	S-M-L-XL-2XL-3XL-4XL	\$18.00
5001	Digital Pen Holder - Silver	\$10.00	5043	Hooded Sweatshirt - Dark Green - Full Zip	S-M-L-XL-2XL-3XL	\$35.00
5002	5x8 Notebook	\$11.00	5048	Fleece Pullover - Yellow - Red - Navy	S-M-L-XL-2XL-3XL-4XL	\$33.00
5004	Leather Key Fob	\$5.00	5070	Jogging Shorts - Navy - Embroidered	S-M-L-XL-2XL	\$18.00
5008	Letter Opener - Silver	\$10.00	5071	Ladies Cheer Shorts - Navy	S-M-L-XL	\$18.00
5009	Umbrella Tote - Black	\$15.00	5075	Jogging Shorts - Ash - Screened	M-L-XL-2XL-3XL	\$14.00
5010	Tote Bag w/Zipper - Navy	\$15.00	5080	Fleece Sweatpants - Navy	S-M-L-XL-2XL	\$25.00
5012	Pencil Cup - Cobalt	\$10.00	5084	Fleece Sweatpants - Open Bottom - Navy	S-M-L-XL	\$18.00
5020	Jumbo Canvas Tote - Natural	\$20.00	5085	Fleece Sweatpants - Ash Screened	S-M-L-XL-2XL	\$18.00
5024	Wine Decanter/Vase	\$10.00	5086	Ladies Lee's Golf Shirt - White	S-M-L-XL-2XL	\$30.00
5025	Stainless Travel Mug - 15oz	\$10.00	5087	Ladies Tri-Mountain V-Neck Golf - White	2XL-3XL-4XL	\$33.00
5028	Stainless Steel - Lined Coozie	\$8.00	5088	Ladies Pique Knit (see next line for colors) Pistachio - Red - Lilac - Seafoam - Purple - Navy - Turquoise	XS-S-M-L-XL-2XL-3XL-4XL	\$27.00
5029	Ceramic Mug (see next line for colors) White - Cobalt - Maroon - Green - Plum	\$6.00	5089	Ladies Diamond Knit: Maize - White - Green	S-M-L-XL-2XL	\$30.00
5029	Glass Mug - Clear or Cobalt	\$6.00	5090	Ladies Golf Cotton (see next lines for colors) White - Maize - Spring Green - Navy - Wine - Sage - Seafoam - Red Blue Surf - Burgundy - Papaya - Pink - Eggplant - Hibiscus - Orange	XS-S-M-L-XL-2XL-3XL-4XL	\$30.00
5032	Multi-Color Mouse Pad	\$8.00	5092	Mens Golf Shirt: White - Blue Surf - Seafoam	S-M-L-XL-2XL-3XL-4XL	\$27.00
5034	Checkbook Cover - Red or Navy	\$18.00	5093	Mens Knit Sport: Pistachio - Seafoam - Navy	S-M-L-XL-2XL-3XL-4XL	\$27.00
5036	Expandable Attaché Case - Black	\$35.00	5110	T-Shirt - Navy or Coffee - Embroidered	S-M-L-XL-2XL-3XL	\$15.00
5038	License Plate Frame - White	\$6.00	5110	Ladies Shirt - Oatmeal or Red - Embroidered	M-XL-3XL	\$20.00
5039	Ladies Armitron Wristwatch	\$62.00	5111	Ladies V-Neck - Violet - Pink - Cactus - Aqua	S-M-L-XL-2XL-3XL	\$25.00
5300	Stadium Blanket (see next line for colors) Black - Navy - Royal - Red	\$18.00	5112	T-Shirt - Screened (see next line for colors) Ash - Aqua - Lime - Pistachio - Maroon	S-M-L-XL-2XL-3XL	\$10.00
5400	Ladies Cap (see next line for colors) Black/Khaki - Denim/Tan - Pink - Spearmint/White	\$15.00	5115	Scoopneck - Screened (see next line for colors) Black - Carolina Blue - Yellow - Deep Red - Pale Pink - New Pink - Light Blue - Ash	S-M-L-XL-2XL	\$10.00
5553	Ladies Cardigan - OSFM Buttoned Sweater Black	\$30.00	5116	Scoopneck T-Shirt - Violet	S-M-L-XL-2XL	\$10.00
5555	Ladies Cardigan - OSFM Buttoned Sweatshirt White - Navy - Black	\$33.00	5117	Scoopneck T-Shirt - Frost Orchid	S-M-L-XL	\$10.00
5648	Keyhole Scarf (56" x 8") - Navy/Charcoal	\$18.00	5117	Scoopneck T-Shirt - Apricot	L-XL-2XL-3XL	\$10.00
5800	30th Anniversary Travel Alarm and Luggage Tag Set	\$24.00	5500	Fleece Jacket - Oatmeal - Heather - Navy	S-M-L-XL-2XL	\$50.00
5810	30th Anniversary Charm	\$6.00	5501	Fleece Jacket - Blue	S-M-L-XL-2XL-3XL	\$40.00
<b>ADD:</b>			5550	Ladies Denim - Long Sleeve	XS-S-M-L-XL-2XL-3XL-4XL	\$33.00
<b>\$2 for 2XL, \$4 for 3XL (was PXL), \$6 for 4XL (was P2XL)</b>			5551	Ladies Sweater - Black	XS-S-M-L-XL-2XL-3XL-4XL	\$36.00
			5552	Ladies 2pc Sweater Set - Lt Blue	XS-S-M-L-XL-2XL-3XL-4XL	\$65.00

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<b>TOTAL</b>	\$

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 \$41 and up..... \$12.00  
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 CARD # \_\_\_\_\_ EXP \_\_\_\_\_  
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 4 DIGIT CODE ON FRONT OF CARD FOR AmEx \_\_\_\_\_



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