

Diane Deal and Karen Macias – *Interview was conducted at Karen's house in Foscoe. Her two dogs can be heard periodically in the background.*

**Q1 – Who are you, When and where were you born?**

DD - Diane Cornette Deal I was born here in Watauga County on October 29<sup>th</sup>, 1955, in the western part of the county, I came up in the Matney community.

KM - Karen Goodman Macias and I was born in Johnson City, TN on April 29<sup>th</sup>, 1969.

**Q2 – What did your parents do for a living? Did you contribute to the family income or help parents in their work in any way?**

DD – My father was a salesman for a wholesale supply company out of Hickory, NC, and he worked with that from the time I was about 5 or 6 years old and he retired at the age of 62 and that was been about 25 years now. (microphone moved closer to better hear Diane.) And he has been retired now almost as long as he worked. My mother was a homemaker, raised a garden, helped her father with farm work, he raised tobacco. We always had a huge garden, so in the summer time we worked the garden with our mom and our grandfathers.

One of my grandfathers was a Baptist minister, on my father's side, his name was Clyde Cornette, and he pastored several of the little churches including Watauga Baptist here in Foscoe. He pastored a church all the way up in Virginia, throughout the years he probably pastored 16 different churches throughout his ministry. But my grandfather on my mom's side was always a farmer, he farmed tobacco, did whatever the farmers did and he never drove a

vehicle, never even had a tractor, he worked a team of mules, their names were Kate and Remy - I *remember* the mules, as a young child it was fascinating to watch those mules work in the field.

**Q3 – Other than the farm and garden, how old were you when you got your first wage job.**

DD - I worked a winter time job when I was in high school for Sears, they needed extra people during the Christmas season to answer phones and take orders over the phone, that was when there was still a pretty good sized catalogue business. I worked at Sears for that winter and that was my first paying job and that was just after school hours like three or four days a week for a month.

KM – My Dad was always in the tire business, he worked for Carolina Tire and Brad Ragen Sr. before he passed away. He started out with Sooter Tires in Avery County. He was always in the tire business he worked for Carolina Tire, then he worked for John Clark out of Hickory of Clark Tire. I don't know when he retired, he's retired.

My mom worked for Watauga Medical Center for 35 years, she started out in the emergency room and then she went onto the business office and stayed there. My mom was very strict, so my first job was the Blue Ridge Parkway, and it was for the Youth Corps there and I was 14 or 15 and she was like "You're getting up and you are going to work, 7 (a.m.) to 3 (p.m.), I'm gonna drop you off and pick you up." I was like, "OK," So I dug ditches, I flagged traffic, I helped build the trails underneath the viaduct. I guess I didn't really contribute, I'm an only child, I didn't have any brothers or sisters and they worked hard their entire lives. I was

talking to my dad the other day, I was talking about retirement and he said, "Well I worked 45 years, I don't know why you can't?" I said I'm not working 45 years, my mother worked for 35 years. They just worked really hard, I guess to get where they were at at the time.

### **Q3 – What do you do for a living?**

KM – I am an assistant clerk of Superior Court and the Watauga County Courthouse for Diane Deal who is the clerk of court.

DD – I began working in the clerk's office in 1979. In 2009 I retired for about 18 months and prepared my campaign and ran for office, I came back in 2010 as the elected clerk of court for Watauga County. I am in the last year of my second term in office. I will be running for clerk again this year, I file in February. So this will be my third term as clerk, if I win.

KM – And she's going to win and run another term, because we need retirement.

DD – I have a great staff, there are 14 people other than myself that work in my office. We have five assistant clerks and everyone else is a deputy clerk. In the clerk's office there are basically three positions, you are either a deputy clerk, or an assistant clerk, or you are *the* clerk. The assistants basically can do everything the clerk does.

### **Q4 – How long have to worked there?**

DD – I was working at a local bank and the clerk of court at the time in the 70s was a Mr. John T. Bingham. He happened to bank at the bank that I worked at as a teller and he came in one day

to make a deposit, he left as he normally would and then he called me, when he got back to his office he called me and he offered me a job. He offered me a job as a deputy clerk in that office. At that time, I absolutely had no idea what the clerk of court was about. I did know that if you were summonsed for jury duty you had to go to the court house, because I had been summonsed for jury duty at one time in my life. Other than that I knew very little about the court system. So before I made the decision to go to the court house and take this job which I have had for so many years, I consulted some people that I worked with at the bank and through some very good advice I made the decision that I wanted to change jobs, and this is what I've done ever since.

I worked in every department in the office, I started out working in the criminal court department of clerk of courts office. And I think within the first nine months, the clerk made me one of his assistant clerks, and I also began doing the bookkeeping. So I was the bookkeeper there for about 15 years, I transferred from being the bookkeeper to being the assistant clerk for the clerk of superior court. I worked there for about 15 years and the lady who was the assistant clerk in the civil division retired, and before she retired she came to me and said, "Diane, we really need you to transfer from criminal to civil because we need your experience in the civil division." Karen was there at that time and a couple other people, but they didn't have the years of experience. So I said, "OK, I will talk to the clerk," and by this point my clerk was Glenn Hodges, because John T Bingham who had originally hired me died. And at that point I talked to Glenn and he said "Yes, I think that is a good idea, let's transfer you to civil." So I was in civil court as the Civil Superior Court clerk and as the supervisor in that department when I retired in 2009 and then returned as a clerk.

**Q4 – 22 – How long have to worked there?**

KM – I was hired on January 5, 1998. Before that I was living in Hilton Head, SC and I had come back to Boone and Mr. Hodges and myself went to First Baptist Church in Boone, and we were just talking one day and he said to me about coming to work for him. So I went through the interview process. Before that I was in retail management. I went by there and talked to him and he offered me the job and I accepted. And I've been here since then. And Diane was my supervisor in the civil division so we have known each other a very long time. She's like my second mother, I call her mom at work sometimes, we all call her mom really.

DD – I have that look I guess, or the age and experience. (smile and wink)

**Q5 – Describe a typical work day.**

KM – A typical day starts out with checking the open cases and closed cases. So we come in and check each other's work to make sure everything is entered correctly in our civil system, which is the V-CAP system, because everything gets transferred to Raleigh, so we make sure all that is right.

After that it's a lot of public service, if we have court. I have someone in my staff that handles all the District Civil Court that handles all the divorces, child custody, alimony, equitable distribution, just normal family law court, which it is called in some states or counties, perhaps. Then there is someone who does Civil Superior Court and that can be anywhere from medical malpractice, to Department of Transportation cases, to motor vehicle negligence or something

like that if Insurance doesn't settle it. And I handle all child support and domestic violence for the county. So they're in court a lot more than I am. I am in court every Wednesday and once a month for Child Support and those dockets can range from 75 to 120 cases to deal with - those are long days, I'm there late those days just to get all the cleanup done after court.

After that's done our mail usually arrives between 12 (p.m.) and 2 (p.m.) so we have to make sure that gets done. A lot of that can be time sensitive as far as judgements or motions to extend time where things have to be signed that day, because times up *that* day. The majority of the day depends, its feast or famine like we always talk about, it can be really really busy or really dead. A lot of it is really dealing with the public, because a lot of people come in and your dealing with them and their problems and a lot of them are upset a lot of the times, other times they're not. After that it's a lot of answering phones and what not. And I try to help out other divisions when we're caught up, like go to criminal and see what they are behind on, go by estates and see what I can do to get them caught up. I think we work well as a team to get each other caught up and prepared for the next day, because you never know what's going to come in the office or what kind of phone call you're going to get, so that sort of thing.

**Q6 – 26:20 - When you say cleanup after court, what does that mean?**

KM – We have cleanup for our cases, like my child support cases I have to move all my continuances onto the next month. And then most of the time the child support ladies come in and whatever the judge orders on that case has there will be an order and that order has to go into the V-CAP system that goes to Raleigh, just make sure all that's done.

With domestic violence, I had domestic violence today, we had about 12 cases and just make sure when your orders are signed and in and they go to the Sheriff's Department for dispatch because they go to NCIC which is state wide for protection. Continuances, just all the cleanup that court involves so it's done that day. And I'm pretty strict about that, and my staff knows, I think we are pretty much geared the same way where we want to come in and the desk to be clean, and I've trained them on that, and for the basket to be empty. I guess I'm a little...they know, they know it has to get done, it just has to get done, I don't want to be behind, *ever* - if I can help it. She's told me I can leave stuff for the next day, unless it's a judgement that needs to be entered, but it has to get done, I'm a slave driver, what can I say.

DD – There are certain things in the clerk's office that are very time sensitive and it has to be done in a very timely manner. For instance, if there is a judgement signed and it's a monetary judgement and it's against John Doe. John Doe may be trying to get a loan for a house, a mortgage, the attorney is going to come in at the very last minute before they finalize all those closing documents and they are going to check and make sure that person doesn't have any outstanding judgments, because if there are any outstanding judgements that person might not qualify for the loan to be finalized or they might need to pay off that judgement as part of the loan closing process, so it is very important that if we have a judgement filed that day as quickly as we can get it into the system, so that it shows in case there is an attorney that comes in to check that persons history, their credit history, it's going to be there. So its very time sensitive. That is probably one of the most time sensitive things we do here as far as getting it entered into the computer, somethings can wait 'til the next day – but that is of utmost importance.

The clerk can be held liable if a judgement came in, if Karen, for instance left that judgment sitting on her desk for two days. Well that second day if an attorney comes into check the records and its not in the system and they go to process that loan for the bank and low-and-behold that person had a \$30,000 judgment against them that didn't get entered. We can be held liable for that, we don't want to have to go down that road, so my staff are very good at paying attention to those timelines and being aware of that. And it's a protection for the public, it's a protection for everyone.

KM – Because your bonded as well.

DD – Clerks are under a blanket bond by the state in case something like that were to happen, we hope and pray they never do. We get audited by the state auditors, not every year but on a fairly regular schedule and many of the things we do get scrutinized very heavily by the auditors. We haven't talked about the estates division but Karen works in civil, but we have the criminal division, that covers all criminal matters, but we also have the estates and special proceedings so if someone loses a loved one they can come into my office and administer that estate.

The clerk of court is the probate judge for the state of North Carolina. Every county has a clerk, and every clerk is the judge of probate for that county. That is unique to North Carolina, that is not something you would find in South Carolina or Virginia, as far as I know we are the only state where the clerk is actually the judge of probate. That is something I take very seriously, we have timelines on that also when someone loses a loved one they come in and apply to be the administrator or the executor depending of if there is a will or if there is not a



will and once we issue those letters of testamentary or the letters of administration which authorize someone else to handle someone's financial part of their estate, once that's done, then there are timelines with when things must be filed and if those things don't happen in a timely manner, the clerk has the obligation to make sure those things are handled, that's a hard part sometimes.

### **Q7 – What is the judge of probate?**

DD - Probate, the word probate is a little complicated basically when you say you are "probating someone's will," you are saying that that will is a valid legal document and the court is willing to accept it as that person's last will and testament. And we actually sign what is called a certificate of probate that says it is this person's will and the court recognizes it as this person's will.

Now when you are talking about the administration of an estate, there's many different ways you can administer the estate, a lot of people refer to it as probating an estate but actually you are administering the estate. Either after a person has applied for letters of administration or after they have applied for letters of testamentary they get letters of testamentary or testamentary CTA if there is a will.

The will normally will name somebody as the executor of the estate and in many cases the court will appoint the person that has been named. In some cases, I do not. If a person has a felony on their record, if they have bad credit history – I'm not going to appoint them to take care of the finances of someone's estate. We need someone that is going to be responsible and

is going to take care of those things in a timely manner. It is fairly complicated, the clerk wears lots of hats. It's hard in a short interview to tell you all the different hats that we wear.

**Q8 – You said you are bonded, what does that mean?**

DD - It's a blanket bond for all the clerks across the state, and I personally don't have to sign anything – when you are elected clerk you are bonded by the state. And what that means is if a judgement doesn't get filed properly and if the clerk should get sued because of that there is an insurance policy. So that way the clerk is not held personally liable, but as the clerk you are liable in your capacity as clerk.

**Q9 – How has work changed since becoming elected?**

DD - As the assistant clerk I was responsible for a specific job, a specific department, as the elected clerk I am responsible for all the departments. You've heard, the buck stops here? Well, the buck stops here. That's the difference.

Your assistant and deputy clerks work at the pleasure of the clerk. And this sounds harsh, but I don't mean it to be harsh, but if I decided that tomorrow I did not need Karen to work in my office, all I would have to say is, "Karen you don't need to come back." I do not have to give a reason; I do not have to do anything; they work at the pleasure of the clerk. That is one thing that has really changed, I have not had to do that in my office, thank goodness. I have good staff and they are very attuned to what they need to do on a daily basis.

As Karen alluded to earlier we are really truly like a family. When you work with someone eight or nine hours a day, every day, you have personalities come into play and one of the things that clerk does that no one else in the office usually does is supervise the staff, they might have people that they supervise on a daily basis for the day to day chores, but the overall supervision of the office still comes down to the clerk and how I manage my staff, what departments I put people in is all at my discretion. The hiring process is at my discretion; Raleigh doesn't tell me who to hire. The county elects me and I try to, one thing that many folks are confused about is the clerk of court is a state job even though it is a county election. A lot of people say, "Oh you work for the county," well, it is a state position that is elected at the county level.

**Q10 – How have things changed over time since 1979?**

DD - That encompasses a lot there have been a lot of changes in the court system since 1979. When I began working in the court system in 1979 we had a machine called a mimeograph machine, that is how we made copies of our court dockets, you had to type that on this weird carbonized type paper and then you wrapped that on the machine and you hand cranked it and it cranked out copies of your calendar. We thought that was modern at that time. That was probably the end of the mimeograph era, and then we got a different type of copier and it had this *nasty* smelling paper and it wasn't still hand cranked, but it would cut the paper off at different lengths and it had this big spool of paper, and depending on the size of the document you were copying if it was a legal document or a standard sized sheet of paper. So we've had those changes.

Technology. I have seen the whole evolution of technology from when I started until now. We had nothing computerized when I started in the clerk's office in 1979. The 15 years I did bookkeeping I did double-entry bookkeeping with two huge ledgers. I had the receipt register and I had the check register. You had to write out each receipt and you itemized the receipt number and how much money and what it went to on these big green ledger sheets. I did bookkeeping like that for almost the full 15 years I was bookkeeping. At the end of that 15 years, we did get the automated bookkeeping system, and it's the same system that we still have. It's called FMS, Financial Management System and we still use that system with basically very few changes to this day, in the way the bookkeeping is done. The state is working on an updated version of the FMS system, lotta glitches, a lot of work to get it synchronized so that it works for the entire state so that every court has what they need. We are trying to get the system built now so that it talks to the cash register for instance, so that it talks to V-CAP in criminal so that we are not having to generate redundant reports, the different systems will talk to each other.

Right now we have a separate system for the civil division, we have a separate system for criminal, we have a separate system for the cashiers, and then a separate one for the Financial Management System and we are trying to get it integrated so they all work together. I am actually the chair of the financial division for all the counties in the state. They chose me to be that last year and asked me if I would continue this year, and that is an honor to be able to chair one of those committees that represents all the clerks across the state. And one thing I can tell you is that as you become a clerk is, it is a partisan race, but we try to run, and I can say that about most every clerk I know and I've met most of them over the years, we all run a very

non-partisan office because we are there to serve the people we are not there because of the politics we are there to do the next right thing we are there to serve the people of the county.

**Q11 – 41:27 – Karen, same question in the time you have been in the office how have things changed?**

KM –I thought about the judgement books when you were talking about technology, the lady that trained me, we have these big judgement books and we had to type judgements into those books until June of 2004, I looked up on the computer when that started. So we went to judgement abstracting at that point so we could type on the computer and no longer had to use these big books, and they are big. And so when I was typing one day the lady that was training me said, “Have you ever written a check?” I’m thinking, *who is this woman?* “Yes I have.” “Well just think of it like you are writing a check, OK.” I’m like, “O, OK.” Because I was 28 years old and terrified. And when I started she had gone for like a week or two and I just let stuff pile up on her desk, and it was a tall pile, and I felt like I was never going to learn this, I was never ever going to comprehend all this stuff. I never had enough confidence until the past few years that I could be successful in my career but I feel totally confident in that now. I just feel like I have been working in V-CAP for so many years since I started and then that changed. The computer system has changed somewhat, the V-CAP part has definitely changed and I have gone to a lot of training on that.

DD – We have had a change in technology but there have been other more subtle changes, for instance with Small Claims, for the money amounts you can collect in Small Claims Court. In

small claims you go in front the magistrate to hear that small claims case. The chief district judge oversees the magistrates and the chief district court judge determines what amount of case a magistrate can hear up to a certain amount, just a few years ago they changed the amount from \$5,000 to \$10,000. So a magistrate can hear a case up to \$10,000, when I first started in 1979 the largest amount a Magistrate could hear was \$300. That has changed drastically through the years.

Karen alluded to the different levels of court. In the civil division, you have small claims, district civil and superior civil. In small claims you can hear if the judge approves that, up to \$10,000, and our Chief District Court Judge has approved that. So our magistrates can hear cases for complaints up to \$10,000 and they can't hear stuff like contract cases they can hear stuff like Small Claims cases that involve, evictions or someone painted a house for somebody and they didn't pay them they owe them \$10,000, they can hear that, small claims cases.

The District Court Judge can hear cases from \$10,000 to \$20,000. \$20,000 and up goes to Superior Civil Court. There is a little bit of leeway there, anybody in small claims court can choose to go to district court first, the same in Superior Civil Court, if the parties choose even if their case is more than \$20,000 if it is a simple case they may choose to go to district court. I'll use the example of a credit card debt, quite often you have credit card debt much higher than \$20,000, but it is a not a complicated case. They have a contract that says they were supposed to pay so much a month and they haven't paid it so they do a complaint in civil court. Quite often you'll find those, even if they are more than 20,000 they'll choose to do those in district civil court level.

There is so much variety in what we do, the same thing in superior criminal and superior civil, we don't have anyone from that department here tonight but I will tell you a little about that. In district civil court you have your misdemeanor cases, you have your traffic cases, you have your infractions. In superior court in the criminal division you are mostly dealing with felonies. Now misdemeanors that are tried in district court can be appealed to superior court and we have a lot of misdemeanor appeals in our county, mostly DWI cases that's what you see most commonly appealed for from the district court level.

KM – Another change that happened recently are Divorce Judgements I can't remember the year, but now I can sign a divorce judgement as long as it is a simple divorce where there is no property to split, no custody, no child support, all of that stuff. As long as it's just a simple divorce, they agree, they've settled everything else through a separation agreement. I can sign those type of divorces.

DD – The clerk or the assistant clerk can do that, the deputy clerks are not authorized to do that. You either have to be a clerk or an assistant to sign off on a divorce. The same thing goes for the estate stuff we were talking about, the initial paperwork can be field with a deputy clerk but only the assistant or the clerk can actually sign the orders that are involved in the estate process. The same thing goes for a foreclosure hearing, those type of things.

**Q12 – What type of people do you work with?**

DD – I have a very diverse office I have all ages, Karen and I are probably the oldest. We have a couple young ladies that are graduates from ASU that did their internships in our office that we had openings for and I actually hired them. They are very smart young ladies. We have some

guys that work in my office, a diverse group there also, they are from different walks of life, one guy came from a bank, two boys came from working at Zippy's in Boone. They were both managers or assistant managers of Zippy's and Glen hired both of them. I've had people of different ethnic backgrounds work in my office, I have people from the LGBTQ community that currently work in my office. I think that we are a very open and accepting group of people. Really you have to be, I work with the public. Everybody that comes in and out of my office, someone asked me once, why I wanted to do what I did, and I said, "because I want somebody in that office that will treat everybody the way I would want to be treated if I was on the other side of that counter." I think it is important that we all recognize that we are all human and that we all have issues in life and we may get in trouble with the law but that doesn't mean we aren't all somebody's child, and we want those children to be treated right.

KM – And never say that it would never be you. That's one thing I learned, that Glen taught me. I used to think, that would never be me, but you never know. But Life can change in 30 seconds.

DD – It might not be you personally, it could be your child, it could be your grandchild. We are none guaranteed that our families aren't going to get in trouble, that people we love aren't going to get in trouble. We can't guarantee they aren't going to be involved in a divorce, or be involved in a domestic violence dispute, or lose a loved one, we deal with all of it, and we try to deal with it with compassion, and the way we would want to be treated. I get very emotional about my job.



**Q13 – 51:30 – When do you work?**

DD – Our office is open 8 (a.m.) to 5 (p.m.) Monday through Friday except on Holidays. There was a time that we would have busier times of the year, that is no longer the case, we now have things spread out all over the year. Watauga County has not always been the four season county that it is now. We used to have the ski season, and we had the leaf lookers in October, and we had a few second home owners that would come and go. Watauga County is now a four season county; we have tourists here year round. The college here that has grown – and that is a change that I have watched through the years, from just a little Appalachian State Teacher’s College to this big university with over 18,000 students, that has had a big impact on the little county of Watauga. It has good things and it has bad things, you gotta take it all, doesn’t matter, we deal with all of it. It does impact the number of cases that we have on the docket that’s another change, we have seen a gradual increase in cases from 1979 - we could keep track of those cases manually, without a computer. I would hate to think we think we had to do that today, because there are so many more cases and things are so much more complicated. You think that technology makes things easy it makes it easier to track it, it doesn’t necessarily make the situation any easier, it’s still the same bad situation, it’s just easier to track it.

KM – A good example is the admin docket that was just this week and there was over 800 people on it, they were lined up out the door all the way down to the steps of the court house. For one day.

DD – It was administrative criminal court and most of it is traffic related, infractions, traffic related, and I don’t think they schedule DWI cases on those dates – I’m not sure – I try to stay

out of criminal court as much as possible. That particular day we had all these people lined up but what they do on admin. court – which is a fairly new thing, it used to be you just go on your court date or whatever – now they have a thing called administrative court and a person can come to court on their administrative court date and that is usually their first court date and they can either plead guilty to whatever they have been charged with, or they can ask the DA for a reduction in the charge, they can ask for a continuance on the date or they can ask for a court appointed attorney if they need an attorney for whatever their case is. So its everything that needs to get ready for an actual court date.

KM – And it can't be a trial for that day.

**Q14 - 55 – What do you do with Downtime at work?**

DD – We don't have a lot of downtime at work but as I said we are a family and you will walk into my office on any given day and you will find people standing around having a chit-chat about whatever they did that weekend, we're family, we catch up. There are a couple times a year that we do not have court and that is usually when the judges' conferences are going on for the whole state and during that down time we box up old files, we send requisitions to Raleigh to destroy old stuff that's ready to be destroyed. We have a retention schedule for everything we have, well almost everything we have. So therefore once a year we really try hard to get rid of the old stuff that is eligible for destruction. That's one of the things we do, when we're not in court, and we're not working up cases or dealing with the public. Even when court is not in session there is a lot going on in our office, we are constantly preparing for our next session of court.

We have juvenile court, we have the domestic Court, we have the child support court, small claims court, civil, district, and superior, those are just in the civil division that we deal with this. Then in criminal you have superior and district criminal courts. In estates you deal with everything from someone losing their home on foreclosure, to an adoption. The clerk grants adoptions, that is probably the one happy thing that clerk gets to do, we are able to make some couple very happy when they adopt a child. We try to have a little ceremony with cake and balloons and try to make it a celebration for them.

We also adjudicate people incompetent and we appoint guardians. That's a two-part thing first of all you have to adjudicate that they are incompetent to take care of themselves – that's a special proceeding - and then the second part is an estate action where you appoint a guardian. So you actually have two separate files on one person for that process. As I said we wear lots of hats and there's nothing simple about what we do. We talk about it like it's simple because we do it every day, because we are trying to share that with someone else it can be overwhelming to the person listening. It's hard to do an hour interview and tell you everything we do.

**Q16 – Can you tell me about some of the acronyms you use?**

DD – V-CAP is the Civil Automated System, that's the computer program, it stands for Civil Case Processing System. ACIS that is the Automated Criminal Information System. V-CAP is antiquated, it is basically the same system that was designed in 1988, it has been updated so we can add more stuff. We are talking green letters on a black screen. We do have a couple of

updated systems one of them is J-WISE and it is the juvenile system and it is what you would think of, you have all these screens that you put different events and it will generate a calendar and it does a lot of stuff, but it's just an updated version. V-CAP and ACIS, are green and black screens.

**Q17 – Does your occupation have any special sayings?**

DD – We have these phrases we use every day and we don't even think of it as a phrase, we just know what we are talking about. I will tell you this when we have a new staff member come in, we say its gonna take you a good month just to learn the language. A lot of people don't know what a subpoena is, they certainly don't know what a *writ of habeas corpus* is and those are terms we use all the time. Usually we shorten that *writ of habeas corpus* down to a writ, it means to make them appear, it's a Latin thing.

KM – Or the fee for out of state attorneys *pro hot vici*,

DD – We have a lot of court language.

KM – How about frequent flyer?

DD – We will say someone is a frequent flyer, that means someone that is in and out of the court system *all* the time. That's a pretty common phrase. It's a learning curve. It's the acronyms more so than the Latin words you hear those words on a regular basis, the word probate for instance. Or the word administration, that means a lot of different things it can mean the administration of an estate or administrative court. They're totally opposite ends of the spectrum but we use the same word in our office for many things.

KM – The only thing I can think of is in civil as far as learning the language I think you have to, like our intern right now we are training him to learn the different issues that can be filed in a complaint. He asked me “How do you know this?” I was like, “I’m old I’ve been here a long time.” “How do you know that money owed is in MYO?”

“I just do”

“How do you know divorce is DIVR?”

“You just learn it.” That’s the learning curve because we have a sheet with codes that you put in to learn the system.

DD – When she is saying put in, she’s talking about putting into the V-CAP system. When a complaint is filed there is different issues on that complaint it could be a complaint for a divorce, that complaint could also have child custody, it could have post separation agreement or it could have alimony so all of those different things have codes that can be put into the system and its usually just an abbreviation of the words or a combination for the abbreviation of the words but it usually a four letter abbreviations or codes that we use. In criminal court each charge has a numeric code so that is a whole different language you have to learn.

One thing I will tell you is that we have three interns in my office this semester, they are criminal justice majors, you can be taught all that stuff, all that book knowledge, all day long, every day for four years, but when you come into the clerk’s office it’s like, “*What!?* They didn’t teach me this in criminal justice classes.” A lot of it is on the job training there is nowhere other than the court system that you learn this particular job. You can’t go to college to learn how to be the clerk of court. We go to the School of Government; they teach us a lot of classes. We

have continual training because every time our legislators meet in Raleigh there are law changes, those law changes, most of the time, have an impact on what we do. Whether it increases our work load, on rare occasions it might decrease it, but not usually, usually its more responsibility. The clerk's office through the years has quite often been the dumping ground of who's going to be responsible for what needs to happens, "Well the clerk can do that" and the clerk does it, we gracefully do whatever is put up on us to do, whatever responsibility it might be.

But sometimes that process changes and there is nowhere you are going to go and learn that except in this system, because every state is different. Most of the counties across the state we get our training from the Administrative Office of the Courts, and they are located in Raleigh and that was designed about 50 years ago also specifically to work for the clerks to help train the people in the clerk's office. The Administrative Office of the Courts was legislatively developed for the purpose of assisting the clerks across the state of North Carolina. In doing that they offer us training, the assistants and deputy's and a conference every year. The clerks have two conferences a year, the DA's have conferences, the judges have conferences, a lot of that is to keep us updated with law changes that have taken place when the legislators meet. We also go for special training for how to hold a custody hearing for instance, or how to hold an incompetency hearing, or how to hold a contested hearing - sometimes we hold hearings that are contested, sometimes people don't automatically agree that's how something should happen. The School of Government has been really good in developing classes specifically for the clerks, and specifically for judges, and the district attorneys they have an area at the School of Government where they really focus on what we need.

**Q18 – What special knowledge, skills, and abilities are needed? What techniques and methods?**

DD – I came to clerk's office from being a bank teller, Karen came from working in retail, most of the people that work in my office came from some other job, they did not come from a clerk's office. There's a couple of them that I hired as interns, they did have criminal justice majors but having that did not necessarily teach them how to do their job. They need to be able to understand technology because everything we now is computerized, we enter a lot of stuff in the computer we need to be able to use that but also one of the most important things we need to be able to do is interact with people, they need to have good communication skills, we need to like people because we work with people every day, day in and day out, and that is a quality I look for in people I hire, are they going to be able to work with the public, because we have to do that.

KM – Also listening skills, because sometimes people just want to be heard. They just want to tell you their story, at the counter, or in your office, or on the phone.

DD – And the number of people we have in our office is based on the number of cases. They do like a workload study and when I say *they*, I am referring to the Administrative Office of the Court and the one thing that is never taken into consideration with the workload study is how much time you actually spend interacting with someone. You can't put a number on that, it doesn't have a case file, so you can't account for that, and probably over half my day is spent dealing with someone just wants to come in a speak with the clerk. They may have a child that's in trouble in another county, has nothing to do with my county but they want to talk to someone who can say, who do I need to go see in that county? Or what do they need to do

about this? They'll come and talk to me about an estate in another county or an estate in another state, because they had someone die and the estate is in another state, what do I do? There will never be a case file on that conversation in my office, but you don't track that, how do you figure that into a work place study?

You really truly have to have the personality to work with people, and that's always the case and its hard to train someone if they don't have that naturally.

KM – And you have to have compassion too.

**Q19 – What are things about your work outsiders would not expect?**

DD – Most of what we do! (laughs)

KM – I think the interns think that. My interns will answer the phone and say, "I just don't know how to answer this question, this woman's asking me all these questions, I don't know how to answer them." We try to train them so they can answer those questions, but I think a lot of them don't realize all we deal with.

DD – I had an intern a couple years ago, he worked in the estates division, and he came to talk to me before he left and he said, "I have to tell you something, I have learned more in your office during the months that I had been here." Which was three to four months and he said "I have learned more in your office in the time that I've been here than I learned in four years of criminal justice classes in college. This has been an amazing experience." And when we have our interns we try to teach them what really goes on in the court system, this is where the rubber meets the road, now there's an old saying, but it's not common in the court system.



**Q20 – What were originally the most difficult aspects of your job?**

KM – I think not getting too personally involved. I have sat in a courtroom and listened to a child in a custody case where his mom and dad are battling and it has brought me to tears where I had to get up and leave the courtroom because I felt so sorry for this child because the parents used the child as a tool.

And feeling sorry for kids when I have sat in juvenile court and the parents are not good parents and they're young. I've heard of stories where DSS (Department of Social Services) has been involved and picked up kids in the middle of the night and walked into some pretty rough situations and those workers have told us, you wouldn't believe what I have seen. And those kids are ripped out of their homes at 1 a.m., sat in the DSS offices until they figured out what to do with them, that's sad, that tugs on your heartstrings a little bit.

DD – Juvenile court cases are some of the hardest cases that you will ever hear. I worked juvenile court years ago, I wanted to take them all home with me. And what Karen said is correct, you have to learn how to disassociate yourself a little bit from the situation otherwise when you go home at night you would never sleep, that's the hard part of the job is not wanting to take them all home.

KM – I think growing a tough skin as well. I think you know what I'm trying to say?

DD – I do know what you are trying to say. A court reporter told me years ago, we were working in juvenile court and she said, "My hope is that at the end of my career is that I still have compassion, because I do not want to become hardened in order to survive my job." And I have thought about her saying that to me many times throughout the years, you want to be

compassionate, you do not want to end up with a hard heart because that's the only way can survive is to harden your heart to all the emotions that you see and hear about every day. I think that is one of the hardest things.

I think I still have compassion after 37 years, I don't think I've hardened my heart. But there are some situations where I have hardened my heart, it's like, "Un-uh, no" it's the frequent flyers. It's like you've been here, you've done this way too many times, you don't need to ask me for compassion, I have seen your face and seen your name too many times through the court system. Which is sad because they still deserve compassion too. We all make mistakes, we hope that we learn from our mistakes, and we hope that for these young people that come in and out of the court system. And it's not always young people, and that's what's sad, you see the next generation and the next generation and they're all following down this path and it's sad, because sometimes it is a generational thing, and I've been here long enough to see the generations.

KM – I've dealt with people or their kids when I started on January 5, 1998 until now. And that is what I think I am referring to with the tough skin, it's not the juvenile cases, it's just like how can they still be in trouble or now their kids are in trouble. I think back too to what (Diane) said, you are a product of your environment, but still I don't think my heart is hardened but there are some people that I definitely have less patience with than others, which are frequent flyers that come into the office on a monthly basis.

### **Q21 – Most satisfying part of job?**

DD – When at the end of the day you can go home and you can feel like you have actually helped someone that day. You have made their life better because you were there. That is why I do what I do. Because I feel like that we make a difference and sometimes we are the face of the court system. The clerk of court is quite often the face people associate with being in the court system and if we can make their day a little better by being kind, being courteous, giving that listening ear when that's what's needed. If we can do that and at the end of the day we can say, maybe I helped someone today, that's the best aspect of my job.

KM – I agree, that's how I feel. As long as I know I helped someone, or I listened, and I made a difference. That's satisfying.

DD – And sometimes it's your staff that you are working with that you might have made that difference too, you never know, you never know. I had a lady today, whom I met earlier in the week. Dealing with an estate, a 93-year-old lady, she was dealing with her son's estate. She came back earlier today to pay her filing fee and we were standing out in the hallway and she said, "I really enjoyed meeting you, you really made this process easier for me. I would like to go to lunch with you someday, would you be alright with that? You never know when you might make a new best friend, it's just part of it, it's just part of. It's just like my husband would have really liked for me not to run this year, he would have really liked for me to retire and stayed home, he was like "I don't get it, why do you want to keep doing this?" I said, "because I get satisfaction from what I do, it brings me joy." He said, "Don't you just want to stop and smell

the roses?" I said, "I smell those roses every day, I am smelling those roses, this is my rose in life." *I'm sorry, I'm crying.*

**Q22 – What advice would you give someone beginning this line of work?**

DD – Think twice. No seriously, I would probably tell them that.

KM – Be patient.

DD – They need to be patient, they need to be kind, they need to know that it's a commitment, it's not just a job, because what we do does make a difference and if they are going into this line of work they need to understand it's about the person they are working with, it's not about the paycheck they are taking home, it's not about social status, it's not an elitist position in any stretch of the imagination, it is a job helping people, you are a public servant and if you can't be a servant to the people you don't need this job. That's what I tell them. If you can't be a servant, don't come in here.

KM – That's what I was going to say. You are there to meet the needs of the citizens of Watauga County.

DD – We are forbidden from practicing law, even if we were lawyers sitting in that office we could not practice law. That is a fine line that we walk in the difference between giving legal advice and giving procedural information. We have to be very cautious that we are only giving them procedural information and it is very hard to draw the line, but that's one thing we have to do because sometimes you will look at someone and say, "Well you need to do this and you

need to do that and this is what I would do if it were me,” we can’t do that as much as you want to at that time.

The best we can do is tell someone, if you don’t know what you are doing you might want to speak to an attorney. And we don’t even say you have to see an attorney because people have the right to represent themselves in court, you don’t have to have an attorney to do that but it is advisable to have good legal representation when you are going to court.

**Q23 – Please share a memorable moment from your work.**

DD – One that I always remember, and it was one of those days where have one of those “Ah-ha” moments, and it was a young man that had been paying child support through the office for years. I was still the bookkeeper so this was many years ago. He came into the office one day, he had been behind on his payments, he came in, he was very personable young man and he said, “You know my wife is remarried and her new husband wants to adopt my children, and I’ve decided I want to give up my children.” I said, “Please have a seat,” and I could tell he was very distraught, very confused about what was going on in his life at that time and I took time out of my day to have a conversation with that man. I said, “I want you to take a moment and think about what you just said to me. I have seen you come in and out of this office, I have seen you try to keep up with the payments to support your children, I have seen you come into this office with your children, I know you love your children. Do you really want to give up your parental rights for your children?” And we continued talking for a few minutes and he left. Probably a month, two months later he comes back into my office again making his child

support payment, and he said, "I just want to say thank you, I was about to make the biggest mistake of my life and you took time to talk to me and I will never give up my children for adoption." I can see that young man to this day, I can still see him sitting at my desk talking to me. That is the memorable occasion in my life, *don't you dare cry.*

*WW- that's beautiful!*

DD – Well it's life, I mean, it's life and sometimes people make, life changing decisions in times of duress or times of extreme stress and they don't see that there is still that light at the end of that tunnel. And sometimes we, we have those opportunities, God gives us the opportunities to bring light to other people if we take those opportunities.

KM – That's a hard story to beat! I don't think I can measure up. For me, since I deal so much with the domestic violence cases, I feel like its people that come into my office that pour their heart out to me about what they are going through. A case we heard today, this lady came up to me and said I just want to thank you so much for taking time out to talk to me and she had told Judge Rebecca Eggers-Gryder that Karen did really good, she's so patient, she listens, she's kind and we were talking about it earlier, that is such a reward when you can help someone when they are truly truly distressed, they're scared for their life. And I really do try to take the time to talk to people who are in abusive situations and I feel like those situations are like my rewards or my roses because I've helped them and there have been so many of those over the years. And I think going in too, when I did district courts I can see so many kids faces that were in there with the judge and the judge will ask them a question and they're young and sometimes they will look at me like is it really OK to say this and they will tug at my heart, even

though I don't have kids, they will tug at my heart in those situations both in closed doors and in chambers and listen to them pour their hearts out because they're so torn between their mother and their father.

DD – And I have to commend our judges, they are really good about handling these very sensitive situations, they are not going to ask those children to talk out in front of everybody, they will say let's go into my chambers and talk about it. Our judges are very cautious they would never go into their chambers alone with someone else so most of the time they will get the Bailiff or the courtroom clerk to go back with them, everything is in proper order.

KM – They are very professional they are great at dealing with kids, they are fantastic.