

NATIONAL ASSOCIATION OF STATE JUDICIAL EDUCATORS

# Newsletter

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## Product Progress Provides Program

State initiative in product development once again provides the underlying theme for the annual meeting of the National Association of State Judicial Educators. Presentations to occupy center stage during the 1987 meeting October 11-14, include producing videotape instructional activities, conferencing via satellite, funding new products through the State Justice Institute, and exchanging program resource materials proven particularly effective through local use. New Orleans, Louisiana, and its Royal Orleans hotel serves as the headquarters for the meeting.

Business issues confronting members of the N.A.S.J.E. involve election of an individual to serve as President Elect, and amendment of the organization's by-laws to provide for fuller participation by employees of nationally-based CJE providers. Affirmative response from the State Justice Institute to N.A.S.J.E. grant proposals may necessitate that significant project planning also be accomplished at the New Orleans meeting.

Special guests invited to participate in the annual meeting's program include the Board Chairman and Executive Director of the State Justice Institute. Likewise, the President of the Conference of State Court Administrators is recipient of a special invitation to attend. The N.A.S.J.E. Executive Board also plans to host a special meeting of selected representatives to explore how to improve nationally-based CJE provider support of state judicial educational operations. This will involve both S.J.E.O.'s and representatives of nationally-based providers.

## SJI Funds NASJE Joint Proposals

Product development activities involving the NASJE with the National Center for State Courts and the National Judicial College recently received grant awards through the State Justice Institute. Both yearlong projects, the first a proposal to disseminate a quarterly CJE publication and the second a plan to design materials for three model instructional programs for use at the state level, will run through fall of 1988. They represent two of ten project concepts initially suggested by the NASJE to the SJI for grant funding.

The drafting committee for the NASJE's original ten proposals included: Paul Li, California; Rita Stratton, Kentucky; Jerry Beatty,

Iowa; Tony Fisser, Connecticut; Dee Lawton, Florida; and Rich Reaves, Georgia. After the opening round of concept paper submittals, Rich Reaves worked with Interim Dean Larry Hyde and staff of the National Judicial College, while CJER'S Paul Li and Winslow Small coordinated grant application efforts with Geoff Gallas of the National Center for State Courts. The NASJE publication project, involving the NCSC as grant reporting and fiscal services manager, received a sum slightly in excess of \$50,000. The instructional modules project, in which the NASJE is a co-applicant with the NJC, was awarded about \$125,000.

The NASJE's initially submitted proposals encompassed: production of a model faculty development program for use in the states, research into CJE applications of advanced educational technology, research into and SJEEO training on program evaluation techniques, activities for orientation of new SJEEOs, reassessment and updating of standards for judicial education, research into improving CJE needs assessment methodology, development of models for comprehensive curriculum design of CJE activities in support of career enrichment and planning, technical assistance between state judicial education organizations, CJE information gathering and dissemination, and design of five model instructional activities for implementation by state-based CJE programs. Concept papers presented by several national-based providers of CJE services contemplated their providing similar products and activities to state CJE operations. Staff of the SJI suggested that collaborative grant applications might be received more favorably than "competing" proposals, which gave rise to the several joint ventures ultimately presented and partially funded.

## ABA Judges Honor Arizona CJE

The National Conference of Special Court Judges, a constituent of the ABA's Judicial Administration Division, recently selected Arizona's state judicial education program as exemplary in its provision of judicial education for judges of limited and special jurisdiction courts. Nancy Scheffel, SJEEO, accepted the award during the ABA's 1987 annual meeting in San Francisco.

The Arizona program for limited jurisdiction courts consists of substantive seminars on law and judicial practice, as well as course planning and faculty development activities. Judges and court support personnel are included in both these training opportunities.

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Most of the 180 justices of the peace and municipal court judges served are non-lawyers.

The new judge orientation component involves a week of preservice training with a briefer follow-up period of activity within 90 days of initial service. Thereafter, an annual judges conference is conducted along with two regional seminars. Virtually all CJE meetings involve presentation of topics in multi-tracked segments and employ small group (25 persons) instructional methods. An annual conference for court support personnel is similarly structured. Course development and faculty training activities run as a four day seminar for 25 people. A specialty course on conducting settlement negotiations currently addresses a vital skill susceptible to frequent use by these judges.

## ICJE Beams From WESTAR IV

The nation's first intrastate, satellite transmitted, CJE program was successfully conducted by Georgia's Institute of Continuing Judicial Education on September 1, 1987. The update seminar on adjudication and disposition of serious misdemeanor traffic offenses beamed via WESTAR IV from the University of Georgia's main television studio at the institution's Kellogg financed Center for Continuing Education to eight geographically dispersed regional downlink sites. Over 175 judges, clerks and court support personnel of Georgia's county and city courts participated in seminar activities at Albany, Athens, Augusta, Dalton, Jonesboro, Macon, Savannah and Waycross.

In addition to viewing pretaped interviews with judges from Florida, Massachusetts, and Michigan regarding novel dispositional practices, and live panel discussions involving leading Georgia Judicial practitioners, seminar attendees took part in phone-in question and answer sessions, moderated group discussions, and problem analysis workshops. Drivers' license suspension, revocation and reinstatement was covered in the 6½ hour program, along with sentencing and legal questions inherent in the trial of DUI cases.

A major element of the success in this satellite teleconference came from attracting into CJE participation by local court personnel who ordinarily do not attend centrally-located, statewide drawing programs. On site activities oriented to small group instructional design were also facilitated by the teleconference format. As a result of this effort, the I.C.J.E. contemplates offering three additional programs in the coming year, aimed at target-specific audiences of court support personnel. Because Georgia is the largest state east of Mississippi, and inasmuch as the continuing judicial education program operates as a department within the flagship law school of the state university system, which has created a network of support services for satellite transmitted educational activities, the I.C.J.E. anticipates further experiments, and successes, employing this medium.

## Program Profile: Texas Justice Court Training Center

by Kay Boothman, SJEO, Arkansas

The Texas Justice Court Training Center was organized in 1972 to provide educational opportunities for Justices of the Peace and Constables.

Training for Justices of the Peace is statutorily mandated to be sponsored by an institution of higher learning. To this end, the Justices of the Peace and Constables Association of Texas, Inc. contracts with Southwest Texas State University in San Marcos to administer the educational programs.

The Justice Court Training Center employs a staff of eight who, during the past year, trained more than 1,600 court personnel, including justices of the peace, justices of the peace court clerks and constables. The staff members work closely with the Association's six-member advisory board to develop curriculum, select faculty, monitor the seminars and make any necessary policy decisions that would affect the operation of the grant program. Only 7% of the justices of the peace in the state are law trained judges, hearing more than two million cases during fiscal year 85-86. The justice of the peace courts hear small claims cases; civil cases involving no more than \$2,500; misdemeanor criminal cases in which the crime is punishable by fine only; and issue search warrants and accept felony complaints. For one-half of the state of Texas the justices of the peace act as county coroners. Two-thirds of the training provided to justices of the peace by the Justice Court Training Center is civil law oriented, while the remaining one-third is of the criminal law nature. The constables are trained only in the area of civil process serving.

Judges from all levels of the Texas judiciary, attorneys, representatives of major law enforcement agencies and business leaders serve as faculty for seminars. Regional seminars are conducted to assure the participation of a large majority of the justices of the peace and constables.

In 1985 the Legislature created the Judicial and Court Personnel Training Fund in the State Treasury to be administered by the Supreme Court of Texas for the continuing judicial education of judges and court personnel. The Legislature directed that one dollar be added as a court cost on each criminal conviction and that that dollar be paid into the Fund. The Legislature further directed one-third of the Fund be used for education for municipal court judges and their court personnel, one-third for judges of justice of the peace courts and their court personnel, and one-third for judges of appellate courts, district courts, county courts at law and county courts performing judicial functions and their court personnel.

In fiscal year 1986, the Texas Justice Court Training Center was granted \$677,999 from the Supreme Court to provide for education courses, programs and projects to benefit justices of the peace, clerks and constables.

Plans for seminars for the next fiscal year include: nine twenty-hour schools for justices of the peace; eight twenty-hour schools for court clerks; seven twenty-hour schools for civil process servers (constables); one or two forty-hour new judges programs; and one twenty-hour faculty development seminar. One new program will be added, a forty-hour management school for justices of the peace.

In addition to the training functions coordinated by the Justice Court Training Center, the Center also manages such other projects as the recent publication of the *Justice Court Deskbook*, and subsequent supplement. The Center also publishes an annual directory of the membership of its association and serves as a clearinghouse for information dealing with the Justice Court System.

Statistics indicate that 90% of the citizens of Texas who have contact with the state judicial system have that contact with the justice of the peace courts or the municipal courts. These statistics strengthen the resolve of the staff of the Justice Court Training Center to provide quality educational opportunities.

# Personnel Profile: Paul M. Li California SJEO, Center for Judicial Education and Research

by *Connie Dove, California Judges Association*

When little Paul Li (yes folks, he was little) left China at the age of seven, he had no dream of becoming a heavy-duty judicial educator. Paul, his twin brother Peter and family emigrated to Pittsburg, where his father taught chemistry at Duquesne University. Paul early decided that the priesthood was his calling, and spent his school days at Maryknoll Seminaries, first in Scranton, Pennsylvania, then Glen Ellen, Illinois. He graduated with a B.A. in philosophy, and spent a novitiate year in Bedford, Massachusetts to prepare for his role in the Maryknoll Missionary Order.

But the call of ... real life (?) intervened. Paul decided on a career in law, influenced by an uncle at Harvard Law School. He enrolled in Duquesne Law School with intent to practice law in Pittsburg, but a clerkship with Federal Judge Ruggero Aldisert (now Chief Judge of the Third Circuit) was a turning point. Judge Aldisert determined that Paul should go west, and arranged for interviews with Melvin Belli and Chief Justice Roger Traynor. Paul embarked on a 120-hour Greyhound bus trip to California and back, pausing only to interview for jobs and to test out his new secular persona in San Francisco's night spots. In 1965, he accepted Justice Roger Traynor's offer to become the youngest attorney in the California Administrative Office of the Courts. He eventually became the Director of Legal Affairs, where his demon proofreading, form drafting, and furniture arranging skills were honed. He married, had two daughters and a son, and embraced the suburban lifestyle.

Already an educator at heart, Paul turned a moonlight job of writing and grading bar exam questions into a highly successful bar study course. "Bar Graders" eased many a student through California bar exams, but made very little money for the perpetrator. (His customary fee was a fifth of 26-year-old Chivas). Paul continues to coach his friends through bar exams, including at least one member of NASJE.

In 1972, he declined an offer to head the Western Regional Office of the National Center for State Courts. But in 1973, when judicial education in California had run out of federal funds and was looking for a sponsor, Paul was tapped by the AOC to head the first Center for Judicial Education and Research in Berkeley. His initial task was to build the existing administrative, juvenile and criminal court institutes, and the Judges Association's Judicial College, into a year-round, state-funded program. Paul designed, nurtured and cultivated CJER into a 1.7 million dollar, comprehensive program of orientation courses and institutes, benchbooks and practice guides, which became a model for the developing field of judicial education in the United States.

The scope of CJER's program is unparalleled, probably in the world. This year's annual two-week Judicial College for new judges had a faculty of 90 and included 27 courses and 13 seminars. CJER offers as many as 12 weeks of orientation throughout the year at various court levels. Annual institutes update judges in eight areas of law, from juvenile to appellate. Paul's crowning achievement is the Continuing Judicial Studies Program, a complex series of week-long programs given 2 or 3 times a year. Twenty intensive seminars, including family law, complex litigation, death penalty trials, courtroom fairness, decision-making, jurisprudence and humanities

are offered. Each course is planned by a committee of judges, and each faculty member is trained in teaching techniques and stringently evaluated. The success and quality of this advanced program has raised the level of all judicial education in California, and has influenced programs in all other states and other countries.

Paul attributes at least some of his success with judges to his early experiences coping with all those priests and bishops! This may also explain his readiness to lend a hand to those around him. In 1973, Paul became active in the Judicial Education Roundtable, the forerunner of NASJE. When the Association was formed, he served as president in 1978, and hosted Annual Meetings in 1977, 1982 and 1985. Paul's warmth and creativity is also demonstrated at home as he practices the arts of party-giving, photography, map drawing and tour guide leading (as anyone can attest who participated in one of his "symposiums" to the wine country or Fourth of July barbecued oyster parties). Although his children are now grown, he is the patriarch of a cosmopolitan group of friends and colleagues in the Bay Area.

With CJER well established, Paul is circling back to his original missionary inclinations, traveling with the gospel of judicial education to other states and other countries. He has served as a consultant to state judicial education programs in Arizona, Georgia, Hawaii, Oregon, Washington and Pennsylvania. For the Asia Foundation, Paul has traveled to Australia, Bangladesh, Nepal, Philippines, Singapore, Sri Lanka, Taiwan and Thailand to establish judicial education institutes so that Asian judges can profit from the materials, programs and consulting networks enjoyed in the U.S. In 1985, Paul helped organize the first conference of Asian-Western Pacific Chief Justices on court delay, and a similar conference for court administrators from the 15 participating countries.

Looking to the future, Paul will be organizing the 2nd AWP Chief Justices Conference in Pakistan this October, during an Asia Foundation circuit ride. This trip will include China, India and the Philippines. Although he has traveled extensively in China, this may be his first trip as an ambassador for judicial education. Paul's future will also include his fiancée, Shu-Ti Hung, an architect from Taiwan who now works in insurance and real estate in San Francisco. But we can be sure that whatever Paul does will benefit others, whether friends, colleagues in NASJE, or judges in countries around the world.

## Caseflow Management Training - Redefined

by *Deborah M. Plog, Michigan Judicial Institute*

### Background

Michigan, like many other states, continues to experience problems of delay associated with litigation. Recent study recommendations by the Citizens' Commission to Improve Michigan Courts strongly urged the Supreme Court to act to reduce delay. As a result, the Michigan Supreme Court intensified efforts to improve the speedy and just resolution of matters in all of Michigan's courts. As part of that effort, it created the Caseflow Management Coordinating Committee to make suggestions on how to reduce delay through improved case processing. It also charged the Michigan Judicial Institute with the responsibility of preparing the courts to institute the suggestions, through training personnel in the methods

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## CASEFLOW MANAGEMENT Continued

and procedures that would avert unreasonable delay and expense for litigants. This training task was complicated by:

- geographical constraints;
- court funding by units of local government;
- employment of personnel by the local funding authority;
- absence of historical data from which to determine the existence of problem areas in case processing.

### Training Effort

The Institute has in the past provided Caseflow Management Training for judges and court employees, so some idea existed about the level of technical knowledge operating in the system. However, the single 1, 2 or 3-day seminar approach to training in this area was not sufficient to address the enormous caseflow problems that have existed for many years. With new technical capabilities in the State Court Administrative Office regarding caseflow management, as well as a source of state funding to support an intensive training effort, the Institute has been able to design and offer a seminar the contents and format of which will facilitate the changes required in the courts.

In January 1987, the Institute received funding from Michigan's 302 Criminal /Justice Training Grant, in order to spend a year working with the Michigan courts on this project. The funding was allocated primarily to the circuit courts (trial court of general jurisdiction) and to a lesser extent to the district courts (court of limited jurisdiction). In terms of number of training days, the circuit courts will receive the main emphasis.

### Circuit Court

The program is entitled "Defining and Achieving Excellence in Case Management." This goal is to encourage and challenge the circuit courts to institute a system of case management that will provide litigants with just resolution in an efficient and timely fashion. This goal will be achieved through the following objectives, which direct the program design and activities.

- Objective 1: Each participant will know how to access their current case management system.
- Objective 2: Each participant will be able to identify case management problems within their current system.
- Objective 3: Each participant will learn a systems approach for implementing case management techniques.
- Objective 4: Each circuit court in attendance will have a caseflow management team that will be able to assess the current state of caseflow in their court, develop and implement an improved caseflow process, and evaluate its effectiveness after implementation.

The activities designed to accomplish the program objectives include, but are not limited to, systems evaluation, force field analysis, systems modeling, goal definition, goal setting, procedure design, team building, systems design for change, and identifying work ethics and values as they resist or facilitate change. The activities strive to integrate technical skill through sound human resource management practices.

Recognizing that success or failure of any change in the work place is dependent upon its internal and external acceptance, this program operates from the belief that development of a local case management team is essential for implementation of changes of this magnitude. Because of this belief, the target audience for the program are teams comprised of the chief judge, court administrator, assignment clerk, and county clerk.

The training format requires each court team to attend all

sessions. The sessions are divided in terms of live seminar days:

June	2½ days
September	2 days
November	1½ days
May, 1988	1 day (The final session is the evaluation point where the courts will be able to assess their level of progress over the year).

This is strictly a voluntary participation program on the part of the individual courts. After the first sessions in June, the MJI had the commitment of 212 circuit courts and 82 individuals. Because of the attendance required of the court teams during the year, this was not an easy commitment to make. But it will ensure those courts participating the greatest chance of achieving needed change.

Michigan was fortunate to be able to offer an excellent array of faculty for these seminars. The faculty for the circuit court programs include Dr. Dale Lefever, Applied Theory Inc.; Maureen Solomon, ICM Consultant; and Sandra Smith, Lead Court Analyst, State Court Administrative Office (SCAO). Technical assistance was also provided by Ruth Ferry on forms design and records management. Another key to the success of this training concept involves the SCAO resource people that have been assigned to each court group and training session. Two people will be working with tasks inherent in each of the three instructional sessions for the entire year. These people are available to answer questions and to provide technical assistance to all management teams whenever asked. This program has integrated the technical resources of the SCAO, the Michigan Judicial Institute, and outside consultants familiar with the court setting.

### District Court

The title for this seminar is "District Court Caseflow Project Management." Program content focuses on the development of a caseflow management team responsible for developing and implementing case management techniques resulting from a systematic approach to problem solving and project implementation. Because systemic change requires strong leadership with support through the team approach, individuals attending are the chief judge, the court administrator, or the individual who has the duty of the court administrator. In districts with multiple locations, the administrator and presiding judge at the various locations can attend, if they are responsible for administering that court location. Each court is required to participate as a team, i.e., the judge and the administrator.

Each team will meet in October for a two-day briefing on the project that it will work on for the next seven months. Once teams leave the seminar, they will be expected to submit a project plan for their caseflow system. That plan will be critiqued by the faculty and returned for implementation. In May of 1988, the teams will come together to review their progress and to receive feedback to assist them in the continuation of project plans for caseflow management. The faculty for these sessions is: Dr. John Hudzik, Michigan State University; Theodore H. Curry II, Associate Director, School of Labor & Industrial Relations, Michigan State University; and Sandra Smith, Lead Court Analyst, State Court Administrative. Again technical assistance will be provided to the participants by the SCAO and the faculty, to assure that the courts are able to implement the plans they have created.

If the above strategies prove effective, this process will then be repeated for Michigan's probate/juvenile courts in the near future. The methods for this training effort were selected to ensure that:

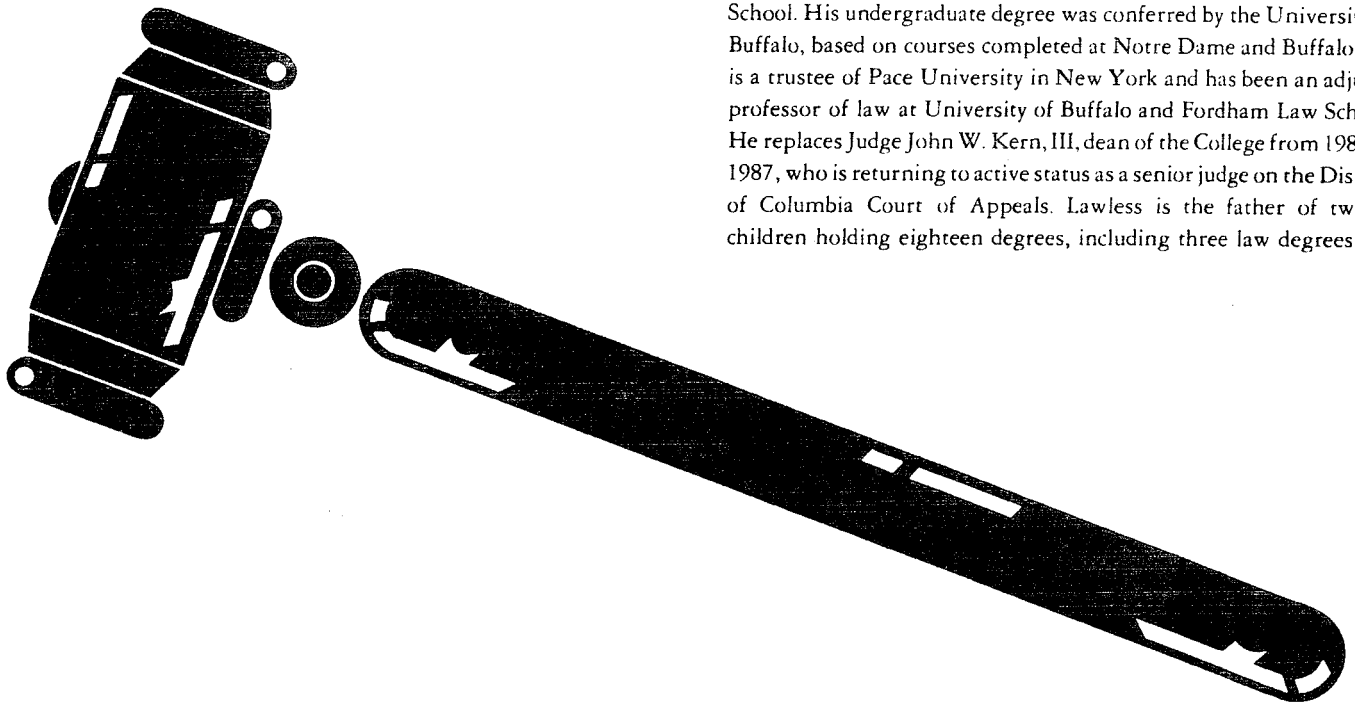
- all of the affected parties were involved in the process;
- change is facilitated through learning activities and ongoing practical feedback;
- support systems are available whenever questions or problems arise;
- local courts buy into the process by selecting the type of problem or case area that they will work on;
- courts are able to set up a process from which they receive a total picture of their operation and can visibly see the improvements their system is making.

For more information regarding the caseload management seminars, please contact: Deborah M. Plog, Education Program Administrator, Michigan Judicial Institute, P. O. Box 30104, Lansing, MI 48909, (517) 334-7805

## National Judicial College Names New Dean

Judge William B. Lawless, president of Western State University College of Law in Fullerton and San Diego, Calif., is the newly appointed dean of the National Judicial College. Lawless, a nationally prominent attorney and legal educator, served as a New York Supreme Court justice from 1960 to 1968 in the Buffalo and Niagara areas. He then held the post of Dean of Notre Dame Law School for three years. He was faculty advisor at the founding session of the National Judicial College in Boulder, Colorado in 1964, and was a Jackson Lecturer at the College in 1969. He has also taught in the College's extension programs and served two terms on the College's board of directors in 1976-81.

Lawless received his law degree, with distinction, from Notre Dame Law School and his master of laws degree from Harvard Law School. His undergraduate degree was conferred by the University of Buffalo, based on courses completed at Notre Dame and Buffalo. He is a trustee of Pace University in New York and has been an adjunct professor of law at University of Buffalo and Fordham Law School. He replaces Judge John W. Kern, III, dean of the College from 1984 to 1987, who is returning to active status as a senior judge on the District of Columbia Court of Appeals. Lawless is the father of twelve children holding eighteen degrees, including three law degrees.



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