

# NATIONAL ASSOCIATION OF STATE JUDICIAL EDUCATORS

# Newsletter

Vol. 3 No. 1

Winter 1987-88

## President's Column

Richard D. Reaves



### NASJE Newsletter

This inaugural issue of an SJI-funded *NASJE Newsletter* presents state judicial education officers (SJEOS) with a marvelous opportunity. The clearing-house experience, which comprises the essence of collegial interaction among SJEOS afforded through association with NASJE, faces a new potential for enrichment via the newsletter. Fulfilling this possibility provides a professional challenge to all of us. For at least one year, this publication will provide state judicial educators with a unique vehicle for exchanging views on delivery methods, instructional products, and operational structures. I urge every state judicial educator to respond to and facilitate the labors of the newsletter editorial board.

The National Center for State Courts (NCSC) deserves a special thanks for joining with the NASJE in producing this publication. Funding of the

*continued on page 6*

## NASJE holds annual meeting in New Orleans

More than sixty people attended the 1987 annual conference of the National Association of State Judicial Educators held October 11-14, 1987, at the Royal Orleans Hotel in New Orleans. The days were chock-full of shared information, excellent presentations, and the wonderful ambience of the French Quarter.

### Education sessions

David Tevelin, director of the State Justice Institute (SJI), outlined some of the projects SJI funded in 1987 and discussed the application procedures. SJI was established by Congress to provide state courts with financial and technical support to help the courts dispense high

quality justice with efficiency and economy. Educating and training judges and other court personnel is one of SJI's "special interest" funding areas. Tevelin invited state judicial educators to tell SJI's board their views regarding the grant process and to discuss any concerns about the program. He also asked those who did not obtain SJI funding this year not to become frustrated because the competition for funding is great.

Judge Bertrand Poritsky, of the 2nd Judicial District Court in Ramsey County, Minnesota, and Professor Steven Simon, of the University of Minnesota School of Law, discussed a successful judicial trial

*continued on page 8*

## New direction for newsletter

A new sponsor, an enthusiastic editorial board, a collaborative perspective, and an expanded format bring you this and future issues of the NASJE newsletter.

The State Justice Institute (SJI) has funded a joint grant application by the National Center for State Courts (NCSC) and NASJE for four issues of the new publication. Consistent with the grant application, this newsletter will provide:

- A forum for state judicial educators to exchange innovative ideas, solutions to problems, and other information;
- A mechanism for judicial educators to share their expertise, ideas, problems, and experiences; and

- A means of disseminating materials and information generated by other grant projects.

A new editorial board will be instrumental in achieving these objectives. Kay Boothman, judicial education coordinator for the Arkansas Judicial Department, is chair of the editorial board, whose members are Randy Bloom, assistant director of judicial education for the New Jersey Office of Administrative Law; Dennis W. Catlin, executive director of the Michigan Judicial Institute; James C. Drennan, assistant director of the Institute of Government at the University of North Carolina; M. James Toner, training director for the National

*continued on page 9*

# Program Profile: Texas Municipal Courts Training Center

by Kay Boothman

Since its establishment in 1984, the Texas Municipal Courts Training Center has trained municipal court judges and court support personnel. The Training Center is the educational arm of the Texas Municipal Courts Association, a statewide organization of municipal court judges and personnel.

Judicial education for municipal court judges is mandated by the Rules of Judicial Education set forth by the Supreme Court of Texas. The Rules require that each new, nonattorney municipal court judge must, as an official duty, complete 24 hours of instruction within one year of taking office. Each year thereafter, all municipal court judges, including attorney judges, must complete 12 hours of instruction. Approximately 30 percent of Texas Municipal Court judges are law trained. The Training Center is the only source of mandatory municipal court training certified by the Supreme Court of Texas.

The Training Center employs a staff of six, including the executive director, general counsel, program coordinator, administrative assistant, executive secretary, and reproduction specialist. In addition to providing continuing judicial education for Texas Municipal Courts, the staff publishes several manuals, including semiannual newsletters, new legislative update packets, judges' desk books, clerks' procedures manuals, and attorney general opinions manuals. Another service the Training Center maintains is a toll-free phone line for providing assistance to the courts it serves.

During the fiscal year ended August 31, 1987, the Training Center trained over 1,400 judges, court clerks, prosecutors, and other court support personnel. For the current fiscal year, the program will reach more than 1,600 participants. The

Training Center plans to provide four 24-hour new judges schools, nine 12-hour veteran judges schools, four 24-hour clerks courses, and five 12-hour clerks courses. Because of the widespread population within the state, the seminars will be presented in eight major population centers.

In 1985 the legislature created the Judicial and Court Personnel Training Fund in the state treasury, which is 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 paid into the fund. The legislature further directed that one-third of the fund be used for the education of municipal court judges

and their personnel, one-third for justices of the peace and their personnel, and one-third for judges of appellate courts, district courts, county courts-at-law, and county courts performing judicial functions and their personnel. During fiscal years 1985 and 1986, the Texas Municipal Courts Training Center received \$697,000 and \$630,000, respectively, to fulfill its judicial education purposes.

This is the last of three articles on judicial education programs in Texas. I would like to thank the executive directors of the three centers for their assistance in the preparation of these articles: Roy Rawls, Texas Center for the Judiciary; Scott Smith, Texas Justice Court Training Center; and Gary Brinkley, Texas Municipal Courts Training Center.

## National Judicial College proposes national faculty database

The National Judicial College (NJC) has submitted a concept paper to the State Justice Institute to fund the development of a nationwide faculty database that all judicial educators could use. According to Jane W. Nelson, NJC's director of degree programs and special projects, the computerized database would assist both state and national judicial educators to expand their faculty resources significantly.

Members of the National Association of State Judicial Educators (NASJE) have been discussing the idea of such a pooling of faculty information for several years. The proposal developed by NJC would provide for direct computer access by modem to faculty names, addresses, teaching histories, topic descriptions, and persons recommending faculty members. Faculty could be accessed in a manner similar to a Westlaw or LEXIS query by listing relevant descriptors such as legal subject, region of the country, judge or law professor, and fee (if any).

The database would include a variety of information. For example, NJC recently compiled a list of law school faculty members interested in participating in judicial education programs and recommended by their deans. Another list includes judges who teach regularly in law school programs. Faculty development training programs currently conducted on a national and state level are another source for identifying trained judges who are prepared to implement innovative theories.

The computerized database would be supplemented by a résumé file, from which users could request copies. Under the current proposal, access to the database will be free. Those requestors not able to access the database by modem could request a mailed printout.

For additional information, contact Jane W. Nelson at the National Judicial College, University of Nevada, Reno, NV 89557; (702) 784-6747.

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EDITOR'S NOTE: *Kay Boothman is judicial education coordinator for the Arkansas Judicial Department.*

# National-level education: What does Virginia get from it?

A continuing question concerning all education is, "What are we getting for the time, effort, and money expended?" This is a valid question, and, judging from the multitude of articles concerning it, not an easy one to answer. The answer is even more difficult when the particular education takes place, at times, far from Virginia.

In order to address this question, Virginia judges attending national-level education programs are required to critique the education upon completing it. Specific questions asked of the student judges are:

- What new information, ideas, or concepts did you receive from your training?
- What new information, ideas, or concepts did you receive from intermingling with judicial personnel from other jurisdictions and states?
- What changes will you make in your or the court's procedures because of the training or exposure you received?
- If you aren't going to make any changes, why not?

Recognizing that the proof of the pudding is in the eating, the office of the executive secretary follows up on these critiques approximately six months after they're submitted to determine how the changes the judges said they were going to make are working out.

A recent review of the six-month follow-up revealed the following:

- Development of a "superior" master calendar at a circuit court.
- Establishment of a mediation program involving the court service unit and department of

social services at a juvenile and domestic relations district court.

- Implementation of new ideas on collecting and monitoring restitution at a juvenile and domestic relations district court.
- A new program instituted by a juvenile and domestic relations district court for men who abuse their wives.
- New ways to use the computer system to track issues under consideration and to index issues decided in unpublished opinions at the court of appeals.
- A mediation system at a juvenile and domestic relations district court for custody, support, and visitation.
- Training for juvenile officers who interview child sexual abuse victims.
- A program in which juvenile officers and court service unit personnel talk to local civic groups and schools about remedying child sexual abuse and turning in offenders.
- A program to get feedback from jurors on how they were treated and to solicit ways to make jury service more educational and enjoyable at a circuit court.
- A court-appointed special advocate (CASA) program for child abuse cases at a juvenile and domestic relations district court.
- A more active role for judges in pretrial activities, with the goal of bringing about more settlements in civil cases and ensuring that the process moves along in all cases.
- Increasing awareness of judges about their responsibility to communicate with the public and the media and to ensure that defendants fully understand their rights in court.

As to the worth of intermingling with judges from other jurisdictions, it was essentially unanimous that this was the most valuable aspect of the judges' national-level education. The next most common statement

was that such mingling immeasurably increased the judges' appreciation for the Virginia judicial system. This appreciation covered everything from avoiding the problems associated with running for office to procedures, ethics, and the speed with which cases move through the Virginia system.

The judges' reasons for valuing this aspect of national-level education was the realization that their problems aren't unique to Virginia, that there are many ways to deal with these problems, and that there are better ways of dealing with court procedures that aren't perceived as problems.

This was especially true of the newly elected judges of the court of appeals, who were faced with starting from scratch with their court. These judges commented that national-level education enabled them to advise their court when its procedures did not conform to recognized standards, to complete the drafting of an internal policy and procedures manual, and to develop a procedure for telephone conference call arguments in criminal petition cases.

In reviewing just this short list of examples, we can see the impact of national-level education across a wide spectrum: from the psychological plus of a judiciary who feels better about its courts and system after comparing it to others, to specific programs designed to help our citizens better use their courts; from judges who have seen other and better ways to do their jobs and solve their problems, to programs to better monitor restitution and ensure that offenders repay their victims; from judges who are more careful of the rights of individuals in their courts, to input from jurors on how to make jury duty better for all concerned.

It would appear that the answer to our original question—"What are we getting for the time, effort, and money expended?"—is, "Our money's worth."

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EDITOR'S NOTE: *This article is reprinted with permission from the October 1987 issue of Court Commentaries, the newsletter of the Virginia Judicial System.*

# Judicial education: A federal perspective

by

A. Leo Levin and Russell R. Wheeler

Anyone who looks at the area of judicial education is struck first at how new it all is. By most accounts, it dates back to the self-help training programs and conferences sponsored by the National Council of Juvenile Court Judges in the late 1930s and the programs for traffic judges and prosecutors held at Northwestern University in the late 1940s. However, the perceived need is very old. In fact, the need for judicial education was captured nicely by the nation's first attorney general, Edmund Randolph, who filed a lengthy report on the judiciary in December 1790. According to Randolph, "A supreme court justice [who was also a trial judge at that time] must be a master of the common law in all of its divisions, a chancellor, a civilian, a federal jurist, and skilled in the laws of each

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EDITOR'S NOTE: *This article is extracted from the transcript of the keynote address delivered by A. Leo Levin, then director of the Federal Judicial Center, at the National Conference of Judicial Education held January 29-30, 1987 in Williamsburg, Virginia. It is based on a longer article in progress. The opinions in this paper do not necessarily represent the official views of the Federal Judicial Center, which speaks through its board on matters of policy. A. Leo Levin is a professor of law at the University of Pennsylvania. Russell R. Wheeler is director of the division of special education services for the Federal Judicial Center, located in Washington, D.C.*

state."<sup>1</sup> In exploring the implications of this assessment, Randolph was on point even 200 years ago. Without realizing it, he had prepared a brief for programs of judicial orientation and continuing education. Such programs, of course, were not his objective. His was more basic: to

One good measure of the interest in judicial education is reflected in *The Improvement of the Administration of Justice*, the periodic handbook of the ABA's Section of Judicial Administration. Not until the fourth edition, in 1961, is there specific reference to the need for such programs.<sup>3</sup> The fifth edition, in 1971, contains more specific references, but curiously, the sixth edition, in 1981, includes only one article that focuses on the National Judicial College.<sup>4</sup>

It is not necessary to document the incidental steps that have brought us to our present situation. Many state court systems now have

educational institutes, and there are several national organizations serving the state and, at times, the federal courts. In fact, in creating the State Justice Institute in 1986, Congress specified that one of its four basic responsibilities would be to "encourage education for judges and support personnel of state court systems."<sup>5</sup> In addition, the Federal Judicial Center (FJC) provides as one of its major functions, continuing education for federal judges and support personnel, consistent with its governing statutes.

## The FJC and judicial education

The Federal Judicial Center has a three-part program for the newly appointed district judge. The ultimate goal of the program is not only to communicate information but also to convey attitudes toward

*continued on page 10*

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" Continuing training and education  
for judges is essential  
in establishing and maintaining  
a satisfactory level of professional  
competence in the judiciary . . . "

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convince Congress to end the early judges' burden of circuit riding, so they might have time for their own study.

In 1906 Roscoe Pound certainly did not reflect a need for judicial education in "Cause for Popular Dissatisfaction with the Administration of Justice" and does not appear to have mentioned the subject in any of his other major writings. Even the 1938 reports of the American Bar Association's (ABA's) Section of Judicial Administration, which was one of the first coherent statements about court organization and administration, did not mention in-service training. Nor was there any reference in Vanderbilt's 1949 *Minimum Standards of Judicial Administration*, except for his praise of then-recent regional conferences for traffic court judges and prosecutors at various law schools.<sup>2</sup>

# Strategies for judicial education

by

Gordon I. Zimmerman

The following are some of the adult-learning methods that have been used successfully in a variety of professional-training programs.

1. Skills performance and evaluation. This may include videotaping participants and criticizing playbacks.
2. Case studies. Participants may analyze real or hypothetical cases alone or in groups.
3. Role playing. This could involve a mock trial (staged or spontaneous), dramatization of a specific judicial task, or role reversal.
4. Written responses from participants. The lecturers may use answers to questions, definitions of terms, or key problems as a stimulus to discussion or as the basis for a report back to the group.
5. Small group projects and reports. A group meets during class or before the next class and reports on a topic.
6. Demonstrations of techniques. The lecturer or a designee can demonstrate proper methods, or an expert can demonstrate special equipment or methods.
7. Debate, symposium, or panel. In a debate, two participants take opposite positions on a controversial issue; in a symposium, several participants advocate varying viewpoints on a controversial issue; and in a panel, several people with special information discuss a topic from a variety of perspectives.
8. Team teaching. Two or more professionals make a presentation.
9. Self-evaluation forms. Participants take self-tests which measure comprehension of materials and evaluate personal behavior, habits, and style.
10. Audiovisual supporting materials. These could be films, slides, videotapes, audiotapes, or other types of audiovisual aids.
11. Brainstorming. This is a rapid listing of participants' ideas without evaluation.
12. Testimony from "outsiders." Crime victims, offenders, prison inmates, jury members, press reporters, law enforcement officers, researchers, expert witnesses, and others could speak to the group.
13. Special participant resources. A judge who has handled a landmark case, instituted an innovative program, or done special research could report to the class and field questions.
14. Devil's advocate. This can be played by the instructor or assigned to a participant.
15. Model-building. Instructor and participants work together to construct an "ideal" system, build a definition, or identify critical factors.
16. Simulation games. These are special learning exercises designed to generate ideas.
17. Participant input on learning goals. Participants can (through a written, oral, or nonverbal vote) suggest topics for the next session or evaluate the current session.
18. Changing learning environment. This can be done by alternating seating arrangements, changing rooms, or taking field trips.

EDITOR'S NOTE: *Gordon I. Zimmerman, Ph.D., is faculty consultant for the University of Nevada, Reno.*

## *Instructional modules project underway*

Enabled by a grant for some \$125,000 from the State Justice Institute, NASJE and the National Judicial College have jointly started developing instructional modules for state judicial education. Committee work has been initiated under the guidance of a supervisory committee of state judicial educators and representatives from the National Judicial College. Two modules, each lasting two-and-a-half days, have been selected: a "rural module" and "judicial skills for the new

decision maker." Each of the modules will be field-tested once in 1988 at sites to be selected. Based upon the evaluation at the test sites, the curriculum design and course materials will be refined with potential faculty suggested for different parts of the country. The program should be concluded by December 31, 1988, at which time all states will have access, at no charge, to the program materials and lists of suggested faculty.



project by the SJI was secured through this collaboration. I hope that the NCSC and the SJI will realize, as a result of this effort, that a primary and steadfast commitment to advancing both the art and intellectual capital of basic and continuing judiciary education resides at the state level. Moreover, each year thousands of third branch officers, employees, and volunteer agents receive training and education at the hands of the country's state continuing judicial education (CJE) programs. Consequently, nurture and encouragement for improving their enterprise by the states warrants further support.

Editorial board members Kay Boothman (chair), Jim Drennan, Sam Van Pelt, Dennis Catlin, Randy Bloom, and Jim Toner merit commendation for quick work on this newsletter and their plans for subsequent issues. Readers may anticipate thematic focusing of future issues, possibly covering subjects such as mandatory CJE, court-support personnel training, cross-disciplinary learning activities, etc. The traditional nationally based CJE providers, along with SJI, have been asked to provide regular columns. We hope such contributions might highlight useful products for state programs.

#### SJEOs appointments

The involvement of SJEOs in the design, development, and delivery of various initially funded SJI projects occupied a modest level of interest at our recent annual meeting in New Orleans. Since then, overtures to the NASJE from the National Judicial College (NJC) and the American Academy of Judicial Education (AAJE) regarding Round I SJI projects resulted in the following appointments: Joanne Slotnick (Utah), V. K. Wetzels (Wisconsin), and Suzanne Keith (Tennessee) to the advisory board of the NJC-NASJE instructional modules project; Dan Schenk (South Dakota) to the rural courts module; Ellen Marshall (Maryland) to the NJC-NASJE instructional modules project as a judge; George Glass (Indiana) to the updating of the AAJE's evidence video vignette program; and Roy

Rawls (Texas) to the updating of the AAJE's criminal procedure instructional program.

#### NASJE standing committees

The Methods Committee, chaired by Nancy Scheffel (Arizona) is exploring several areas for in-house research with an eye toward presenting findings at the 1988 annual meeting in Alexandria, Virginia. Members are collecting materials and examples of case-study and problem-analysis instructional tools, faculty development and training

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... a primary and steadfast commitment to advancing both the art and intellectual capital of basic and continuing judiciary education resides at the state level.

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regimens employed in the various states, and humanities and other cross-disciplinary CJE enrichment programs being used. Committee members are Larry Stone (Ohio), Helen Johnson (New York), Scott Reed (Illinois), Mike Runner (California), and Scott Smith (Texas).

The Standards Committee, chaired by Tony Fisser (Connecticut), is considering whether to resubmit a proposal to the SJI to update, unify, and revise the various extant standards toward which state CJE operations should strive to exhibit a mature program. Such standards from the past were promulgated with no responsible concern for the economic impact (both in time and money) on states resulting from the level of nationally based activity they espoused. They paid scant attention to the legitimate and relevant training needs of court support personnel (e.g., clerks, court administrators, secretaries) and volunteer agents (e.g., jury commissioners, foster care review panelists, guardians *ad litem*). They gave no credence to realistic product devel-

opment and delivery methods for which the primary goal would be assuring retention and subsequent implementation of on-site training. In the current political climate, the NASJE may stimulate more progress in this aspect of CJE professionalism by promulgating appropriate standards on its own.

In a similar vein, the NASJE board is exploring whether the Standards Committee, or some other special committee, should screen and certify the quality and usefulness of the increasing number of consultant services, other resources, and products being marketed to SJEOs for integration into state-based CJE. The Standards Committee also develops professional ethical guidelines for SJEOs. Other SJEOs on this committee are Carol Weaver (Washington), Kit Furey (Idaho), Bob Church (Mississippi), Bill Melone (Rhode Island), and Cathy Springer (Indiana).

The Membership Committee has a new chairperson, Krista Johns (Mississippi). Members include Ed Borelli (New York), Connie Dove (California), Ellie Fortner (Mississippi), Diana Clemons (Kentucky), and Gary Brinkley (Texas).

The Nominating Committee, which must present a slate of new officers and directors for election at the 1988 annual meeting, consists of Chair Sue Trippi (Massachusetts), Roy Rawls (Texas), and Dan Schenk (South Dakota).

#### Grant-funded projects

In connection with Round II fiscal year 1987 SJI concept paper submissions, the NASJE experienced little consultation from nationally based CJE providers and absolutely no requests for project endorsements or cooperation on joint ventures. However, three judicial education proposals were deferred from Round I: "Managing Litigation: An Educational Program for State Trial Judges," "Delay Reduction: Videos and Educational Materials," and "Assessment and Improvement of Judicial Education Faculty Development Programs." The three are collaborative proposals being resubmitted by the NCSC with strong NASJE endorsements.

Special  
Pull-out &  
Save Section

Excerpts from the

# Master Calendar

From the National Center for State Courts

NASJE Newsletter, Vol. 3, No. 1, Winter 1987/88

February 17-19 Orlando, FL  
**Designing and Managing Court  
Improvement Projects**  
Institute for Court Management

February 21-26 San Diego, CA  
**Current Issues in Family Law**  
National Judicial College

February 21-26 San Diego, CA  
**Probate**  
National Judicial College

February 21-March 4  
**Administrative Law: Fair Hearing**  
National Judicial College

February 28-March 2 San Francisco, CA  
**Juvenile Court Intake**  
Institute for Court Management

February 28-March 2 Atlanta, GA  
**Advanced Workshop on Microcomputers  
in the Courts**  
Institute for Court Management

March 6-18 Reno, NV  
**Special Court for Attorney Judges**  
National Judicial College

March 6-18 Reno, NV  
**Special Court for Non-Attorney Judges**  
National Judicial College

\*March 10 Satellite Seminar  
**Reducing Costs and Delays in Trial Courts**  
American Bar Association

\*March 13-16 Miami, FL  
**Fifteenth National Conference on Juvenile Justice**  
National College of Juvenile and Family Law

March 13-17 Philadelphia, PA  
**Jury Management**  
Institute for Court Management

March 13-18 Reno, NV  
**Evidence for Special Court Judges**  
National Judicial College

\*March 22-23 Lansing, MI  
**Interstate Child Support Enforcement Remedies**  
Institute for Court Management

March 23-26 Orlando, FL  
**Strengthening the Executive Component of the Court**  
Institute for Court Management

March 27-30 San Francisco, CA  
**Planning and Budgeting**  
Institute for Court Management

April 4-9 Las Vegas, NV  
**Introduction to Computers in Courts**  
National Judicial College

April 5-10 Palm Springs, CA  
**Spring Probate Course**  
National College of Probate Judges  
For more information, contact Director  
of Secretariat Services, National Center for  
State Courts

\* New course offering

Many of the conferences listed in the Master Calendar are sponsored by these organizations:

ABA Judicial Administration Division  
Appellate Judges' Conference  
Sandra M. Roos  
750 N. Lake Shore Drive  
Chicago, IL 60611 (312) 988-5596

American Academy of Judicial Education  
2025 Eye Street, NW, Suite 903  
Washington, DC 20006 (202) 775-0083

Institute for Court Management  
of the National Center for State Courts  
Suite 402  
1331 17th Street  
Denver, CO 80202 (303) 293-3063

National Center for State Courts  
300 Newport Avenue  
Williamsburg, VA 23187-8798 (804) 253-2000

National Council of Juvenile  
and Family Court Judges  
P.O. Box 8970  
Reno, NV 89507 (702) 784-6012

National Council of Juvenile and Family Law  
P.O. Box 8970  
Reno, NV 89507 (702) 784-6012

National Judicial College  
University of Nevada  
Reno, NV 89557 (702) 784-6747



**National Center  
for State Courts**

300 Newport Avenue  
Williamsburg, VA 23187-8798  
(804) 253-2000

This calendar contains notices of seminars, meetings, institutes, and similar events of interest to judicial educators. For further information about specific events, please call or write the sponsoring organization directly. The information in this calendar may be reprinted. Please specify the correct sponsoring organization and phone number.

April 14-16 Albuquerque, NM  
**American Judges Association Midyear Meeting**  
For more information, contact Director of Secretariat Services, National Center for State Courts.

April 17-20 Williamsburg, VA  
**Mental Health Services and the Juvenile Justice System**  
Institute for Court Management

\*April 17-21 Atlanta, GA  
**Appellate Judges Seminar**  
American Bar Association

\*April 17-21 Portland, OR  
**Case Management in Juvenile Justice**  
National College of Juvenile and Family Law

\*April 17-21 Portland, OR  
**Interviewing Skills Laboratory**  
National College of Juvenile and Family Law

\*April 17-21 Portland, OR  
**The Probation Officer in Juvenile Court**  
National College of Juvenile and Family Law

April 24-27 Denver, CO  
**Court Technology Conference**  
Institute for Court Management

April 24-19 Reno, NV  
**Judicial Writing**  
National Judicial College

April 24-May 13 Reno, NV  
**General Jurisdiction**  
National Judicial College

May 1-6 Reno, NV  
**Administrative Law: High Volume Proceedings**  
National Judicial College

May 1-6 Reno, NV  
**Conducting the Trial**  
National Judicial College

\*May 8-11 Lexington, KY  
**National Conference on Transitional Services for Troubled Youth**  
Kentucky Department for Social Services  
For more information, call (606) 622-1497.

May 8-13 Reno, NV  
**Advanced Evidence**  
National Judicial College

May 15-20 Boston, MA  
**Employee Relations and Collective Bargaining in the Courts**  
Institute for Court Management

May 19-21 Syracuse, NY  
**Expanding Horizons: Practice, Theory and Research in Dispute Resolution**  
Syracuse University  
For more information, contact Patricia Leone,  
(315) 471-4676.

May 22-25 Boston, MA  
**Space Management and Facilities Planning**  
Institute for Court Management

\*May 22-26 St. Louis, MO  
**Appellate Judges Seminar**  
American Bar Association

\*June 1-3 Washington, DC  
**Court Security Management**  
Institute for Court Management

\*June 5-10 Reno, NV  
**Basic Juvenile Justice Management Institute**  
National College of Juvenile and Family Law

\*June 5-17 Reno, NV  
**Summer College**  
National College of Juvenile and Family Law

\*June 12-14 Boston, MA  
**Managing Courts: The Humanistic Perspective**  
Institute for Court Management

\*June 12-15 Austin, TX  
**Private Sector in the Juvenile Justice System**  
Institute for Court Management

\*June 12-17 Reno, NV  
**Family Law**  
National College of Juvenile and Family Law

\*June 16-21 Redondo Beach, CA  
**Committee on Appellate Staff Attorneys Seminar**  
American Bar Association

June 19-24 Reno, NV  
**Sentencing Misdemeanants**  
National Judicial College

\*June 20-24 Philadelphia, PA  
**Improving Managerial Effectiveness in the Courts**  
Institute for Court Management

\*June 26-29 San Diego, CA  
**National Child Support Conference**  
Institute for Court Management

\*June 26-July 1 Philadelphia, PA  
**Caseflow Management and Delay Reduction**  
Institute for Court Management

July 10-15 Reno, NV  
**Advanced Evidence**  
National Judicial College



- July 10-15 Reno, NV  
**Constitutional Criminal Procedure**  
National Judicial College
- \*July 10-15 Ft. Lauderdale, FL  
**51st Annual Conference**  
National College of Juvenile and Family Law
- \*July 10-16 Steamboat Springs, CO  
**Management Seminar for Judges**  
Institute for Court Management
- July 10-August 5 Reno, NV  
**General Jurisdiction**  
National Judicial College
- \*July 17-20 Steamboat Springs, CO  
**Juvenile Court Dispositions**  
Institute for Court Management
- July 17-22 Reno, NV  
**Advanced Judicial Writing**  
National Judicial College
- July 17-22 Palm Beach, FL  
**National Association for Court Management  
Annual Meeting**  
For more information, contact Director of  
Secretariat Services, National Center for State Courts.
- July 17-29 Reno, NV  
**The Decision-making Process**  
National Judicial College
- July 24-29 Reno, NV  
**Great Issues of Law in Literature**  
National Judicial College
- \*July 24-August 20 Steamboat Springs CO  
**Phase II Court Executive Development Program:  
Management in the Courts and Justice Environment**  
Institute for Court Management
- July 31-August 5 Reno, NV  
**Current Issues in Civil Litigation**  
National Judicial College
- July 31-August 5 Reno, NV  
**Judicial Writing**  
National Judicial College
- \*August 7-10 Boston, MA  
**Victim-Witness Programs for Juvenile Courts**  
Institute for Court Management
- \*August 7-10 San Diego, CA  
**Designing and Delivering  
Effective Presentations for Court Personnel**  
Institute for Court Management
- \*August 28-31 Atlanta, GA  
**Courts and the Public**  
Institute for Court Management
- \*August 28-September 1 San Francisco, CA  
**Appellate Judges Seminar**  
American Bar Association
- September 11-30 Reno, NV  
**General Jurisdiction**  
National Judicial College
- \*September 14-17 Williamsburg, VA  
**Strengthening the Executive Component of the Court  
--A Program for Chief Judge/Court Manager Teams**  
Institute for Court Management
- September 18-23 Reno, NV  
**Medical Evidence**  
National Judicial College
- \*September 25-29 Portland, ME  
**Appellate Judges Seminar**  
American Bar Association
- September 25-30 Reno, NV  
**Search & Seizure**  
National Judicial College
- \*September 25-30 Seattle, WA  
**Personnel Administration**  
Institute for Court Management
- \*October 2-5 Long Beach, CA  
**Advanced Management Seminar:  
Executive Leadership in the Courts**  
Institute for Court Management
- October 2-7 Reno, NV  
**Alcohol & Drugs and the Courts**  
National Judicial College
- October 2-14 Reno, NV  
**Special Court for Attorney Judges**  
National Judicial College
- October 2-14 Reno, NV  
**Special Court for Non-Attorney Judges**  
National Judicial College
- \*October 6-7 San Francisco, CA  
**Western Regional Office Western  
Judicial Conference**  
National Center for State Courts,  
Western Regional Office  
For more information, contact the Registration  
Coordinator, (415) 557-1515.
- October 7-10 New Orleans, LA  
**National Association of Women Judges  
Annual Meeting**  
For more information, contact Director of  
Secretariat Services, National Center for State Courts.

\*October 9-12 Alexandria, VA  
**National Association of State Judicial Educators  
Annual Conference**  
For more information, contact Richard Reaves,  
(404) 542-7491.

\*October 9-14 Philadelphia, PA  
**Court Case Management Information System**  
Institute for Court Management

October 9-14 Toronto, Canada  
**American Judges Association Annual Meeting**  
For more information, contact Director of  
Secretariat Services, National Center for State  
Courts.

October 9-14 Reno, NV  
**Evidence for Non-Attorney Judges**  
National Judicial College

October 12-15 Williamsburg, VA  
**National Conference of Metropolitan  
Court Judges Annual Meeting**  
For more information contact the National Center  
for State Courts.

\*October 16-19 Boston, MA  
**Alternative Dispute Resolution**  
Institute for Court Management

\*October 18-23 San Francisco, CA  
**Council of Chief Judges of Courts of Appeal  
Annual Seminar**  
American Bar Association

\*October 23-26 San Diego, CA  
**Management for Chief and Presiding Judges**  
Institute for Court Management

\*October 30-November 4 San Diego, CA  
**Records Management**  
Institute for Court Management

October 30-November 4 Reno, NV  
**Advanced Evidence**  
National Judicial College

October 30-November 11  
**Administrative Law: Fair Hearing**  
National Judicial College

November 6-11 Reno, NV  
**Administrative Law: Advanced**  
National Judicial College

November 6-11 Reno, NV  
**Special Problems in Criminal Evidence**  
National Judicial College

\*November 13-18 Phoenix, AZ  
**Caseflow Management and Delay Reduction**  
Institute for Court Management

\*November 16-18 Washington, DC  
**National Conference on Dispute Resolution  
and the Courts**  
National Center for State Courts  
For more information, contact Susan Kellitz  
(804) 253-2000.

November 16-19 Hilton Head, SC  
**Fall Probate Seminar**  
National College of Probate Judges  
For more information, contact Secretariat  
Services, National Center for State Courts

\*November 30-December 3 San Francisco, CA  
**Courts and the Mentally Ill: How to Improve the  
Involuntary Civil Commitment Process**  
Institute for Court Management

\*December 4-7 Orlando, FL  
**Managing Traffic-Related Cases**  
Institute for Court Management

\*December 4-8 New Orleans, LA  
**Juvenile Justice Management**  
Institute for Court Management

December 4-9 Orlando, FL  
**Traffic Court Proceedings**  
National Judicial College

## 1989

April 2-6 Milwaukee, WI  
**Midwest Conference on Court Management**  
National Association for Court Management,  
National Center for State Courts, & Wisconsin  
Supreme Court's Office of Judicial Education  
For more information, contact Gregg T. Moore,  
(715) 839-4826.

\*April 13-15 Colorado Springs, CO  
**American Judges Association Midyear Meeting**  
For more information, contact Director of  
Secretariat Services, National Center for State Courts.

\*July 9-14 Crested Butte, CO  
**National Association for Court Management  
Annual Meeting**  
For more information, contact Director of  
Secretariat Services, National Center for State  
Courts.

\*October 1-6 Nashville, TN  
**American Judges Association Annual Meeting**  
For more information, contact Director of  
Secretariat Services, National Center for State Courts.

\*October 8-11 Seattle, WA  
**National Association of State Judicial Educators  
Annual Conference**  
For more information, contact Carol Weaver  
(206) 753-3365.

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NASJE's response to Round I concept papers and grant applications may have placed the association in a disfavored posture with nationally based providers. My stated position on behalf of state CJE and the NASJE failed to unquestioningly equate the proffered institutional maintenance requirements of nationally based providers with serving the needs of state CJE. Rather, I suggested that when a project proceeds under the legitimizing rationale of strengthening state-based CJE programs, it should favorably exhibit the following seven characteristics:

1. Grant-funded products should be designed primarily for use at the state level. Nevertheless, complete access to the products should be given to nationally based CJE providers and other interested parties. Use of state level sponsors ensures dissemination to thousands of court personnel each year.
2. Such products should be structured for use at the state level by the personnel of state-based CJE organizations. Furthermore, transfer of the products to the state level should be accomplished at no additional cost to the states. This distribution should be a specifically budgeted and audited element.
3. The primary focal points for expenditure of SJI dollars should be on research or product development and effective dissemination of project results to the states. Institutional maintenance of grant applicant organizations should be a tertiary emphasis. Funding criteria imposed by the SJI Act require states originating projects to absorb the financial costs of their institutional maintenance.
4. SJEOS and their personnel should be visibly involved in the policymaking, planning, development, management, and evaluation of projects ostensibly targeted to improve state judicial education operations. This involvement should be a budgeted expense of the grant.
5. NASJE should play a demonstrable consultative role in

designating state judicial education personnel to serve in the various aforementioned capacities inherent in SJI-funded projects. This would assure equitable involvement of states with track records of both great and little reliance upon nationally based CJE providers.

6. Projects introducing new blood into CJE product development should be given favorable consideration. Organizations such as the American Association of Adult Continuing Education, the

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SJEOS. . . should be visibly involved in the policymaking, planning, development, management, and evaluation of projects to improve state judicial education.

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American Society for Training and Development, and the National University Continuing Education Association should be involved in the research and product development on a contractual basis in projects to strengthen state judicial education.

7. Grant proposals should be modest in allocating finances to cover personnel salaries, fringe benefits, and institutional indirect costs. While the NASJE cannot suggest a fixed figure applicable in every instance, sums of 60 to 80 percent and greater certainly appear to place institutional maintenance above the goal of strengthening state judicial education.

While these policy preferences seem wholly consistent with the spirit and letter of the SJI Act, NASJE members may wish to evaluate them carefully and comment to the association's governing board. They might inhibit cooperative ventures between the NASJE and some

nationally based CJE providers. Of course, whether such a result is a problem to be resolved with no action on the part of others is another question.

#### Continuing judicial education

Despite continuing dismissals of the viability of its efforts by others, which characterize state CJE as "balkanized," "misprioritized," and "incompetently designed," the health of state CJE is good, possibly even robust. Evidence such as the program variety and participant interest at last October's NASJE annual meeting in New Orleans supports this conclusion. Larry Stone's (Ohio) thorough presentation on preparing and employing televised instructional materials; Carol Weaver's (Washington) review of sound program evaluation methods; V.K. Wetzel's (Wisconsin) panel of presenters on designing and conducting orientation for new judges, which included Mary Haikman (California) and Tony Fisser (Connecticut); Ed Borelli's (New York) remarks on educating judges and others about AIDS in the courts; Dennis Catlin's (Michigan) illustration of procedures and training plans stemming from an inventory of court support personnel functions; Nancy Scheffel's (Arizona) description of teaching settlement conference techniques to judges; and my introduction to intrastate satellite teleconferencing—all testified to the enthusiasm and imagination with which state CJE offerings are being prepared and executed.

The creativity, ingenuity, and dedication of the staff members of state CJE programs, who work with meager financial resources and have little support for product efforts, have nevertheless provided the greatest impetus for significant improvement in state CJE during the past decade. The NASJE remains the primary source for collegial interaction and assistance to facilitate this important evolution. While the association has been comfortable with fulfilling a clearinghouse function in the dozen or so years since its formation, recent events

*continued on next page*

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## Annual Meeting, *continued*

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skills training exercise used in Minnesota, whereby newly appointed judges take part in videotaped, simulated trials that present numerous evidentiary issues. The videotapes are reviewed by an experienced judge and the participating judge. So far, the participants have responded favorably, and the entire program reflects the awareness that judges can effectively learn and develop trial supervision skills.

The "hot topics" portion of the conference offered a variety of programs and presentations. Marilyn Tayler, project director of the New Jersey Legal Interpretation Project, discussed the development of academic programs to address the needs of practicing interpreters and to educate new interpreters. Tayler stressed the need for professional legal interpreting services to provide equal access to justice for ethnolinguistic minorities as well as for the deaf and hearing-impaired.

James Toner, training director of the National Council of Juvenile and Family Court Judges, discussed an alcohol highway safety workshop that was developed for juvenile court judges in response to the alarming number of juveniles involved in drug- or DWI-related accidents. The workshop is designed to teach judges how they can assess a youthful offender's alcohol or drug problem and select appropriate treatment and sanctions.

Helen Johnson, director, and Edward P. Borelli, associate counsel, education and training, New York, discussed a program presented to the New York judiciary about "AIDS and the Courts," which was created to teach the judiciary how to respond to AIDS-related problems. Laurence B. Stone, director of the Ohio Judicial College, distributed materials on Ohio's child sex abuse cases seminar. The course, designed for judges of all jurisdictions, examines effective methods of dealing with cases in which a child is an alleged victim of sexual abuse. Nancy Scheffel, manager of judicial education in Arizona, discussed her state's settlement conference workshop in which an actual settlement is conducted before an audience.



*The Omni Royal Orleans Hotel, in the French Quarter of New Orleans, Louisiana, was the site of the 1987 NASJE annual meeting.*

Dennis W. Catlin, executive director of the Michigan Judicial Institute, discussed the Michigan Court Management Inventory used to analyze managerial jobs in courts. The project, supported by the Institute, should result in management-related training based on a greater understanding of the specific needs of the various managerial positions in the Michigan courts. Borelli discussed the directed group process hints for settlement workshops attended by judges in New York.

Tuesday afternoon was devoted to discussion groups. Carol Weaver,

manager of judicial education in Washington, presented excellent tips on why and how to evaluate judicial education programs. V.K. Wetzel, director of judicial education in Wisconsin, used information about new judge orientation programs from almost two dozen jurisdictions to present innovative and effective training methods. In addition, NASJE President Richard Reaves explained satellite teleconferencing and its successful use in Georgia.

The conference concluded Wednesday after a three-hour presentation on videotaping in which Laurence B. Stone demonstrated the uses of videotapes in adult learning situations, explained the basic technology, and offered production techniques for both simple and complex productions.

### **Business matters**

NASJE President Reaves presided at Tuesday's annual business meeting. The membership approved several revisions presented by the bylaws committee, which include changes in the Association's committee structure and a revision of the membership article to clarify the membership categories and streamline the application process. Members also elected Rita Stratton, of the Administrative Office of the Kentucky Courts, as president-elect. Reaves discussed, in detail, the concept paper and proposals NASJE submitted to SJI. He also reported on his correspondence and meetings with SJI representatives. Mark your calendars now for next year's annual conference--October 9-12 in Alexandria, Virginia.

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## **President's message, *continued***

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portend that the future quality of state CJE may depend upon the NASJE's willingness and success in providing advocacy leadership for strengthening state-level CJE. No other group of persons, entity, or consortium of organizations possesses the same focus or commitment to the health and viability of state CJE as does the NASJE.

### **Upcoming meetings**

Mark your calendars for the following events: 1988 NASJE Annual Meeting, October 9-12, Ramada Inn Old Town, Alexandria, Virginia; 1989 NASJE Annual Meeting, October 8-11, Seattle, Washington.

Council of Juvenile and Family Court Judges in Reno; and Samuel Van Pelt, director of the Nebraska Judicial College. Richard Reeves, NASJE president and executive director of the Institute of Continuing Judicial Education at the University of Georgia is an *ex officio* member of the editorial board, and Geoffrey Gallas and Dennis Miller, of the NCSC, are staff advisers for the newsletter.

On November 15 through 17, Boothman, Drennan, Toner, and Van Pelt met in Williamsburg with Gallas and Miller as well as with Shelia Harrison and Tina Beaven from the National Center staff. Those board members and staff advisers discussed format and content for the winter and spring issues of the newsletter.

The newsletter will be consumer-oriented, with a view toward enriching the quality of judicial education offered in every state. This will be done by describing successful programs throughout the country; profiling state judicial educators and their organizations; reviewing SJI grant activity in the field of judicial education; teaching judicial educators effective grant-writing techniques; analyzing trends in judicial education, such as mandatory continuing judicial education (CJE); advising members on the activities of NASJE through a president's column and committee reports; informing interested persons of national provider programs and other national judicial education activities through a master calendar; and maintaining a current list of the judicial educators in each state.

The success of this newsletter depends not only upon its usefulness to state judicial educators but, in turn, upon your active contribution and input. Accordingly, all NASJE members are encouraged by the editorial board to submit articles and ideas for future issues.

Please take a few minutes after reading this issue to communicate your thoughts to any member of the editorial board.

# Who can provide judicial education services?

by Carol L. Weaver

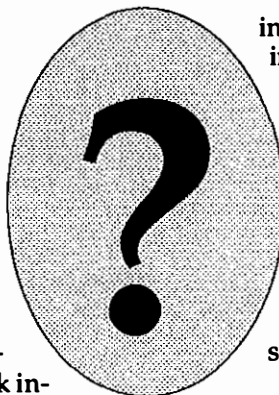
**Question:** What happens when the major players in judicial education brainstorm on how to best provide services at the state and national levels?

**Answer:** Ideas flow—just as they did when the Judicial Education Network met in October at the NASJE annual meeting in New Orleans. Member organizations of the Network include the American Academy of Judicial Education, American Association of Law Schools, Conference of State Court Administrators, Federal Justice Institute, National Association of State Judicial Educators, National Center for State Courts, National Council of Juvenile and Family Court Judges, National Judicial College, and State Justice Institute.

At the brainstorming session, the Network addressed three key questions: (1) What judicial education services can best be provided by *national* organizations, agencies, or associations to *state* level judicial education programs?; (2) What judicial education services can best be provided by *states* to *national* agencies, associations, and organizations?; and (3) What judicial education services can best be provided by *states* to *other states*?

Network members came up with the following responses.

*Services national organizations can provide to states:* (1) identify faculty for specialized courses; (2) provide programs on generalized substantive, procedural, or comparative law, topics of specialized interest, and new technology; (3) disseminate national research findings; (4) develop videotapes of outstanding faculty and computer assisted



instructional programs for independent judicial study; (5) provide models for publication development; (6) serve as clearing-houses for speakers, topics, program formats, and materials; and (7) share access to funding sources for joint projects and delivery of services to states.

*Services states can provide to national organizations:* (1) identify outstanding faculty; (2) share model programs, approaches, or publications which may be replicated nationally; (3) identify program needs not provided for at the state level; (4) evaluate national courses, program development methods, program operations, and management style; (5) recruit participants; (6) provide financial support for out-of-state programs; (7) field-test materials, publications, or programs before national distribution; and (8) coordinate delivery of programs with state curriculum schedules.

*Services states can provide other states:* (1) coordinate delivery of regional seminars; (2) identify faculty; (3) assist in locating and applying for funding; (4) share program ideas, topics and teaching methods, and use of new delivery technology; (5) collaborate on developing program materials; (6) provide faculty development; (7) share expertise in grant writing; and (8) provide assistance regarding program management, operation of policy boards, and curriculum planning committees.

What does all this mean? Communicate, coordinate, and cooperate. Judicial education can be improved in many ways at the local, state, and national levels through improved coordination and cooperation. With limited resources and unlimited demand for judicial education programs and services, the focus must be on cooperation, not competition.

**EDITOR'S NOTE:** Carol L. Weaver, Ph.D., is the judicial education manager in Olympia, Washington.

the profession of judging. Part one of the program involves sending an "in-court orientation checklist" to each new judge and to that judge's chief judge alerting him to ask about items such as prison visits, jury trials, and pretrial conferences. A second part consists of a regional, four-day seminar, which includes a daylong visit to a federal correctional institution in order to learn of bureau of prison policies. The balance of the seminar covers the nuts and bolts of federal civil and criminal case processing and judicial administration. The third part is a week-long seminar in Washington, D.C., which deals with substantive legal topics since the regional seminar focused on the essentials of court and case management.

In addition, there are the special orientation needs of appellate judges (who may need assistance in adapting to such items as life on a multi-judge court) and support personnel. Given the small number of these individuals and their dispersion across the country, the FJC's emphasis has been on developing orientation programs using videotape technology to ensure uniformity and consistency of instruction. In addition, the FJC tries to provide each trial and appellate court judge with some type of continuing education program at least once a year. This typically involves a two- or three-day program on a circuit or regional basis with the curriculum based on the judges' stated preferences.

### The need for judicial education

Judicial education helps build skills—a point noted in the ABA's 1974 *Standards Relating to Court Organization*: "Continuing training and education for judges is essential in establishing and maintaining a satisfactory level of professional competence in the judiciary. . . . [T]he rate of legal change has become so rapid that few can stay abreast simply on the strength of their own efforts."<sup>6</sup>

Judges thirst for programs on those aspects of the law that are the daily grist of federal jurisdiction,

such as *habeas corpus* and civil rights litigation. They want the synthesis and overall sense of the field, and no one has devised a better way to communicate that than through a lecture by a knowledgeable and skilled law teacher. One judge said, "Why should it surprise you that we prefer law professors? Their business is not only learning the material but also communicating it, to synthesize developments in the law and provide the judges framework for analysis." Some of the most successful teaching has come from teams of an academic and a judge—the professor to set out the framework and developments of the law and the judge to comment on specific practical problems.

Finally, to avoid speaking too narrowly on the function and purpose of continuing education, there is the matter of relationships. The bench can be a very lonely place at times. Some of this need can be met with lectures on stress and its management. But, less formally, educational programs foster friendships with colleagues and faculty. Orientation programs also encourage valuable exchanges between trial and appellate judges, giving each the opportunity to see things from the other's perspective. The need to deal with other problems also brings together judges and clerks on issues such as jury utilization, and alerts them to problems and potential contributions of each.

### Benefits of judicial education

The benefits provided by judicial education programs are usually characterized in terms of increased knowledge and ability of the judge, clerk, or probation officer to do his or her job. We should not be afraid, however, to stress that programs of continuing education make economic sense also. They are cost effective because they save more tax dollars than they expend while allowing the entire court community to benefit from the knowledge that the judge or other court employee has gained while attending the program. However, the impact of a truly rich and rewarding educational experience is subtle in ways that do not yield to the budget analyst's tools.

### Future developments

We must begin to take a broader look at education within the judiciary. It can (1) fill in the gaps left by a selection system, (2) serve as a tool of indoctrination, and (3) build skills. Beyond this, however, we must look at education within the judicial branch as (1) an obligation the court owes to its members, (2) as a responsibility to them as persons and professionals, and (3) as a responsibility that exists in its own right. Judges, like all of us, have a need to fulfill their natural desire to grow. And that, too, is the obligation the system has to those who give up their other lives for the bench.

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## NOTES

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1. Edmund Randolph, *American State Papers*, Address on the Judiciary to the House of Representatives, 1790.

2. *Minimum Standards of Judicial Administration*, edited by Arthur T. Vanderbilt (New York: Law Center of New York University on behalf of the National Conference of Judicial Councils, 1949), pp. 276-277.

3. *The Improvement of the Administration of Justice*, 4th Edition, Appendix C (Chicago: American Bar Association Section on Judicial Administration, 1961). Regarding "action programs to achieve judicial improvements...[t]he necessity for thorough education of the bench and bar with respect to a program is often overlooked" (p. 135).

The volume also praised the Appellate Judges Seminar at New York University.

4. *The Improvement of the Administration of Justice*, 5th Edition, (Chicago: American Bar Association Section on Judicial Administration, 1971). In addition to several references to judicial education, there were articles by Justice Tom C. Clark (retired) on "Continuing Education in Judicial Administration," pp. 105-108, and by Robert A. Leflar on "Judicial Education—A New Approach," pp. 115-128.

5. 42 U.S.C. Section 10701.

6. *Standards Relating to Court Organization* (Chicago: American Bar Association, 1974), p. 57.



# Technology: Video applications

by Laurence B. Stone

The potential for using video technology in judicial education is great. There are numerous applications which can prove useful to the judicial educator. Several will be discussed briefly below (and in subsequent articles). In reality, the uses of instructional media are limited only by the judicial educator's creativity and desire to introduce innovative teaching techniques into the judicial education program.

The introduction of video technology into judicial education programs should not be taken lightly. If problems are initially encountered, experience has shown that the technique may be abandoned as unworkable. Most certainly, the judicial educator inexperienced with video should not embark on a complex project without the assistance of someone experienced in the field. Care should be taken in selecting a video expert, as many people purport to be familiar with the instructional uses of video, when they actually have little background in the area. The judicial educator should see videotaped examples of all the candidates' work to help determine the qualifications of each.

## Using video technology

There are three major ways in which the judicial educator can use video technology: (1) by inserting videotaped excerpts into a "live" presentation, (2) by playing back an entire presentation to a group, and (3) by providing prerecorded material for individual viewing.

## Inserting videotaped excerpts into a "live" presentation

This is one of the most effective methods of using television. Simply put, videotape excerpts illustrate or emphasize points made in a live presentation to a group. The videotape segments are usually short and offer the presenter an opportunity

to demonstrate exactly what is being discussed. For example, in a presentation on how to take a guilty plea, the presenter might analyze a videotape of an actual plea taken in a courtroom.

## Playing back an entire presentation to a group

In this application, the major instructional points are made in a pre-recorded presentation. Generally, those appearing on the videotape are not present at the time of playback. The presentation is often one hour or more and may be fairly complex. The videotape may either be obtained from a national supplier or produced locally by the judicial educator.

There are several basic guidelines which a judicial educator should follow when using videotape in this manner:

1. Always preview the videotape in question. It is essential for whoever is in charge of that particular portion of the conference to know exactly what is in the videotape.
2. The viewers should be prepared for what they are going to see on the videotape. Before beginning the playback, they should be told generally what is on the tape and what to look for in the presentation. A brief outline of the main points discussed might also be prepared and distributed. Many commercially prepared presentations come with discussion guides that provide suggestions on how to prepare the viewers.
3. Following the playback, someone should summarize or lead a discussion on the presentation. To merely play back a presentation without follow-up is often not conducive to learning. A great deal of learning can take place in the discussion, but the discussion leader must be prepared. The judicial educator may want to set up a telephone link between the viewing group and the speaker to allow for questions and answers.

4. If the videotaped presentation is lengthy (i.e., in excess of an hour), the playback should be broken up into several segments. This is especially important if the presentation is basically a "talking head" and does not include anything to break up the lecture-type approach.
5. The viewers must be able to see and hear the presentation. No more than 30 viewers should watch one 19" receiver. If there are detailed charts or graphs included in the presentation, fewer viewers per receiver would be appropriate. It is also a good idea to have at least two receivers so that viewers can alternate their attention from one to the other. A large-screen TV projector can be rented for large groups. In a large hall, the audio portion can be fed into the house public address system. Always allow enough time to set up and check out the equipment. Play back a portion of the tape and check viewing and sound quality from several locations.

## Providing prerecorded material for individual viewing

Several judicial educators have developed a library of videotapes that can be borrowed by judges in their state. Tapes in the library may include material produced by national organizations and tapes produced by the state judicial educator.

Some libraries also provide tapes that a judge can show to court support personnel, the local bar, or other groups. The Crime File series from the National Institute of Justice is an example of such videotaped material.

Judges often borrow the tapes for individual study. This gives them the advantage of viewing a tape (or portions thereof) repeatedly to make sure that the material is understood.

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EDITOR'S NOTE: *Laurence B. Stone is director of the Ohio Judicial College in Columbus.*

## States with mandatory/required judicial education programs 1987

Alaska	Kentucky	North Dakota
Arizona	Louisiana	Ohio
Colorado	Maine	Pennsylvania
Connecticut	Minnesota	South Carolina
Delaware	Mississippi	Tennessee
District of Columbia	Missouri	Texas
Florida	Nebraska	Utah
Georgia	Nevada	Vermont
Hawaii	New Hampshire	Virginia
Illinois	New Jersey	West Virginia
Indiana	New Mexico	Wisconsin
Iowa	New York	Wyoming
Kansas	North Carolina	

SOURCE: *State Court Organization, 1987.*  
National Center for State Courts.



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