

Judicial Education Network Meets in Reno

The Judicial Education Network met March 2-4, 1988, in Reno, Nevada, with representatives from the American Academy of Judicial Education, Conference of State Court Administrators, National Association of State Judicial Educators, National Center for State Courts, National Council of Juvenile and Family Court Judges, and National Judicial College. Dr. Gordon Zimmerman served as the meeting facilitator.

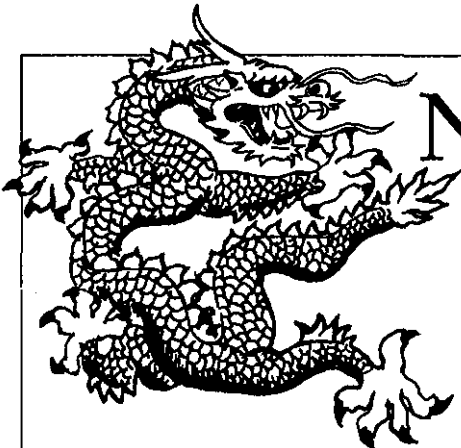
The meeting focused on articulating and understanding problems perceived among national providers as well as between national and state judicial educators. A frank

and candid exchange of viewpoints resulted in some steps toward achieving harmony among the national providers.

In an effort to further resolve some of the issues, Dr. John Hudzik, of Michigan State University, College of Social Sciences, was asked to survey all of the seminars presented by the national providers in 1987 and 1988, as well as six to twelve state programs, as to the seminar's title, the location of the program, total number of participants, tuition, and external funding support, if any. This information will be used to determine the gap between the judicial branch person-

nel currently served by national and state providers and the total potential audience for judicial education.

At the next Network meeting, which will be held October 12-13, 1988 (following the NASJE conference), the agenda will include the presentation of the Hudzik report and planning for the September 6-8, 1989, national conference in the Reno/Tahoe area. The National Judicial College and National Council of Juvenile and Family Court Judges will cohost the conference, whose proposed theme is "Judicial Education: Master Plans and Master Planning Methodologies." ■



NASJE Gift to China

Ohio Judicial College director Larry Stone (director of NASJE's Midwestern Region) traveled to the People's Republic of China this spring as a member of the People to People Program. The three-week journey began with a two-day orientation program in Seattle and included travel to Beijing,

Nanjing, Shanghai, Fuzhou, and other cities in mainland China, with stopovers in Hong Kong and Japan. Composed primarily of trial court administrators and court clerks from throughout the United States, the group visited courts, penal institutes, and law schools.

NASJE adopted Mr. Stone as its own emissary and contributed funding for a special gift. Larry procured a videotape illustrating the role and tradition of America's jury system and appended to it a visual image declaring the tape a gift from the National Association of State Judicial Educators of the

United States of America to the People of China. The tape, originally created under an L.E.A.A. grant, is titled "...And Justice for All." *The Jury*. Larry presented this unusual and appropriate gift at a designated time during the tour while visiting the local court administrative offices. He took pains to assure that the electronic pulsing on the videotape would be not only playable but also duplicable by Chinese television and VCR technology. A written transcript of the program narrative facilitated translation of the substantive material by the Chinese.

President's Column

Richard D. Reaves



In 1987 and now in 1988, NASJE has replied to the proposed rules for grants promulgated by the State Justice Institute. During January 1988, SJI presented for public comment an initial set of guidelines for administration of fiscal year 1988 funding awards. The following text comprises the NASJE submittal, approved by the executive board, and drafted by the president.

1. *Should a certain share of SJI dollars be allocated for judicial education to go to nationally based providers and a certain share be reserved for use by state CJE providers?*

If this approach is followed, it should fairly reflect workload demands on the two respective classes of providers. An equitable distribution in fiscal year 1988 would assure that no less than 75% be allocated as the states' share. Why? Because no more than 15% of the yearly contacts between CJE and judicial branch personnel or officials occur through the programs of nationally based providers. Moreover, as confirmed in the 1986 survey by the National Association of Women Judges, and earlier revealed in the biennial organizational survey of the NASJE, at least 75% of the CJE program days offered and participated in nationwide are conducted under the auspices of state-based providers.

continued on page 5

Judicial Education in Connecticut

by Anthony B. Fisser

Through strong and consistent support, the Connecticut Judicial Department has developed a comprehensive range of education programs and materials designed to meet all aspects of employee and organization needs. This support, and the extensive array of education opportunities, is the tangible result of a belief that well-trained personnel—judges and nonjudges—are vital to an effective and efficient court system.

Organization

The Connecticut Judicial Department is a state-funded, unified, centralized court system composed of approximately 2300 employees. It includes a judiciary of 16 appellate judges and 139 general jurisdiction trial judges who are subject to reassignment to any legal matter other than probate.

The Continuing Education unit within the department is a function of the office of chief court administrator. For members of the judiciary, the unit operates through the Connecticut Center for Judicial Education (CCJE). For all other employees, it operates in response to the subject matter, directly designing and producing training programs as well as acting as a resource to provide technical and other assis-

EDITOR'S NOTE: *Anthony B. Fisser is the director of continuing education, Connecticut Judicial Department, Hartford.*

tance to programs produced by court support agencies. Continuing Education's staff includes a director, a research attorney, two staff development officers, an executive secretary, and two word processors.

Judicial Education

In 1986, the CCJE was established by Chief Justice Ellen A. Peters to expand existing educational opportunities for the judiciary. The Center's major objectives are to meet all training needs disclosed by the judicial evaluation process or by separate assessments, to increase the coordination of all activities needed to provide a career track for the profession of judging, and to reach out to users of the system for ideas and assistance. An executive committee of judges is assisted by an advisory committee representing the judiciary, private sector, academia, and members of the bar.

Judicial education is provided through a variety of programs and publications. The main program areas are Orientation, Continuing Education, and Specialty.

The first of these, Orientation, has undergone drastic changes in Connecticut. It is now the policy and practice that *all* new judges participate in a six-month orientation program, which operates in two stages. The first stage, commencing on the first day of work, includes in-court observation preceded by

continued on page 8



Humanities & the PROFESSIONS

by Sanford M. Lottor

What can Shakespeare, Camus, Tolstoy, Melville, and Conrad teach professionals about the power and authority they exercise in society? Why have so many judges, physicians, schoolteachers, and executives in Massachusetts and throughout the country developed a new interest in reading great literature?

Perhaps the answers are to be found in the following quote from Rene Dubois:

Only parables can express the full complexity of our times. If you define your subject too precisely, you'll stifle its living richness. But if you tell a story, then your listeners will sense everything that the story may contain. . . this is the way to make ideas grow.¹

This philosophy exemplifies the thinking behind the Humanities and the Professions program at Brandeis University. The program began in 1980, when Chief Justice Samuel E. Zoll of the Massachusetts District Court System requested that Brandeis develop a stimulating continuing education program for judges. He had observed that judges were overworked and understaffed, constantly faced difficult decisions, and had too little time for thoughtful decision making. He believed judges needed to be stretched intellectually, as adherence to the routine tasks of their jobs did not allow time for outside educational pursuits. And he suggested that judges needed an opportunity to discuss, reflect upon, and better understand the complex social and moral issues they faced in their courts daily.

The program was originally designed to address law issues, but it soon became apparent that the heart of the program was the way it allowed professionals to explore with one another, in a candid and supportive setting, how it feels to exercise power and responsibility in

our society, and to discuss human values. It was an easy step to go from judges to other professionals. Thus, we inaugurated Humanities and the Professions.

These daylong seminars reintroduce professionals to great literature and make them aware of the sensitivities of their colleagues.

. . . the program . . . allowed professionals to explore with one another . . . how it feels to exercise power and responsibility in our society.

Humanities and the Professions is based on a two-text idea: the written text and the text of personal experience. What the program tries to achieve is a balance between the two. It leads to discussions of universal themes in the texts and encourages participants to relate those themes to their own lives.

At present, Brandeis has identified about 50 short novels, novellas, and short stories for use in the program. These texts are determined by the themes and issues recognized as being important to a particular profession. Judges discuss *Billy Budd* and the difference between law and justice, or read Von Kleist's *Michael Kolhaas* and debate the pursuit of personal vengeance beyond the law. Executives see in *Othello* different leadership styles. And physicians understand the life-and-death struggles in Tolstoy's *The Death Of Ivan Ilyich*.

To ensure that professionals' life experiences be taken into account, faculty members who lead the seminars attend training sessions on their roles as discussion facilitators.

Approximately 30 faculty members are associated with the

program. They come not only from Brandeis but from Harvard University, the Massachusetts Institute of Technology, Mount Holyoke College, the University of Massachusetts at Amherst, Tufts University, Wellesley College, Simmons College, Hampshire College, Boston College, and Boston University. More than 50 faculty members from ten other states are also associated with Humanities and the Professions. Our faculty are scholars from virtually all disciplines, who are basically humanists first. They understand how to use literature and are able to work with adults in a non-threatening way.

Other colleges and universities may be interested in implementing similar programs on their own campuses. Since faculty selection and training are essential, these schools may want to ask Brandeis to conduct a two-day training session for them. During the first day we would lead a regular session for a group of professionals designated by the school. Faculty selected by the school to take part in the training session would be observers at this session. On the second day, we would train these faculty in methods we have developed and would expect the trainees to lead discussions of very short texts.

Training sessions similar to the above were conducted for the University of California at San Francisco Medical Center. The program has received wide national publicity through more than 50 articles in newspapers, newsletters, journals, magazines, and other publications and has been featured six times on radio and television. The program founders are Brandeis University's director of continuing studies, Sanford Lottor, and Professor Saul Touster, director of the Legal Studies program. ■

EDITOR'S NOTE: Sanford M. Lottor is co-director of Humanities and the Professions, Brandeis University.

¹ Dubois, R., and Escande, J.-P. (1979). Harcourt QUEST *Reflections on Medicine, Science and Humanity*, New York, Jovanovich.

The National Council of Juvenile and Family Court Judges and The National College of Juvenile and Family Law

The National Council of Juvenile and Family Court Judges (NCJFCJ) has dedicated its 50 years of existence to improving the nation's juvenile justice system. Founded in 1937 and located in Reno since 1969, the National Council has reached more than 100,000 juvenile justice professionals in an average of 50 training sessions a year. It accomplishes this through its training division, the National College of Juvenile and Family Law (NCJFL).

Along with the National Judicial College, NCJFL is located in the Judicial College building at the University of Nevada-Reno. A national center for judicial education, this building contains offices, modern classrooms and a law library. The Council also uses a campus housing facility, the College Inn, to provide economical lodging and meals for faculty and participants.

Some 50 staff members work in the NCJFCJ vineyards area—35 in Reno and 15 in Pittsburgh, where the organization's research office, the National Center for Juvenile Justice, is headquartered. NCJFCJ has also worked with other national judicial education groups, such as the Institute for Court Management, the National Center for State Courts, the American Academy of Judicial Education, and the National Association of State Judicial Educators.

In addition, NCJFCJ has a long history of cosponsored activity with such national groups as the National District Attorneys Association, the National Council of State Legislatures, the National PTA, the American Probation and Parole Association, and the National Juvenile Detention Association; it also serves as the secretariat for the National Juvenile Court Services Association.

Working with States

As a membership organization, NCJFCJ has active members in each state who contribute to and benefit



The National Council's new headquarters and training facility is due for Spring 1989 completion.

from Council programs. Frequently, NCJFCJ will bring major national programs to a state, as happened when some 1,000 people flocked to Miami for the Fifteenth National Conference on Juvenile Justice in March 1987.

The Council has maintained and developed relationships not only with state judicial organizations but with juvenile justice, child welfare, education, and related conglomerates in individual states. One example of a legislative cooperative enterprise which NCJFCJ cosponsors is the Southern Legislators Conference for 17 southern states.

In the not-too-distant past, NCJFCJ brought faculty and representatives from state judicial education bodies to Reno for "Train the Trainer" programs. At other times, the organization has collaborated with states on state juvenile court programs—in planning, faculty recommendations and provisions, and program cosponsorship.

When NCJFCJ operates special projects such as past projects in the victims, child sexual abuse, child support enforcement and learning disabilities areas, it has been able to subsidize such training in the states. In fact, the Permanent Families project passes federal monies on to states for state programs.

Select publications are often made available to state programs. Technical assistance on a variety of substantive issues is made available

to state and local offices.

States with C.L.E. (Continuing Legal Education) and mandatory judicial education requirements for judges have uniformly given approval to programs developed and sponsored by the Council.

Masters Program

In 1986, the University of Nevada approved the Masters of Judicial Studies Program for both NCJFCJ and the National Judicial College. The program has already accepted candidates in the major for juvenile and family court judges specialization. And in concert with the National Juvenile Court Services Association, the Council awards juvenile and family court administrators special certification.

New Headquarters for NCJFCJ

Thanks to an extensive fund-raising campaign during 1986-87, groundbreaking for the National Council's new headquarters and training facility is scheduled for May 1988. The campaign culminated with a \$1-million donation from two Nevadans.

The 31,000-square-foot building will cost \$3.6 million. It will be built adjacent to the College Inn, the residence hall which houses program participants during judicial training. A portion of the building will also be shared with the university's Division of Continuing Education. ■

Furthermore, state-based CJE programs are constantly in need of new products and, unlike nationally based purveyors of CJE experiences, cannot use the same topic, faculty, and program materials year in and year out. When 75-80% of the judges from a state's given classes of courts participate semiannually in CJE, and when 99-100% of these individuals take part at least once a year, a state CJE program must offer new activities virtually every time it convenes a session. The typical state CJE supplier must wait four to six years before recycling and necessarily updating an educational program. Consequently, the demand for creativity and topical variety in design and delivery of CJE products is highest at the state level. Therefore, the financial stimulus for developing new products should focus its efforts to achieve greatest impact at the state level.

2. *Should funds be awarded on a formula basis to the states for underwriting educational travel expenses to participants in nationally based courses?*

Fixed sum or proportional share funding to the states merits serious consideration. To assure that in fiscal year 1988 it bears the magnitude and type of fruit really needed to benefit state judicial education, a laudable formula grant program would possess characteristics similar to those listed below.

Upon acceptance of five program criteria, each state's CJE office receives from SJI \$25,000 (free of any matching requirement) or up to \$50,000 (if it will meet standard SJI matching requirements). The five-program criteria critical to state participation are that (1) state CJE programs conform their product development to topical target areas given in the SJI act and regulations of the SJI Board; (2) state CJE programs develop their products with an eye toward facilitating replication by other interested providers and, therefore, devote at least 10% of their total project budget to creating materials that will enable product transfer and replication, e.g., expense records, objectives statements, planning and

execution time charts, group process worksheets, research instruments, consultant and literature reference lists, student or planning committee workbooks, program handouts, electronic audio and video and EDP products, evaluation forms, and summaries of results; (3) state CJE programs agree to transmit these materials, together with their expertise regarding use of the product, with the only cost being reimbursement of the actual expense

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for providing the specified level of transfer support requested, to other CJE providers (state or nationally based) wishing to assess whether to employ the product; (4) state CJE programs consult all other states with which they share a boundary and agree not to develop a product chosen by a neighboring state; and (5) state CJE programs accept standard SJI financial accounting and non-supplanting rules, and agree to complete their projects in no more than 24 months.

The type of formula grant program illustrated above would unleash a measure of creativity unparalleled by current or past CJE grant-awarding practices. Traditional nationally based providers of CJE technical assistance would experience more invitations for contracts to aid state efforts than they should conscientiously handle. Happily, many states would be positioned to enrich the enterprise of CJE by turning to new resources of private, state, or local contractual assistance, which are presently unable

to participate in the business of CJE product development and delivery because of the hegemony exacted by certain traditional providers.

The interests of states in expanding the availability of new products and enriching the intellectual capital of resources to apply in CJE would be significantly advanced. Traditional nationally based providers would be positioned, through their technical assistance efforts, to work in parity with the state CJE programs to meet needs expressed by individual states. Also subject to dismissal would be the preference seemingly averred in particular quarters that the direction, pace, and scope of progress for CJE in America must proceed, if at all, only under the aegis, accord, agenda, and authority of a few traditional nationally based CJE providers.

On the other hand, a formula grant program that compels state CJE programs to limit their vision to the products of traditional nationally based CJE providers lacks commitment to the fundamental needs of states. It gives unwarranted primacy to the institutional maintenance interests of the nationally based providers. It improves neither nationally based nor state-based CJE. It subverts the genius of federalism.

The viability of nationally based course offerings should be an outgrowth of their ability to attract attendance through their intrinsic quality and responsiveness to participant interest. It should not be artificially maintained, especially when the states could just as readily, or even more effectively, employ those same SJI dollars to enhance educational experiences for a far greater number of participants through refinement of products for use at the state level. The SJI must remember that each year state CJE providers reach at least 10 to 20 times more participants than are served by nationally based programs.

3. *Should SJI undertake a study of the state of American judicial education in order to help define SJI's role in judicial education?*

continued on page 10

Video Applications

by Laurence B. Stone

In the last newsletter, we discussed three ways of using video in judicial education: (1) inserting videotaped excerpts into a "live" presentation, (2) playing back an entire presentation to a group, and (3) providing prerecorded material for individual viewing.

But what types of material can a judicial educator show to these individuals and groups?

In this article, we will discuss some specific types of videotaped material that might be of interest to the judicial educator. This discussion is not all-inclusive; judicial educators are urged to be creative in their use of video.

Playback of Commercially Produced Presentations

There are many producers and distributors of law-related videotapes. Two such producers are the American Bar Association and the National Institute of Justice. A list of over 75 sources can be found in Ellen Miller, *Video: A Guide for Lawyers*, 1983, Law Arts Publishing, Santa Monica, California.

Also included in this category are videotape recordings of broadcast television programs, which are available from the producers of those programs. For example, videotapes of "The Constitution: That Delicate Balance," which appeared as a PBS series, are available from Columbia University Graduate School of Journalism.

Judicial educators should remember that the playback of videotaped recordings made off-the-air may be a violation of copyright law in certain situations.)

Most of the videotapes in this category are self-contained presenta-

tions which should be played back in their entirety. Nevertheless, they can be used in all three of the methods discussed in the first article.

Playback of Locally Produced Presentations

Some judicial educators videotape all of their programs for possible later use. These are usually single-camera recordings of presentations made to a group and are relatively devoid of sophisticated television production techniques. In general, this type of presentation is not as effective as one which is more *highly* produced. The exception is when the presenter is a dynamic individual or the content is so important that they outweigh the boredom attributed to viewing a relatively bland presentation.

More sophisticated videotaped presentations are often made locally for use at judicial meetings and for self-study. These might include an edited panel discussion, a courtroom simulation, an edited interview with an expert who would not be available at the time of the meeting, and the like. Such presentations should be prepared well in advance of the anticipated date of use.

As is the case with commercially produced presentations, these locally produced presentations are relatively complete and self-contained and should be played back using the techniques suggested in the earlier article.

Playback of Commercially Produced Excerpts

Some commercial firms have produced videotapes containing short excerpts for use in live presentations. For example, the American Academy of Judicial Education has

a series of simulated objection/evidence situations which can be used in an evidence course.

Using a portion of a commercially produced presentation to illustrate a particular point would also fall into this category.

As mentioned in the earlier article, these excerpts are used to illustrate or emphasize points made by a speaker to a live group.

Playback of Locally Produced Segments

In an application similar to the use of commercially produced excerpts, the judicial educator can also produce videotape segments locally to meet a specific need for a program. Examples in this category might include videotaped interviews, excerpts from previously recorded meetings, videotaped demonstrations of equipment which could not be brought to the meeting location, and the like.

Playback of Actual Courtroom Situations or Other Events

Some courts make videotaped records of proceedings in lieu of traditional reporting methods. Using portions of these records is sometimes appropriate to illustrate specific points in a live presentation to a group. Of course, the original recording should not be used for this purpose; a dub (copy) of the original should be used. Portions of these records might also be inserted into a locally produced videotape presentation.

Other videotaped events that might be used in this manner include confessions, depositions, medical and psychological interviews, security and surveillance records, and similar events. Releases may have to be obtained from some individuals to use these tapes in some situations. ■

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

Excerpts from the

Master Calendar

Special
Pull-out &
Save Section

From the National Center for State Courts

NASJE News Vol. 3, No. 2, Spring 1988

- July 3-8 Cambridge, MA
A Judge's Philosophy of Law
American Academy of Judicial Education
- July 5-7 Albany, NY
Administrative Environment of Court Management Seminar
Court Systems Management Program,
University of Albany
For more information, contact Dr. Thomas Church,
(518) 442-3850.
- July 8-9 Albany, NY
Microcomputer Spreadsheets in the Courts
Court Systems Management Program,
University of Albany
For more information, contact Dr. Thomas Church,
(518) 442-3850.
- 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 10-15 Boulder, CO
Trial Skills Workshop
American Academy of Judicial Education

- 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 11-15 Cambridge, MA
Fact Finding and Decision Making
American Academy of Judicial Education
- 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 17-22 Moran, WY
Philosophical Ethics and Judicial Decision Making
American Academy of Judicial Education
- July 17-29 Reno, NV
The Decision-making Process
National Judicial College

* 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) 988-5696

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.

July 18-29 Charlottesville, VA
The Trial Judges' Academy - General Jurisdiction
American Academy of Judicial Education

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 25-27 Albany, NY
Human Resources Development Seminar
Court Systems Management Program, University of
Albany
For more Information, contact Dr. Thomas Church,
(518) 442-3850.

July 28-30 Albany, NY
Research Methods for Court Managers Workshop
Court Systems Management Program, University of
Albany
For more Information, contact Dr. Thomas Church,
(518) 442-3850.

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 7-12 Reno, NV
Advanced Juvenile Justice Management Institute
National College of Juvenile and Family Law

August 7-12 Williamsburg, VA
The Many Roles of a Judge - And Judicial Liability
American Academy of Judicial Education

August 7-12 Williamsburg, VA
Trial Judges' Writing Program
American Academy of Judicial Education

August 14-19 Palo Alto, CA
Appellate Judicial Writing Program
American Academy of Judicial Education

August 14-19 Palo Alto, CA
Appellate Judicial Writing Program - Advanced
American Academy of Judicial Education

August 14-19 Palo Alto, CA
Evidence
American Academy of Judicial Education

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
For more Information, contact Renee Prestipino,
(312) 988-5696.

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
For more Information, contact Renee Prestipino,
(312) 988-5696.

September 25-30 Reno, NV
Search & Seizure
National Judicial College

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 2-7 Durham, NH
**Constructive and Creative Judicial Change;
Use of State Constitutions**
American Academy of Judicial Education

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 7-10 New Orleans, LA
National Association of Women Judges Annual Meeting
For more information, contact Director of Secretariat Service, 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 16-21 Reno, NV
Evidence
National College of Juvenile and Family Law

October 16-28 Reno, NV
Fall College
National College of Juvenile and Family Law

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 23-28 Reno, NV
Family Law
National College of Juvenile and Family Law

October 27-28 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 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 6-11 Orlando, FL
The Judge as a Public Speaker
American Academy of Judicial Education

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

November 16-18 Baltimore, MD
National Conference on Dispute Resolution and the Courts
National Center for State Courts
For more information, contact Geoff Gallas, (804) 253-2000.

November 16-19 Hilton Head, SC
Fall Probate Seminar
National College of Probate Judges
For more information, contact Director of Secretariat Service, 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 New Orleans, LA
Search and Seizure and Recent U.S. Supreme Court Criminal Procedure Cases and The Law of Hearsay
American Academy of Judicial Education

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

State Judicial Educators

- ALABAMA.** *Mr. Frank Gregory, Director, Alabama Judicial College, 817 S. Court Street, Montgomery, AL 36130-0101, (205) 834-7990
- ALASKA.** Ms. Carole A. Baekey, Director of Magistrate Services, Office of the Administrative Director, 303 K Street, Anchorage, AK 99501, (907) 264-8237
- ARIZONA.** *Ms. Nancy Scheffel, Manager of Judicial Education Programs, Supreme Court of Arizona, 363 N. First Avenue, St. A, Phoenix, AZ 85003, (602) 253-5700
- ARKANSAS.** *Ms. Kay Boothman, Judicial Education Coordinator, Arkansas Judicial Department, Justice Building, Little Rock, AR 72201, (501) 371-2295
- CALIFORNIA.** *Ms. Constance E. Dove, Executive Director, California Judges Association, Fox Plaza, Suite 208, 1390 Market Street, San Francisco, CA 94102, (415) 552-7660
- CALIFORNIA.** *Mr. Paul M. Li, Executive Director, California Center for Judicial Education and Research, 2000 Powell Street, 8th Floor, Emeryville, CA 94608, (415) 464-3824
- COLORADO.** *Ms. Maryann Motza, Professional & Legal Services, Colorado Judicial Department, 2 East 14th Avenue, Denver, CO 80203, (303) 861-1111
- CONNECTICUT.** *Mr. Anthony B. Fisser, Director, Continuing Education, Connecticut Judicial Department, 75 Elm Street, Hartford, CT 06106, (203) 722-5868
- DELAWARE.** Mr. John Fisher, Director, Administrative Office of the Courts, Carvel State Office Building, 820 N. French, Wilmington, DE 19801, (302) 571-6272
- DISTRICT OF COLUMBIA.** *Ms. Cassandra Penn, Training Officer, Superior Court of the District of Columbia, 500 Indiana Avenue, N.W., Washington, DC 20001, (202) 727-1606
- FLORIDA.** *Ms. Mignon U. Lawton, Director Legal Affairs & Judicial Education, Office of the State Court Administrator, Supreme Court Building, Tallahassee, FL 32308, (904) 488-8621
- GEORGIA.** *Mr. Richard D. Reaves, Executive Director, Institute of Continuing Judicial Education, University of Georgia School of Law, Athens, GA 30602, (404) 542-7491
- HAWAII.** Mr. Toshimi Sodefani, Administrative Director of the Courts, P.O. Box 2560, Honolulu, HI 96804, (808) 548-6525
- IDAHO.** *Ms. Kit Furey, Judicial Education Officer, Administrative Office of the Courts, Supreme Court Building, 451 West State Street, Boise, ID 83720, (208) 334-2246
- ILLINOIS.** Ms. Maureen Conner, Associate Director for Judicial Education, Supreme Court Building, 118 W. Edward Street, Springfield, IL 62706, (217) 782-7770.
- INDIANA.** *Mr. George Glass, Executive Director, Indiana Judicial Center, St. 404, 1800 No. Meridian Street, Indianapolis, IN 46202, (317) 232-1313
- IOWA.** *Mr. Jerry K. Beatty, Executive Director of Education & Planning, Office of the State Court Administrator, State Capitol Building, Des Moines, IA 50319, (515) 281-8279
- KANSAS.** *Ms. Evelyn Gates, Education Officer, Office of Judicial Administration, 301 West 10th Street, Topeka, KS 66612, (913) 296-4873
- KENTUCKY.** *Ms. Rita Stratton, Manager, Education & Public Information, Administrative Office of the Courts, 403 Wapping Street, Frankfort, KY 40601, (502) 564-7486
- LOUISIANA.** *Mr. Frank Maralst, Executive Director, Louisiana Judicial College, Paul M. Herbert Law Center, Louisiana State University, Baton Rouge, LA 70803, (504) 388-8825
- MAINE.** Honorable David G. Roberts, Chairman, Judicial Education Committee, Supreme Judicial Court, P.O. Box 1068, Bangor, ME 04401, (207) 947-8606
- MARYLAND.** *Ms. Ellen Marshall, Director, Judicial Institute of Maryland, Administrative Office of the Court, Court of Appeals Building, Row Boulevard, Annapolis, MD 21401, (301) 269-2353
- MASSACHUSETTS.** *Ms. Susan M. Tripp, Judicial Education Coordinator, Office of the Chief Administrative Justice, Room 100, Old Courthouse, Boston, MA 02108, (617) 725-8733
- MICHIGAN.** *Mr. Dennis W. Catlin, Executive Director, Michigan Judicial Institute, 200 Washington Square North, P.O. Box 30104, Lansing, MI 48909, (517) 334-7805
- MINNESOTA.** (To be named), Director, Supreme Court Office of Continuing Education, Minnesota Supreme Court, 40 North Millton, St. 205, St. Paul, MN 55104, (612) 649-5942
- MISSISSIPPI.** *Mr. Charles Clark, Director, Mississippi Court Education Program, Universities Center, St. 101, 3825 Ridgewood Road, Jackson, MS 39211, (601) 982-6590
- MISSOURI.** *Ms. Betsy Belshaw, Director of Court Services, Office of State Courts, 1105 R. Southwest Blvd., Jefferson City, MO 65101, (314) 751-3585
- MONTANA.** *Mr. James Oppedahl, State Court Administrator, Supreme Court of Montana, 315 Justice Building, Helena, MT 59620, (406) 444-2621
- NEBRASKA.** *Mr. Samuel Van Pelt, Director, Nebraska Judicial College, State Court Administrator, 1220 State Capitol Building, Lincoln, NE 68509, (402) 474-7800
- NEVADA.** Ms. Karen Morris, Administrative Office of the Courts, Capitol Complex, Carson City, NV 89710, (702) 885-5076
- NEW HAMPSHIRE.** *Mr. Thomas T. Barry, Staff Attorney, Supreme Court, Supreme Court Building, Noble Drive, Concord, NH 03301, (603) 271-2521
- NEW JERSEY.** *Mr. Richard L. Saks, Judicial Education Officer, Administrative Office of the Courts, Hughes Justice Complex, Trenton, NJ 08625, (609) 292-0622
- NEW JERSEY.** *Ms. Randy E. Bloom, Assistant Director of Judicial Education, New Jersey Office of Administrative Law, Quakerbridge Plaza, Building 9, Quakerbridge Road, Trenton, NJ 08625, (609) 588-6508
- NEW MEXICO.** Mr. Tony Alarid, Chief of Personnel & Training, Administrative Office of the Courts, Supreme Court Building, Santa Fe, NM 87505, (505) 827-4800
- NEW YORK.** *Ms. Helen A. Johnson, Director of Education & Training, Office of the Court Administrator, 270 Broadway, Room 824, New York, NY 10007, (212) 587-5823
- NORTH CAROLINA.** *Mr. James C. Drennan, Assistant Director, Institute of Government, University of North Carolina, Knopp Building, 059A, Chapel Hill, NC 27514, (919) 966-5381
- NORTH DAKOTA.** *Mr. Carroll Edmondson, Director of Personnel & Training, North Dakota Supreme Court, State Capitol, Bismarck, ND 58505, (701) 224-4216
- OHIO.** *Mr. Laurence B. Stone, Director, Ohio Judicial College State Office, 30 East Broad Street, Columbus, OH 43266-0419, (614) 466-4150
- OKLAHOMA.** Ms. Juanita Mayfield Colley, Administrative Assistant, Administrative Office of the Courts, 1915 N. Stiles, St. 305, Oklahoma City, OK 73105, (405) 521-2450
- OREGON.** *Mr. Duane M. Anders, Personnel Director, Oregon Judicial Department, Supreme Court Building, Salem, OR 97310, (503) 378-6046
- PENNSYLVANIA.** Ms. Bunny Cantor, Judicial Education Officer, Administrative Office of the Courts, 1515 Market Street, St. 1414, Philadelphia, PA 19102, (215) 560-6325
- RHODE ISLAND.** *Ms. Holly Hitchcock, Court Education Officer, Administrative Office of the Courts, 250 Benefit Street, Providence, RI 02903, (401) 277-3266
- SOUTH CAROLINA.** Mr. Jeff Boyd, Staff Attorney, South Carolina Court Administration, P.O. Box 50447, Columbia, SC 29250, (803) 758-2961
- SOUTH DAKOTA.** *Mr. Dan Schenk, Personnel & Training Officer, State Court Administrators Office, State Capitol Building, Pierre, SD 57501, (605) 773-4870
- TEXAS.** *Mr. Gary Brinkley, Executive Director, Texas Municipal Courts Training Center, 812 San Antonio, St. 308, Austin, TX 78701, (512) 476-3445
- TEXAS.** *Mr. Roy J. Rawls, Executive Director, Texas Center for the Judiciary, P.O. Box 12487, Capitol Station, St. 502, Austin, TX 78711, (512) 475-7087
- TEXAS.** *Mr. Scott C. Smith, Executive Director, Texas Justice Court Training Center, SW Texas State University, Abney Hall, San Marcos, TX 78666, (512) 245-2349
- UTAH.** *Ms. Joanne C. Slotnik, Judicial Education Officer, Office of Court Administrator, 230 South 500 East, St. 300, Salt Lake City, UT 84102, (801) 533-6371
- VERMONT.** *Ms. Marna Murray, Assistant Trial Court Administrator, Court Administrator's Office, 111 State Street, c/o State Office Building, Montpelier, VT 05602
- VIRGINIA.** *Mr. William T. Capers III, Director of Educational Services, 100 North 9th Street, Richmond, VA 23219, (804) 786-6455
- WASHINGTON.** *Ms. Carol L. Weaver, Judicial Education Manager, Administrator for the Courts, 1206 S. Quince Street, MS E2-11, Olympia, WA 98504, (206) 753-3365
- WEST VIRGINIA.** *Mr. Richard H. Rosswurm, Director of Judicial Education, West Virginia Supreme Court of Appeals, State Capitol, Capitol E-400, Charleston, WV 25305, (304) 348-0145
- WISCONSIN.** *Mr. V. K. Wetzel, Director of Judicial Education, Supreme Court of Wisconsin, 110 East Main Street, Room 510, Madison, WI 53703, (608) 266-7807
- WYOMING.** Mr. Robert Duncan, Court Coordinator, Supreme Court of Wyoming, Supreme Court Building, Cheyenne, WY 82002, (307) 777-7581

This list of state judicial educators represents the latest information we have received. Please notify us if any changes should be made. —Editor

Ethics Issues in Judicial Education

by William A. Melone

Ethics in government, or alleged lack thereof, is of continuing interest in the news media. Reacting to this attention, ethics was placed on the agenda of the 1986 NASJE annual meeting. Some hypothetical cases, raising ethical issues on accountability for funds and programs, responsiveness, whistle blowing, and professional development, were distributed to members and discussed at the meeting. The ten written responses to these hypotheticals and notes from the discussions showed some disagreements on principle and practice, but even this very limited exploration of the issues allowed some useful general observations.

Three of the six hypotheticals presented seemed to spark the most interest and are reproduced below. NASJE members were asked to tell what they would do in each case, how they might respond, and to comment on the ethical and procedural issues raised. The hypotheticals, and a summary and analysis of the responses, follows.

Hypothetical A

Judge X registered for a three-day program you are conducting. He paid his \$350 registration fee with a personal check and was given a receipt. After attending the opening lunch, the judge is not seen by any of your faculty or staff until the closing banquet.

After the concluding speech, your staff will distribute evaluation forms and completion certificates that have been prepared in advance, each bearing the program title and the name of the participant. You have heard that some counties require these certificates for reim-

bursing participant costs and that some judges list these certificates on their *curriculum vitae*. You think it likely that Judge X expects to receive a certificate.

What do you tell your staff to do with the certificate with Judge X's name on it?

RESPONSE: This case showed a general rejection of the role as truant officer, although half of the respondents would give out the certificate and half would withhold it. Most comments on the case stressed that responsibility for attendance should be clearly assigned to the participants, and, if necessary, nonattendance should be dealt with by a peer who chairs or otherwise coordinates the sessions. All agreed that comments on participants' private or social activities were inappropriate.

Hypothetical B

You are holding a regional seminar for 160 judges in a new suburban hotel. You have arrived a day early, as your spouse has business in the nearby city, and you wanted a better look at the facilities. The management has given you a very competitive rate, and although the staff is a bit inexperienced and unfamiliar with your special needs, they have been very cooperative.

In a meeting the day before the seminar, the sales manager tells you it is their standard policy to offer a rebate of one free room for every 20 rooms booked for a conference and offers you eight free rooms. As each of the judges pays for his or her own room, there are only five rooms coming out of the conference budget for faculty and staff. The sales manager assures you those five rooms will not be charged to the conference and says there will be no charge for your previous night's stay. In addition, he invites you and your spouse to stay on for two days

after the seminar or come back for another two days when you are visiting the city. He says you have earned the credit for two nights, and anyway, their occupancy rate is expected to be low this first year. At the conclusion of the meeting, he invites you and your spouse to dinner in the hotel restaurant so that he can show you what their chef can do.

How do you respond to each of his suggestions?

RESPONSE: All respondents agreed that personal or staff use of bonus rooms after a conference was inadvisable. About half also ruled out accepting an early sample meal. Most said they measured the acceptance of free services against the same standards used when billing the government or claiming reimbursement, so anything unreimbursable would be unacceptable. Using this standard, "gifts" are savings to the government, not to an individual. Some suggested that bonuses unused for direct conference expenses be offered to participants who assist on the conference to reduce reimbursement expense to their local jurisdictions.

Hypothetical C

A chief clerks' management seminar takes you to the jurisdiction of the head of the state clerks' association. This clerk (Clerk Z) invites you to attend a civil wedding later that afternoon and shows you a marriage certificate which bears the signature of the local chief judge.

At the wedding, however, it is Clerk Z who performs the ceremony. At a dinner later with Clerk Z and other chief clerks, you mention your surprise at his role, as you know the law gives this power only to judges. Clerk Z laughs and says this is common practice in his

continued on page 12

EDITOR'S NOTE: William A. Melone is the Assistant Administrator for Human Resources, Rhode Island Supreme Court.

S J I U P D A T E

substantial homework assignments; mini-seminars, with an experienced judge discussing what was observed and answering questions; meetings with numerous support agencies who affect, and are affected by, what the judge does; and the handling of all personnel matters. Two vital sessions are discussions on judicial ethics and a brainstorming session to identify the key qualities possessed by the best judge. The second stage of orientation, a six-month mentoring component, includes such mentor responsibilities as answering questions that arise, observing the new judge at work in a courtroom, and meeting regularly with the new judge to encourage questions or make comments.

The Continuing Education type of programming is frequent and varied, often responding to new developments. Recent examples are an analysis of new tort reform legislation; handling multiparty and complex litigation; expert witnesses; decision making in *ex parte* family violence cases; children as witnesses in criminal, neglect, and sexual abuse cases; issues in substance abuse; and evidence.

Many Continuing Education programs are offered as three-day required or elective courses at the Connecticut Judges Institute. The Institute, established in 1983 and attended by all judges, adheres to a special focus, concentrating on the series of personal and professional skills a judge exercises in making decisions. Generally, the faculty are judges who must complete a multi-day Faculty Development workshop.

In addition, Connecticut's judiciary may elect to attend a two- or three-day specialty program on subjects such as judicial writing, handling administrative appeals, faculty development, mentor development, law and the humanities, and stress and judicial performance.

The publication of judicial education materials is also a major part of the overall opportunity for improvement through education. The *Civil Deskbook* and *Criminal Deskbook* offer 1,000 pages of in-

Each issue of NASJE News will include the latest information available from the State Justice Institute about projects being funded, especially those that directly affect judicial education. This article discusses two of the grants awarded during round one of fiscal year 1987. —Editor

Instructional Modules

Through a grant from the State Justice Institute, NASJE and the National Judicial College have begun developing instructional modules in two areas. These modules, "Rural Courts" and "Bench Skills," will be organized in half-day segments, and each will last two-and-a-half days. Five states have applied to serve as sites for the modules. Site selection will be held at a later date, with the modules scheduled for fall presentation.

The Rural Courts module committee met February 12-14 in Reno, Nevada. Members of the committee include Judge Philip Eves, of Utah; Kate Fahnstock, of Vermont; Dan Schenk, of South Dakota; and Judge John Kuenhold, of Colorado. The module will address the following areas: Role of the Court in a Rural Community; Administrative vs. Adjudicative Functions; Case Management in Rural Courts; Personnel Issues for Rural Judges; The Impact of Rural Judicial Service on a Judge; Appearance of Fairness; Case Study: A Family Matter—Developing Rural Resources; Ethical Considerations in the Operations of Rural Courts; and How to Make Changes in Rural Courts.

The Bench Skills module committee met February 19-21 in Reno. Members of the committee include Ellen Marshall, of Maryland; Judge Angela Bartell, of Wisconsin; Howard Wingren, of the National Judicial College; Judge Lorenzo Arrendondo, of Indiana; and Chancellor C. Allen High, of Tennessee. This module will address Change in the Judiciary; The Judge as a Decision Maker; Judicial Stress; Recurring and Special Trial Problems; The Role of Perceptions in the Judicial Process; Listening and Communicating;

Judicial Ethics; and Time Management for the Judiciary.

Jane Nelson, of the National Judicial College, has encouraged input from other states that might aid in forming the modules.

Faculty Development

The National Judicial College (NJC) has received an SJI grant to design faculty development workshops and skills workshops.

The faculty development workshops are designed for judicial educators, judicial education planners, and experienced judicial education faculty who expect to be involved in faculty training. Topics will include developing program resources, strategies for assessing learner needs, developing effective learning objectives, and preparing course structure and content. Subjects also covered include providing effective critiques, developing course methods and materials, and the roles of faculty, staff, planners, and participants in evaluation. The workshops are scheduled for May 19-21 in Reno and July 7-9 in Boston.

The faculty skills workshops are designed for state and national judicial educators who wish to improve their planning and presentation skills and participate in a training session with others involved in judicial education. The program will include a discussion of participative adult-education learning strategies. The skills workshops are scheduled for August 11-13 in Denver and September 8-10 in Oxford, Mississippi.

Faculty for the workshops will include Professor Gordon Zimmerman (University of Nevada) and state judicial educators Dee Lawton (Florida), Rita Stratton (Kentucky), Nancy Scheffel (Arizona), and Joanne Slotnik (Utah). ■

SJI Applications Approved for Funding Round II

In March, the State Justice Institute announced its intent to award 36 grants totaling some \$3.75 million to 27 state courts, judicial support organizations, universities, and other applicants, subject to the resolution of programmatic and financial issues raised at its March board meeting in Alexandria, Virginia.

University of Iowa College of Law: *The Judicial Management of Jury Awards for Noneconomic and Punitive Damages*

Virginia Polytechnic Institute and State University: *Computer Assisted Innovation in State Courts*

Kentucky Sheriff's Academy: *Bailiff Training Program for the Rural-Small Court Systems of Kentucky*

National Council of Juvenile and Family Court Judges: *National College of Juvenile and Family Law Appellate Judge Training Project*

National Council of Juvenile and Family Court Judges: *A Juvenile and Family Law Scholarship Program*

Institute of Public Law, New Mexico Law Center (in cooperation with the National Judicial College and the Women Judges' Fund for Justice): *National Conference of the State Judiciary on Bioethical Issues*

Alaska Judicial Council: *Presumptive Sentencing/Plea Bargaining*

Supreme Court of Virginia: *Commission on the Future of the Virginia Judicial System*

Institute for Social Analysis: *An Evaluation of Court-ordered Treatment for Domestic Violence Offenders*

Criminal Justice Section, American Bar Association: *Improving Enforcement of Court-ordered Restitution to Victims*

T.C. Williams School of Law, University of Richmond: *State Judicial Clerk Education Project*

Rhode Island Supreme Court: *Victim Restitution Unit and Special Payment Calendar*

Vera Institute of Justice: *Improving the Use and Administration of Criminal Fines: An Experiment to Replace Fixed Fines with Means-based Fining*

The Center for Policy Research: *The Equity of Mediated Divorce Agreements*

The Institute of Judicial Administration, Inc.: *Appellate Judges Seminar Advanced Refresher Course*

Office of the District Attorney, City of San Francisco: *The Judicial Response to Domestic Violence Project*

Supreme Court of Wisconsin: *State Trial Court Records Management Training Project*

Administrative Office of the Courts, State of North Carolina: *A Proposal to De-*

termine the Additional Cost Imposed on the North Carolina Criminal Justice System by the Death Penalty

Rural Justice Center: *State Trial Court Education Program on Farm Credit Issues*

Special Committee on Evaluation of Judicial Performance, American Bar Association: *An American Bar Association National Project on Judicial Performance Evaluation*

The National Judicial College: *National Conference of the Judiciary on Alternate Dispute Resolution*

The National Judicial College: *Faculty Data Base*

Youth Law Center: *Innovative Family/Juvenile Court Training*

Aiken County, South Carolina: *Prototypal, Instant-Retrieval Data System for the Courts*

North Dakota Supreme Court: *Alternative Dispute Resolution; Prioritizing the Needs of Children as Part of the Divorce Process: A Rural Model*

Court Studies, Inc.: *Evaluation of Abbreviated Procedures in Appellate Courts*

Institute for Legal Studies, University of Wisconsin: *Mediating Medical Malpractice Claims in Wisconsin*

Rural Justice Center: *Rural Delay Reduction Project*

Colorado Judicial Department: *Innovative Uses of Judicial Resources: Rejuvenating the Commitment to Justice*

National Center for State Courts: *Video-recording Evaluation and Guidebook Development*

National Center for State Courts/National Judicial College: *Managing Trials: An Educational Program for State Trial Judges*

National Center for State Courts: *State Court Expenditures and Staffing*

National Center for State Courts: *Case Processing and Delay Reduction in Rural Courts*

National Center for State Courts: *Delay Reduction: Videos and Educational Materials*

National Center for State Courts: *Assessment and Improvement of Judicial Education Faculty Development Programs*

Committee on Standards of Judicial Administration, American Bar Association: *Revision of Standards of Judicial Administration*

Connecticut *continued from page 8*

depth legal analysis. The *Civil/Family Manual* and *Criminal/Traffic Manual* provide the key procedural information, questions, and reminders that judges need while they are on the bench. Designed with special attention to the needs of new judges, the manuals have proven to be an invaluable component of the orientation program.

Professional Development

The last few years have seen a parallel expansion of educational opportunities for the Department's nonjudge workforce. The present level of activity provides seminars and workshops for managers and supervisors, technical and professional staff, administrative and clerical staff, new employees, and individuals seeking to improve their personal capabilities.

The extensive assortment of programs available to all professional, technical, and administrative staff is based on training needs identified in a department-wide assessment. Within the past six months, for example, employees had an opportunity to attend programs on behavioral interviewing, CPR, AIDS, courtroom presentation skills, labor-management and the role of the supervisor, nonviolent crisis intervention, presentation skills, substance abuse, and time management. In addition, a wellness program helps participants assess and take responsibility for their health care and lifestyle, and a Focus-on-You series assists administrative and clerical staff with effective communications, stress, and time management strategies.

A recent development of Continuing Education is a standardized, mandatory orientation program for every new employee in the Connecticut Judicial Department.

All department personnel—judges and nonjudges—are encouraged to improve themselves, learn new skills, and acquire the necessary tools to achieve their goals. To facilitate this individual growth, the Connecticut Judicial Department has designed one of the broadest, most comprehensive arrangements of programs, services, and materials in the country. ■

It's been the historical experience of state judicial education programs to have nationally sponsored policy studies or research reports, which are intended to illumine new policy or funding efforts, and to exhibit some limited relevant and insightful appreciation of the role played by state-level CJE activity, of the difficulties it confronts, and of the even greater service it stands poised to provide. I refer to such items as the *Report of the Judicial Education Study Group* (1978) and the *ABA Standards for Judicial Education* (1982). But state-level CJE providers or interests have never been permitted a highly visible place in these undertakings.

Prior studies have been of virtually no use by state programs in dealing with the nonjudicial branches of state and local government. Implementation of the recommendations from such reports, if any, seems to have been confined to those recommendations benefiting nationally based providers. They, it appears, have tended to exert the necessary influence to shape both the focus and outcome of the various inquiries as well as to employ them in approaching national funders, either private or public. Frankly, in light of current state CJE needs, a new study cannot be recommended. More thorough or comprehensive review and implementation of the old studies might just as readily aid the states. Because of this past experience, the mere thought of another study lacks any potential to stir inspiration.

If the undertaking is inexorable, however, extreme caution should accompany the investigation proposed. If SJI contemplates that its execution will involve any person with more than a program participant's professional connection to any nationally based CJE provider, the effort will be plagued by questions of credibility from its outset. One would think SJI doesn't need more allegations of partiality to certain CJE providers. SJI should carefully weigh whether this expenditure of resources will, in fact, receive any greater credence at the state and local level than previous

studies and whether its pursuit must obviate an unequivocal commitment in fiscal year 1988 to state-based CJE enrichment.

No mystery enshrouds what needs to be done by SJI in relation to state judicial education. Truly, the only difficult question in this area is whether SJI is going to assert national leadership in committing to fulfill the needs of states or acquiesce to the generalized institutional maintenance preferences of certain intermediate entities. The role of federal agencies vis-a-vis the states is to stimulate healthy diversity and experimentation in fulfilling state needs. Aiding the states is the SJI mission. Assisting the state CJE programs in the development of contemporary, varied, and numerous products to employ in the

education and training of the vast numbers of court personnel and officials these CJE providers serve every year should be SJI's primary function in the area of judicial education. Secondly, SJI should do everything within its power to assure dissemination of these products among CJE providers, especially at the state level. After generous treatment of nationally based interests in fiscal year 1987, a state-level focus should be attempted in fiscal year 1988 before opting to study CJE.

4. *Should funds be awarded to sustain the operations of major educational organizations or to underwrite particular exemplary and innovative projects based upon periodic submittals for financial support?*

Funding of major national CJE

P R O F I L E



Helen Johnson

Helen A. Johnson serves as director of education and training in the office of court administration in New York. Her responsibilities include planning, developing, and directing continuing judicial education programs for the 3,500 judges and justices of

the New York Unified Court System in addition to providing training programs for the 12,000 nonjudicial employees of New York's courts.

Helen served as an assistant district attorney in the Bronx District Attorney's Office for 20 years. As an assistant district attorney, she was the first woman to prosecute criminal cases in Bronx County. As a prosecutor in the Homicide Bureau of Bronx County, she was also the first woman to prosecute a homicide case.

Her educational activities as an employee of the district attorney's office included directing a CLE program for staff attorneys. She also developed a crime victims assistance program and implemented a law enforcement video project, the first of its kind nationally. She has helped create similar video programs for law enforcement officials throughout the country.

A graduate of Hunter College and Brooklyn Law School, she is a member of several boards and associations in New York. Her husband, Peter Grishman, is Bronx County's executive assistant district attorney. They have two children: Kathleen, 10, and Alexander, 8.



organizations in fiscal year 1988 is justifiable to the extent those entities responsibly orient their SJI-funded efforts in cooperation with individual states to develop products usable at the state level. After all, in fiscal year 1987 they received significant services to improve their in-residence courses. Measured in that light, periodic (biennial or annual) submittal of specific project proposals for funding is preferable.

Non-supplanting rules compel state applicants for SJI funds to absorb the expense of operations, that is, pre-existing and committed personnel and space and equipment requirements. No exception should be afforded nationally based providers in this area. Like the states, they should only recover financially for what they actually and demonstrably contribute to particular projects. This parity of treatment is especially justifiable when the rationale for funding nationally based entities ostensibly is to assist and improve state-level activity, because states will doubtless be competing for these same funds. A new measure of less-generous treatment of national organizations will enable limited funds to go farther to enable

particular projects sought by states.

Speaking of periodic submittals for particular projects, continuation grant applications should not be due in April at the same time as new project-funding requests. They should be due later, say in July, which would enable time for at least two quarters of experience to be reflected in the continuation rationales.

5. Should a fixed sum, or a maximum or minimum percentage of total SJI grant funds, be established for underwriting projects to improve judicial education and training?

No. SJI would operate with greater flexibility than would be left by such a fixed sum or percentage. Programmatic emphasis preferences of SJI, not arbitrary apportionment of available dollars, should determine funding. We all know SJI has numerous purposes and constituencies to serve. Consequently, only adjustable benchmarks need be set, subject to yearly movement, targeting funds available for each SJI program area or administrative category. Such benchmarks should be based upon prior experience, as well as foreseeable trends, with a growth or shrinkage factor relative

to each category that is a percentage (say 10%) of total grant dollars held by SJI.

Admittedly, such benchmarks would be subjective standards, arrived at from some policymaking consensus achieved by action of SJI's governing board. However, that is just what such a blue-ribbon board is impaneled to do. Emphasis areas for project funding, nevertheless, should be projected forward over a period of three-to-five years, so that the various SJI purposes and constituencies can cyclically revolve through higher and lower levels of funding.

6. A final note.

I wish to commend SJI for the responsible and eminently reasonable way in which it has responded to concerns previously expressed by NASJE with regard to charges for grant-related products. That portion of the guideline proposed for fiscal year 1988, along with the section making recommendations to grant writers, exemplifies a noteworthy spirit of goodwill and conscientious practice on the part of SJI staff, which has so patiently listened to NASJE during the past year. ■



Members of the NASJE News Editorial Committee held their most recent meeting at the National Center for State Courts, Williamsburg, Virginia. Left to right (seated) are James Toner, Samuel Van Pelt, Kay Boothman (chair), Randy Bloom, and Richard Reaves. Standing: Dennis Miller (NCSC Director of Publication Service), Cindy Huffman (NASJE News project director), and James Drennan.

county; couples are happy because the judge charges twice as much. You later discover, from the local chief judge, that he gives Clerk Z a stack of signed marriage certificates each year.

You recall a mention of administrative office procedures, raised at a recent judges conference, for judges to account for and report wedding fee income.

Do you tell anyone of Clerk Z's weddings? If so, whom?

RESPONSE: This case brought a variety of responses. One said responsibility ended with a report to the local judge, even though this brought acknowledgment and support for the clerk's actions. Two suggested additional notice and instruction to clerks and judges on procedures in this area and the consequences of violations. A plurality mentioned referral to central administrative authority, and an almost

equal number would have reported the incident to the judicial ethics body.

Admitting that only a small number of responses and comments are considered here and that hypothetical cases leave out many important factors, there are some common threads in the experiences and thoughts of the respondents which are reflected in the work of some writers on ethics for public officials. While it is evident that good, committed people will act ethically on their own, judicial educators, like other public servants, are often exposed to pressures to take actions counter to their own judgment. These pressures come from enemies, from friends, from those with authority, from those with power (real and assumed), and from those serving no other interest than their own but who are very skilled in doing just that. Such pressures were hinted at in the

hypothetical cases and recognized in the responses and discussions.

Some of the clearest responses were from those who seemed to have anticipated the pressures or enticements that would appear and who had developed, in advance, ways to respond. These procedures resist pressures in three ways: (1) clearly put responsibility for an action on the person who advocates or takes that action, (2) refer decisions to match outside authority or power with appropriate internal authority, and (3) keep procedures and decisions open by consulting and informing all levels of the organization and those whom the organization serves.

By examining our operations and procedures to see if they meet these standards, perhaps we could avoid being tricked or pressured into questionable actions or, worse yet, being forced to take blame for someone else's indiscretions. ■



National Association of State Judicial Educators

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