

## — Successful Projects Begin Second Year —

### *JEAEP Update*

The Judicial Education/Adult Education Project (JEAEP) assisted 12 judicial organizations during 1990 through JEAEP's Technical Assistance Consulting Service. JEAEP will disseminate executive summaries of the 12 consultations to every NASJE member and to the state court administrator and chief justice of every state. Furthermore, any additional products that are produced through these consultations will be made available to interested persons.

*Alabama Judicial College.* A consultant provided a workshop on the Kolb Learning Model and abilities training as it applies to judicial education.

*Arkansas Administrative Office of the Courts.* A consultant assisted in developing evaluation strategies and instruments for use in judicial education programs and helped evaluate the usefulness of these instruments. Instruments are currently being pilot tested.

*Colorado Judicial Department.* In this consultation, guidelines and appropriate materials were developed for a mentor program for judges in Colorado.

*Florida Administrative Office of the Courts, Eleventh Judicial Circuit.* A training program was developed for law students who wish to function as law clerks for state court judges. The consultation included an evaluation of the current program and a suggested revised curriculum.

*Georgia Institute for Continuing Judicial Education.* A consultant provided assistance in the development of a long-range curriculum for juvenile judges in Georgia. Additionally, preliminary development was provided for an orientation program for these judges.

*Hawaii Judicial Education Project.* A consultant provided an in-depth report and recommendations for the establishment of a permanent judicial education office for the state.

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### *JERITT*

The JERITT Project is a clearing-house for information on continuing education programs for judges and court personnel. We gather information from throughout the nation and disseminate it to judicial educators through regular publications and specialized searches.

—JERITT *Bulletin* (Vol. 1, No. 1)

Funded by the State Justice Institute, the Judicial Education Research, Information, and Technical Transfer (JERITT) project is the ultimate evolution of the NASJE data bank. JERITT databases include information on judicial education programs, judicial educators, judicial education grants and grant product summaries, bibliographies, and judicial education organizations. Regular JERITT publications include the *JERITT Bulletin*, program summaries, the *Issues and Trends Annual*, the *Grant Awards Sourcebook*, and monographs.

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## *NCSC Direct Technical Assistance Programs*

The National Center for State Courts provides expert assistance to courts or states that have requested help with specific problems or needs. Assistance is provided directly to the courts either free or under contract. The National Center coordinates technical assistance projects to the states through its four regional offices, which are located in Andover, Massachusetts;

Williamsburg, Virginia; Overland Park, Kansas; and San Francisco, California.

The regional offices are staffed by persons with specific knowledge of the courts in their region as well as a broad knowledge of court administration. Over the past two years, they have worked on more than 160 technical assistance projects dealing with almost every aspect of judicial

administration. The following projects illustrate their work.

- At the request of the Illinois AOC, the National Center assessed the automation requirements of the Illinois circuit courts. Center staff reviewed case-processing procedures, analyzed both current and future automation requirements,

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## PRESIDENT'S COLUMN

*Jerry Beatty*



The NASJE board of directors met in Irving, Texas (Dallas area), February 16-17, 1991, to discuss several important matters, including: (1) membership dues, (2) the annual conference, (3) *NASJE News*, (4) *Principles (Standards) of Continuing Judicial Education*, (5) the Technical Assistance Consortium (JERITT, JEAEP, and the Leadership Institute), (6) grants, (7) bylaws, (8) revision of the NASJE informational brochure, (9) current projects and services, and (10) the goals and direction of the association. To assist the association in fulfilling its growing activities and commitments, the board approved, for the first time in several years, an increase in membership dues. Effective this year, membership dues are \$100 for full and general members and \$50 for associate members.

The board met with the education methods committee and reviewed the topics, speakers, and other arrangements planned for the annual conference in San Antonio, Texas, October 13-16, 1991. The program will include a broad range of subjects of interest to both new and experienced judicial educators (see article on p. 3). The committee

*continued on page 8*

# Judge/Clerk Teams Involved in Rural Justice Center Project

Limited jurisdiction judge/clerk teams recently participated in a two-phase project conducted by the Rural Justice Center and funded by the State Justice Institute.

As part of the first phase, judge/clerk teams from ten Ohio jurisdictions identified problems within their courts in such areas as judicial independence, handling ethical issues, ensuring due process with limited resources, and improving teamwork. Next, each of the teams designed a practicum to address their problems, returned to their courts, and implemented the project-suggested reforms.

In the second phase, the teams assessed and reported the progress they had made in implementing the

reforms suggested by their practicum.

The Rural Justice Center is revising the curriculum of the two-phase project, based on evaluations of the field test. The center will disseminate the final curriculum to state, local, and national judicial education organizations.

Founded in 1982, the Rural Justice Center is a national organization that addresses the special needs of rural courts. The center has three complementary program areas: education, rural court support, and community assistance. For more information, contact the Rural Justice Center, R D Birch Hill, North Conway, New Hampshire 03860. ■

## BOOK REVIEW

Marlene Wilson's book *The Effective Management of Volunteer Programs* is, in a word, practical. Don't let the word "volunteer" distract you. Every judge who works for you is a volunteer. Marlene creates a very readable book by combining theories and practices from the fields of business and communications.

Using her expertise in personnel administration and volunteer management, Marlene explores the manager's relationship with the organizational climate. Once needs are assessed, the next steps are designing jobs and recruiting for those jobs. Marlene raises questions that encourage the reader to reflect before acting. For instance, she asks in chapter 10:

Are my volunteer jobs interesting and challenging enough to hold people in them? Then ask the volunteers who are doing the job and listen carefully to what they suggest. Together re-think that position and see if there are ways it might be enlarged or enriched and most importantly, made more fun. (Staff and clients should be included in this as well.)

Marlene encourages an examination of all the players—first group by group, then together—in an attempt to blend their separate talents into a whole that is greater and more enriched than its parts.

Published by Volunteer Management Associates, 1976. Boulder, Colorado 80302. ■

# San Antonio Hosts '91 Annual Conference

**A**re you seeking a way to rejuvenate, refresh, and renew your passion for education in the judicial environment? Join your colleagues in San Antonio for the 1991 NASJE annual conference. Do not let money, time, or other obligations keep you from participating in this important event.

Picture this. You are poised on the gently flowing San Antonio River and basking in the autumn Texas sun. Your colleagues are gathering to discuss the state of judicial system education, explore the many resources to make programs flourish in tough times, learn how to develop programs for attitudinal learning, in-

crease confidence when negotiating with hotels, learn how to harness leadership abilities, and renew old friendships and make new ones.

If this sounds appealing, read on. The agenda outlines an educational conference that should not be missed and provides important logistical details. ■

## Conference Agenda

### Sunday, October 13

**Morning**      *Orientation to NASJE Goals and Services*

**Objective:** To orient the new or relatively new members to the history, services, growth, and goals of the association.

**Faculty:** Rita Stratton  
*Past President, NASJE  
Manager, Education Services,  
Administrative Office of the Courts,  
Kentucky*

**Afternoon**      *Conference Registration  
Welcome and Reception*

**Presiding:** Dr. Jerry K. Beatty  
*President, NASJE  
Executive Director, Judicial Education  
and Planning, Iowa*

### Monday, October 14

**Morning**      *NASJE Annual Business Meeting*

**Presiding:** President Beatty

*Conference Overview*

*What's Buggin' Me: A Systematic  
Approach to Problem Solving*

- Objectives:**
1. Each participant will solve at least one judicial education-related problem he or she faces through participation in a group problem-solving exercise.
  2. Each participant will assist at least seven other educators in solving their judicial education problems.
  3. Each participant will identify and meet at least seven other educators to establish networks for consultation, problem solving, and social interaction.

**Faculty:** Laurence B. Stone  
*Director, Ohio Judicial College*

*Leadership, Image and Innovation*

**Objectives:** At the conclusion of this session participants will be able to:

1. Describe leadership roles and styles as they apply to judicial educators within their states and nationally.
2. Identify innovative possibilities and resources.
3. Develop action plans for taking active leadership roles in their organizations.

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**Faculty:** Dr. Norma Barr  
*Barr and Barr Consultants*

**Afternoon** Sharing Innovations and Ideas

**Description:** Participants will select three timely, 20-minute presentations from a menu of 12 topics. This component replaces the "Hot Topics" presented at previous NASJE conferences.

**Faculty:** To be announced

Judicial Education Technical Assistance (JETA) Consortium Reports

**Objective:** Participants will learn how to use the services of the JETA consortium projects: Judicial Education Adult Education Project (JEAEP); the Judicial Education Reference, Information, and Technical Transfer Project (JERITT), and the Leadership Institute in Judicial Education (LIJE).

**Faculty:** JEAEP  
Richard D. Reaves, Esq.  
*Project Advisor*

Dr. Diane E. Tallman  
*Project Manager*

JERITT  
Dr. Dennis W. Catlin  
*Principal Investigator*

Dr. John K. Hudzik  
*Project Director*

LIJE  
Dr. Chuck Claxton  
*Director*

Marilyn Nejelski  
*Principal Project Coordinator*

**Evening** *Conference Banquet*

**Tuesday, October 15**

Sessions A through D are concurrent seven-hour programs. Participants will pre-register for the session of their choice.

**Session A:** Jump-Starting the Newer Judicial Educator (0-3 years experience)

**Objective:** Each participant will leave this session with an outline of a strategic plan to assure continued support and funds for their education programs and the methodology to implement the plan. The group will analyze existing organizational structure, such as budgeting, traditional and alternative funding sources, personnel, and authority.

**Faculty:** Anthony B. Fisser, Esq.  
*Director, Continuing Education Connecticut Judicial Department*

Dr. John K. Hudzik  
*Professor, School of Criminal Justice Assistant Dean, College of Social Science, Michigan State University*

Virginia Leavitt  
*Training Administrator Colorado Judicial Department*

Michael Runner, Esq.  
*Assistant Director California Center for Judicial Education and Research*

Rita Stratton  
*Manager, Education Services, Administrative Office of Courts-Kentucky*

**Session B:** Designing Education to Promote Attitudinal Change

**Objectives:** At the end of this session participants will be able to:

1. Incorporate attitudinal objectives into their adult education curriculum .
2. Explore and resolve special problems that impede attitudinal learning.

**Faculty:** Dr. Chuck Claxton  
*Director, LIJE*

**Session C:** Enriching the Seasoned Educator

**Objectives:** At the conclusion of this session, participants will be able to:

1. Recognize signs of educator fatigue or burnout.
2. Identify areas for potential professional growth and resources to achieve it.
3. Develop a self-action plan.

**Faculty:** Dr. Paul Preston  
Preston, McTavish and Company

**Session D:** Skill Enhancement for Meeting Planners

**Objectives:** Meeting planners and coordinators will learn how to enhance their negotiation skills, improve food and beverage planning, identify and solve common problems with hotel contracts, and share practical tips and tools for planning a successful meeting or program.

**Faculty:** John Meeks, Esq.  
*Program Attorney*  
Office of the State Courts Administrator, Florida

Blan Teagle, Esq.  
*Program Attorney*  
Office of the State Courts Administrator, Florida

**Wednesday, October 16**

**Morning** Debugging Session

**Description:** Each group will report on solutions to problems identified during the Monday "What's Buggin' Me" session.

**Faculty:** Laurence B. Stone  
*Director, Ohio Judicial College*

Planning for Future Conferences

**Objective:** Through the small-group process, participants will debrief the 1991 conference and identify goals and priorities for future conferences and the association.

**Faculty:** Education Methods Committee

Maureen E. Conner  
*Director, Judicial Branch Education Administrative Office of the Illinois Courts*

Mignon U. Lawton, Esq.  
*Deputy State Courts Administrator Office of the State Courts Administrator, Florida*

Virginia Leavitt  
*Training Administrator Colorado Judicial Department*

Laurence B. Stone  
*Director Ohio Judicial College*

Karen Waldrop  
*Director, Education Services Supreme Court of Arizona*

11:00 a.m. *Conference Adjourns*

Now you have a clear path for renewal. Register for the 1991 NASJE annual conference. Use the following important facts:

**What:** The 1991 NASJE annual conference

**Where:** San Antonio, Texas  
Sheraton Gunter Hotel

**When:** October 13-16, 1991

**How:** Trains, planes, and automobiles

**Cost:** Conference fee - \$225  
Lodging fee - \$75 single  
\$85 double

**Registration:** Conference announcements and registration information will be mailed in midsummer. Nonmembers who would like to receive an announcement should call Scott Smith, regional host representative, at the Texas Justice Court Training Center (512/245-2349).

**JEAEP, continued**

She also assisted in planning for a judge mentor program.

*Maryland Administrative Office of the Courts.* To assess the training needs of circuit court personnel, a consultant developed a needs assessment instrument, assisted with its administration, and analyzed the results.

*Massachusetts Trial Court Judicial Institute.* A consultant developed and conducted a needs assessment for senior and experienced judges through the use of in-depth interviews. Rich qualitative information was gathered relating to the learning needs of these experienced judges.

*Nebraska Supreme Court, Administrator's Office.* In this technical assistance consultation, focus groups were used to assess the needs of nonjudicial employees in the court system. Suggestions were made for a comprehensive educational program for these employees.

*Nevada, National Judicial College.* A consultant provided a workshop on curriculum development to the professional staff at the college and selected faculty. Additionally, it is envisioned that the staff will create their own course on curriculum development.

*Tennessee Supreme Court, Executive Secretary's Office.* In this technical assistance consultation, a framework for curriculum development for the general sessions judges was developed. Additionally, criteria for selecting instructors were developed.

*Texas Municipal Courts Training Center.* The JEAEP project provided the name of a local expert in adult education who could serve as a resource to the center.

With the State Justice Institute's renewal of JEAEP's grant for two years, similar adult education assistance will continue to be available to judicial education organizations. For more information on JEAEP's previous projects or details on how to apply to JEAEP for assistance, contact Diane Tallman, Project Manager, Department of Human Resource Development, Georgia Center for Continuing Education, The University of Georgia, Athens, GA 30602 (404/542-7491). ■

**JERITT, continued**

JERITT is cosponsored by NASJE and the School of Criminal Justice at Michigan State University. Two of the six project members are well known to judicial educators. Dennis Catlin, executive director of the Michigan Judicial Institute and former NASJE president, is the principal investigator of JERITT. John Hudzik, professor of criminal justice and associate dean of the college of social science at Michigan State, is the project director. Catlin originated the NASJE judicial education program data bank in 1980 and maintained it during the 1980s. Hudzik is frequently asked to lecture or lead programs on court management issues, including topics such as court budgeting and fiscal management, strategic planning, and personnel management. Both Hudzik and Catlin have written extensively on judicial education issues.

Renee Robinson, the only full-time staff member, runs the JERITT project office. She handles the day-to-day document processing, coordinates the production of JERITT publications, and answers inquiries directly or refers them to the appropriate staff member.

Three Michigan State students complete the JERITT project team. Dale Anderson and Nanzheng Cheng, both of whom are pursuing Ph.D. studies that include the application of management techniques in court settings, each serve JERITT on a half-time basis, coding data, constructing analyses, and assisting Catlin and Hudzik in writing JERITT publications. Eddy Gurney, a computer engineering student, is the principal programmer. He knows nine different programming languages and brings graphic design and desktop-publishing skills to the project.

During the first project year, SJI authorized JERITT to provide three technical assistance projects to state judicial education organizations.

Iowa received assistance to develop goals and objectives for an orientation and mentor judge program as well as a judicial communications seminar. Maryland received assistance in refining their

new judge orientation program. New Mexico obtained assistance to develop an action plan for the establishment of the New Mexico Judicial Education Center.

JERITT anticipates that during its second year it can fund 12 TA projects. This short-term, highly responsive assistance is designed to help states develop a focused aspect of their programming.

Requests for technical assistance can be in the form of a letter addressed to the JERITT project that generally outlines the need, the goal of the project, and any potential preferred provider. The letter needs the endorsement of either the chief justice or the state court administrator.

JERITT staff can be reached at 560 Baker Hall, Michigan State University, East Lansing, MI 48824; or call (517/353-8603). ■

## Membership Information

To receive membership information, write Diana Clemons, Chair, NASJE Membership Committee, Education Services, Administrative Office of the Courts, 100 Millcreek Park, Frankfort, KY 40601-9230; (502/564-2350). ■

## Contributors Wanted

Please send us a list of the videos, printed material, etc., that you use on a regular basis. The newsletter would also like to publish an article on training judicial mentors—please send any information that you may have to NASJE News. ■



# CONTINUING PROFESSIONAL EDUCATION ADVISORY BULLETIN

A service of the  
**JUDICIAL  
EDUCATION  
ADULT  
EDUCATION  
PROJECT**

Sponsored by  
**The National  
Association of  
State Judicial  
Educators  
and  
The University  
of Georgia**

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## Editor's Column

In this edition of the *Continuing Professional Education Advisory Bulletin*, we have sought to respond to needs articulated by our readers through the survey conducted by the JEAEP Project evaluation team. Readers will notice the "Resources" section lists several items, rather than providing a single critical book review. Additionally, this issue presents information on a single theme, rather than on several topics. The theme is an issue that confronts educators daily, regardless of their institutional or professional context...change. Managing change on an individual and organizational level is enough to keep anyone's head spinning; hopefully, we have presented information, references, and some techniques to assist judicial educators in dealing with this universal issue.

During the year, we will attempt to address other such issues in a more in-depth fashion. Please let me know if you have any suggestions for articles or special areas which you would like to see addressed in the *Advisory Bulletin*.

Diane E. Tallman  
Editor

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## Initiating and Implementing Change

It's time to rewrite the old adage that describes the two things in life that we can be sure of — death and taxes — to include a third constant. Today we can also be sure of **change**. Individuals, organizations, and societies are in a state of turbulence; those who can understand and manage change will survive and flourish, while those who cannot will be left behind. Regardless of organizational settings or titles, each member of a vital, growing organization must take on the attributes of a change master. Change masters are defined as those people and organizations adept at the art of anticipating the need for, and of leading, productive change (Kanter, 1983). This article will examine the concept of change at the organizational level, and some of the key skills used by change masters.

## The Need for Change

Obviously, change occurs constantly within the environment; however, planned change takes conscious and diligent effort on the part of a change master. It will not occur unless the need for change is critical. Because individuals and organizations resist change so strenuously, they typically do not embrace change unless they must. One consultant describes how "pain" drives change (Conner, 1990). Pain occurs when people pay the price for being in a dangerous situation or for missing a key opportunity. As such, change is needed to relieve the pain. According to this perspective, change will not occur just because "it's a good idea." It will only occur when the pain of an individual or an organization is high enough to justify the difficulties of assimilating a change. Effective change masters recognize themselves and then assist others in recognizing that the organization has no choice but to change. The organization cannot afford to maintain the status quo — the change is simply that critical.

## Effectively Planning for Change

To successfully initiate change, effective change masters must conduct sufficient planning. One useful method of planning comes from an early researcher on change, Kurt Lewin, who developed the concept of **force-field analysis**. Lewin believed that behavior within an organization was a result of the dynamic balance of two opposing forces. Change would occur only when the balance shifted between these forces. The first, called **driving forces**, were those forces which positively affect and enhance the desired change. They can be persons, trends, resources, information, and the like. Opposing them are the **restraining forces**, which represent the obstacles to the desired change. As these two sets of forces exist within an organization, they create a certain equilibrium; that is, if the weights of the driving and restraining forces are relatively equal, then the organization will remain in a static state.

What is the usefulness of force-field analysis? It assists planning in two major ways: (a) as a way individuals can scan their organizational context, brainstorming and predicting potential changes in the environment, and (b) as a tool for implementing





change. In the first way, force-field analysis becomes a method of environmental scanning, whereby organizations keep abreast of impending and potential changes— from societal trends and potential budget constraints to staff turnover and purchases of new office equipment. Each change will have its effect on the organization; if these changes can be anticipated, the better able individuals and organizations are to deal with the resulting effects.

The second use of force-field analysis is similar: it offers a way to systematically examine the potential resources that can be brought to bear on a desired change and the restraining forces that can be anticipated. This advance planning and analysis assists in developing strategies to implement the desired change. An example may help illustrate this point.

A judicial educator wishes to introduce a computer class for a particular group of judges. In her role as a change master, she categorizes her driving forces as: (a) most judges are obtaining the necessary equipment; (b) software and databases are available that are user friendly and extremely relevant; (c) computers can help judges handle information quickly and efficiently. On the other hand, restraining forces may include: (a) judges have limited time for attending additional courses; (b) they appear to be intimidated by computers, so passively resist using them; (c) they feel more comfortable utilizing the human resources for their judicial research rather than a computer and databases. This analysis provides the necessary information to the judicial educator in order to most effectively plan for change. If she is more aware of some of the potential "wrinkles" that can accompany the planned change, work can be done to overcome them in advance.

### The Process of Change

The planning that is accomplished by using a method such as force-field analysis is the beginning step of any planned change. There are many different models for the change process in the literature; this article will discuss a simple, straightforward one proposed by Egan (1988). His "Practical Model of Organizational Change" has the following three steps:

- The Assessment of the Current Scenario
- The Creation of a Preferred Scenario
- Designing a Plan that Moves the System from the Current to the Preferred Scenario

Once the need for change has been determined, the steps of the model follow in sequence. While these steps could each be examined in detail, only step three will be discussed in an in-depth manner. The first step— assessing the current scenario — can be accomplished through a mechanism such as force-field analysis, described earlier. It provides the necessary information on the forces that can assist and facilitate the desired change, and the forces that will resist and deter the change. Step two — creating a preferred scenario — is often accomplished through team effort in brainstorming and developing alternative futures. It is important to examine the various alternatives thoroughly.

### *Effective change masters recognize that the organization has no choice but to change.*

The third step of the process is devising a plan for moving from the current to the preferred scenario. This stage deals with the strategies and plans that change masters must develop in order to overcome the restraining forces in an organization. It becomes a political process that utilizes power in various ways. Power is necessary in order for change to occur. Power is neither inherently good nor bad; it simply assists individuals in accomplishing their goals. In his recent book, Benveniste (1989) notes that even well-thought-out plans for change can be derailed when the politics of implementation are not considered.

### Key Roles in the Change Process

During this stage of planning, it is useful to distinguish the different roles associated with the change process. As

described by Conner (1990), they are:

*Change Sponsor:* Individual or group who legitimizes the change.

*Change Agent:* Individual or group who is responsible for implementing the change.

*Change Target:* Individual or group who must actually change.

*Change Advocate:* Individual or group who wants to achieve a change, but who does not possess legitimization power.

These roles must remain distinctive in order to effectively implement change. One of the most critical tasks for the change agent is to harness the support of an effective change sponsor. Sponsorship is critical to implementing the desired change; he or she must experience the necessary pain that motivates them to sponsor the planned change.

### Strategies for Implementing Change

To move a planned change from the idea stage into implementation, the change master must rally the resources and support of his or her organization. Kanter (1983) describes how three sets of "basic commodities" or "power tools" can be acquired by members of an organization to gain power. They are: (a) *information* (data, technical knowledge, political intelligence, expertise); (b) *resources* (funds, materials, staff, time) and (c) *support* (endorsement, backing, approval, legitimacy).

Therefore, the first strategy of a change master attempting to implement an innovation would be to collect as many of these power tools as possible. And, as they gather these tools, they can be "planting seeds" of support for the planned change. This is particularly important in helping others see the critical need that the planned change will address. It may be possible to plant these seeds before sponsorship of the change is sought, so that the sponsor feels that he or she is proactively responding to a critical need.

Another strategy is to "package" the change in a way that makes it less threatening and easier to sell. For instance, it is easier to implement change of a product or project when it is: (a) conducted on a trial basis, (b) revers-



ible, if it doesn't succeed, (c) done in small steps, (d) familiar and consistent with past experience, (e) a fit with the organization's current direction or (f) built on the prior commitments or projects of the organization (Kanter, 1983). This packaging should be done prior to submitting the idea for planned change to the designated change sponsor, although that person needs to be encouraged to further assist in the packaging and selling of the planned change.

Building coalitions is a strategy that often occurs during the entire phase of implementing the change. Support must be gathered from all areas which will be effected by the desired change, across different levels of the organization.

Effective change masters will use their informal networks and deal with any concerns or questions of supporters individually rather than in formal meetings. "Pre-meetings" can provide a safer environment for airing concerns about implementing change.

### Change is Ongoing

This article has provided a brief overview of initiating and implementing change. Knowing how to plan for change, effectively utilize the resources of the organization, and develop strategies for implementing change are skills that can be learned, developed, and enhanced, regardless of organizational context. To one degree or another, everyone can become an effective change master.

### References

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### Resources

Benveniste, Guy. (1989) *Mastering the Politics of Planning*. San Francisco: Jossey-Bass.

Planning for change requires much more than just technical skills. Change happens because of power, and planners learn through experience that planning effectively for change requires political skills — conflict resolution, networking, and coalition building. Guy Benveniste draws on his 40 years of experience to describe those political realities in his book *Mastering the Politics of Planning*. Change is usually resisted by organizations. The skilled planner must work through the networks by enlisting change agents to ensure that change will take place. The wise planner must also anticipate and counter opposition to the plan for change in order to avoid derailment.

Helgesen, Sally. (1990) *The Female Advantage: Women's Ways of Leadership*. New York: Doubleday.

Women's intuition is nothing to ignore. Sally Helgesen found it gives women executives the advantage over their male counterparts. In her book *The Female Advantage: Women's Ways of Leadership*, she reports her findings from interviews and observations of 50 top-level executives. A primary gender difference is in the structuring of an organization. A hierarchy, characteristic of the male structured organization, presumes competition, whereas a web or network, the structure designed by women, implies collaboration.

London, Manuel. (1988) *Change Agents*. San Francisco: Jossey-Bass.

Human resource professionals can be effective change agents in their organizations through their roles as educators, evaluators, consultants, and innovators. In his book *Change Agents*, Manuel London draws on his corporate experience to provide practical advice for implementing change programs. London describes innovative strategies to analyze organizational trends, forecast needs, create and evaluate programs for change, and communicate the new organizational values

to all employees to ensure their commitment to change.

Parker, Glenn M. (1990) *Team Players and Teamwork: The New Competitive Business Strategy*. San Francisco: Jossey-Bass.

Teamwork is becoming increasingly important as a competitive advantage for our organizations as we enter the global market. Teams can improve efficiency, solve problems, and encourage innovation. Team players create their own unique, dynamic team. But what makes a good team player? Parker has identified four styles of team players, each one critical in the balance of an effective team. These styles are Contributors, Collaborators, Communicators, and Challengers. Parker shows how team players change roles in different situations and describes how personal development of each type of player can be promoted.

### Resistance to Change

In every major — and often minor — change, resistance to the change occurs. This fact should be accepted as a "given," so that a change agent (an individual or group who implements the planned change) can predict and plan for effectively dealing with resistance. This article will touch on some of the causes and types of resistance to change, particularly at the organizational level.

### *Change agents must plan for effectively dealing with resistance to change.*

Why does resistance to change occur? The primary reason is that people fear change. They are not usually eager to forego the normal, safe, routine ways of conducting their business in favor of unknown and possibly, unsafe, territory. As humans, we do tend to prefer routines and we accumulate habits easily; however, fear of change is due to more than a tendency toward regu-

larity. Change represents the unknown — it could mean the possibility of failure, the possibility of success or further change, the relinquishing or diminishing of one's span of control and authority, or it might be that the planned change has little or no effect on the organization whatsoever. Any one of these possibilities can cause fear, and thus cause resistance to the change efforts.

**Individual Transitions**

The transition between the present state and the changed state is difficult for both individuals and organizations. On a personal, individual level, people must be reminded that every transition or change effort begins with an *ending* — the end of the current state. The first step toward change is going through the process of ending. Endings must be accepted and managed before individuals can fully embrace the change. Because our sense of "self" is defined by our roles, responsibilities, and our context, a change will force us to redefine ourselves and our world. This process is not easy. William Bridges does an excellent job of discussing the process of individual change in his book *Transitions* (1980). In describing the process of ending, Bridges argues that there are four stages that individuals must pass through in order to move into the transition state, and effectively change. They are:

*Disengagement.* The individual must make a break with the "old," and with his or her current definition of self.

*Disidentification.* After making this break, individuals should loosen their sense of self, so that they recognize that they aren't who they were before.

*Disenchantment.* In this stage, individuals further clear away the "old," challenging assumptions, and creating a deeper sense of reality for themselves. They perceive that the old way or old state was just a temporary condition, not an immutable fact of life.

*Disorientation.* In this final state, individuals feel lost and confused. It's not a comfortable state, but a necessary one so that they can then move into the transition state, and to a new beginning.

It is important how the change was initiated. It is easier to go through this process of ending and into the transition if the change was internally driven, rather than if it was initiated by an external source. In externally driven change, the process of transition is more difficult and there is more resistance, as individuals refuse to begin the ending process and make the initial break with the past.

**Organizational resistance**

With this very brief discussion on the difficulties involved in individual change, it should be apparent that this phenomenon occurs at the organizational level as well. Organizations, regardless of size, are composed of individuals. The extent to which individuals within the organization can appropriately manage change represents the overall organizational capacity for change.

*The first step toward change is going through the process of ending.*

Additionally, there are other factors peculiar to the organizational setting that can act as barriers to implementing change. These include:

*Inertia.* One of the most powerful forces that can effect individuals and organizations is inertia. The day-to-day demands of work diminish the urgency of implementing the change effort until it slowly vanishes within the organization.

*Lack of Clear Communication.* If information concerning the change is not communicated clearly throughout the organization, individuals will have differing perceptions and expectations of the change. The lack of clear vision can also hinder the change effort.

*Low Risk Environment.* In an organization that does not promote change and tends to punish mistakes, individuals develop a resistance to change,

preferring instead to continue in safe, low-risk behaviors.

*Resistance Management.* When resistance does occur — as it always will — some organizations will suppress or deny it. When this happens, the resistance "goes underground" and becomes covert. Covert resistance is usually much more difficult to deal with than overt resistance.

*Lack of Sufficient Resources.* If the organization does not have sufficient time, staff, funds, or other resources to fully implement the change, this will sabotage the change effort.

All these factors, combined with others particular to the specific organization, can undermine the change effort and create resistance. It is a wise change agent who will spend the necessary time to anticipate and plan for ways to manage resistance. Techniques such as force-field analysis, discussed earlier, are useful tools to assist in developing strategies for overcoming organizational resistance to change.

*Diane E. Tallman, Ed.D., is project director of the JEAEP Project.*

**Continuing Professional Education Advisory Bulletin**

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Diane E. Tallman, *Editor*

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## EDUCATORS' CORNER

**S**peakers are at times unpredictable. No matter how well a conference is planned, something backfires. *NASJE News* asked several NASJE members if they would share how their programs deal with problems that commonly arise with guest speakers. Their responses follow.

**How do you control speakers who go beyond the established time limits?** The Arizona Supreme Court, Education Service Division, asks speakers to complete a three-page form regarding their session/topic. It asks for an outline of their presentation, the methodology to be used, and the estimated time for each portion of their outline. At the faculty meeting and in writing they ask faculty to adhere to the allotted time frame.

The National Judicial College works with their faculty in advance to make sure speakers are not trying to cover too much or too little information. Participants in their faculty development programs learn how to summarize material visually as well as other techniques to reduce or extend a presentation in more meaningful ways than simply a lecture.

Several respondents mentioned using a designated staff member to signal faculty two to five minutes before the end of a presentation. The National Judicial College sometimes signals faculty with a bell.

In addition to a designated staff member, conference-planning committee members in Arizona are assigned to politely interrupt the speaker if time frames aren't being honored.

The Georgia Institute of Continuing Judicial Education holds a faculty development program for speakers, strongly emphasizing the importance of staying within their planned times.

**When the Speaker Ends Too Early, What Do You Do?** At the Mississippi Judicial College when the speaker ends the session more than 15 minutes before schedule, the judicial educator (in this case the staff attorney) decides to either accelerate the program and have the next speaker start or allow questions from the audience. The additional question-and-answer period often gets the agenda back on track.

Arizona relies on its three-page form, which includes an outline with time frames for each component, as a preventative measure. When the form is returned, the educator reviews it and offers suggestions if too much or too little time appears to have been allotted for the topic. One time they made an exception to the normal procedure and allowed a speaker to ignore the outline form. They regretted it.

**How Do You Light a Fire Under Presentors Who Don't Honor Deadlines for Materials?** Most if not all judicial educators give speakers a deadline for submitting written materials. The Mississippi Judicial College sends a reminder card two weeks before the established deadline, and if materials still do not appear, a final reminder is sent a day or two before the deadline. In some cases speakers are reminded by telephone that staff are available to help them prepare materials.

The Georgia Institute of Continuing Judicial Education and the office of the administrator for the courts in Washington State require speakers to make copies of their handouts and bring them to the session if the deadline for submitting materials has passed.

Arizona explains at the faculty meeting and in writing why materials are needed by the specified date.

Their tracking system shows at a glance which faculty members have and have not submitted materials. If materials are not in, staff call and offer to do whatever is necessary to get the materials.

**How Do You Organize Materials for Conference Participants?** The National Judicial College uses three-ring binders with the width and number of binders dependent upon the length of the course. The binder color is always the same. New course information is inserted in clear plastic sleeves on the front and spine of the binder. For short seminars, materials are spiral bound. For a few courses, the college publishes bound texts in lieu of course notebooks.

The Mississippi Judicial College's needs are met by using brieffolios, which are folders with pockets for holding course materials. At other times, the college uses three-ring binders.

Arizona Supreme Court, Education Services Division, varies the method according to the volume of materials. For mandatory sessions, large three-ring binders are used, organized by tabs and outlined by a table of contents. Canvas tote bags are provided for carrying materials to and from sessions. For concurrent sessions, handouts are three-hole punched with a cover sheet that includes the conference name, date, session, and faculty. Materials are fastened by staple or comb binding. To ensure that all judges get the mandatory information and have a place to keep other session materials, a vinyl portfolio printed with the conference name is provided. Small conferences use folders with pockets and three-hole brads.

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## President's Column, *continued*

has organized a superb educational program, and we hope all judicial educators will attend what may be our best program yet.

The board also reviewed a draft copy of the *Principles of Continuing Judicial Education*, prepared by the standards committee. After the working draft has been revised, a final version will be submitted to the board for final comment and approval. If approved, the *Principles* will be circulated to NASJE members and discussed at our annual conference in October.

The projects and publications of the Technical Assistance Consortium and *NASJE News* were also examined. The newsletter was highlighted for its role as a clearinghouse for exchanging of ideas, information, theories, and techniques essential to judicial education. *NASJE News* serves as a unique vehicle by which judicial educators and other professionals share their views and experiences on educational methodologies, instructional products, and operational resources.

The board was pleased with the increased opportunities for more technical assistance consultations under JERITT (Judicial Education Reference, Information, and Technology Transfer) and JEAEP (Judicial Education Adult Education Project), cosponsored by the School of Criminal Justice at Michigan State University and the Georgia Center for Continuing Education at the University of Georgia, respectively. Both continuation grants fund approximately one technical assistance project per month. We hope judicial educators will take advantage of the invaluable technical assistance resources available. The board commended the State Justice Institute (SJI) for supporting these and other projects that enhance the quality of judicial education in the United States.

As outlined in an earlier column, NASJE is committed to helping judicial educators carry out their professional responsibilities. Our conferences and SJI-funded publications and projects address some of the critical needs of judicial educators.

The growing cooperation and joint ventures between state and national providers are healthy and mutually beneficial. At a time of increased demand for services and tighter fiscal constraints, it is imperative that judicial education projects be coordinated to maximize efficiency and minimize duplication. Adherence to this guidepost will help ensure high-quality, cost-effective programming in judicial education.

I am pleased to report that judicial education teams from Georgia, Kentucky, New Hampshire, New Mexico, Utah, and Washington have been selected to attend the Leadership Institute for Judicial Education, April 23-28, 1991. The Institute will be held at the Chetola Conference Center in Blowing Rock, North Carolina. Last year, judicial education teams from Alabama, Arizona, Arkansas, Iowa, Minnesota, and Massachusetts were trained at the Leadership Institute sponsored by Appalachian State University and the Women Judges' Fund for Justice. ■

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## Educators' Corner, *continued*

The Georgia Institute of Continuing Judicial Education uses inexpensive, open-pocket, accordion expandable folders for hand-out materials. Persons who want materials in vinyl binders must obtain them from their counties.

The office of the administrator for the courts in Washington uses three-ring vinyl binders for large conferences. Smaller workshops have pocket folders. Court personnel are asked to recycle their three-ring binders by bringing them to the conference. Cover and spine inserts are provided along with the inside contents. One Washington educator issues a large four-inch binder in the fall and hands out the tabs and specific materials at their seasonal conferences. On returning to their courts, the participants place the handouts in their notebooks.

The West Virginia Supreme Court of Appeals and many other providers use three-ring binders. ■

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## NCSC, *continued*

and evaluated automated systems in other states to determine their applicability and transferability to the Illinois circuit courts.

- The National Center reviewed the organization, workload, and resources of the Orleans Parish, Louisiana, trial courts. Upon analysis of the parish courts' management systems, their fragmented nature, the impact of electing judges and clerks, and methods of court funding, the National Center recommended state funding of the the parish courts and adoption of a single-tier trial court, composed of civil, criminal, and family divisions, with a single elected clerk and a single court administrator.

- Officials in Lake County, California, requested the National Center to review their superior and justice courts. Center staff evaluated current and future space allocation and facility needs, software for the justice courts, judge and support staff needs, and the role of the court executive officer, a new position.

Projects scheduled for completion in 1991 include the Classification and Pay Plan Study of the Florida State Court System and the Arizona Delay Reduction and Case Differentiation Project Evaluation.

Generally, the AOC of a state coordinates National Center technical assistance projects within the state. ■

# Data Dissemination: The Next Frontier

Jane Nelson

It has been said that every solution to a problem contains the seeds of the next problem. Certainly computers have been touted as the great solution to problems of court congestion and delay, but a recent U.S. Supreme Court case suggests that computerization of court records may carry the seeds of new controversies over access to those records. *Department of Justice v. Reporters Committee*, 109 S. Ct. 1468 (1989).

A look into the not-so-distant future suggests that courts may be confronted with entirely new kinds of demands for "public access" and with surprising challenges to their traditional roles as protectors of individual rights against governmental intrusions. By raising these issues with key policymakers among judges, court clerks, and court administrators in their states now, while the next level of court computerization is still being developed and questions such as on-line access to court databases are still being formulated, state judicial educators can make an important contribution to the process of developing court technology in a manner consistent with the courts' policy goals.

It may be helpful to the courts, and court automation committees, to recognize that there are three competing policy interests involved in questions of who should have access to computerized court records. First, there is the interest of the courts and the public in the efficient management of the courts, usually the primary motivation for automating court processes. From this perspective, the question of whether someone outside the courts should have access to the computer data is likely to be resolved in terms of how much



trouble it is to supply the access (or, perhaps, whether enough could be charged for the access to make it "worthwhile").

On the other hand, members of the press and public (including businesses from credit agencies to large employers) will demand full access to court records. They will assert that computerized court records are just as much "public records" (unless specially sealed) as court minutes or records in other forms. While they will not be successful in asserting a federal constitutional right of access to court documents (see *Nixon v. Warner Communications*, 435 U.S. 589 (1979)), they may succeed in asserting a state constitutional right, or statutory "freedom-of-information-act" right, to computerized records. They will successfully argue that records cannot be closed to the public simply because they are computerized. They will also claim the right to the most efficient form of access—which to many will be disks or tapes containing the databases themselves.

If court efficiency and public access were the only two policy inter-

ests involved, the inexorable development would be toward granting maximum on-line access or other efficient methods of providing the courts' databases directly to the public. There is, however, a third policy interest: the interest of individual privacy. Courts are (or have become) quite willing to protect the privacy interests of some parties or witnesses—juveniles or rape victims, for example. What of a man accused but acquitted of a crime, whose name remains in a court database indefinitely? Should that information be available to credit companies, prospective employers, or the press? Even 10 to 15 years later?

In *Department of Justice v. Reporters Committee*, the United States Supreme Court decided that the FBI was not required to disclose to a CBS news correspondent "matters of public record" (any arrests, indictments, convictions, and sentences) in the FBI's computer files regarding a particular individual under investigation, because to do so would violate the person's privacy interests. Although this case involved interpretation of the federal Freedom of Information Act, and, therefore, does not apply directly to state courts, its policy analysis will provide many state automation committees with food for thought. The court held that "one [does] not necessarily forfeit a privacy interest in matters made part of the public record." They noted that with the passage of time, matters that once were public may have been "wholly forgotten," only to be dredged up by the power of the computer. The court recognized a "vast difference between the public records that might be found after a diligent search of courthouse files, county archives, and local police stations throughout the country and a computerized summary lo-

Jane Nelson serves in the Office of the Administrator for the Courts of Washington State.—ED

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# The Registration Center

Participants gain their first impression of the quality of a conference at the registration area. A well-organized, efficient, inviting registration experience creates a positive attitude that enhances participant involvement in the learning. Educators must plan for registration with the same attention to detail they apply to program design, faculty preparation, and facility management.

Registration is usually set outside the principal entrance to the meeting room, near a coatroom and lavatories. Make sure it is set up before the first participant arrives. Use tablecloths and your court logo to make it attractive. Post signs to identify the conference. Have all registration materials and supplies conveniently available to the registration staff.

The size of the conference determines the staffing required for efficient registration. Volunteers can play a valuable role as registrars, but be sure to have at least one experienced registrar present at all times. A common rule of thumb is one registrar for every 50 pre-registered participants. Create a clear traffic pattern and post signs to make the system clear to those arriving. Assign one station to handle only walk-in or at-the-door registrations and cash transactions. Specify alphabetical stations to increase efficiency for pre-registered participants. Problems should be referred to a designated problem solver.

Remind registrars to greet participants in a friendly, courteous, and welcoming manner. Orient workers to the registration process and tell them how to refer problems when necessary. Schedule rest breaks periodically—a busy registration table can quickly wear out even good registrars. A briefing outline or worksheet will make it easier for registrars to follow procedures and handle problems, including the following:

- registration procedures
- how to handle walk-in participants

- how to deal with lost pre-registrations and checks
- registration fees and special event costs
- how to handle messages
- how to handle VIPs and faculty
- how to deal with media representatives

Prepare registration materials and name tags in advance. Name tag lettering should be large enough to be read easily from a distance of three feet. Alphabetize name tags and registration lists for easy check-in. Although contents of registration packets will vary for different types of conferences, the following should be included for every conference:

- conference agenda
- list of participants
- tablet or writing pad
- writing implement
- evaluation form

Include maps of the facility and the city and a list of restaurant recommendations if the conference is in a large city. Prepare enough packets for all pre-registered participants, faculty, guests, and anticipated walk-ins. Store the materials under

the registration table where they are readily available to registrars.

Participants expect registration staff to be able to answer questions about the program and related conference events. Post an agenda, schedule of special events, list of participants, and workshop assignments for easy reference. Set up a separate display table for extraneous materials such as publicity or promotional brochures.

Judges and other court personnel often receive important phone calls during a conference. Urgent messages must be delivered immediately, but most can be picked up during a break period. Set up an easel and corkboard near the registration table as a message center. Print the recipients' names in large black letters on a "Post-it" to pin with the message on the corkboard. Fax copies can be treated the same way.

The registration center provides a focus for participants throughout the conference. How you respond to their needs directly influences the learning that occurs and their perception of your ability to provide quality programming. Take time to plan and manage the registration center with efficiency and sensitivity. ■





## PROFILE

### V.K. - Wetzel

Who is this man, born and raised in Germany, who came to the United States as an exchange student and liked it so much he decided to make the U.S. his home? Who is this man who, immediately after marrying a lovely Chilean sculptor in Chile, returned to Wisconsin via St. Paul, Minnesota, where he managed an appellate court seminar while on his honeymoon? Who shortened his full, hard-to-pronounce hyphenated German birth name Volker Knoppke-Wetzel. Thank you, V.K. Wetzel, director of judicial education for the Wisconsin Supreme Court, who was elected to the office of NASJE Treasurer at the 1990 conference.

As a student during the turbulent sixties, V.K. studied in Germany, England, Mexico, and the United States, earning advanced degrees in law and the social sciences. As a professor of law in Wisconsin and Vermont during the decade after graduation, he taught criminal law and procedure, criminal justice administration, and the law and social sciences. He taught in English, German, and Spanish as a visiting professor and lecturer in Germany and Latin America. In 1981 he returned to Madison to take over as director

of judicial education when Sofron Nedilsky, Wisconsin's first professional judicial educator and one of the founding members of NASJE, decided to change careers.

Throughout his university career as student, teacher, and researcher, V.K. has worked to integrate law with the social sciences, theory with practice. These themes still guide him as judicial educator. He says, "Judicial education programs must go beyond the cognitive to collegial learning, beyond information exchange to participatory peer education, beyond the hard core legal to multidisciplinary and cross-cultural experiences, especially when judges come from rural, single-judge jurisdictions where interaction with other judges is limited." For example, the Wisconsin Indian Law Seminar brings trial court and tribal court judges together to promote cross-cultural discussion and understanding. A series of "Issues of Law, Medicine and Bioethics" seminars was initiated in 1983, programs held jointly with Minnesota to improve problem solving in difficult cutting-edge law situations, to promote relations with allied professionals, and to develop ethical practices. "Doing

Justice: Law and the Humanities" examines "doing justice" as a holistic life experience with spouses fully participating in the discussions.

During his academic career, V.K.'s writings and research were published in law reviews, social science journals, textbooks, and treatises. While he has helped to develop a series of *Wisconsin Judicial Benchbooks*, he regrets that state judicial educators are not encouraged to engage in systematic and continuous research and scholarly writing, not even about "judicial continuing professional education." The job description and task orientation of most administrative judicial educator positions do not provide the necessary time, support, and expectations to conduct empirical research or produce scholarly writing. He also observes that judicial educators generally are given less opportunity and support to attend conferences for their own professional development than are some judges and court personnel they serve. "Shouldn't we, as judicial educators, be given the opportunity to systematically observe the best that other states and national providers offer, programs our clients attend with the support of our offices? It seems that

for most state judicial educators, the annual NASJE meeting is probably the only professional education activity we have the opportunity to attend."

V.K. values his 10-year membership in NASJE. He says, "NASJE has helped me maintain my professional sanity," that he knows he is not alone in dealing with difficult situations. He values the exchange of information and ideas, the opportunity to strengthen relationships with others in the field, and to conserve resources by borrowing or sharing programs. V.K. is active with a number of national and international professional organizations in several areas of law, sociology of law, and criminal justice, and occasionally spends his vacation lecturing abroad.

V.K. suggests that state judicial educators have a unique opportunity to affect change and are rewarded over a period of time when the impact of education on judicial practice becomes evident. With a relatively constant judicial population participating in continuing education, states are able to develop sequential programs leading to uniform standards, improved practices, and attitude change. When this occurs, educa-

*continued on page 12*



tors have achieved a major success.

"Marrying Lily was one of the fastest, most important decisions, and the best, I made in my life!" says V.K. He does what he can to help raise two infant daughters. On weekends he can usually be found repairing, renovating, and expanding a lake cottage an hour north of Madison, calling it "therapeutic activity whose product you can clearly see, touch and finish, a rare experience in our profession."

V.K. believes there is little realistic hope that the structure of judicial education will change to any great extent to encourage systematic empirical research or scholarly writing in the future. He expects the move toward participatory learning to continue to expand in the legal edu-

cation community, with increasing use of advanced technology to disseminate information. He predicts increased development of advanced career curricula, including graduate school seminar-style self-enhancement and professional enrichment learning activities. But as long as courts must depend on state legislatures to determine their budgets, educators will continue to search for innovative ways to expand their effectiveness despite their limited resources. When asked what he would like to be doing ten years hence, V.K. responded, "I might be in teaching or research and administration in some capacity, but I'll probably still be in the same job. I really like what I'm doing." ■

cated in a single clearinghouse of information."

With the new search capabilities of relational databases, the privacy protection provided simply by the difficulty of tracking down an individual's records is essentially gone. Just as the new medical technologies have presented us with uncomfortable new choices from which our old limitations used to protect us, the new computer technologies will force the courts to consider the fundamental fairness of granting privacy to any of the three competing policy considerations—efficiency, access, and privacy. By raising the issues now, judicial education programs can ensure that these dilemmas are resolved deliberately and in a manner consistent with the courts' policy goals. ■



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The editorial committee encourages contributions to *NASJE News* from judicial educators and other interested parties. Not every contribution will receive a byline. Articles will receive a byline under the following guidelines:

The writing is intended to reflect the opinion of the author; The editorial committee finds it appropriate to give a byline to make clear that the writing does not reflect the opinion of the editorial committee; or the writing reflects a substantial piece of work that occupies a prominent place in the newsletter and is at least one newsletter page in length.

In applying these guidelines the committee will resolve close issues against giving bylines to committee members and in favor of giving bylines to noncommittee members. When noncommittee members make contributions not otherwise credited, their names will be listed as contributing to that newsletter.

*Contributing to this issue was Maureen Conner.*

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