

## Quality Education for Judicial Staff: It Can Be Done

Karen Waldrop Thorson

### History

Judicial staff has been the last group in Arizona to receive attention educationally. This has not been due to lack of desire or actual educational need, but to lack of resources and the need to build adequate support along the way. When you operate with limited resources, it takes longer to achieve a goal . . . but you can achieve it. Building support as you go is a "stop and go" process . . . but as long as you are moving toward the goal, there is hope. Today I can say that judicial staff education in Arizona:

- had a shaky beginning;
- endured controversy and delay;
- had an identifiable turning point;
- changed and expanded focus several times;
- has achieved a level of sophistication that rivals the training and education of other judicial groups; and
- was made possible because of some critical elements.

*The shaky beginning.* Continuing education for judicial staff was mandated in 1988. Before that time we had sponsored several special purpose conferences for court clerks, but other staff were left with only the training their local courts provided, which was usually specific to their court. As of 1988, judicial staff were required to earn sixteen hours of education per year and the Education Services Division of the Arizona

Supreme Court's Administrative Office of the Courts was given responsibility for seeing that there was adequate training available. No additional staff or additional funding was available to implement programs for judicial staff, but our education policymaking board and our chief justice believed, as we did, that judicial staff are key players in the court system and needed to have continuing education. So we began with nothing but determination and a long-term vision of being able to address various job categories with programs tailored to their specific needs.

*Controversy and delay.* In 1989 we began with one statewide judicial staff conference. We invited all categories of judicial staff and offered 25 sessions over a week-long period. About 500 people attended. Our courses were designed by several small planning committees with staff assistance. Some in the court system voiced concern: "Why does the court think staff need training?" "How can we run the courts with staff out attending training sessions?" "How much is this costing?" But the responses of the participants from that first statewide "everyone

is invited" conference became our driving force. Participants felt honored to receive training. They were thrilled to have the opportunity to interact with people from other courts and from other jurisdictions. They wanted more.

We continued the statewide conference in 1990 and 1991, refining the individual programs, enlisting the assistance of more judicial staff in planning, and incorporating a wider variety of topics. We discovered, among other things, that initially staff were unaware of their needs, unaware that different courts were doing things differently, and unaware that learning about anything beyond the basics of their specific job duties could be beneficial. We "maintained" judicial staff education through this two-year period, but it did not grow. Much work had to be done before we could move forward.

*The turning point.* In 1991 we decided that if we were to ever refine judicial staff education, we needed to be on firm educational ground, have a defensible design, enlist more "grass roots" support, and present a clear picture of where we were go-

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PRESIDENT'S  
COLUMN

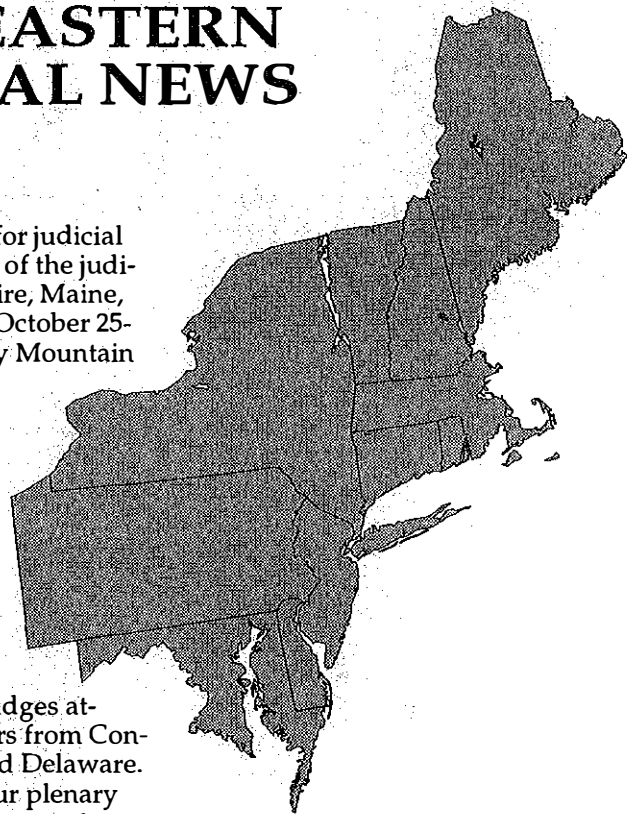
Kay S. Palmieri

NASJE becomes 21 this year, the end of steady growth and maturation that has positioned the association for future challenges. The annual conference recognizes the past and beacons our future as judicial education professionals. NASJE's education committee led ably by Elan Teagle of Florida has developed a thought-provoking program that commits us to current challenges while providing an opportunity to examine the basic tasks and skills essential to performing our duties.

Perhaps most appropriate, the annual conference will provide the opportunity to reflect on our roles in the judiciary. We have reached a critical juncture in the growth of NASJE as an association and in our development as individual professionals serving the varying needs of our states. Judicial education is recognized as an essential function of the judicial branch; judges, administrators, legislatures, and the public expect the judicial system to maintain competence, respond to emerging issues, and enhance its fair treatment of our diverse population. How many times have you told a stranger what you do for a living only to have the response, "Well, it sure is needed." Judicial education is now viewed as the primary solution to a host of difficult problems, as evidenced by the focus

*(continued on page three)*

# NORTHEASTERN REGIONAL NEWS



The second meeting for judicial education purposes of the judiciaries of New Hampshire, Maine, and Vermont was held October 25-27, 1995, at the Ascutney Mountain Resort in Brownsville, Vermont.

The program was planned by a committee of judges representing the three states working with judicial education staff and funded by a grant from the State Justice Institute.

Approximately 144 judges attended, including visitors from Connecticut, New Jersey, and Delaware. The agenda included four plenary sessions, seven workshops, and a tour of key treatment units at Dartmouth-Hitchcock Hospital.

The opening panel, Medical Care in Northern New England, presented three knowledgeable health facility managers describing health care over the last 45 years and the nature of the present crisis. Another session explored the consequences of the decision that further medical treatment would be futile. Professor Alexander Capron deployed judges in roles of lawyers, trial and appellate judges and deftly exposed a range of issues pertaining to this issue.

Program objectives included goals of two sorts—to explore and demonstrate the value of such conferences and to enhance the judiciary's knowledge of the medical/legal content issues that were the subject of this conference. Other objectives included fostering collegial relationships, developing momentum for annual tri-state judicial education programs, and stimulating awareness and greater understanding of medical technology, ethics, and perspective and parallel developments in the law.

Judicial planners, educators, and staff of this well organized and orchestrated conference dealing with

cutting edge medical and legal issues deserved the plaudits received from its demanding audience.

In the words of Joan M. Gibson, "Over the past six years I have delivered judicial training on medical/legal/ethical issues in California, Florida, Wyoming, Montana, Massachusetts, New Jersey, Alabama, Nevada, New Mexico, and Washington. This is the best organized (down to the last detail) and most varied (with respect to diversity of formats and content) conference I've attended. The regional tri-state (plus invitations to others) dimension is obviously critical to the excellence of the program. I hope this can continue, and can be supported at least at current levels."

As a follow-up to the highly successful 1995 Tri-State Judicial Meeting, the tri-state judiciaries will meet again October 20-22, 1996, at the Mount Washington Hotel in New Hampshire. The training will be "Understanding Violence; Judicial Response to Stranger and Non-Stranger Rape and Sexual Assault," and again funded by the State Justice Institute. The tri-state judiciaries will invite the judiciaries of other Northeast NASJE represented states.

# Ethics Training for Court Personnel

*Diane Cowdrey*

For many years, the education of court staff has taken a back seat to judicial education in most states. Necessary resources such as funding, staff, and administrative commitment were less than ideal, causing educators to be limited in their ability to develop meaningful employee education programs. Recently, however, this scenario has been changing, and employee education has received more attention from judicial educators and curriculum developers. Articles in recent issues of *NASJE News* attest to the variety to programs that are now available to court staff (for example, management development, sexual harassment training, probation officer education). This article discusses another area of staff education, that of ethics training, that is becoming more institutionalized in several states.

Ethics training for judges is a common content area in judicial education; however, employee ethics is much more nebulous, both in terms of the content area and in training programs. Employees do not usually have the benefit of a codified set of ethics rules as judges do. Therefore, their training is gen-

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*Diane Cowdrey is director of education for the Utah Administrative Office of the Courts.*

erally based on whatever policies a state may have, coupled with the local issues that come up for clerks on the job. For the new employee, orientation in these areas is usually disseminated through on-the-job training, which, although extremely timely, can perpetuate undesirable practices and fail to cover critical content areas.

In Utah's employee education, ethics is covered for the new employee in the "New Employee Orientation," held three to four times per year. Historically, this session featured the staff attorney, who would cover the bare essentials of applicable policies, as well as an instructor who would cover the broad topic of "professionalism." The format for this section was a role play in which participants would get a humorous glimpse of poor practices by court clerks. Recently, we have altered our approach to covering ethics for court employees with the advent of a new resource by the American Judicature Society (AJS), funded by the State Justice Institute. "Justice at First Hand" is a series of videotaped scenarios depicting typical ethical dilemmas encountered by court staff. Accompanying this are written discussion materials that refer to the AJS Model Code of Conduct for Nonjudicial Court Employees. This forms the basis for discus-

sion of the ethical dilemmas portrayed by the video.

This ethics component is provided to court employees during the orientation program. We use several of the video scenarios (the ones that relate most closely to local issues that arise in our courts) and a panel to initiate discussion among participants and to deal with questions. The membership of the panel includes a court manager, a clerk, an administrator, and the staff attorney. Together they discuss the video, related situations in local courts, the difficulties inherent in these ethical situations, and the preferred method of resolving the dilemmas posed by the video. The written materials are helpful in generating questions for the audience and in anticipating issues that might not be raised by participants.

At last year's NASJE Annual Conference, this resource was previewed in a preconference session. While more work needs to be done in the area of employee ethics education, this one resource has been very useful in creating our ethics component for state employees in Utah. Judicial educators interested in developing meaningful ethics education programs should consider this as a resource and continue working to collectively find more ways to integrate ethics education in staff curricula. ■

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## President's Message, *continued*

of numerous, issue-oriented state task forces and commissions. As the professionals who have demonstrated time and time again that we can make it happen, judicial educators bear tremendous responsibilities for the future of our justice system.

A continuing fiscal crisis has become a fact of life accompanying the development of our profession. In most states, the breadth of education responsibilities has not included the additional funds and staff to implement new programs of projects. We are included in what has become the 1990s trend of providing more for

less, under labels that include "downsizing," "more bang for the buck," "transforming," and straightforward "budget cuts." While increased responsibilities and professional recognition in the face of tight budgets could be viewed negatively, our challenge is to work smarter in serving the judicial system and, indirectly, the public. As we leave the past and approach the future, let's accept the challenge of excellent service within the constraints demanded throughout our society. I encourage all of us to think about the questions posed for the future

while celebrating the long road to our current development.

Past NASJE presidents pushed us to achieve the excellence and recognition we enjoy today. We went from seeking to be contacted to becoming direct players in the education planning process. I challenge us to consider the future. Where do we go from here and how do we get there? I look forward to exploring these questions with you at the program October 13-16, 1996, in Orlando, Florida. ■

# Judges in the Classroom: Judicial Education Outreach

*Krista Goldstine-Cole*

*I had taught them two hours a day, every day for eight months. But I did not recognize them that afternoon: forty-eight sophomores, moving in the same direction, committed to principles and procedures they had scoffed at only weeks before.*

*In crooked ties and over-sized blazers, hair wound tightly into buns, teetering on high heels, they had become lawyers, witnesses, and jurors. With intensity of purpose, they addressed the judge and jury. "I will demonstrate . . ." "We can show . . ." "The evidence will prove . . ." they intoned.*

*An hour passed, then another. We adjourned. Alive with learning, the students returned for a second day of trial. And, with briefcases in hand and charts and graphs in tow, for a third.*

*Jury deliberations were long (and, at times, loud), but decisive: Not guilty.*

*"YYEESSS!" the defense exclaimed, slapping high-fives and looking sixteen again.*

*Wilted and defeated, the prosecution watched in silence. Reporters swarmed around the parties, desperately seeking a final tidbit for their stories.*

*I looked on, a new disciple of law-related education.*

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*Krista Goldstine-Cole taught high school for four years before joining the Washington State Office of the Administrator for the Courts as a judicial education specialist.—ED.*

**"Judges in the Classroom" (JITC),** a statewide program administered by the Washington State Office of the Administrator for the Courts (OAC), brings judges and teachers together to promote a better understanding of the law and the judiciary. Established in 1991, JITC has paired seventy-five judges and commissioners with teachers in the past five years.

Teaching everything from the mediation process to buying a used car, fifty-two volunteer judges visited fifty-seven classrooms during the 1995-96 school year. The program maintains thirty-five professionally developed lesson plans to support participants in JITC. The Herschel C. Lyon Mock Trial is more popular among elementary school students, while search and seizure has proven to be most popular and enduring among secondary school students.

Generally, teachers initiate pairings by contacting the OAC and requesting a judge. Teachers are asked to identify the topic area of interest to them. Most requests at the elementary school level are related to introductory due process, the nature of the appellate process, and issues of illicit drugs. Secondary school teachers tend to be interested in civil rights, often in response to recent events at their schools. Locker searches, protected speech, and religious activities at school are common concerns.

The JITC program administrator then approaches a judge to work in partnership with the teacher. In most cases, the judge has been involved in the past or has volunteered during a judicial education event. Most judges are eager to work in the schools, though many have a clear preference for a particular age group.

Each partner is given the name, address, and phone number of the other as well as a set of relevant les-

son plans. The teacher and judge must contact each other to set a time to discuss the specific lesson to be taught.

On occasion, judges will initiate a pairing. This may occur for a variety of reasons—from the judge's need to be visible in the community to a personal commitment to law-related education. It can be difficult to match a judge with a school if the program administrator is unfamiliar with the schools in the geographic area of interest to the judge. Most teachers, however, welcome guests in their classrooms and are easy to work with when offered a partnership. OAC provides lesson plans and facilitates direct communication in this case.

Once established, partnerships can take on a life of their own. For example, Judge Michael Hurtado, of Seattle Municipal Court, recently received a call from a teacher whose classroom he had previously visited. There had been a drug arrest at the school stemming from a locker search. The teacher hoped the judge would address an assembly of students to help quiet the storm (locker searches are remarkably disturbing to privacy-conscious adolescents).

OAC will make arrangements for press coverage if the judge requests it. Press can be notified, however, only if the date, time, and location are established. Bob Henderson, the public information officer at Washington's OAC, takes special care to discuss press coverage with school officials, and often fields post-visit questions from reporters and editors.

However the partnership begins, "Judges in the Classroom" provides relevant, appropriate teaching materials. The thirty-five JITC lesson plans were developed by Margaret Fisher, of the Seattle University School of Law's Institute for Citizen Education in the Law. The lesson

plans are educationally sound, legally accurate, and developmentally appropriate. They are available for all grades.

Lesson plans make Judges in the Classroom both unique and successful. Many judges are hesitant to participate without the guidance and security that a lesson plan provides. Each plan establishes learning objectives at grade level, provides general instructions to the judge, and includes any hand-outs.

Teachers appreciate the topics because they are keyed to standard public school curriculum. Third grade teacher Barbara Williams requested a pairing when she learned that several primary school lessons focus on problem solving, the theme for social studies in her classroom. Williams recently reported, "Commissioner Jasprica was a little worried because this was her first time to teach. But she delivered, I think, a remarkably effective lesson."

While volunteer judges in Washington have made 204 visits to public school classrooms in the past five years, there is much work to be done. Many states do not require that teachers be trained in issues of law and due process. Washington, despite exceptionally high certification standards, requires only that social studies teachers take one college-level course in American government before entering the classroom. As we strive to extend law-related education to students, we must also embrace the education of teachers.

In the meantime, judges like Michael Hurtado continue to make a difference. During his talk on drugs in the school, a student asked, "You mean, if you're holding a joint—just a joint—THAT'S possession?"

"Yes," replied the judge, knowing he had educated at least one student that day. ■

## Judges in the Classroom: Lesson Plans

### Bill of Rights

- An Introduction to the Bill of Rights (Grades 4-8)
- Classifying Rights from Various Constitutions (Grades 4-8)
- Creating a Bill of Rights in Space (Grades 4-8)
- Freedom of Expression in Special Places (Grades 9-12)
- History of the Bill of Rights (Grades 4-8)
- Religion in the Schools (Grades 9-12)
- Search and Seizure in Washington (Grades 9-12)

### Consumer Law

- Minors and Contracts (Grades 10-12)
- Unfair or Deceptive Sales Practices (Grades 8-12)

### Driving and Cars

- Buying a Used Car (Grades 10-12)
- Drunk Driving Legislative Session (Grades 9-12)
- Tort Liability: Mock Trial (Grades 10-12)

### Due Process/Trial Process

- Claim Your Jurisdiction Game (Grades 8-12)
- Herschel C. Lyon Mock Trial (Grades 4-8)
- Plea Bargaining (Grades 9-12)
- The Trial Process (Grades 5-12)
- Understanding Procedural Justice (Grades 4-7)

### Equality, Discrimination, and Civil Rights

- Birth Control by Law?—Legislative Hearing (Grades 9-12)
- Cultural Defense to Crime (Grades 7-12)
- Exploring *United States v. Hirabayashi* (Grades 4-8)

### Family Law

- Battered Child Syndrome—Mock Trial (Grades 8-12)
- Domestic Violence (Grades 9-12)

### Illegal Drugs

- Drugs and the Law Opinion Poll (Grades 6-12)
- Drug Testing in Schools—Take a Stand (Grades 8-12)

### Introduction to Law

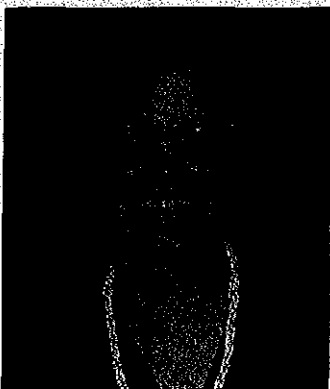
- No Vehicles in the Park (Grades 5-12)
- Rights and Responsibilities (Grades 4-6)
- Rights in Conflict (Grades 4-6)
- Rules and Laws (Grades 4-6)

### Juvenile Justice

- Adjudicatory Hearing (Grades 7-12)
- Consequences of Offenses to Offenders, Victims, and Community (Grades 6-12)
- Disposition (Grades 7-12)
- Introduction (Grades 9-12)

### Problem Solving

- The Mediation Process in the Primary Grades (Grades K-3)
- Ways to Solve a Problem (Grades 3-5)



## PROFILE

### Ellen Marshall

When Ellen Marshall graduated from Catholic High School in Baltimore, she felt her call in life was to the convent. Now, after almost 20 years of toil in the vineyards of judicial education, first in Maryland, now in the District of Columbia, the secret is out: Ellen Marshall's true vocation is that of judicial educator!

It is a vocation that Ellen Marshall, upcoming NASJE president-elect, enjoys. And, why not? She has reached the epitome of her profession. She has served as the director of judicial education in two major jurisdictions. She is recognized and respected by her peers.

Who is Ellen Knop Marshall? Her hint of a Baltimore accent betrays her origins. Born the second eldest, she experienced major tragedy at the age of ten. Her father, a Baltimore fireman, died of a heart attack. During a snowstorm, he had picked up the children from school. After pushing the car when stuck in the snow, he came home and, at 51 years of age, had a heart attack by the fire.

"Dad had been a fun-loving extrovert who loved to entertain," Ellen recalls. "He taught himself the piano and drums. He wanted at least one of his children in show business."

Ellen herself took piano and ballet lessons and said that all of her father's children had a "bit of the ham" within. As a child, Ellen used to write shows and then direct them for the neighborhood.

Ellen's mother was widowed at the age of 37 with seven children. "My mother is a great woman," Ellen specifies. She expresses this reverently, but with definite conviction. "She was very religious, and very shy," unlike Ellen's father. After returning to the workplace to support the family, she eventually remarried and had two additional children. Ellen credits her mother with her own emotional strength. Ellen's stepfather, now deceased, was a religious person who became a permanent deacon in the church.

In high school, Ellen served as the editor of the newspaper, which she "absolutely loved." As a sophomore, one of her writing assignments was to interview legendary Baltimore Oriole third baseman Brooks Robinson.

After high school, Ellen and some 15 of her classmates entered the convent. Ellen lived this life for four years where she made "wonderful friends," and has "generally happy memories." Here, too, Ellen had a chance to fur-

ther exercise theatrical energies.

While a young nun, Ellen taught at an inner city school in Trenton, New Jersey. After leaving the Franciscans, she matriculated at St. Agnes' College in Baltimore where she received a B.A. in English. Some years later, while on the job, Ellen obtained a master's in human resources management at Loyola College in Baltimore.

After graduation, Ellen's first job was as a counselor at a group home for girls committed by the juvenile court. She met and married Gene Marshall, currently an assistant dean in the academic department of Loyola. In the early 1970s the couple moved to Fort Ord, California, where Gene served in the U.S. Army. The couple have three children, Michele, 22, at Brown University; Robert, 16, a high school junior; and Nicole, 15, a high school sophomore.

When Ellen, Gene, and Michele (their only child at the time) returned from California to Baltimore, Ellen taught elementary school students in an urban services agency.

How did she hear about judicial education? Serendipitously, a friend alerted her to an opening with the Maryland court system. In July 1978, she

applied for the job of judicial training specialist. She was selected! Thus began Ellen Marshall's winding path to the corridors of judicial education prominence.

Eventually, Ellen served as the judicial education director in Maryland. When asked how she enjoyed her association in Maryland, Ellen replies, "Oh, I loved it! It was an exciting time, and I was involved in the creation of the Judicial Institute." She is proud of many of the things she did in Maryland, namely her own contributions in establishing the Judicial Institute, bringing adult education concepts to the fore, and starting several interdisciplinary judicial education programs.

In May 1994, Ellen Marshall was appointed the director of the Center for Education, Training, and Development for the District of Columbia courts. While she inherited a very talented professional staff, which came from various divisions in the court, Ellen is proud of her work in ensuring a "really fine, working, cohesive team." Ellen arranged to have the D.C. courts participate in the Leadership Institute. As a consequence, the team is now developing a strategic plan for judicial and court

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# Training and Certification of Spanish Court Interpreters

*Kristine Prince*

*"If we are to afford due process to the multitudes of persons who either have only recently arrived on our shores, or who have already attained American citizenship but are nevertheless struggling to master English while they are in the throes of incipient bilingualism, then standards for the bilingual courtroom must be set high, and for every linguistic group. If the American justice system is to render justice to this country's linguistic minorities, then it will have to pay greater attention to the interpreting services it provides these groups because for those millions of persons whose ability to speak and understand English is limited, the American courtroom, in effect, is a bilingual courtroom."*

—Susan Berk-Seligson, *The Bilingual Courtroom*

Linguistic diversity has become an indisputable feature of Utah's population and contemporary life. In recent years, Utah has been "discovered" by thousands of new residents, who have been drawn to the state by its physical beauty and economic vitality. The presence of linguistic minorities in our courts is substantial. In the average month, an estimated minimum of 250 proceedings involve a foreign language interpreter. In Utah, 80 percent of interpreter needs are for Spanish interpreters.

The presence of such large numbers of non-English speaking minorities has been a concern for the justice system. Critical issues arise when linguistic minorities appear in courts. The fundamental issue is effective communication, the keystone for protecting individual and public rights and adjudicating disputes. The nature of communication that prevails in the courtroom is quite different from that which occurs outside of the courtroom. The technical and specialized language of the courtroom leaves many laypersons—be they witnesses, defendants, or jurors—confused and bewildered.

Professionally trained and certified court interpreters protect consti-

tutional rights. The courts have held that defendants in criminal proceedings have the right to the effective assistance of counsel throughout the trial. Defendants also have the right to confront and cross-examine adverse witnesses, which cannot be exercised if one cannot understand what adverse witnesses are saying. Finally, a defendant has the right to be present at all critical stages of the trial, and a right cannot be exercised if one cannot understand everything that is said at all times. This right has been held to mean a right to continuous, simultaneous interpretation throughout the proceeding.

In 1991, the Utah Judicial Council appointed a committee to undertake a study of the effectiveness of Spanish interpreters in the Utah Court System and was dismayed to find that in Utah (as in many other state court systems) the skill levels of the interpreters varied greatly. This placed the welfare of the Spanish-speaking defendant totally in the hands of the interpreter—not in the hands of the court system. If the defendant happened to have a highly skilled interpreter, the outcome of his or her legal situation could likely be very different than if he or she received a less skilled interpreter.

Court interpreting is a highly skilled technique that requires a variety of complex abilities and knowledge. Simply being bilingual does not make a person a good, or even

adequate, court interpreter. Likewise, being trained and experienced as an interpreter in a noncourt setting does not guarantee that a person can readily apply those skills effectively in court.

Since the cost to improve the quality of interpreter services is not an affordable solution at the state level due to inadequate expertise and inadequate financial capacity, Utah obtained grant funding to join a consortium of eight other states who agreed to pool resources and services interstate, and, where appropriate, across courts of state and federal jurisdiction. This consortium of states is administered by the National Center for State Courts in Williamsburg, Virginia.

Because the committee convened by the Utah Judicial Council pointed out Utah's urgent need for formal training to improve the number and qualifications of practicing Spanish court interpreters, Utah court administrators along with the National Center, offered a series of two-day workshops during February of this year. These workshops were held in three locations throughout the state. On the first day of the workshop, interpreters were introduced to the profession of court interpreting, the skills and modes of interpreting, an overview of the court system and court procedures, the role of the court interpreter, and court termi-

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*Kristine Prince, M.S.W., is court program coordinator for the Administrative Office of the Utah Courts.—ED.*

## Quality Education for Judicial Staff, *continued*

ing. So we implemented a massive curriculum development project for judicial staff. With the help of staff from several divisions in the AOC, we identified thirteen distinct job categories in Arizona courts and two individuals in each category who were respected and knowledgeable. We recruited these individuals, asked them to find three to five people in the same job category with differing levels of experience and from courts and counties other than their own. The mission was for all to participate in a curriculum development conference. We also invited AOC staff from divisions that worked with judicial staff. With more than 100 people attending, we conducted a day-long curriculum development process with the thirteen groups serving as focus groups for their respective job categories. During the process, working through facilitators for each group, we

- identified job responsibilities, needed skills, relevant information, and needed resources to serve in each respective job category;
- organized the information into topical groupings;
- developed basic program requirements for each topical area;
- addressed the needs of new versus experienced staff; and
- established a review process of the entire package of job-specific curricular designs.

Staff further organized the information from the curriculum development process and distributed the entire package to all participants for review and comment. This review by almost all of the 100 participants was very rewarding and the recommended refinements were true enhancements to the initial documentation. We had a beginning and we had more than 100 people who had their "fingerprints" on these designs and ownership in an emerging vision of judicial staff education.

We asked the two individuals identified earlier from each category to continue to serve on an advisory committee as the curricular designs

were reviewed and refined during a twelve-month period. In 1993 one education services staff member was dedicated to work exclusively on judicial staff education. Through the energy and organizational talents of this individual, the sustained enthusiasm of the advisory committee, and a continual review and refinement of the curricular designs, in 1995 a proposal for curricular designs for the thirteen job categories was presented to the judicial education policymaking committee and the supreme court's administrative advisory committee. They adopted the package as a recommended guide for courts and supervisors in the continuing education of judicial staff. The package contains a suggested curriculum and appropriate tracking forms for each identified job category.

### *Changes and expansion of focus.*

The composition of the advisory committee changed along the way. Rather than an advisory committee to develop specific job-related curricular designs, the committee became a planning committee for a holistic approach to judicial staff education. Diversity of location, jurisdiction, job category, level of position, and gender/ethnicity were incorporated into membership considerations. New perspectives emerged: a need to finance learning opportunities, involvement of local community colleges, identification of critical "core" educational areas for all staff regardless of job category, and the need for a unified approach to orientation of judicial staff.

In 1995, the planning committee asked the supreme court to require that orientation for all judicial staff include five critical areas they identified for serving in the court system: basic communication skills, court expectations of all staff in dealing with the public, an overview of the entire Arizona judicial system, current issues in the courts (such as ADA, diversity, sexual harassment), and information on issues that exist in the specific local court. The committee also asked the court to require that all judicial staff obtain more ad-

vanced training in each of these five core areas in each five-year period of employment. They explained to the court that numerous topics would be offered within the five categories and that the specific topics staff chose would depend on the specific job performed. The court granted the committee's request.

### *Current level of sophistication.*

Today two staff work solely on judicial staff education. Judicial staff can attend any of three statewide conferences, offered in three different locations around the state at different times of the year. Each job category has several programs from its respective curriculum design offered at each conference. Every program in the entire curriculum design for each category is offered at least once in each three-year period.

At least eight programs devoted to judicial staff are broadcast each year: a day-long orientation program is offered each quarter; advanced programs are offered annually on communication, dealing with the public, the Arizona court system, and issues in the courts. Additional programs are offered on management and supervision.

Working with Education Services staff and court personnel, two community colleges are offering an Associate of Applied Science Degree in Judicial Studies; using staff and judges to develop the curriculum, this degree incorporates some programs from the Administration of Justice program and adds many newly designed, court-specific, practical application courses. Some of the individual programs in this course of study are offered at our three conferences and other standalone programs are being offered on site at individual courts.

In March 1996 the planning committee asked to become a permanent committee, similar to our Judicial College Board and our Committee of Probation Education. The committee was granted permanent status. Because of the work, planning, and thoughtfulness that has been put into judicial staff education, all court personnel have a solid basis for per-



sonal and professional growth. They can become better at what they do by participating in their job-specific training/education, and they grow by participating in curriculum designs of aspired-for job categories.

**Critical elements.** The growth in judicial staff education in Arizona generally was dependent on certain timely events and people. For us these included:

- support from a few judges and from many judicial staff;
- policies that support incorporation of staff training;
- staff who struggle to attain goals despite delay, compromise, and continued change;
- small but consistent "successes" upon which to build;

- a clearly articulated, shared vision upon which to base action so each short-term goal moves the effort closer to the long range; and
- creativity and tenacity from all involved.

We still have no additional funding for judicial staff education. We have moved it to equal footing with the also growing education of judges and probation officers; we have found new ways to deliver information; we charge a nominal registration fee for each day of programming; we use judges and other court personnel as faculty, and we encourage localized training through our 100 volunteer "training coordinators," who are full-time judges, clerks, probation officers, and other-

wise who work with us in addition to their regular duties. (But that is another story for another time.)

For further information regarding the specifics of judicial staff training in Arizona, contact Julee Bruno, Education Specialist (602) 542-9434. ■

## Transitions

Philip J. Schopick has been appointed director of the Ukraine-Ohio Rule of Law Program. ■

### Profile, continued

support education. She is also proud of the role of the office in international judicial education and of their bringing increased computer software training as a regular function of the division.

Ellen's new position affords her the enjoyment of walking the Mall during the lunch hour, visiting the Smithsonian museums, and having an office close to district court personnel. A challenge of her office is to provide training for some 1,400 people. The training operation is well funded. Quality management is being implemented in D.C., and we have a full-time Spanish instructor on the staff."

Ellen continues to lead a full and dedicated life. What many do not know about Ellen is that she loves to write poetry, particularly free form verse. She finds writing poetry (and occasional short stories) great therapy. She enjoys reading, art, and music. *Mens sana in corpore sano*: A healthy mind in a healthy body. Ellen balances intellectual and emotional pursuits with physical exercise—aerobics and walking. And she still finds time for volunteer work in the community as a member of the parish council at church where the council is involved in strategic planning.

While Ellen enjoys a spontaneous, warm laugh, she is also reflective. She listens with intensity. Her faith and her family center her and provide the base that makes her caring and committed to the people issues.

How did Ellen Marshall and NASJE find each other? A member since 1980, Ellen says, "I believe I first heard of NASJE through Frank Broccolina." Because the office had limited funds for travel, employees at the division alternated years in attendance. The first meeting that Ellen attended was in El Paso, Texas. Ellen's recollection was that NASJE members were friendly and were a great help. "I was very impressed with the caliber of people in attendance. I was struck also by how everyone in the membership seems to take the time for each other."

Among the various virtues of Ellen Marshall that impressed others then, and at subsequent NASJE gatherings, is her dancing talent.

Ellen has found NASJE very helpful to her over the years. The first state operation that she studied was the Michigan Judicial Institute under Dennis Catlin's direction. Other NASJE members who have been able mentors over the years include Tony Fisser from Connecticut, Richard Saks from New Jersey, Rita

Culbertson from Kentucky, and Kay Palmer from Arkansas.

In addition to having just served as vice-president, Ellen has served as the NASJE Northeastern Regional Director, and will ascend to the position of president-elect at the October meeting in Orlando. She is a member of the Bylaws Committee and the Judicial Education Standards Committee. She represented NASJE in the National Association of Court Management. She teaches for the ABA, the National Judicial College, the National Association of Women Judges, NASJE, NACM, and the Maryland and D.C. courts. Ellen is also a 1995 graduate of the Leadership Institute in Judicial Education. She has served on the Curriculum Planning Committee from grants which NASJE received, and on the other committees such as the DUI Sentencing Committee.

It is apparent that Ellen Marshall has been an industrious contributor to the progress and success of NASJE. She describes this as a two-way street. "Going to NASJE meetings is like a professional retreat. I come away energized."

Ellen Marshall brings not only energy, but ability and integrity to the field of judicial education. It is good the secret is out. ■

# JEMS Now Shipping

**D**o you need to maintain current and historical data on all education programs, their faculty and their participant's records? Do you make facility arrangements and cost agreements? Do you want to accept applications effectively, create waiting lists, register applicants, and build class lists? Could you use project management tools to help you assign and monitor staff and faculty tasks necessary to bring all the pieces together in a successful event? Do you want to know the number of credits earned by your judges, or create mailing labels, tent cards, and name badges? All these capabilities and many more are available to state judicial education offices with the completion of the Judicial Education Management System (JEMS) project, a prototype

software application.

NASJE received funding from the State Justice Institute to develop JEMS, which was conceptualized by Anthony Fisser, director of Continuing Education of the Connecticut Judicial Branch. With the technical assistance of Larry Webster, director of Technical Services of the National Center for State Courts, the contributions of many weekends of personal time by judicial educators who served on the development committees, and the design and programming experience of the ASDI company, a prototype was created in Connecticut.

Fisser, who chaired the committees, stated that "in the first phase of the project we evaluated existing software and developed specifications for a model system. Ac-

tually, we identified over 1,200 different data elements that judicial educators have to monitor or manage to produce programming and materials." The specifications were transformed and tested in Connecticut. "The result is a software application that many others can use to manage the major functions within the system we call education and training," he continued.

The software, a run-time version of Microsoft's ACCESS, can be used by anyone with Windows. "I expect that we will be able to activate a users group and obtain funds for new versions in the future," Fisser said. For more information, contact Mr. Fisser at (860) 566-8567. ■

## Training and Certification of Spanish Court Interpreters, *continued*

nology and work research. Students were provided with self-study materials and encouraged to form small study groups to prepare for the certification exam. The second day of the training, the focus of the training was on problem solving and skill building. A detailed and intensive look at the knowledge, skills, and abilities required of the professional court interpreter was taken. Both simultaneous and consecutive interpreting were demonstrated and practiced in small groups. Ethical issues and professional conduct were discussed in detail.

Effective training workshops ultimately depend on the knowledge and skills of the workshop instructors. Thorough familiarity with the subject matter is important, but equally important are teaching skills and the ability to manage a tightly structured agenda. Workshop instruction is different than traditional classroom teaching. In workshop in-

struction, especially for adults who either take time from their jobs or sacrifice precious free time for professional improvement, making every minute count is critical. Workshops were designed to provide practical education, not theory. Because instructors need to be credible to students, able to defend what they teach, and have a substantial amount of practical experience in the field, Utah contracted with Holly Mikkelson and Alea Alger-Robbins, both federally certified interpreters and experienced consultants who are nationally recognized linguistic experts in court interpretation to teach the workshops. The evaluations received at the end of the training were overwhelmingly positive.

Because it is unreasonable to expect that trial judges be the sole determiners of an interpreter's skills and abilities, Utah, along with the National Center, is in the process of administering a two-part skills and

abilities certification test of Spanish court interpreters. A total of 128 interpreters attended the training workshops and 72 interpreters took the first part of the exam given on May 17-18. Those candidates who pass the screening exam will be invited back on June 28-29 to take the final exam. Candidates who pass the final exam will become Certified Court Interpreters in the State of Utah, and will be reciprocally credentialed in the eight other consortium states. We are excited about the ability we, as court staff, will now have to assure judges in our state that the Spanish court interpreters they use in court proceedings have the necessary skills and abilities needed to be competent interpreters, thus assuring equal access to justice for our state's Spanish-speaking minorities. As resources permit, we plan to continue interpreter certification programs in other languages as well. ■

# Judicial Education Goes to the Legislature

Gwen Spivey

*Our legislative relations staff worked with a member of our judicial education staff to create a training program for legislative staffers that presented some basic civics lessons about the judicial branch.*

Although judicial education has traditionally been confined to exactly what its name implies, judicial educators around the country have been expanding their constituency for years. Recently, there have been some innovative localized efforts to expand the application of our efforts to related governmental entities outside our traditional audience that have an effect on the judiciary. Toward this end, the legislative relations staff in the Florida Office of the State Courts Administrator, out of concern over the reduction in the number of legislators and legislative staffers with legal backgrounds and the corresponding increase in misunderstandings as to the role of the courts and the proper balance between the judicial and legislative branches of state government, originated the idea of designing a training session for the staff of various members of the legislature.

Our legislative relations staff worked with a member of our judicial education staff to create a training program for legislative staffers that presented some basic civics lessons about the judicial branch, emphasizing the ways in which the judiciary and the legislature cooperate. It gently reminded attendees of the separation of powers doctrine and the fact that the judiciary is a co-equal third branch of government. In lieu of a formal needs assessment, staff extrapolated the learning needs from the legislative staff. The overall theme of the training was cooperation, with the term "cooperative autonomy" suggested as best exemplifying the relationship between the two branches. In the course of developing this program, the legislative relations staff and judicial educator met several times with the

state courts administrator and key members of his staff to determine the learning objectives, content, theme, and presenters. At a later stage, they also met with the supreme court justices who were to be involved in the program.

The first of two judicial-legislative orientation sessions was held on Wednesday, September 27, 1995, at the Florida Supreme Court Building, which is adjacent to the capitol and most legislative staff offices. This initial training session was attended by approximately 20 staffers from the Florida Senate. After a welcome by the state's chief justice, two other state supreme court justices made presentations on "The History and Relationship of Three Branches of Government" and on "Judicial Planning and Court Futures." The purpose of these talks was to give the legislative staffers a close-up visit with the justices. Interspersed with their "informal talks" were more formal presentations by the judicial educator on "Comparison of Legislative and Judicial Branches" and by the legislative relations professional

on the "Judicial Role in Legislative Process." The latter two presenters used extensive visual aids.

The entire session lasted two hours with a 15-minute break in the middle. Some of the staffers had numerous questions, and many expressed appreciation for the presentation. There was no formal evaluation of this presentation.

The second Judicial-Legislative Orientation presentation was made in the House of Representatives chambers on Tuesday, January 23, 1996. This presentation involved an agenda modified to address some particular issues pending before the legislature.

This training program was considered highly effective and worthy of repetition if there is significant change in the composition of legislative staffers. It was recommended that future presentations include evaluation forms in the materials and an increased effort to see that all presenters use some visual aids. Questions regarding this training or requests for copies of materials can be directed to Gwen Spivey, Senior Attorney, Office of the State Courts Administrator, 500 South Duval Street, Tallahassee, Florida, 32299-1900, telephone 904/922-5109. ■

## Membership Information

To receive NASJE membership information, contact Sherry Carson, Chair, Membership Committee, Institute of Continuing Judicial Education, School of Law, University of Georgia, Athens, GA 30602 (706) 542-5556. ■

Gwen Spivey is a Senior Attorney in the Florida Office of the State Courts Administrator.—ED

# 1996 NASJE Annual Conference

## Lake Buena Vista, Florida

By now NASJE members should have received the 1996 conference packet detailing what promises to be a most exciting and educationally rewarding program. The 1996 annual conference takes us to Lake Buena Vista, Florida, a suburb of Orlando and the famous Disney World. The 1996 Education Committee, chaired by Blan Teagle (Florida), has been hard at work for the past nine months planning the diversified program. The unifying theme for the conference will be "A New Challenge for Judicial Educators: Common Law Courts, Anti-government Separatist Movements, Hate Groups, and Their Impact on the Courts." New this year will be a day-long New Judicial Educator's Orientation, which will be held on Sunday, October 13, 1996. The orientation was designed

to meet the needs of the new judicial educator or program coordinator.

Highlights of the program will be the October 14, 1996, plenary session featuring Arthur N. Teitelbaum, Southern Area Director of the Anti-Defamation League of B'nai B'rith, Miami, Florida, addressing "Human Behavior Motivated by Fear: A Socio-Historical Review and Analysis." On Tuesday, October 15, there will be another plenary session entitled "The Judicial Impact and the Judicial Educator's Response Through Adult Cognitive and Developmental Teaching Techniques: Implications for the Courts and the Role of Judicial Educators."

The tracks for October 15 include "Guns and Gavels: Dealing Fearlessly with Groups Motivated by Fear," "Developing Diversity Cur-

ricula for Your Constituents," and "A Practicum in Critical Thinking: Deconstructing Everyday Life." Closing the conference will be a "Where do we go from here?" session, which will summarize the learning objectives of each program and prepare for the 1997 annual conference to be held in Lake Tahoe, Nevada.

The Education Committee (chair, Blan Teagle; Cathy Springer, Indiana; Kenny Miller, Texas; Maureen Conner, Michigan; Franny Maguire, Delaware; P.M. Dubhaigh-Ingrassia, New Mexico; and Nori Cross, Oregon) looks forward to greeting you at the Hotel Royal Plaza at Walt Disney World Village, October 13-17, 1996. Please join us for what promises to be a most rewarding conference. ■



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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.

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