

## Are We Squeezing the Life Out of Groups?

Peter Shure

While it's dangerous to generalize about anything, it can safely be said that people who plan conventions and meetings and those who host them share a common goal: "No surprises."

"The convention planner's dream," according to Thomas Gilmore, vice president of The Center for Applied Research and an adjunct professor at the University of Pennsylvania's Wharton School of Business, "is to be able to commit early, button down the requirements, mark off all the appropriate items on a checklist, and then execute the plan without deviation."

"This fantasy of a well-run convention, where the tables are locked down and the seats are bolted, is a Prussian ideal," according to Gilmore. "But, in reality, what we are doing is squeezing the very life out of groups."

"Often, the effort to achieve control comes at the expense of learning. Too much of the 'traditional' meeting process serves to erect barriers to people's ideas and emotions getting expressed and worked through. The challenge, for those people who stage meetings, is to design a 'social architecture of participation' that brings people together productively and developmentally."

Conventional meeting formats actually tend to get in the way of conversation, Gilmore noted in a presentation at the recent PCMA Leadership Conference in Philadelphia. "We bring people

together," he said, "for the purposes of thinking, planning and acting collectively. Instead, they wind up feeling overly talked at, manipulated and disempowered."

"When people feel their creativity and knowledge is not being utilized, they become very frustrated. And the designers of spaces, places and programs are accountable. In a phrase, we're taking the human assets we have in organizations and wasting it."

To illustrate the point, Gilmore told a story that his PCMA audience could relate to. "I'm reminded of the two association CEOs, who were discussing their volunteer leadership," said Gilmore. "The first stated, with some measure of pride: 'I never have a board meeting without a button-down ironclad agenda.' The second CEO just stared at him in disbelief, 'I never have one,' he countered, 'unless I can write the minutes before it happens!'"

"Lots of organizations," according to Gilmore, "are run this way. And their meetings are 'dead' events. Dead on arrival. It's amazing how much knowledge capital is sitting in meetings and not being utilized because of the desire for control and the fear of spontaneity."

For those who worship at the "no surprises" shrine of meeting man-



agement, the paradigm shift will be to become more spontaneous. "The challenge," said Gilmore, "will be to put on events for which the starting and ending times are known . . . but during which there is considerable improvisation. Meeting designers will be required to make real-time adjustments as an event unfolds." Some organizations, he noted, appoint a "steering group" to make course corrections if a session is not going well, or the issues change, or a different configuration is required. They're also a focal point for real-time feedback. "Sometimes," Gilmore said, "the steering committee will caucus in a 'fishbowl' in front of the constituents. This

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*Peter Shure is editor-in-chief of Convvene. This article is reprinted with permission of Convvene, the journal of the Professional Convention Management Association.*



## PRESIDENT'S COLUMN

*Karen Waldrop Thorson*

**P**rogress. Sometimes it moves so slowly that we do not notice—sometimes so rapidly we are uncomfortable. At still other times we forget that the "what is" shows progress from the "what was."

In preparing for the 1997 midwinter board meeting, I reviewed much material from past board meetings. My purpose was to find reference materials to provide the board as it develops a definitive strategic plan for the organization. Among my "archives" I found reference to many concerns that have been addressed or resolved by the association. The concerns were the result of a "What's Buggin' Me" session conducted at the 1992 annual conference. I was pleased at the progress we have made and wanted to share it with members. The following is a list of many of the concerns and, for comparison, the current status of things.

### Then

We need regional meetings of NASJE

We need a mentoring system for new members

We need to explain "participation"

We need to restrict voting for regional directors

We need director involvement with new members

We need term limits and staggered terms

We need an open way to nominate people

We need secretariat services

We need a profile on people running for office

We need association involvement in having members work with other groups

We need more people on committees (five committees, twenty-six committee members)

### Now

Regional meetings are part of the annual conference and regional directors are conducting regional conference calls

The mentoring process is well organized and operational

The *Policies and Procedures Manual* is almost complete and will define officers, committees, procedures, and practices

Only regional members vote on the director

The Mentoring Committee works with directors to make assignments and directors are notified of new members so they can make initial contact

Committee member terms are three years; terms are staggered; chairs and vice-chairs serve for two years

The president's survey and Nominating Committee both solicit input from the entire membership regarding nominations

A secretariat has been secured

In 1997 there will be both written and verbal information on candidates and their views on issues the association faces

The liaison and representative "pools" are in place; other groups are receiving notice of possible ties we can develop

Many more people are involved (twelve committees, seventy-eight committee members)

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## Opportunity in Haiti

**T**he Administration of Justice Project, funded by USAID and implemented by Checchi and Company Consulting, Inc., seeks judges and judicial educators to serve as mentors to judges in the Haitian judicial system. Mentors will live and work in regional court centers throughout Haiti. Responsibilities include mentoring current or newly appointed judges in judging skills (not substantive Haitian law) including independence of the judiciary, judicial ethics, critical thinking and decision making, human rights, courtroom conduct, and the fact-finding process. Commitments of three to twelve months sought. Compensation includes transportation, living expenses, and salary. Applicants must have experience as judges or judicial educators, speak fluent French, and have experience in civil code based legal systems. Ability to speak Creole desirable; work experience in developing legal systems helpful. Please send c.v. and cover letter of interest to International Project Coordinator at 104 Proctor Circle; Williamsburg, VA 23185 and to Projet d'Administration Judiciaire; Port au Prince, Haiti; fax no. 011.509.45.6466. ■

In 1861, Mark Twain wandered around Lake Tahoe and wrote about what he saw—notes that later became the book *Roughing It*. Of Lake Tahoe he said, "This is surely the fairest sight the whole earth affords." Come see Lake Tahoe for yourself! The annual conference will be held at the Cal Neva Lodge, October 5-8, 1997.

# Florida's Centralized Computer Lab Training for Judges

*Hon. George S. Reynolds III and Gwendolyn Stuart*

After experimenting with different methods of providing judicial education in the area of computer skills, the Florida courts have moved to a fixed-base training lab where judges receive intensive training in various computer skills. The Florida State Courts System is composed jurisdictionally of sixty-seven counties combined into twenty judicial circuits, with both county and circuit courts in each circuit, and combined again into five appellate districts and one state supreme court.

Over the years, because financial responsibility for judicial office equipment was centered in the counties, a wide variation developed in the technological sophistication—or lack thereof—of each jurisdiction. Thus, where a rural county might have had no computer equipment whatsoever, an adjoining or nearby urban county may have had a moderate level of equipment available. Over time, however, a number of judges have acquired not only personal computers for their judicial assistants but also in-office fax machines and even laptop units for the judge to use on the bench and out of the office. With the increasing use of computers by both attorneys and judicial staff, training for judges became increasingly imperative.

Similarly, the availability of training for judges has varied greatly, with some courthouses having no formal training, some judges obtaining their own training through a private or public community provider, some judges receiving minimal training from the vendor, and some of the larger circuits hiring computer systems support personnel in the court administrator's office.

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*Hon. George S. Reynolds III is a judge with the Second Judicial Circuit, Leon County (Tallahassee), Florida. Gwendolyn Stuart is a senior attorney in the Florida Office of the State Courts Administrator.*

The Florida Office of the State Courts Administrator, through its Legal Affairs and Education Division, is charged with providing educational programming to meet the continuing education needs of the state's more than 800 judges, so it was inevitable that the need for computer training would become a part of the state's judiciary education services. In May 1995, the Florida College of Advanced Judicial Studies (AJS) presented an ambitious, week-long series of computer classes including basic word processing skills, intermediate word processing skills, and legal research.

However, while successful, there were a number of reasons this format was jettisoned. First, the expense of renting computer equipment for a week (more than \$10,000) did not justify the small number of judges able to be served (twenty-four). Second, there were far too many judges needing computer skills training than could be served by this single program that occurred only once a year. Finally, there were a number of logistical problems with on-site delivery of computer training, for example, the task of transporting, connecting, and programming all the equipment was enormous; the equipment generated more heat than the meeting room's air conditioning system could accommodate; and the necessity of having Internet/telephone lines installed in the hotel, combined with the lack of a local Internet service provider at the program site, resulted in too many technical problems.

Following the 1995 AJS program, an extensive survey was conducted to determine the computer training needs of the state's judges. As a result, the deans of the college and the Florida Court Education Council decided that the most efficient delivery method for computer training was to establish a computer lab in the supreme court building in Tallahassee where judges could

obtain that training. Also housed in that building is the Office of the State Courts Administrator, which includes the judicial education offices and the state courts computer system services. After extensive investigation to identify existing computer lab facilities in the vicinity, the AJS deans decided the in-house lab was clearly the most cost-efficient and the only alternative that would provide the needed availability. After a series of meetings, arrangements were made to use a room big enough to house ten computer work stations for student judges, and the room was equipped for this purpose. Only a few technical modifications were necessary. In addition, an LCD projector is essential to the quality of the presentation.

The computer lab serves multiple purposes. When it is not being used for the bimonthly judicial training, the lab is available for training other court personnel. Since the lab is housed in the same building as the state court system's information system services offices, technical problems are resolved quickly, even if they occur during class time.

The Computer Lab Series is organized under the auspices of the Florida College of Advanced Judicial Studies and under the direction of Circuit Judge George S. Reynolds III, department head for computer courses. Gwen Stuart, a senior attorney in the Office of the State Courts Administrator, assists with curriculum and helps teach the courses, and Court Education Program Coordinator Priscilla Trescott handles all details of the lab's operation.

Currently, the lab presents one week of courses every two months: two days of basic word processing (Monday and Tuesday), one day of computerized legal research (Wednesday), and two days of intermediate word processing (Thursday and Friday). Applicants who are

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# MIDWEST REGIONAL NEWS

As winter draws to a close in the great Midwest—Michigan to Texas to Colorado—many of our members have been engaged in interesting and innovative education endeavors.

In Texas, Mari Kay Bickett will conduct a two-and-one-half day advanced judicial studies program in March. Twelve courses will be offered over two days and the last half day will consist of a presentation entitled, "The Judge's Role as Gatekeeper in Assessing Scientific Evidence." This panel presentation, which is cosponsored by the Harvard Center for Law and Information Technology, will explore the gatekeeping role of judges, particularly with respect to the admissibility of expert scientific testimony. Professor Charles Nesson of Harvard Law School will moderate the program and the panelists will include Texas Supreme Court justices, judges, and attorneys, as well as national figures.

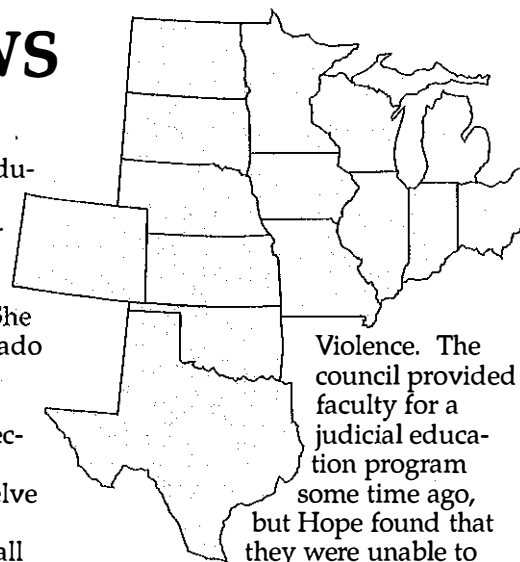
Alanna Moravetz expects Minnesota judges to benefit soon from the new work being done by Professor Steve Simon at the University of Minnesota Law School. Professor Simon, who provided a model years ago for videotaped mock trial education programs for judges has developed a similar new curriculum dealing with pro se issues. As with his earlier curriculum, student judges will sit as judges in a videotaped mock trial or hearing. This curriculum, however, will include pro se scenarios presided over by the student

judge and then a critique by an experienced judge.

Colorado has a new judicial educator in Merrill Linton, who joined the state court administrator's office as the judicial education and communication administrator on November 14, 1996. She came to the court from the Colorado Bar Association, where she had been director of Membership Services. Before that she was executive director of the Colorado Women's Bar Association for twelve years. Merrill joined the Midwestern Region conference call in December to learn where NASJE has been and where we are headed. Welcome, Merrill.

Cathy Springer reports that Indiana has purchased a responder system with grant funds provided by the National Highway Traffic Safety Administration. She and her staff devised a fun and effective way to use the new technology. They produced two videos depicting evidentiary issues in a battery case and traffic negligence case and Indiana judges have enthusiastically taken to learning about evidence by ruling on objections with the responders.

Hope Lockridge and her staff in Texas have begun a number of collaborative education programs. The Texas Municipal Courts Education Center has begun a clerk's certification program with the Texas Court Clerk's Association, with the help of State Justice Institute funding. Hope's office has also developed a relationship with an advocacy group, the Texas Council on Family



Violence. The council provided faculty for a judicial education program some time ago, but Hope found that they were unable to

communicate effectively with the judges. Since then, the council has been instructed in teaching techniques, they meet with Hope's staff before and after programs, and they have become informed about the issues that most affect judges. Not only has this enabled them to provide effective education for judges, but their increased knowledge about the judicial system has helped with their legislative efforts. Hope cautions that there are pitfalls to this type of collaborative relationship, but it can also improve the quality of education programs.

We in the Midwestern Region will be discussing whether and how to conduct a regional meeting in response to requests that we provide educational opportunities for members between the annual NASJE meetings. Our discussion will begin on e-mail and we thank Dennis Catlin and Rich Reaves for their efforts in distributing e-mail addresses. ■

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## Florida's Centralized Computer Lab Training for Judges, *continued*

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unsure of their skill level receive a short questionnaire to determine their appropriate placement.

Attendees travel to Tallahassee for the program; lodging and transportation are arranged, and these expenses are reimbursed following completion of the course. Providing computer training in this manner is very cost efficient—that is, the judges' travel expenses are significantly less than the cost of renting equipment for on-site training.

All attendees must complete evaluations of the program, and marks so far have been high. Faculty and staff have initiated a follow-up survey several months after the course to determine if the judges are actually using the skills they acquired, and whether, after employing the skills, they would suggest changes to the course that would make it more directly related to their actual workplace applications.

In conclusion, even as the Computer Lab Series undergoes evaluation and refinement, the program is an overwhelming success based on both the financial benefits and the student judges' feedback. State judicial educators interested in further information may contact either the Hon. George Reynolds (904/488-7660) or Gwen Stuart (904/922-5109). ■

# With Apologies to Thomas Wolfe: You Can Go Home Again

James C. Drennan

I was doing my usual thing, working on the next judge's program, when the call came. The chief justice of the North Carolina Supreme Court wanted to see me. Unlike many who work in judicial education, I didn't work for an agency directly supervised by the chief. I worked then and now at the Institute of Government, a department of UNC-Chapel Hill that, among other things, has served as the state's provider of continuing education to the trial courts for over forty years. My contacts with judges had been frequent, but much more often with trial judges than with the chief. So I was curious.

I knew that the director of the Administrative Office of the Courts, a friend and colleague with whom I had worked very closely as an adviser on judicial administration issues, was leaving to take a job in the executive branch. I figured the chief wanted to talk with me about how he might go about filling that job.

That was not what he wanted. He wanted something much more bizarre—he asked me to be the director. My immediate response was something like this: "Chief, I have the management experience that comes with sharing a program coordinator with four colleagues. This job will put me in charge of an 800-person agency that supports a court system with 5,000 people. You ought to think about this more carefully." He didn't take my advice. He asked me anyway, and I took him up on his offer, at least temporarily. I took a leave of absence for a year from the UNC faculty to take the job. That leave stretched ultimately to two and a half years.

When it was over, I did something rarely done by a court administrator—I came back to judicial education. Lots of people asked me

why. Others asked me what I learned. This article is an effort to answer those questions.

The why of taking the job is easy. First, turning down a chief justice is hard.

Second, the job of director of the North Carolina AOC is fascinating and challenging. It involves providing support to one of the country's most centrally administered state court systems. The system has around 450 elected officials, which, like many state court systems, includes judges, clerks, and magistrates. Unlike any other state court system, it also encompasses both district attorneys and indigent defense, including public defenders. There is never any shortage of interesting problems to face, ranging from keeping a centralized information system in place to dealing with budget problems (for example, nearly every component of the system thinks it is neglected). The challenge comes from an environment in which there is low public confidence in institutions, particularly the courts; great pressure to cut costs; and a workforce that feels overworked, underfunded, and underappreciated. But as the challenge increases, so does the reward of doing a good job.

But that doesn't explain why one would leave the job to return to education and give up the opportunity to influence policy, make personnel and budget decisions, and otherwise exercise the kinds of significant power allocated to governmental administrators in executive positions. The answer to that is simple. If you are an educator, you return naturally, in due course, to the thing that your instinct tells you is what you should do and in which you find the most fulfillment. For me, the decision to become an administrator was unusual. To return to education was natural.

Having said that, working as an administrator enriched my knowledge of the courts immeasurably.

Among the things I learned:

- One of the most important decisions a state court administrator (or any other government executive) makes each day is which problem to spend time on.
- It is harder to try to deal with issues over the long run than to deal with crises.
- There is seldom time to both do long-term planning and stamp out crises.
- The constituency for doing the principled thing is large, but quiet; the constituency for making exceptions to principles is small, but quite vocal.
- There will never be enough money or other resources to do the job the way most governmental managers would like to do it; fretting about that is counter-productive in many ways, as is failing to raise resource issues responsibly.
- For administrators, consensus is highly desirable and should be sought on major decisions, but for the people responsible, effective administration sometimes requires that decisions be made without consensus.
- The mission of judicial education is ultimately the same as judicial administration: To help ensure that the people get the quality of justice they deserve.
- Neither solid judicial education nor effective administration is sufficient, standing alone, to constitute an effective court system; both are necessary.
- A danger for administrators is to assume that the issues they find most important are of similar importance to trial court officials; a greater danger is to assume that these issues are not important at all and should not be dealt with in educational programming.
- A danger for judicial educators, especially lawyers, is to assume that legal issues are the primary

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*James C. Drennan is director of the Institute of Government at the University of North Carolina at Chapel Hill.*

# Blan L. Teagle

Jim Toner



Film reviews by Siskel and Ebert have nothing on those by Blan Teagle. NASJE's current vice-president and the senior attorney in the Legal Affairs and Education Division of Florida's Office of the State Courts Administrator, Blan Teagle has enjoyed literature and film at least from junior high school.

Active in theater himself during his high school years, Blan chose as many electives in film (and religion) as he could while an English major at the University of the South in Sewanee, Tennessee — an institution celebrated for its humanities focus. "I believe film is an art form which potentially may displace or supplant literature with many people," Blan theorizes. "It is a melting pot of artistic methods combining visual, plastic, and literary forms."

A veritable "Renaissance man," Blan projects a certain thoughtfulness, sensitivity, and depth. Readers of *NASJE News* may remember Blan's book review last issue of *A Man for All Seasons*—Robert Bolt's classic play portraying Sir Thomas More. Thomas More is a person much admired by Blan. "I like almost everything about Sir Thomas More. What I like most is that he was a person who valued adherence to principle more than his own life. Yet he was very human — a pragmatist up to a point. He is a good example for judges," Blan comments.

While Blan's mien is frequently serious, he does have another side, displaying wit, enjoying laughter, and getting into the full spirit of such events as the "Seventies Party" at the most recent NASJE Annual

Conference he helped host in Orlando.

Blan Teagle also values physical fitness. He swam competitively from the age of twelve until he was twenty-nine. After college, he continued to seriously compete on the master's level. While competing himself, Blan also coached swimming. In 1982 he coached his youth team to an undefeated season.

"This is one thing that got me interested in education," Blan explains. While coaching, he "didn't know Kolb or other theorists," but found he was using unconventional teaching means, resorting to analogies with Shakespeare, Faulkner, and examples in physics. "I loved this experience," he explains.

Blan has now re-started his swimming regimen after an interval of running and weight work.

A review of Blan Teagle's résumé is indeed impressive. He excels in virtually every enterprise he enters. He enjoys work in education and is dedicated to the specialized field of judicial education.

Where did Blan originate, and how did he enter this field?

Named for his paternal grandfather of Welsh ancestry, Blan is not only a native Floridian, but a native Pensacolan. His ancestors in Pensacola extend back four generations. And he is proud of Pensacola, "actually the oldest settlement in the United States," albeit an interrupted one after being destroyed by a hurricane. A city of "five flags," the coastal city of Pensacola is also a city of two forts, the site of Civil War battles, a fascinating historic district, and the cradle of naval aviation. Perhaps that is why Blan's father served as a navy pilot. His mother taught English at the Pensacola Junior College for some thirty years. "My parents have been great parents," says only child Blan. "They were very supportive of me and lived, breathed, ate, and drank swimming" when he was growing up.

In the sixth grade, Blan matriculated at the Pensacola School of Liberal Arts, a private school where

as a junior he received the Sewanee Award, an honor given to two students at each school, the "all around outstanding boy and girl in the class." This award in turn helped guide Blan to enroll at the University of the South at Sewanee in southern-middle Tennessee, atop the Cumberland plateau. The campus was "idyllic," the school "a wonderful place," and the experience "a big part of who I am," explains Blan. Before graduating in 1981, Blan was named to the Order of Gownsmen and received a departmental commendation in English literature.

Blan's parents had suggested early in his life he seemed destined to be a lawyer (because he was "so argumentative"), and in fact, Blan lived up to this prediction. He graduated from the University of Florida College of Law in 1985, but not before he was editor-in-chief of the *Florida Law Review*. He also gained additional experience in education while serving as a teaching fellow in research and writing for first-year law students. Blan particularly enjoyed his service as editor and teacher.

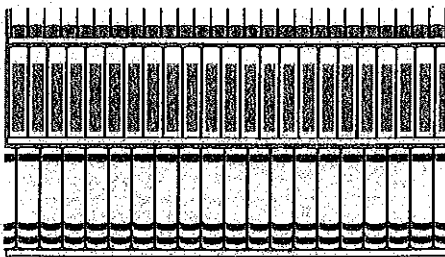
It was in law school that Blan met his future wife, Lili Quintiliani, when both were members of the same study group. Poetically, their first official date was to a movie. Lili, a film aficionado of Italian ancestry, now serves as the assistant ethics counsel at the Florida Bar. She formerly worked as a nurse. The couple married in 1987 and have two children, Tyler, 5, and Anna, 3.

Blan officially entered the field of judicial education in 1988, a move that represented an "abrupt and dramatic career change" from private law practice, and one to Blan's liking. He describes himself and his wife as "refugees" from law firm life.

Now that Blan is but one step from NASJE's president-elect position, how did he find NASJE? Dee Beranek and Susan Leseman from Florida "were my mentors," Blan

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# The NASJE BOOKSHELF

David Guterson, *Snow Falling on Cedars*. New York: Harcourt Brace & Company, 1994.

Reviewed by the Hon. Michael E. Donohue, Superior Court Judge, Spokane, Washington.

*What really knocks me out is a book that, when you're all done reading it, you wish the author that wrote it was a terrific friend of yours and you could call him up on the phone whenever you felt like it. That doesn't happen much, though.*

J. D. Salinger, as the narrator (Holden Caulfield), in *The Catcher in the Rye*, chap. 3 (1951).

*Snow Falling on Cedars* is an extraordinary first novel that successfully weaves golden threads of history and compassion, cultural difference and institutional racism, honor and discipline, murder and courtroom drama into a lyrical, engrossing whole that compels us to look into our own hearts.

Good first novels are rare. First novels as important as *Snow Falling on Cedars* are rarer still. That the book explores important themes without becoming preachy is no accident. David Guterson believes "fiction writers shouldn't dictate to people what their morality should be," as he said in an interview. "Yet not enough writers are presenting moral questions for reflection, which I think is a very important obligation." He was born in Seattle in 1956, where his father, Murray Guterson, practices criminal law. "I often heard about his cases and I often sat in on his trials. In the late 1960s when I was growing up, I wanted to be a crusader like him, but I didn't want to wear a suit and commute. When I went to college, I took a creative writing class and decided to be a writer." The author earned an M.A. from the University

of Washington.

After moving to Bainbridge Island in Puget Sound, a ferry ride from Seattle and south of the fictional setting for *Snow Falling on Cedars*, San Pedro Island in Washington's San Juan archipelago, Guterson taught English at the local high school and wrote for *Sports Illustrated* and *Harper's Magazine*, where he is now a contributing editor. He continues to regularly publish short fiction in *Harper's*. He spent nearly ten years writing *Snow Falling on Cedars*. The book received the 1994 Barnes & Noble Discover Great New Writers Award. It captured the prestigious PEN/Faulkner Award in 1995 and, from a field of over 600, was selected to receive the 1996 American Bookseller's Book of the Year (ABBY) Award.

In addition to *Snow Falling on Cedars*, Guterson is author of a book advocating home schooling, *Family Matters: Why Homeschooling Makes Sense*, and a first-rate collection of short stories, *The Country Ahead of Us, The Country Behind*.

"Fiction is socially meaningful," Guterson has said. "Every culture is sustained by certain central myths. At its heart, fiction's role is to see that these roles and myths are sustained." The novel movingly portrays the plight of Japanese-Americans during World War II and afterward. The author invites us to view racism from a variety of angles: children who, beyond a certain age, are no longer permitted to be friends; young love lost for all the wrong reasons; stereotyping; unmitigated racial hatred; racism fueled by greed, by jealousy; a

seemingly benign form that smiles blindly and allows injustice and oppression to go on unchecked.

Guterson is a great storyteller. His characters ring true. The village and the island they inhabit is someplace you and I and all of us know is there, if we would just look for it. There is a sense of the familiar in the spongy, dark forest trails lined with rain-pummeled sword ferns and ivy, the soft green cedars, damp and moss covered, the misty fields of strawberries. Guterson is, after all, an island dweller himself. The rich details of life on San Pedro Island—clamming, fishing, picking strawberries, the isolation, yes, and even the all-pervading dampness he describes—are elements of his own existence.

The powerful sense of time and place are masterfully crafted. San Pedro is a small island, the home of "five thousand damp souls," fishing boats and berry farms, mostly. The island setting, the mist, fog, and snow, make San Pedro a place set apart from the rest of the world and yet a microcosm of that world. The novel's central time is December 1954, but it embraces both pre- and postwar periods. Colors leap from the page to the mind's eye: the blue-green of the water, gray rocky driftwood-strewn beaches, the light-brown surface of weather-cut banks, the variegated greens of bracken fields and cedar forests, the weathered white angles of dilapidated Victorian homes, clapboard stores and offices, the dark, brooding, bulk of the county courthouse.

The book opens with snow rattling the four arched, leaded windowpanes of the court of Judge Llewellyn Fielding. The defendant, Kabuo Miyamoto, an American of Japanese ancestry, stands accused of the murder of local gill-netter Carl Heine. The story unfolds largely through the eyes of Ishmael Chambers, owner of the island

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Judge Michael E. Donohue completed his master's degree in judicial studies at the University of Nevada, National Judicial College—the first Washington judge to do so. Judge Donohue has extensive teaching experience; he has taught at Whitworth College, Gonzaga University

School of Law, and numerous educational programs for the Washington state judiciary. Judge Donohue led a stimulating discussion of *Snow Falling on Cedars* at the annual Judicial Conference to an audience of judges, their spouses, and other interested guests.

## Are We Squeezing the Life Out of Groups?, *continued*

serves to create a more visible, inclusionary authority structure."

Shifting to a "real-time" mindset, he acknowledged, will challenge some fundamental tenets of Meeting Planning 101. "When you have to confirm keynoters six months or a year in advance," he said, "what assurance do you have that the topic will still be relevant at the time of the meeting? That's like a writer sending off a piece on Bosnia to a monthly magazine, praying that in five weeks it will still be relevant."

When content is not timely, according to Gilmore, "people feel a 'disconnect' from the program. There's still a widespread belief that the 'real meeting' is occurring in the halls, at the bars, in the spaces between the formal program. At a time when society is moving into a real-time culture, meeting organizers are still mired in a long-term mindset."

Gilmore also took jabs at the "Holy Trinity" of traditional presentation formats:

- "The keynote/plenary session," he said, "overvalues the difference in expertise between the person behind the podium and those in the audience. It tends to be a one-way 'information update.'"
- "The success of breakouts is too often dependent on the degree of skill of the facilitator. Also, frequently, there's a lack of clarity about the relationship between what goes on in these sessions and how it connects to other group work and the theme of the conference."
- Then there's the so-called panel 'conversation.' Five distinguished people are brought together under the rubric of some common topic. Despite the notion that there will 'rich dialogue,' each panel member prepares their [sic] own small talk in a way that is unconnected from the other members of the panel. And an unassertive moderator fails to regulate the scarce time sufficiently, so that it ends without any Q&A and an apology that, 'Sorry, we're out of time.'

"Where," Gilmore asked rhetorically, "is the conversation? What became of the 'rich dialogue'?" Frustration occurs when people's expectations aren't met. Yet we per-

petuate the contradictions in the design vocabulary of these events."

People spend a lot of money to attend conventions and meetings. More important, according to

### Large Group Process Strategies That Work

*(In his recent presentation on the "Social Architecture of Participation," Thomas Gilmore outlined five processes that can effectively engage large groups in the learning process. They are summarized below.)*

#### **Group Interview Design Technique:**

Leadership creates six to ten questions and randomly distributes them. Participants then interview each other, with major themes of each question posted for group review.

**Effects:** It forces everyone to be active and contributing. There's candor in pairs. It enables many people to discuss substantive questions and leaves a written record.

#### **Charging Memoranda Technique:**

A memorandum from an authorized source sets a charge, task or series of questions. Optimally, it provides background and context, a timetable, desired output and suggested process.

**Effects:** Creates self-managing work groups. Allows considerable "parallel" work, more fully tapping a meeting's assembled "intellectual capital."

#### **Group Fishbowl Technique:**

Decentralized groups do initial work. Representatives of these "subgroups" come together in a "fishbowl" for a facilitated public discussion.

**Effects:** Issues are surfaced quickly. Openness is empowering and inclusionary. Setting an empty chair encourages other stakeholders to come up and comment.

#### **Interactive Panel Presentation Technique:**

Instead of thinly disguised mini-lectures, the session leader frames the panel's task as having a conversation among themselves . . . with the audience as eavesdroppers. After enough themes have surfaced, listeners are directed to take five minutes to talk with an audience neighbor or two about whatever the "conversation" has stimulated. The leader then summarizes listeners' key ideas for additional discussion by the panel.

**Effects:** Forces listeners to be involved by making them as prominent as the speakers. Creates an improvisational experience rather than a canned one. Ensures that group's agenda, rather than speakers', will be pursued.

#### **Evaluation Essay Technique:**

Rather than using traditional evaluation forms, ask participants to write about one or two important ideas from the session and jot down any unaddressed issues. The key is to summarize the comments and feed them back to participants.

**Effect:** Requires more active listening from participants. Helps the presenter identify what people are learning and understanding. Points out other issues that need to be explored.



Gilmore, they spend their increasingly precious time. "They have a right to expect a rich developmental experience," he said. "But the reality is that when they arrive at a convention or meeting, they hear a three-note instrument when what's really needed is a symphony."

What are the alternatives? In one of his monographs, Gilmore details an "option finder process technology" that enables a large group to "come to know its own mind on a set of issues quite rapidly." The data is then fed back to the audience, which becomes actively engaged in making sense of it.

"Rather than feeling like experts," Gilmore noted, "they must grapple with why two-thirds see the world one way and one-third

the other." Other versions of this technique, he added, "allow presenters, in the moment, to engage people in much more active ways to test their comprehension." (Editor's note: Other "group process strategies" are described in the accompanying article.)

The overarching challenge, according to Gilmore, "is to get people to bring more of their intellect and emotions to the meeting. In the '60s and '70s," he noted, "the big 'aha' was small group problem-solving. At a table of six or eight or ten, you could look everyone in the eye and get them involved."

"But today, the number of key stakeholders is more likely to be 60, 400 or 2,000. It's harder to surface individual views. It's easy for peo-

ple to hide in large groups. They can hedge. They can coast. They're less likely to take risks. And they can take the position that everything is 'someone else's' responsibility."

"To make large groups work," said Gilmore, "we need to increase the breadth of participations, recognize differences and encourage people to take risks. The aim of a conference organizer should be to design a protected space where all the relevant stakeholders can come together to do the work that individuals can't do."

"That may sound simple. But the gap between where we are and where we want to be is significant." ■

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## With Apologies to Thomas Wolfe: *You Can Go Home Again*, *continued*

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subject about which judges should be educated.

- For some people, you *can* go home again.

This thirty-month stint at the AOC was my second. Eleven years ago, and ten years into my career as an educator, I took a year's leave of absence to serve as the legal counsel to the Administrative Office. It, too, was an enjoyable and beneficial

experience and provided me with important insights into the court's work. Both these opportunities make it possible for me to bring an improved understanding to the educational needs of the officials I tried to serve. It also helped me avoid the inevitable staleness and burnout that can occur if one does the same job for an extended period of time.

The moral of this story, if there is one: One can benefit from taking the opportunity to broaden one's perspective, and educators and administrators have much to learn from each other. Pursuing justice is a long journey, and you can never wear too many hats when making the trip. ■

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## Blan L. Teagle, *continued*

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says. In 1988, the year he came to the field, he participated in his first NASJE conference. The group convened in Alexandria, Virginia. "The thing I remember most from that meeting is going to the U.S. Supreme Court and having Justice Sandra Day O'Connor meet with us. The next thing I remember is being overwhelmed by this new career path for me, but realizing that the organization could help me 'get up to speed,'" Blan recollects.

Blan has been to every conference since 1988 except to San Antonio in 1991 when his son, Tyler, was born. Blan also grew increasingly active, especially since 1993, when past-presidents Larry Stone and Rita Culbertson and past education committee chair Maureen Connor nurtured his interests. "My favorite thing to do has been the NASJE newsletter where Michael Runner's and Franny Maguire's leadership have been so beneficial

to me," Blan proffers. "I have jokingly said that NASJE has given me my unofficial master's degree in judicial education."

But Blan Teagle has reciprocated. He has served as editor, author, faculty, committee, and board member for NASJE.

Well-rounded, bright, committed, and ethical — Blan L. Teagle is, as Siskel and Ebert might well profess, a "Man for All Seasons," himself. ■

# Training for State Judicial Educators and Their Special Court Judges

*Hon. Karl B. Grube*

## State Judicial Educators Recognized as Key

Being a member of the traffic proceedings program, I was aware that the National Highway Traffic Safety Administration (NHTSA) had a long and abiding interest in helping states improve highway safety. I was unaware that NHTSA also has an interest in special court judges and their state judicial educators. NHTSA believes that state judicial educators and special court judges have a unique combined ability to design and implement state-based programs to improve the adjudication of impaired driving cases.

In 1993 NHTSA conducted a judicial training needs assessment survey that culminated in a strategy for implementing judicial training for every state on priority topics related to the effective and efficient adjudication of impaired driving cases. One of the keys to NHTSA's approach in implementing state-based judicial training was its recognition of the leadership and planning expertise of state judicial educators.

## Faculties Should be Professionally Trained

Believing that faculty should be professionally trained and that they should be able to interact with their state judicial educators in a productive setting, NHTSA selected the National Judicial College as the site for both training and planning. While the Judicial College is geographically removed from many states, it offers the advantage of a retreat-type setting and provides a professionally staffed and highly structured environment. Away from the distractions and professional responsibilities of home, judicial educators find in the college an

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environment in which their respective faculties can focus on accomplishing certain common goals.

Those goals are:

1. To develop a cadre of professionally trained faculty skilled in adult education techniques and respected by colleagues in their home states,
2. To combine trained faculty with their state judicial educators to develop a state education action plan, and,
3. To motivate the faculty and state judicial educators to carry out their action plans by presenting state oriented programs to teach special court judges how to competently and efficiently adjudicate impaired driving cases.

## Arizona, Illinois, and South Carolina Represented

NHTSA's fifth faculty development program took place August 26-29, 1996, with invitees from the states of Arizona, Illinois, and South Carolina. Representing those states respectively as leaders in implementing judicial education were Karen Waldrop Thorson, Patricia A. Rink, and Jeanne Hertzog. The three-and-one-half days of training targeted not only special court judges as a core faculty, but also included representatives of highway safety departments, members of law enforcement, and toxicologists from the various states. Faculty training was conducted by Dr. Louis Phillips, a nationally renowned workshop leader in the field of adult learning and teaching technology. Under the direction of NJC program attorney Karen Morris, the concerted efforts of the participants yielded three groups of trained faculty who were organized by their state judicial educators and motivated to return home to present state-based judicial training programs in Arizona, Illinois, and South Carolina.

That August development program marked the fifth in a series

that began in 1994 and has thus far trained faculty and promoted planning for the states of Georgia, Indiana, Kentucky, New Jersey, Arkansas, Oregon, Rhode Island, Florida, Nebraska, and Delaware. To date, the NHTSA/NJC program has produced over 100 experienced faculty members who have in turn taught nearly 500 judges in their home states.

## Sixteen Additional States Invited for NHTSA Training

Thanks to NHTSA's ongoing commitment, faculty development programs will continue for two more years. During that time faculty training will be provided to sixteen additional states that have expressed interest in participating. I have had the honor of participating in the training of my fellow special court judges in the NHTSA program for the past three years. Equally important, I have had the privilege of working with many dedicated state judicial educators. As a member of the NHTSA judicial training implementation board, I am impressed by the commitment and the organizational leadership provided by NHTSA through its project officer Kay Chopard. She oversees a judicial training program that truly works because it combines judicial educators and special court judges to improve the delivery of justice back home where it is most needed.

The education of special court judges often receives less attention than that which is paid the education of our state's higher jurisdiction court judges. The National Highway Traffic Safety Administration, however, has recognized the importance of special court judges and their state's judicial educators. NHTSA has truly made a solid commitment to combining these talents to provide the education, training and the leadership that is needed to dispense quality in impaired driving cases. ■

## The NASJE Bookshelf, *continued*

newspaper, who had lost an arm in World War II and returned to San Pedro Island to take over the family newspaper when his father died. Kabuo's wife, Hatsue, and Ishmael were secretly in love when they were teenagers, before Pearl Harbor changed their world. That tension is as much a part of how the story unfolds as the trial itself.

Though the story begins and ends with Kabuo Miyamoto's trial, much of it is told in flashback: the discovery of Carl Heine's body in his drifting fishing boat, the criminal investigation, the friendship between Heine and the defendant when they were children, the relocation of the Japanese-American families after the outbreak of World War II from their island berry farms to the dusty, Spartan camps in California, Kabuo fighting for the United States during the war, the enmity between Heine's widowed mother and the Miyamoto family resulting in her refusal to honor an agreement to sell them land. One is left with the nagging question: what is it about our society, about ourselves, that makes the internment of American Japanese during World War II possible? Guterson says he wrote *Snow Falling on Cedars* "because I could not stop myself from feeling disturbed by the injustice of human beings," and it gave him a way to "compose a clear portrait of how it operates."

Guterson says he was inspired by Harper Lee's *To Kill a Mockingbird*. "No other book has had such an enormous impact," he said. I read it twenty times in ten years and it never got old, only richer, deeper, and more interesting." *Snow Falling on Cedars* borrows from the structure of Lee's novel: a multilayered approach telling separate stories that become one. Separate story threads, courtroom drama, racial conflict, the history of the times and the place, join to create fictional reality truer than life.

Zenhichi Miyamoto, Kabuo's father, and the family had worked a portion of the Heine family's farm for many years. Although the law then prohibited *issei* (literally "first generation") immigrants from own-

ing land, Japanese immigrants could legalize their land purchases by registering them in the name of their American born, or *nisei* (second generation) children. Zenhichi entered into such a purchase agreement with Carl Heine, the father of the man whose death brought Kabuo Miyamoto before the bar of justice. When the relocation occurred, Heine promised Zenhichi that he would be allowed to finish making his payments when his family was allowed to return to San Pedro. In the meantime, Carl Heine, Sr., died, his widow reneged, and trouble between the Miyamoto and Heine families ensued.

The book describes in painful detail government agents uprooting the Miyamoto family from their island home to join thousands of other Japanese-Americans in dusty, barren desert relocation camps in central California, such as Tule Lake and Manzanar, where families were pulled apart, stripped of possessions, and treated like criminals. Kabuo went on to distinguish himself as a soldier in the army of the United States, but came home, not to parades, but to residual divisions between his family and their neighbors.

Guterson's characters are richly drawn, even those less central to the narrative, for example, the coroner who examined Heine's injuries suggested that the sheriff look for "a Jap with a bloody gun butt" [p. 59], and particularly Miyamoto's lawyer, an over-the-hill, distracted, not particularly effective advocate.

The trial becomes a metaphor for institutional racism: a defendant, who, but for his race, would never have been charged and the community lining the benches, watching injustice in action. The differences between December 1954 in *Snow Falling on Cedars* and today's societal indifference are indiscernible. We still need reminding that people, cultures, are different, and those differences can affect our perceptions. Kabuo's Bushido code of honor, self-discipline, bravery, and simple living, got in the way of his neighbors' understanding.

"While they watched [Miyamoto]

... the citizens in the gallery were reminded of photographs they had seen of Japanese soldiers ... there was nothing akin to softness in him anywhere ... He was, they decided, not like them at all, and the detached and aloof manner in which he watched the snowfall made this palpable and self-evident." (p. 412).

Ishmael Chambers' journalist's eye and natural curiosity uncovers evidence that could free Kabuo, but he struggles over what to do. He is torn apart by his residual feelings for Hatsue, Kabuo's wife, a community that scorns any attempt at fairness for Miyamoto, Chambers' father's stature as a journalist in the community who stood up to community pressure, and his own sense of inadequacy. His triumph is our triumph.

*Snow Falling on Cedars* may be the best book you will read this year. ■

## Transitions

**M**ureen Connor has left JERITT for a new position with a retreat center in Michigan. **Marcy Kamin-Crane** has left the judicial educator position in Maine for a position in the private sector. **Rene Robinson** has also left JERITT; she has joined the sociology department at Michigan State University. ■

## Membership Information

**T**o receive NASJE membership information, contact Sherry Carson, chair of the Membership Committee, at (706) 542-7403. ■

At its midyear meeting the board began developing a strategic plan that we hope will guide the association for the next several years. Specific board members are committed to "champion" those components of the strategic plan chosen for 1997 action. Members will receive information on initiatives dealing with becoming financially secure and seeking alternative sources of funding; expanding our membership while protecting the value we currently have in being a relatively small association; integrating an international approach to how we do business; being a clearinghouse for faculty, topics, and ideas; and providing educational resources in addition to the annual conference.

The board also worked further on the *NASJE Policies and Procedures Manual*, which will institutionalize our practices. Historically our practices, unless specified in the bylaws, have been passed from officer to officer, committee chair to committee chair, and member to member. The result has been inconsistency and confusion. This manual will clarify much that has previously been left to guess work. The manual contains sections on administration (the board and the secretariat), membership, financial issues, committees, as well as association liaisons and representatives. Although developed by the board, both the strategic plan and the *Policy and Procedures Manual* need to reflect the entire association. The Education Committee has planned time during the 1997 annual

conference for participant discussion and feedback on these very important, direction-giving documents.

I began this year with four goals: to have more members involved in the association's activities; to develop a strategic plan that could guide the association over time; to establish outreach with other organizations; and to institutionalize association policies and procedures. Members of the board have worked many, many hours making these goals operational. Between now and October the membership will receive much more information regarding our progress toward these goals and the initiatives they foster. In October, conference participants will discuss and examine together where we are and where we need to be going. Meanwhile, let us hear from you! ■



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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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