

NASJE News

Spring 2001

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Editorial

What's New in Our Newsletter

The NASJE News editorial board met in Santa Fe, New Mexico on March 4 and 5 and planned some significant changes for our newsletter and web site. Here is a brief summary of the highlights.

First, we have decided to take advantage of the advantages of online publishing to offer more frequent, if somewhat smaller, newsletters. This will enable us to inform NASJE members and friends of developments on a timelier basis, as well as keeping colleagues around the country in touch more often. The shorter newsletter will also take less time out of our

schedules to read than the sometimes lengthy quarterly issues we've been producing. The editorial board designated a set of departments, each of which will be offered on a staggered schedule throughout the year; at least one editorial board member has responsibility to generate material for each department.

Second, the editorial board had to deal with the reality that, after more than a decade of strong support, the State Justice Institute has found it necessary to shift its limited funds to other priorities and can no longer fund NASJE news. While we anticipated this development by ceasing our costly printed publications last year, the editorial board recognizes that considerable funding is still needed to pay for quality web design services and for one face to face meeting each year of the editorial board members. The NASJE board has continued to support the newsletter and website with a \$5000 annual appropriation, but more is needed. So we have several strategies to raise the additional money. NASJE Vice-President and editorial board member Tom Langhorne is heading a committee that will seek outside funding for a number of NASJE initiatives, including the newsletter and Web site. One form that such funding support might take would be to help us develop online national resource centers for judicial educators in specified subject areas. Our procedure would be to begin by identifying priority areas for educational programming, such as, for example, judicial education faculty development. States with strong resources in the selected area could contribute their materials to the web page for the benefit of their colleagues. Governmental or foundation funding sources with an interest in the area would be approached to support the costs of developing and maintaining the web site.

Additionally, our committee is developing a consultant information page for the website: potential speakers, management consultants, and others wishing to offer their services to NASJE members will pay a reasonable annual fee to be listed on the site -with the opportunity to display their resume, subject areas, references, a link to their website, and, for an extra charge, a short video clip demonstrating their presentation skills. NASJE members will soon be contacted to invite potential subscribers to purchase their place on this page; models and forms are currently in development.

Finally, the editorial board noted that it will need a new chair and another member when Paul Biderman completes his three-year term at the August annual conference. The committee recommended that Phil Schopick and Tom Langhorne share the duties of editorial board chair, while another state judicial educator should be named to fill the seat that is opening on the committee. It is important to have that seat on the committee filled by a NASJE member with the time and writing skill to deliver materials in at least one department regularly, and to participate in all face-to-face meetings and periodic conference calls. Anyone interested in serving on this committee should contact Paul Biderman, editorial board chair.

The Editors

News

SJI Board Invites Applications for Judicial Education Projects

by Kathy Schwartz, Deputy Director

The SJI Board of Directors met on March 2, 2001, to consider concept papers describing new projects in State and local courts.

The Board approved 10 accelerated awards and invited 51 applicants to submit full proposals in April. As always, educational projects were a high priority for the Board. Of the 61 concept papers approved for award or further action or consideration, 23 address judicial branch education on a wide range of issues. State or county courts submitted 6 requesting a total of \$728,889; national providers of judicial branch education submitted 15 requesting \$1,238,121. In addition, two private organizations requested \$129,400 to develop training programs for judicial personnel.

The projects approved at the March 2001 SJI Board meeting include a think piece to be written by staff in the Colorado Judicial Department that will provide guidance for State courts on the legal, ethical, and administrative concerns surrounding the solicitation or use of privately donated funds to support judicial education. The other projects approved for accelerated award include development of a curriculum for a Statewide summit on improving child maltreatment and domestic violence responses sponsored by the Wisconsin Supreme Court; workshops on strategic planning and visioning that the Justice Management Institute will deliver; and a two-day train-the-trainers course on the Adoption and Safe Families Act of 1997 that the National Council of Juvenile and Family Court Judges will develop.

Projects for which full applications have been invited include: ·

- A national conference on women of color and the courts proposed by the California Judicial Council;
- Another train-the-trainers program on the Adoption and Safe Families Act proposed by the Virginia Supreme Court;
- The creation of a case management training center proposed by the New Mexico Administrative Office of the Courts;
- Judicial education curricula addressing international parental kidnapping proposed by the Vermont Supreme Court and the National Judicial College;
- Training for judicial branch educators on distance-learning techniques proposed by the National Judicial College and the Institute for Court Management;
- Training courses for court staff using Web-conferencing technologies that would be developed by the Institute for Court Management; ·
- Development of a distance-learning curriculum on diversity proposed by the Institute for Court Management;
- A domestic violence curriculum for criminal court judges proposed by the National Center for State Courts, and a curriculum addressing juvenile delinquency cases involving domestic and family violence proposed by the Family Violence Prevention Fund;
- A judicial education curriculum on the Interstate Compact on the Placement of Children that would be developed by the National Council of Juvenile and Family Court Judges;
- A curriculum on substance abuse for judges in all types of courts who hear cases involving defendants with substance abuse problems proposed by the Institute for Court Management;
- A curriculum addressing the development of collaborative pro se

assistance programs proposed by the National Center for State Courts; ·

- Skills-based orientation and training for new judges proposed by the American Academy of Judicial Education; and
- Updates of a series of curricula on dependency issues proposed by the National Council of Juvenile and Family Court Judges.

In addition to these proposals, the SJI Board invited applications from the Collins Career Center in Chesapeake, Ohio, to develop training for court personnel in rural Appalachian communities; and the International Association of Insurance Receivers proposing a seminar for judicial branch personnel on insurance insolvency. Applications describing these programs must be mailed on or before April 25, 2001. The Board will make its funding decisions when it meets on June 30 - July 2, 2001.

News

Report: NASJE Competency Guidelines Study Committee
February 13, 2001 (conference call)

Present: Denise Kilwein, Kay Palmer, Jim Drennan, Chip Epperson, and Karen Thorson

Summary of the Decisions Made during the Meeting:

Charge: The committee will develop core competencies that identify what comprises a job well done for those who are judicial branch educators (i.e., those individuals whose job it is to administer and develop judicial branch education curriculum, programs, and projects).

Approach: The committee will solicit grant funding to allow for the hiring of a consultant or consultants to do the work. The committee's role will be one of directing and guiding the work of the consultant(s).

Action Steps:

1. Denise Kilwein will contact SJI to ascertain interest.
2. Kay Palmer will begin writing a white paper, which will lay the foundation for the project and later be used as the basis for the concept paper and grant application.
3. Denise will post the outcome of her contact with SJI on the committee's electronic threaded conversation on JERITT's Web site.
4. Maureen will schedule another conference call.

Opinion

Restoring Public Confidence in the Judiciary: What Role Is There for Judicial Educators?

by [Thomas Nelson Langhome, III](#)

(The opinions expressed below are the author's and do not necessarily reflect the opinions of the NASJE Web page editors.)

Hey dimple, dimple
Chad's fraught in the middle
Folks' confidence began to swoon?

Some voters were sparked

To see such sport
And now we must allay some wounds

In the early 1900's, Roscoe Pound penned what would become a popularly referenced paper, "The Causes of Popular Dissatisfaction With the Administration of Justice." His chosen theme: restoring public confidence in the courts. His proffered remedy: educating the public about our country's judicial branch. Does that message sound like a contemporary refrain?

Almost a century after Pound posited his cure for the ailing public confidence in our courts, many of our JBE colleagues and judges still relentlessly and unrealistically cling to a hollow, misguided hope. Specifically, many respected jurists and educators believe the secret to "restoring" public confidence in the courts lies simply with educating the public about judges' travails and tribulations. They maintain that if Americans would only better educate themselves about our beloved judicial branch and its idiosyncratic institutional challenges the judiciary would enjoy greater public confidence.

In my opinion, forged during six years as a state court litigator across America and now as a judicial branch educator, such rhetoric reverberates with undertones of patronizing and disconnected conceit. Today, when almost half of all Americans and a majority of all African-Americans and Hispanic Americans feel that courts are "out of touch" with Americans, I sense my visceral reaction is warranted.

By now, Pound's observations and approach should be old news. Apparently, judicial educators and our "most cherished branch of government" are slow to learn the correct lesson. I don't know about you, but where I come from, if a friend continues to hit his head against the wall for decades without a concomitant movement of that wall we begin to start thinking our friend is the problem, not the wall. Accordingly, I offer the following advice to judicial branch educators who are serious about addressing the topic of the day: public confidence in the courts.

First of All, What Declining Public Confidence?

In my opinion, the death of public confidence in the courts is greatly exaggerated. For at least a quarter of a century, various empirical efforts have been devoted to measuring the public confidence barometer in our courts. Frankly, those studies' results have not greatly vacillated. For example, compare the findings of the National Center for State Courts' 1999 national survey, "How the Public Views the State Courts" to its 1978 national survey, and you will arrive at a startling conclusion. In both surveys, exactly twenty three per cent of the respondents indicated they had "high confidence" in the courts. Moreover, whereas in 1978, thirty seven per cent of Americans had "low confidence," only twenty five per cent of Americans in the 1999 survey indicated they had "only a little" or "none."

These surveys' paths were divided by almost a quarter of a century and marred by many social, constitutional and political potholes. Yet, little variance emerges regarding those studies' findings. In fact, when comparing the two studies in their totality, there is no indication that we have been witnessing a spiraling erosion of public confidence in our courts. Moreover, in several weeks, yet another study conducted by the National Center for State Courts (NCSC) will be published relevant to this discussion. Despite the constitutional trauma and judicial angst caused by the recent Florida

Presidential electoral "unpleasantness," I am willing to wager my mortgage that the results of that national survey will be heartening.

The truth is, like it or not, Americans have little faith in most institutions. Look no further than the above-referenced 1999 survey. The medical profession, local police, governors, public schools, state legislatures, and the media all failed to garner a majority of respondents who had a "great deal" of confidence in those institutions. The U.S. Supreme Court fared better confidence-wise than all but two of the aforementioned institutions. Interestingly, more Americans expressed a "great deal" of confidence in their community courts than they did in their state legislature or media. Perhaps courts' historic public confidence ratings are largely (but not completely) attributable to our unique American iconoclastic resistance to all institutions. If I correctly recall, that phenomenon was the genesis of our Republic's birth. To test this proposition, let us ask ourselves the following question? Have we ever witnessed a constitutional or institutional crisis resulting from a perceived lack of public confidence in our most cherished governmental branch? Even the Dred Scott decision did not irreparably shake public confidence in the courts. Neither will the Florida courts' and U.S. Supreme Court's recent landmark decisions.

Secondly, What Solution?

Is Educating the Public about the Judicial Branch the Ultimate Solution to Improving Public Confidence? The answer is a resounding "no. "

I am not advocating discontinuing public education efforts regarding our courts. Such efforts, often falling on the shoulders of judicial branch educators, are very important. I am advocating that it is equally or more important for judicial educators, state judges and court personnel to become better educated about public expectations of our courts. I offer both empirical findings and personal experience to support this position.

First, if educating the public about the courts were the final solution to improving public confidence, how do we reconcile a very curious finding contained in the 1978 NCSC's survey? Specifically, the more respondents knew about the courts or the more experience respondents had with their courts, the less confidence they had in courts.

Moreover, a colleague of mine attended the recent National Conference on Public Trust and Confidence in the Justice System. During one of the plenary sessions, an attendee expressed that the way to improve public confidence in the courts was to educate the public about the courts' inherent constraints. An articulate woman rose in response. She advised the well-intended jurist that she was quite educated about and experienced in the court system. She added, and I paraphrase her second hearsay rebuttal, that she need not know more about the courts to know she did not like what she did know about the courts. She respectfully suggested judges should better educate themselves about public expectations concerning accessibility to justice, fairness, respect to courtroom participants, and timeliness of decisions. That, she said, would greatly advance public confidence in courts. I could not say it better. In fact, my recent experience as a juror echoes this sentiment.

Two years ago, I arrived for jury duty at a Virginia court. Although I was intimately familiar with the general process that was about to transpire, I waited for over an hour before any court representative arrived to advise us of what was about to happen to us. Suddenly, a surly bailiff made his grand

entrance into the juror waiting room. His very first booming words will always stay with me. "Let's get a couple of things straight from the get go. First, if you do not arrive here on time during your tenure as jurors, you will be arrested and forcibly brought here. And another thing, don't complain about the courtroom temperature. The temperature is kept at a level which is comfortable to the judge. If you are cold, bring a sweater. If you are hot, dress accordingly." Yet another example compelling the public to understand the courts.

What We Can Do

Judicial branch educators will play a critical role in "maintaining" public confidence in the courts if they commit to two strategies. First, we must jettison the corporate refrain, "to know us is to love us." Instead, we must assist judges and court personnel to "get outside of themselves" and revisit the fundamental judicial skills and public expectations that form the cornerstones of justice— equal access to justice, fairness, timeliness, and exhibiting courtroom respect towards participants. As one of my favorite judicial branch trainers, Ben Bissell says, "People would rather be listened to and understood than agreed with."

Secondly, we must emphasize teaching those skills and strategies that accomplish those fundamental objectives. These include basic courtroom communication skills, dispute resolution alternatives, calendar/caseload management skills that expedite the fair resolution of disputes, therapeutic justice approaches, creative alternative sentencing solutions (especially with regard to solving the phenomenon of disproportionate confinement of minorities in secure confinement) and, relatedly, realizing gender and cultural fairness in our courts. Revisiting these cornerstones to justice in our pedagogical pursuits will advance public confidence far more than educating Americans about our unique, beloved institution.

Editors' note: Upcoming issues of NASJE NEWS will include articles that provide concrete, practical guidance for judicial branch educators to revitalize those judicial branch skills that increase public confidence in the courts.

President's Column

After Midnight in the Garden of Good and Evil: A Report from the NASJE Board Meeting in Savannah

by Denise Kilwein

Hello NASJE friends! I hope you are having a great 2001. I have talked with many of you over the last couple of months and thank you for your enthusiasm and support of NASJE activities.

The Board of Directors met in Savannah, Georgia in February. Sherry Carson was a wonderful host and we appreciated her hospitality.

I want to inform you of the Board's action on some important issues. A summary of the minutes of our meeting is included in NASJE News. Please read the summary and if you have questions regarding the Board's discussions or action, you may contact me or any member of the Board.

As you will note in the summary, the Board discussed our current membership structure and recommends a change. The Board approved a motion to create a single membership category with a variable dues

structure which would consist of \$150 for the first three number of members and \$100 per year for additional memberships. This single class of membership provides members with full membership rights, including the right to vote and run for office.

I believe this change in membership structure is a positive move for our organization. The By-Laws Committee has prepared the amendments to allow this change and we will vote on them at our 2001 Annual Meeting in Williamsburg (you will receive the amendments in advance of the meeting). If you would like further information regarding the Board's recommendation before we meet in Williamsburg, please contact me or a Board member.

The Board also spent considerable time in Savannah preparing our 2001 NASJE budget and a budget for our 2001 Annual Meeting. We saw a need to explore and seek third-party money (grants, foundations, etc.) to be used for future NASJE activities. I have appointed a special committee to approach funding sources and to make recommendations on the appropriate use of outside funds. Tom Langhorne will chair this committee. Paul Biderman, Krista Johns, and Diane Cowdrey will also serve on the committee.

NASJE continues our collaboration efforts with other court associations and national judicial education providers. I attended the Assembly of Court Associations meeting in Washington, D.C. in March. As you may recall, the National Center first convened this Assembly in 1998 to allow associations an opportunity to explore areas of common concern. Twenty five associations participated in this year's Assembly. The Assembly included follow-up discussions on two key priority issues identified by the Assembly last year: 1) Development of diversity curriculum, and 2) Examining the changing role of the courts. As I reported in my last column, The National Center submitted proposals to the State Justice Institute regarding these two issues. SJI has accepted both proposals and NASJE will work with the Center on the development of the projects.

Franny Haney represented NASJE at two recent functions: 1) The Conference of Chief Justices Midyear Meeting; and 2) the National Association of Court Managers Midyear meeting. Franny serves on the NACM Professional Development Committee. This committee is developing NACM's core competencies for court managers.

After our discussion in San Antonio regarding whether NASJE should develop competency guidelines for judicial branch educators, I appointed a special committee to study the issue. Maureen Conner is chairing the committee, and Kay Palmer, Karen Thorson, Jim Drennan, and Chip Epperson also serve on the Committee. Maureen will update you on their progress at our Annual meeting.

Kevin Bowling and the Education Committee are progressing on plans for our annual meeting. A tentative agenda is included in NASJE News. The Committee is planning great educational and social programs. I hope you'll be able to join us in Williamsburg.

In closing, I want to thank Paul Biderman and the Editorial Committee for the wonderful job they do in maintaining our Web site. I know it is a tremendous amount of work for them and we all appreciate their efforts. See you in a few months!

"2001 An Education Odyssey"

National Association of State Judicial Educators Annual Conference

August 22 - 26, 2001

by Christy Tull

Our professional development journey continues. From August 22nd to 26th, members and friends of the National Association of State Judicial Educators (NASJE) are invited to participate in our twenty-sixth annual conference. Seasoned and new colleagues will gather in historic Williamsburg, Virginia to network, socialize, and explore different education opportunities in both plenary and workshop settings. Families are encouraged to accompany NASJE members to this year's dynamic location on our new, family-friendly summer date.

After Wednesday's arrival, committee meetings, and the welcoming reception, the heart of the education program begins on Thursday morning, August 23rd with a plenary session led by Dr. Murlene McKinnon. Many state and national judicial educators familiar with McKinnon's work attest to her skill in addressing training needs of courts and judicial educators. Her subjects range from organizational communications and leadership to problem solving.

Thursday afternoon's program will offer a selection that will appeal to both new and veteran members. The New Member and First Time Attendee Orientation will introduce participants to available resources, the basics of adult education, and other invaluable information for those new to NASJE. Other participants will want to attend the Leadership Convocation designed to bring together leaders of judicial education boards, commissions, and committees to learn and discuss issues surrounding judicial education today. The focus for this year's Convocation will be on public confidence in the courts and ways that judicial branch educators can fulfill our leadership obligations in this regard. Dr. David Rottman, Associate Director of Research at the National Center for State Courts and the Director of Educational Services for the Virginia Supreme Court, Thomas Langhorne, III, together with representatives of several states, will lead this interactive session. They will address a number of compelling findings of studies by the NCSC and practical programs that improve access to justice, promote timeliness and fairness, and foster judicial independence.

Friday's program offers six diverse workshops. Topics include teamwork, grant development and implementation, distance learning and a model curricula for ethics and substance abuse. In addition, one workshop developed by the NASJE Futures Committee will explore reform movements and their implications and strategies for judicial branch education. Topics, times and faculty for these workshops are all listed on this Web site by clicking here.

Rounding out the conference's formal program on Saturday will be the Regional Meetings for exchange of ideas, and NASJE's Annual Business Meeting. New this year is a shortened meeting day to allow time for members and families to enjoy the setting and continue informal networking. The Annual NASJE Board Meeting, which is open to all members, is scheduled for the morning of Sunday, August 26th.

Thanks to the Virginia delegation and the National Center for State Courts, social gatherings will range from a reception in Colonial Williamsburg, a courtyard social including local wine and beer tasting, and fun cultural tours

of the area. A hospitality suite will also be available at the conference facility for networking and after-hour enjoyment.

Skills Development

Journal Writing: An Online Mini-Workshop for Judicial Educators

by Verita Black Prothro and Krista Johns

This online mini-workshop on journal writing for judicial educators is presented by Verita Black Prothro and Krista Johns. This month, we will focus on Part Two: Benefits of Journal Writing for Judicial Branch Educators.

Part One: Introduction

Part Two: Benefits of Journal Writing for Judicial Branch Educators

Part Three: Getting Started: The Tools, the Place, the Time

Part Four: The Method of Journal Writing

Part Five: The Content

Part Six: Writing Beyond Your Journal

Benefits of Journal Writing for Judicial Branch Educators

From Verita Black Prothro:

I imagined myself leaping, in a single bound and in my four-inch pumps, from the back pew to the pulpit. Then I hoisted the pastor, wearing his robe and holding his Bible, over my head and carried him away. I wondered how we came to this point, how it changed from individual hypocrisy to a group act.

I think I realized from the beginning that this man was not all he represented. I imagined that he started preaching the Gospel to work his way around the country: a hustler who wanted to see the sights, experience the world and have the churchgoers pay his way. I could picture him traveling from country church, to tent revival, searching out lost souls who needed help and direction.

I first met him when he came to interview for the position. He brought his singing wife and they dazzled the crowd, started working their magic. They were asked to stay and they did. He crept into the psyche of the weak and became their friend, their champion. He criticized the educated. He held up the impoverished as more Christian. How could we, who know better, let it happen?

Pay your tithes before you pay your bills, he would insist. If you are thrown out on the street, God will honor your homelessness. God will be with you. But there were people who were getting thrown on the street, and there was no way to assist them. And there at the same time, he bought a shiny new car and parked it in front of the church. We should have said something.

The next vice was the women. They didn't care about the singing wife, they only cared about the power and the money. Not only was the "Man of God" looking in the mirror and seeing a phony, the group of women who could look and see a hypocrite gazing back also grew. The culture of hypocrisy began to overtake the entire congregation and we were starting to choke on it because it was as palpable as bad fish.

But then we became comfortable and convinced ourselves that we weren't as bad off as the church down the street. The fish didn't taste so bad because it was masked with the sweet taste of our own denial. We went on. We showed up, sang songs, felt the Spirit and looked the other way. The thought of changing things was too overwhelming, too serious to consider.

So when the letter hit, the infamous letter exposing it all, detailing the lies, hypocrisy and hurt, we were stunned. We had all waited for the deacon board, the trustee board or the mother's board to take action. Now, we are asking: what should we have done? What could we have done? As a group, did we foster the situation with hypocrisy and head turning?

There are so many questions about how this happened and our own culpability in it. But what I wonder most is what does he see when he looks in the mirror? What do we all see? And most importantly, what does God see?

A journal lesson and exercises:

Many of us were exposed to journal writing in childhood, through diaries. Diaries often came in the form of little notebooks that could be locked with a key. The diaries were a personal record of our observations and experiences. They captured our feelings and our passions. They were the confidantes who wouldn't tell our secrets- unless an unscrupulous reader trespassed into the diary! While excellent plot material for childrens' television programs, the "diary" concept of the journal is not one that persuades many busy professionals to engage in journal writing.

Our adult exposure to journal-writing often comes in the mundane reality of tracking business expenses and work activities for tax or reimbursement purposes. Unlike the childhood diaries, these journals are devoid of observations, feelings, and passions. The mileage logs, travel expense reports, and business time sheets, are supposed to be concise and objective records of actual activities undertaken, with appropriate- but not excessive- detail. While there may be a certain gratification in successfully maintaining these documents, it is usually not the level of satisfaction that would motivate someone to engage in journal writing on a more ambitious level.

Dear Reader: What are the reasons why you (or why some of your colleagues) do not engage in journal writing?

Take 5 minutes to write a brainstorm list of reasons. Do not make judgments about the items as you write them. If an item is crazy, or silly, or overstated, write it down anyway. If you get stuck on the "no time" reason, consider that time is what we have been given with which to live our lives- you decide where your time goes. Then, continue listing other reasons.

If you do not have at least 10 reasons listed when the time is up, add as necessary to your list. Now, circle the 3 reasons, crazy or not, that are probably the biggest deterrents to journal writing.

So then, why should a busy judicial branch educator consider journal writing? Consider these responses gleaned from a survey of Internet

discussions about journal writing. Scientists, students, authors, artists, managers, and teachers find journals useful to: - maintain a history of the stages of an important project;

- have as planning books;
- develop new ideas and extend one's own mental processes;
- increase fluency by practicing composing skills;
- consider multiple solution strategies to problems;
- record changes in one's thinking on a subject;
- capture personal insights;
- track where one has been and what one has done; and
- work through stressful events without suffering social consequences.

Dear Reader: First, add an additional reason of your own to the list, above.

Then, take 5 minutes or less to rank the 10 items (including the one you added) in order of value to you at this point in time. For example, is it more valuable for you to have a way to capture personal insights, or to maintain a history of an important project you are working on? What do you feel you need right now? Even if you feel some of the items are not important to you, place them in rank order. If you feel something is missing from the list, add it.

Now, take the top 3 deterrents from your previous brainstorm list and consider them along with the 3 items you have ranked as most valuable for you right now. For each of the three deterrents, write for 1 to 3 minutes about whether the cost of overcoming that deterrent is outweighed by the benefit of the three valued items. Consider what the costs are, in terms of energy, money, giving up other activities, and so forth. Think of what benefit you would expect to receive, if you could devote the energy, money, time taken from other activities, and so forth, to the valued items.

Make yourself write. Do not just complete a visual scan and comparison. End this activity by writing in one or two sentences what you conclude from the exercise.

The listing of why journals are useful, and the writing exercise just completed, describe personal benefits of journal writing. While sometimes overlooked, personal growth and learning are also important elements of judicial branch educators' work with constituents. In theoretical terms, we recognize that the physical act of writing can meet a biological need to "feel" or "touch" the subject matter. Writing lets us physically work with the letters and words as they go on the page. The touch of a pen, textures of paper, and even the feel of a keyboard, can provide gateways for the intake of information.

As educators, we also know that the greatest levels of retention are reserved for those things an individual personally says and does. Writing our thoughts and words can be powerful reinforcement of important material. David Kolb's theory provides the additional insight that processing

information, not just taking it in, is needed to accomplish learning. Writing is extremely effective for the focused reflection and planning of future applications that is part of processing new information and experiences.

Journal writing can help us understand our basic motivations as described by Erik Erikson's work on human development. Issues related to identity, relationship, and leaving a legacy, will recur in our writing about ideas, feelings, processes, and plans. Mindful observation of underlying themes in the writing can help direct our thoughts and actions toward recognizing and fulfilling developmental tasks.

Reading earlier journal entries can also reveal our development of more complex thought processes about particular issues. And we may catch ourselves, as William Perry's work describes it, thinking in less developed ways about new or challenging issues. In those situations, the "second voice" of the journal can become an agent in our continuing intellectual development.

To sum it up, journal writing supports human and intellectual development. It can increase receptivity to new material, and retention. Journal writing facilitates learning and positive change. For the judicial branch educator, these benefits of journal writing can be both self-directed and directed toward constituent learners.

Dear Reader: Think about how journal writing might be used in a judicial education program, or as a supplement to the program.

Write a page outlining how you would use journal writing as a judicial education activity. Describe how you would "set up" the exercise for participants, and how you would "debrief" it at the conclusion.

If you are comfortable doing so, post your page under the journaling discussion stream on the NASJE News Discussion Group.

Even if you don't think you would take on journal writing for the personal benefits, we encourage you to try it to study journal writing's potential uses in judicial branch education. In the next session, we will talk about getting started: the tools, the place and the time. In future sessions we will discuss formats and content of writing.

Contact faculty:

Krista.johns@jud.ca.gov

Verita.Black.Prothro@ensign.senate.gov

States & International Report

NASJE Members Consult Worldwide

NASJE members across the country have been consulting both in the US and abroad with governments of emerging democracies. From hosting visiting delegations with short educational programs to multi-day programs in country, NASJE members have been contributing to the establishing and strengthening of democratic institutions around the world.

Financial support for these projects has come from a variety of organizations, including the US Agency for International Development

(USAID), the Central and East European Law Initiative of the American Bar Association (CEELI), and the Asian Development Bank.

In alphabetical order by name of organization or contact person, international activities are reported as follows:

Livingston Armytage [armytagl@ozemail.com.au] reports extensive experience conducting rule of law development projects and other activities with countries in Asia, Australia, Europe, and North and South America.

[See linked Word document \(*\)](#).

In 1999 Dee Beranek [beranekd@flcourts.org] went to Bulgaria and Slovakia to teach faculty development to judges and prosecutors.

In February this year, Paul Biderman [biderman@unm.edu] represented NASJE at a national conference on technology-based distance learning for the Canadian judiciary. He demonstrated [New Mexico's web-based educational programs](#) and shared the processes through which they adopted distance learning programming. New Mexico's Judicial Education Center has also hosted quite a few foreign delegations interested in judicial education.

In 1997 Maureen Conner [connerm@msu.edu] educated Romanian judges in Bucharest and Slovakian judges in Bratislava.

Chuck Ericksen [cericksen@ncsc.dni.us] has been involved in international education projects for several former Soviet Republics, Albania, Brazil, and Ireland.

Leslie Johnson [lwleslie@olemiss.edu] reports that in addition to his being in Czechoslovakia (before the split) and both the Czech Republic and Slovakia (after the split), the University of Mississippi has hosted judges from more than 15 countries.

In 1999 Debra Koehler [jdbkoehler@prodigy.net] went to the Pacific Island nation of Palau for a week to provide three separate trainings to court staff.

Gavin Lane [gavin.lane@jud.ca.gov] reports that CJER has a long history of sharing its expertise with interested foreign judiciaries. Their work includes contacts with the National Judicial Center in Islamabad, Pakistan, where Gavin evaluated and recommended how video and audio visual aids might best be installed and used in a new building under construction for judicial education. In the early 1990s Gavin prepared several short, practical papers on the use of video in judicial education for judicial educators in Korea, Thailand, Papua New Guinea, and Australia at the request of then CJER Director Paul Li. CJER often provides presentations about judicial branch education to visiting foreign delegations.

Marna Murray [marna.murray@courts.wa.gov] reports that she went to the former Soviet areas of Karelia, Moscow, and Saratov in 1994-1996 to assist jurists, advocates, and other government officials to develop programs for their constituents.

Pat Murrell [pmurrell@memphis.edu] reports that she and Dan Murrell went to Moldova in 1994 and that in 1998 the Leadership Institute in Judicial Education hosted a group of Albanian law professors.

Jim Toner [toner@ncjfcj.unr.edu] reports that the NCJFCJ has been involved with United Nations programs on site in Reno and elsewhere. They frequently host international visitors from all over the world and have been active in the International Association of Family and Juvenile Court Magistrates. NCJFCJ has sponsored training programs in Scotland and in London.

Peggy Vidal [vidal@judges.org] reports that the National Judicial College has been heavily involved in international activities. The [linked Word document](#) (*) indicated activities with many former Soviet republics, China, and other Asian, European, and South American countries. In addition, we [link to a flyer \(in Word\)](#) (*) about NJC's comparative law program for American judges in The Hague and Amsterdam.

Rich Reaves [rich@icje.lawsch.uga.edu] reports that the ICJE of Georgia has a variety of courses that they open to foreign judges and court administrators. Since 1990, they have hosted visitors from different parts of Africa, Asia, Europe, and South America. [See linked Word document](#) (*).

Phil Schopick [schopicp@sconet.state.oh.us] spent 13 months directing a program devoted to assisting the judiciary of Ukraine in developing its democratic institutions. He has also been involved in hosting visitors to the Supreme Court of Ohio from various countries in Asia, Africa, South America, and Europe.

Larry Stone [stoneLB@aol.com] has participated in international programs in China and Ukraine.

The [linked Word document](#) (*) provided by Christie Warren [cwarrenlaw@aol.com] shares 26 of the international judicial and legal training/assessment assignments that she has completed in countries in East Asia, South and Central America, Africa, Eastern Europe, and the US.

Editor's note: If your international experiences were not included in this summary (or we were incorrect in some way), please feel free to send new information to us for inclusion in the next update of this type. Email us at schopicp@sconet.state.oh.us

*Word documents will open up in a separate browser window.

Where Are They Now?: Dennis Catlin

by William Brunson

"Judicial education and judicial educators in state judicial education organizations play a unique and unappreciated but powerful role in shaping justice in this country. I'm not sure we fully appreciate that because we frequently get caught up in being trainers. There is a lot of influence-shaping that can and should be done by judicial educators. Judicial educators should be proud of what they do. I was proud of what I did."

--Dennis Catlin, Ph.D.

As the Executive Director of the Michigan Judicial Institute for 22 years,

Dennis Catlin was a pioneer in establishing judicial education as an important part of the justice system. His long and fruitful association with NASJE began in 1975, when he became one of NASJE's founding members. He remembers those early formative discussions with Sofron Nedilsky of Wisconsin, Paul Li of California, Glenn Coe of Connecticut, Jack Dillard of Texas, Connie Dove of Indiana and Doug Lanford of Alabama. During a meeting in 1975 called by Mr. Nedilsky, they drafted the original constitution and the bylaws for NASJE.

Their desire was to formalize this new discipline known as judicial education. During his 22-year association with NASJE, Dennis held every office from regional director to president. He developed the first judicial education programs database, which was the precursor to the JERITT Project. With John Hudzik, he co-founded the JERITT Project at Michigan State University. He truly enjoyed the friendships and collegiality that NASJE provided.

Dennis is now an assistant professor for the Department of Criminal Justice at Northern Arizona University (NAU) at the Tucson campus. His work in judicial education and his prior service as a police officer and FBI agent gave him a strong foundation for his current work. "When I teach, I have students from all branches of the criminal justice system including police officers, court staff, parole officers, and social workers, among others. My work in judicial education gave me a clear understanding of the many roles and how they work or don't work together." He also received a good education in the Constitution, how it divides and allocates power, and how that allocation of power plays out in the justice system. He is currently teaching courses in ethics, decision-making, administration, and human and cultural relations.

In addition to his faculty responsibilities, Dennis is directing the establishment of a new criminal justice bachelor's degree program in the Tucson area. The degree is specifically designed for criminal justice professionals who are working full-time and want to pursue their bachelor's degree.

During his tenure at the Michigan Judicial Institute, Dennis was a pioneer in using distance education. He continues that pioneering spirit by teaching many of his courses at NAU via distance education. To do this he uses NAU's instructional television system, a completely interactive system that provides live full motion broadcast video to fourteen sites throughout Arizona. The audio and video signals are carried by cable and microwave. "I'm a firm believer in distance education. Ethically, we as educators have to be prepared to provide education to anyone, anywhere, at any time. It can't be available to just those fortunate few who can afford to come to the centers of higher learning."

One of his new initiatives is teaching via the web. He primarily uses WebCT from among NAU's vehicles used for web education. He and his students enjoy the interactivity of the medium. He teaches upper division courses seminar-style, requiring the students to write extensively and respond to analytical problems. With WebCT, he doesn't rely on traditional educational models. "As we move from the classroom to the web, we have to be careful not to use the same models in distance education that we use in the classroom. In many cases, they don't translate."

In addition to teaching, he is conducting research on ethical decision-making in the criminal justice field. He is currently gathering data on the ethical orientations of police officers and is writing a textbook on criminal justice ethics and policy. He laments that most of the research, writing,

teaching, and training about ethics in the justice system focuses on the application of codes of ethics to dilemmas. "There has been little research on the personal ethics of those in the justice system." His research will help answer the question: Is there a shift in ethical ideology from recruitment to being out on patrol?

In his study of ethics in decision-making, Dennis has come to realize that rarely do we stop and consider the framework from which we are operating ethically. "The difficult ethical questions are the ones we face for which codes of ethics don't provide the answers. In those cases, we invariably fall back on our own personal values. Defining those values is extremely difficult because they are so personal."

Dennis has also continued the international work he began while a judicial educator. He is a consultant with Community Connections, a program sponsored by the International Division of Business and Industry Training at Pima Community College. This program is funded by the U. S. State Department. Recently he participated in a 3-week workshop for Kazakhstani business professionals.

Dennis enjoys his role as professor very much. "One of the fun things about my job at NAU is to sit back and think about these types of issues that I didn't have time to examine before. They may have little immediate practical significance, but they are issues that underlie our system of justice." He does, however, miss his judicial education colleagues. "Being a non-lawyer judicial educator among judges and lawyers was always an interesting position to be in."

Outside work, you will find Dennis hiking, biking and camping. He has also returned to his love of flying. "I love being in the Southwest because I can hike, bicycle and camp 360 days of the year. And I also can count on friends and family members coming to visit in the winter months." The only downside: "I have to wear a lot of sunscreen."

Dennis is married to Barbara Hollembaek, who is a school psychologist for the Tucson Unified School District. They have four grown children. Dennis became a grandfather twice in 2000. His daughter, JoAnne, is a scientific writer and editor in a high tech science company in Eugene, Oregon. His son, Mike, is an engineer in Holland, Michigan for an automotive company. His stepson, Michael, is a mortgage banker in Chicago, Illinois, and his younger stepson, Andy, is a college student in Lansing, Michigan.

Dennis would love to hear from his NASJE colleagues and friends. You can reach him at the following address:

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The editors would like to know whom you would like to read about in future editions. Please email your response to William Brunson at

brunson@judges.org. Thank you.

Transitions

NASJE Extends Welcome

NASJE extends a warm welcome to our new members. The northeast region has added three full members: Richard J. Young, Chief of Judicial Education for the New Jersey Judiciary; Frederick C. Williams, Executive Director of the Judicial Institute of Maryland; and Salvatore Ricciardone, Esq., Executive Director of the Franklin N. Flaschner Judicial Institute, Inc. of Massachusetts. Catina N. Burrell has become an Education Programs Coordinator for the Institute for Court Management, and a new general member. Robin Wosje, Program Attorney for the National Judicial College, has also joined as a general member. And our most distant new colleague in geographic terms is Muhammad Hanif, an advocate for the Pakistani High Court in Karachi. Mr. Hanif has become our latest Section member. Congratulations to all of you for joining with us for the advancement of judicial education.

Please forward news about you and your colleagues for this transitions column to Paul Biderman at biderman@unm.edu.

What people in judicial branch education are writing about...

A quick survey of online publications revealed some interesting literature related to the field of judicial branch education. In an attempt to pique your interest for future reading, we include the following excerpts:^[1]

[Stages of Professional Development](#)
[NAUSEA NEWS: Association Activities](#)
[JBEA in Brief](#)

Stages of Professional Development^[2]
by Harriet Bronwin Chillsworth, Ph.D.

In what some are heralding as a major breakthrough in continuing professional education, Parker Parkerson has just published a model for understanding the stages of professional development. His work is based upon a 25-year career study of ten judicial educators: individuals responsible for the education and training of judicial officers within their states.

Parkerson has identified three critical stages of professional development, with a possible fourth at career's end. These stages can be summarized as follows:

PHASE	DEVELOPMENTAL STAGE	VIRTUE
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Entering	Competence vs. Blissful Ignorance	Walking the talk
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[Desire to learn the field and do what one should, acquire skills in education and training, define personal standard of achievement.]

Journey Know the Players vs. Withdrawal Clued in

[Become active in NASJE professional organization, enjoy interaction with colleagues, understand issues in judicial education.]

Sustaining Become a Player vs. Subject of Play Talking the walk

[With others in the sustaining phase, influence the field by maintaining its history, strive to maintain uniqueness of the profession by renaming audience and mission.]

Senior Consultancy vs. Dead-End Pragmatism

[Leave organizational confines, determine daily rate for services, create projects to enjoy the company of former colleagues still in the sustaining phase of development.]

Because the model is new, its reliability in understanding professional development generally has not been established. By all accounts, there are a few anomalies within the field of judicial education that would call the model into question for general applicability. There is the additional question whether Parkerson's model even reflects the studied profession anymore. In recent years, as more judicial education professionals have reached what Parkerson calls the sustaining phase, there have been moves to recharacterize the profession, rename the professional organization, and even alter the institutional memory of its basic purposes.

Still, Parkerson's work fits within the fine tradition of developmental models, and is deserving of our further attention.

NAUSEA NEWS: Association Activities^[3]

The conference committee is thrilled to announce a new activity designed to promote fun, diversity, and a competitive spirit at the upcoming Annual NAUSEA Conference. It is the first annual Miss NAUSEA contest, but organizers hope to make it a regular part of the conference festivities.

Miss NAUSEA is open to all members, general or special. There are no age or gender restrictions. However, organizers are looking for individuals with a "certain energy" and vitality that captures the essence of the united state educator.

Miss NAUSEA will open each conference plenary session with announcements and the reading of an inspiring thought. He or she will serve as social host of midmorning and afternoon breaks, and will use vocal and instrumental means of calling members back into session.

Components of the competition include conference wear, social activity attire, and talent, each of which will account for 30% of the score. The remaining 10% will be earned in a spontaneous reading competition using randomly selected fortune cookies. Finalists will be required to read selections from Chicken Dumplings for the Office.

For more information or to obtain an application form, please contact secretariat@NAUSEA.org

JBEA in Brief^[4]

From the editor:

Dear members, I am so pleased to have been named editor of JBEA in Brief for the fiscal year ending 10-31-01. This is the culmination of a career in judicial branch education accounting that has accrued many special moments.

As editor, I will strive to promote our role in enhancing judicial branch education (JBE), and ultimately, the justice system. The complicated processes by which we delay expense reimbursement, question hotel bills, and deny consultant honoraria are integral to the operation of JBE organizations. It is with finely tuned instincts that we know just how long to hold purchase orders before paying them.

I have been lobbying the NASJE leadership for a plenary session on accounting at their next annual conference. They have been attentive, but have pushed for us to consider a concurrent workshop instead. This, of course, is completely unacceptable.

I am calling on each member of JBEA to take advantage of the new open membership policy of NASJE. If you join now, you will be a voting member of that organization. Our ranks are sufficient in number so that we could be a significant voting block. With your help, we can have a voice in the way that NASJE is run, and ultimately in how the JBE organizations view us. And the beauty of this is that we are in a position to process payment of our own dues.

I am very heartened by the prospects for the remainder of this fiscal year. Please contact me at any time with your questions and concerns. I will, of course, apply generally accepted accounting principles to analysis of the issue and promptly ignore any response that appears to be reasonable.

Yours truly,

Redd Lyne

^[1]This piece is offered in memory of those hardy French people who, in the early 1500s, missed the pronouncement that the calendar had been changed to make January 1 the beginning of the New Year. In their celebration of the traditional April 1 New Year's Day, they earned the title of April Fools, a title that has been passed through down through time to those whose exploits warrant the recognition. Cheers, Krista Johns.

^[2]Excerpted by permission from the weekly Continuing Professional Education Today, the IV/IOI issue.

^[3]NAUSEA NEWS is the official publication of the National Association of United State Education Administrators. NAUSEA is commonly pronounced: Nahz' juh. This excerpt is from the Sunday, April 1, 2001 issue.

[\[4\]](#)JBEA in Brief is a section newsletter for judicial branch education accountants. Its purpose is to build recognition for this oft-overlooked profession. The excerpt is from the 4-01-01, 09:30 a.m. edition.

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