

# NASJENEWS – Winter 2007

## Free offer from the American Bankruptcy Institute

From: Sam Gerdano [sgerdano@abiworld.org]  
Sent: Tuesday, January 09, 2007 3:04 PM  
To: Schopick, Philip  
Subject: Free offer from the American Bankruptcy Institute

I am writing to offer to NASJE members the opportunity to have our free program on bankruptcy issues for state trial courts. We have done this in Ohio several times over the years. Since 1992, we've done the program in just about every state. As you may know, Congress substantially revised the bankruptcy laws effective in late 2005, so the need for ongoing training on the new law is important. (Some 2 million cases were filed during 2005).

We redrafted our two deskbooks – one for general jurisdiction courts and one for family law courts – to cover the many amendments to Federal law. The course books are available without charge to the states, pursuant to a grant we have with the National Conference of Bankruptcy Judges, another non-profit. ABI is a 501c (3) devoted to education and research.

State judicial educators can contact me directly about designing and bringing the program to their states. The live program can be anything from a 2-hour module to a half or full-day. We pay for all faculty costs as well.

I hope you can announce it in your newsletter or any other way to get the word out. Thanks

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## SJI News

Only available online.

## National Institute on Drug Abuse (NIDA) Releases New Drug Abuse Treatment Recommendations to Cut Costs, Save Money and Reduce Crime

The National Institute on Drug Abuse (NIDA), part of the National Institutes of Health (NIH), released a landmark scientific report showing that effective treatment of drug abuse and addiction can save communities money and reduce crime. Principles of Drug Abuse Treatment for Criminal Justice Populations outlines some of the proven components for successful treatment of drug abusers who have entered the criminal justice system, leading to lower rates of drug abuse and criminal activity.

This comprehensive report offers 13 principles based on a review of the scientific literature on drug abuse treatment and criminal behavior. Examples of important principles are that drug addiction is a brain disease that affects behavior, that recovery requires effective individualized treatment that may include medication, and that continuity of care is essential for drug abusers re-entering the community after a period of incarceration.

To read more about this area of interest and order FREE copies of Principles of Drug Abuse Treatment for Criminal Justice Populations (NCADI# BKD 550) visit NIDA's Web site at <<http://www.drugabuse.gov>> or call the National Clearinghouse for Alcohol and Drug Information (NCADI) at 1-800-729-6686 to order this FREE publication. If you wish to order bulk publications, please let me know and I will be glad to take care of your order.

The Institute is also releasing a companion art card for the new criminal justice publication, titled Treatment is the key (NCADI# NIDACRD 25). To order FREE copies of this art card, you can also visit <<http://www.drugabuse.gov>>.

Most importantly, NIDA would appreciate you sharing the description of these resources with your colleagues and members affiliated with your organization in addition to including this in your hard copy newsletter, e-newsletter, or Web site.

## Transitions

Please join us in welcoming the following new NASJE members:

- **Mandy Abernethy**, Judicial Branch Education Director, Arkansas Administrative Office of the Courts, Little Rock, Arkansas
- 
- **Gordon “Butch” Chapin**, Administrative Office of the Courts, Senior Educator, Olympia, Washington
- **Liz Cordova**, Administrative Office of the Courts, Education Program Coordinator, Salt Lake, Utah
- **Cynthia D. Davis**, Director, Mississippi Judicial College, University, Mississippi
- **Christine Folsom-Smith**, National Judicial College/National Tribal Judicial Center, Program Attorney, Reno, Nevada
- **David Gamble**, National Council of Juvenile and Family Court Judges, Information Specialist, Reno, Nevada
- **David Gordon**, Academic Coordinator, Nevada Supreme Court/AOC, Carson City, Nevada
- **Bonnie L. Kirkpatrick**, Delaware Administrative Offices of the Court, Trainer/Educator, Wilmington, Delaware
- **Loni Leese**, Deputy Court Administrator, Glendale City Court, Glendale, Arizona
- **Hillari Lipton**, New Mexico Judicial Education Center, Meeting Planner, University of New Mexico, Albuquerque, New Mexico
- **Cheryl Lyngar**, National Council of Juvenile and Family Court Judges, Information Specialist, Reno, Nevada
- **Carole McMahan-Boies**, Nebraska Supreme Court, Director of Judicial Branch Education, Lincoln, Nebraska
- **W. Milt Nuzum**, Director, Supreme Court of Ohio Judicial College, Columbus, Ohio
- **Charles B. Schudson**, President, Keynote Seminars, LLC, Wisconsin Reserve Judge, Milwaukee, Wisconsin

- **Gordon Zimmerman, PhD**, Professor, University of Nevada, Department of Speech Communication, Reno, Nevada

## **OJJDP Fact Sheets Feature Juvenile Court Statistics**

From: NewsFromOJJDP@ncjrs.gov

Sent: Wednesday, December 27, 2006 12:36 PM

To: SchopicP@sconet.state.oh.us@ncjrs.gov

Subject: OJJDP Fact Sheets Feature Juvenile Court Statistics

### OJJDP Fact Sheets Feature Juvenile Court Statistics

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has published the following online fact sheets highlighting selected statistics on juvenile court cases:

"Delinquency Cases in Juvenile Court, 2002"

"Person Offenses in Juvenile Court, 1985–2002"

"Juvenile Delinquency Probation Caseload, 1985–2002"

Based on OJJDP's forthcoming report "Juvenile Court Statistics 2001–2002," the fact sheets draw on data from the National Juvenile Court Data Archive.

#### Resources:

These online fact sheets may be accessed as follows:

"Delinquency Cases in Juvenile Court, 2002" at  
<http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238067>.

"Person Offenses in Juvenile Court, 1985–2002" at  
<http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238068>.

"Juvenile Delinquency Probation Caseload, 1985–2002" at  
<http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238069>.

## **Juvenile Offenders and Victims: 2006 National Report – An Essential Resource for All Juvenile Justice Practitioners**

By David Gamble

Whatever your professional position as a juvenile justice practitioner it is critical that in your decision making you have the most current and accurate information available. The Juvenile Offenders and Victims: 2006 National Report (Snyder and Sickmund, 2006) is a valuable resource that provides information you may need to know.

### **What is Your Knowledge of Juvenile Justice Matters**

There is an abundance of new and updated information that one can learn in the Juvenile Offenders and Victims: 2006 National Report (hereafter, National Report). The publication challenges what you thought you knew! Let's examine your knowledge about juvenile justice matters with the following questions:

1. Are school students safer in school and on their way to and from school than they were just a few years ago compared to almost 15 years ago?
2. What times of the day are some violent crimes with juvenile victims most common?
3. Are men or women overrepresented among child maltreatment perpetrators?
4. The overwhelming majority of child maltreatment perpetrators are strangers to the victims? (True or False)
5. Four years ago the number of murders by juveniles increased to its highest level since more than 20 years ago? (True or False)
6. Gang membership tends to be long-lived, especially among high-risk youth? (True or False)
7. Three years ago it was reported that juvenile arrests for violent crimes rose proportionately more than adult arrests? (True or False)
8. The juvenile drug arrest rate has increased in the last several years? (True or False)
9. Youth under the age of 18 may still be eligible for the death penalty in the United States? (True or False)
10. Besides the commonly used recidivism rates, what other outcomes are used to measure the success of the juvenile justice system?

How did you do? The correct answers will be presented at the end of the article, but first let's learn more about the National Report.

### **The National Report**

The National Center for Juvenile Justice (NCJJ), the research arm of the National Council of Juvenile and Family Court Judges (NCJFCJ) prepared the National Report. The co-authors are Howard Snyder, Ph.D., Director of Systems Research and Melissa Sickmund, Ph.D., Senior Research Associate, both on staff at the NCJJ. The NCJJ has been providing vital information to key juvenile justice personnel, policy makers and other interested parties since 1972. The NCJJ also provides the Office of Juvenile Justice and Delinquency Prevention (OJJDP) statistical data and other information on juveniles in the juvenile justice system.

The National Report is preceded by other similar reports prepared by the NCJJ, beginning in 1995. The authors of the report take special effort to make the National Report's text, maps, and tables "user-friendly." The National Report is an in depth research effort and preparation is extensive, therefore limiting the ability to publish one on an annual basis. In the interim, while work continues on the more comprehensive National Report, a series of National Report "bulletins" are published. The recently released "full" National Report "...presents information on the characteristics of the juvenile justice population, juvenile offenders, juvenile justice system structure and process, law enforcement and juvenile crime, juvenile courts and juveniles in correction facilities" (Juvenile and Family Court Justice Today, 2006, p.10).

In addition to the aforementioned information in the National Report, it now has added new information on: child maltreatment cases, blended sentencing, where juvenile crime occurs, rape victims and offenders, arrest and custody rates, and sexual violence in juvenile facilities ("Juvenile and Family Court Justice Today," 2006). The publication also provides an ample supply of statistical information for the serious researcher.

### **Answers to the Questions**

Now that you have information on the questions' origins taken from the National Report (2006) lets go over the correct answers:

1. Students are now safer. “In 2001, students were safer in school and on their way to and from school than they were in 1992” (p.29).
2. “Some violent crimes with juvenile victims are most common after school, others, around 9 p.m.” (p.34).
3. “Women are overrepresented among both caregivers and maltreatment perpetrators” (p.55).
4. False. “The overwhelming majority of child maltreatment perpetrators are parents of the victim” (p.55).
5. False. “In 2002 the number of murders by juveniles dropped to its lowest level since 1984” (p.65).
6. False. “Gang membership tends to be short-lived even among high risk youth” (p.83).
7. False. “Between 1994 and 2003, juvenile arrests for violent crime fell proportionately more than adult arrests” (p.127)
8. False. “The juvenile drug arrest rate climbed 77% between 1993 and 1997 but has declined some since then” (p.144).
9. False. “Supreme Court decision in Roper v. Simmons (2005) prohibits the death penalty for youth younger than 18” (p.239).
10. “In an effort to demonstrate that the juvenile justice system works, many jurisdictions around the country report success rates rather than recidivism rates” (p.234).

Well, how did you do? If you did not do as well as you would have liked the National Report is something that you must secure a copy of. If you did well, that is good, but there is so much more information in the report that will enlighten you more.

### How to Obtain a Copy of the National Report

To order a copy, please visit the OJJDP website ([www.ojp.usdoj.gov/ojjdp](http://www.ojp.usdoj.gov/ojjdp)), or call the National Criminal Justice Reference Service at 800-851-3420.

### References

Juvenile Offenders and Victims: 2006 National Report (2006, Spring) p.10. *Juvenile and Family Justice Today*. National Council of Juvenile and Family Court Judges.

Snyder, H., & Sickmund, M (2006). *Juvenile offenders and victims: 2006 national report*. Washington, DC: Department of Justice, Office of Justice Programs, Office of Juvenile Delinquency and Prevention.



David J. Gamble is a Sr. Informational Specialist for the National Council of Juvenile and Family Court Judges. In this position Mr. Gamble researches and provides juvenile justice related information to judges and other juvenile court-related personnel on a national basis. The National Council of Juvenile and Family Court Judges stands as the Nation's largest and oldest non-profit membership organization solely devoted to improving the Courts of Juvenile and Family Jurisdiction. The Council is located on the campus of the University of Nevada in Reno. Prior to this current position, Mr. Gamble was the Director of the Council's Juvenile Sanctions Center. The Juvenile Sanctions Center was an over 2.5 million dollar multi-year initiative between the Council and the Office of Juvenile Justice and Delinquency Prevention to create and/or improve juvenile accountability-based sanctioning programs for communities and their youth who come into contact with the juvenile justice system.

### Teaching the Teachers: Public Outreach through Adult Education

By Lee Ann Barnhardt

North Dakota Supreme Court Justices switched roles with 18 secondary history, government, and social studies teachers from across the state when they taught at the Court's first North Dakota

Justices Teaching Institute: "The Constitution and Judicial Decision-Making" in North Dakota in October 2006.

The North Dakota Supreme Court, with the financial support of the North Dakota Division of Independent Study Institute, developed this public outreach program to foster a better civic understanding of the role of the courts, how they work, and how they make decisions. The Institute's goal is to enable teachers to teach others with confidence about the nature, history, structure, function, and processes of the courts and the legal system.

Prior to preparing their course material, the justices went back to school themselves, getting a primer on adult learning theory from their judicial education coordinator Lee Ann Barnhardt and Justice Mary Muehlen Maring, who organized the institute as her project for the Institute for Faculty Excellence in Judicial Education.

"We went over Kolb's learning circle, discussed learning objectives, and suggested activities they could try instead of just lecturing," said Barnhardt. "The justices put a lot of work into preparing their sessions and the course evaluations were overwhelmingly positive, especially regarding the mock oral argument."

During the two-day institute, the teachers assumed the role of judge. They were divided into courts and had to deliberate and announce their rulings at the end of the second day.

"The overall experience was fantastic," said John Lauinger of Velva, North Dakota. **"I have better appreciation for what the justices do. It is a difficult job."**

Walking in the shoes of a justice through a balance of academic and clinical experiences, teachers implemented strategies for effectively teaching legal concepts. Sessions covered utilizing technology to teach law-related subjects and legal concepts; reviewing the framework of the judicial decision-making function; experiencing the importance of fair and impartial courts; and, finally, experiencing the criminal court process in the context of deciding a Fourth Amendment constitutional question argued by Attorney General Wayne Stenehjem and Robin Huseby, director of the North Dakota Commission on Legal Counsel for Indigents.

"The sessions were very interesting with a wide range of topics and subject matter," said Dave Dougherty of Watford City, North Dakota. "What a unique opportunity for us to experience the personalities and expertise of the justices of our state's supreme court."

The institute was facilitated by the Honorable Gerald W. VandeWalle, the Honorable Dale V. Sandstrom, the Honorable Mary Muehlen Maring, and the Honorable Carol Ronning Kapsner.

"Allowing each justice to present a subject was an excellent idea," said Dougherty. "I have shared some of the information we discussed during the institute with my students and it certainly made it more meaningful for them. This was a tremendous educational, professional, and social experience."

The North Dakota Teaching Institute was modeled after the Florida Supreme Court's Justice Teaching Institute. Assistance was also received from Washington and Minnesota Supreme Courts.



*Lee Ann Barnhardt is the Judicial Education and Special Projects Coordinator for the North Dakota Supreme Court in Bismarck, ND. She has a background in secondary education and communication and has worked as a journalist, a high school teacher and an adjunct professor in the field of communication.*

## **An Educator's Entreaty for Threat Management in State Courts**

by Lois Wright

Just as we have witnessed a dramatic increase in school shootings and terrorist activity over recent decades, courtroom violence has also become a prominent national concern. Informal research by the National Sheriffs' Association suggests that in the last 35 years, eight state or local judges, three local prosecutors, forty-two court participants, and at least five law enforcement officers have been killed in and around local courthouses. Those numbers represent a best estimation, since no uniform tracking body exists among the states.

The United States Marshals Service, an agency charged with providing security to our nation's judges, spends a good deal of resources tracking threats and attacks on federal judiciary. Judicial security on a state and municipal level, however, is in dire need of attention, organization, and action. In educating the bailiffs, marshals, warrant officers, and contract court security personnel who protect our courts, **it is imperative to stress the importance of quickly assessing threats, accurately determining how to protect judges against various levels of threats, and creating an area-wide database for collecting and sharing intelligence on threats against judges and court personnel.**

Threat management is one of the most effective forms of proactive court protection. While it tends to be more subtle and underappreciated than its more-quantifiable reactive counterpart, quelling problems before a crisis breaks is most certainly preferred.

The Bureau of Justice Assistance recently promulgated a bulletin concerning threat management processes. It highlighted 10 basic elements of threat management to help manage risks of violence committed and attempted against the judiciary. These tenants provide a foundation for states to follow in establishing comprehensive threat management plans.

### **1. Recognize the need for a plan to manage threats and other violence against judicial officials, court staff, and clients**

Since courts are outlets where people resolve disputes and mete out justice, they see a generous number of charged controversies, from which each disputant desires nothing more than to leave that courtroom a victor. When an individual is unbendingly steadfast in her correctness, she might find it impossible to accept the final ruling of the court. Anger and a thirst for revenge can become physically manifested as threats or violence against contributors to the justice system.

### **2. Assign the responsibility of managing cases to trained threat managers**

A threat management staff person is incomparable to the process of handling threats. This person should be well trained, and should receive continuing education as needed. Of course, personnel and resources should be determined on an individual basis considering the court size and specific need.

### **3. Provide training for court personnel and judges**

Train staff on what constitutes “inappropriate communication or contact” (IC&C) and how to report it. This provides a threat manager with a way to glean initial facts about a situation and determine what response would be best. Reports should be accepted from all levels of court personnel, from the judges and clerks to the mail handlers and parking lot attendants. After all, the people with the most direct contact with the public are the most likely to see, hear, or receive inappropriate communications or contact.

### **4. Create an incident tracking system with well-documented files**

Time is of the essence in handling threats, so a tracking system must be clear and accessible. IC&C reports should have, at a minimum, the following information:

- A case summary along with information regarding the case specifics
- The manner in which the IC&C was delivered
- The context of the situation and any exact quotes used
- Demographics of the suspect, if known
- Target information
- The possible motive

### **5. Establish a connection with other agencies**

Tracking systems, whether a highly sophisticated computer database or a simple index card system, should be readily accessible to other agencies in cases that span multiple levels or jurisdictions of the court.

### **6. Maintain consistency within the threat management process**

The threat manager should function as a gatekeeper to provide an initial assessment of the risk and design a protective response. The threat manager can distinguish the subject as either a “hunter”—someone who attacks without having made threats — or a “howler”— someone who make threats but never attacks. This finding can be made after analyzing the person’s background, the level of despair they may be facing, the person’s proclivity towards violence, and previous behaviors relating to attacks.

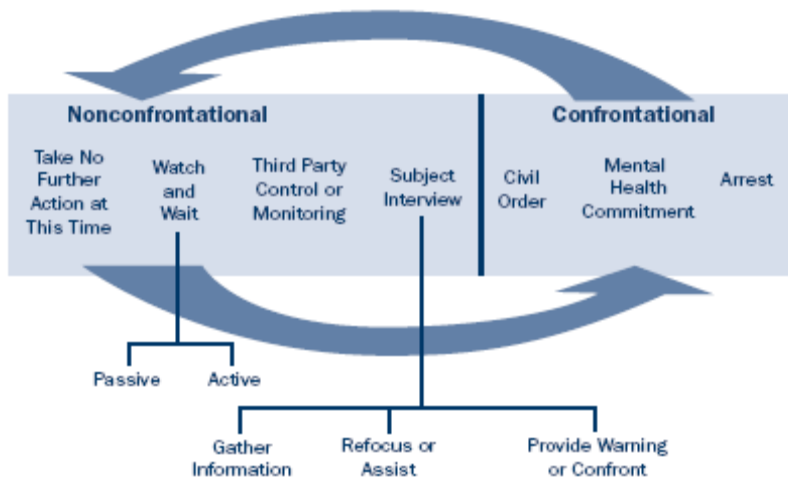
### **7. Conduct a thorough fact finding**

Investigate the facts surrounding each IC&C reported. Targets of threats related to specific court cases are often aware or suspicious of dangerous suspects. Other bystanders or court employees may have their own impressions about certain suspicious persons as well.

### **8. Apply threat management strategies flexibly and intelligently**

This figure presents an example of the intrinsic fluidity and range of responses involved in threat management:





## 9. Communicate with protectees in a professional, confident, and competent manner

Without exceptions, a threat manager should provide a protective response in every case. This may range from providing a security briefing to the target and other people who may be affected, to complete target relocation or protective monitoring. Frequent updates and information dissemination will help put targets at ease and dissipate fear. Targets should be kept calm, attentive to instructions, and willing to comply with suggestions or commands.

## 10. Manage cases appropriately

Remember, there is rarely closure in threat management cases. Arrest, conviction, the passage of time: none of these elements assures that the subject won't be heard from again. Threat management is more closely related to behavior and individual management, than specific crimes or cases.

The United States Marshal Service (USMS) has addressed two parts of threat management: first, the effective analysis and investigation of threats, and second, quickening the response time and expanding the coverage to achieve a more comprehensive response. To accomplish this, the USMS plans to unveil a 24/7 Threat Analysis and Intelligence Center to provide fast and timely analysis of threats. They are also creating Rapid Deployment Teams to respond to them. Additionally, a Technology Working Group installs hard technology for the Service, including the nearly 1700 home security systems approved by Congress in 2005 for judicial security.

While this type of scale may not currently be practical or available for state courts, it indicates the trend toward proactive approaches to protecting the judiciary. **State and local courts must take into consideration their limitations and unique geographic particularities as well as those risks common to the court's daily dealings, be it criminal cases, civil cases, domestic cases, or cases involving imprisonment, fines, or other sanctions.** Specialized state and local courts may have a benefit in being able to predict the types of threats most often encountered.

Threats against the judiciary are not necessarily contained to one municipality or one state. As educators, we must champion that our constituents do whatever is practicable to increase personal security around their residences, while traveling, and in the courtroom. In addition, we should use our

insight and ardor to encourage state and local governments to provide additional funding for threat management and threat tracking databases.

## References

“Marshals Service Cites Actions to Protect Threatened Judges.” *Criminal Justice Newsletter*, 9/1/06 ©2006 Letter Publications, Inc., 4-5.

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Lois Wright is a program attorney at the Texas Municipal Courts Education Center where she oversees the bailiff and warrant officer training as well as the training for new, non-attorney judges. Lois graduated from the University of Texas School of Law in 2005, where she was an editor for the *Texas Journal of Women and the Law* and participated in the Capital Punishment Clinic and the Mediation Clinic.

## Electronic Education

Submitted by Lee Ann Barnhardt

Distance learning, electronic education, online learning. From campuses to courts, organizations have joined the trend to provide training and education through the use of technology. The reasons vary from convenience of participants, to saving travel dollars, to being able to respond to issues quickly.

While some judicial educators are well-versed in this field, others are just beginning to get their feet wet and may feel overwhelmed by the terminology alone. This article will attempt to define and explain some of the basic terms used in the world of electronic education.

First we should define distance education and distance learning. **Distance education** is an educational situation in which the instructor and students are separated by time, location, or both. Education or training courses are delivered to remote locations via [synchronous](#) or [asynchronous](#) means of instruction, including written correspondence, text, graphics, audio- and videotape, CD-ROM, online learning, audio- and videoconferencing, interactive TV, and FAX. Distance education does not preclude the use of the traditional classroom. **Distance learning** is the desired outcome of distance education.

The following are other terms you may come across in planning for and delivering distance education:

**Asynchronous learning:** Learning in which interaction between instructors and students occurs intermittently with a time delay. Examples are self-paced courses taken via the Internet or CD-ROM, Q&A mentoring, online discussion groups, and email.

**Blended learning:** Learning events that combine aspects of online and face-to-face instruction.

**Computer Assisted Instruction (CAI):** Teaching process in which a computer is utilized to enhance the learning environment by assisting students in gaining mastery over a specific skill.

**Delivery:** Any method of transferring content to learners, including instructor-led training, Web-based training, CD-ROM, books, and more.

**Listserv:** An e-mail program that allows multiple computer users to connect onto a single system, creating an online discussion.

**Learning platforms:** Internal or external sites often organized around tightly focused topics, which contain technologies (ranging from chat rooms to groupware) that enable users to submit and retrieve information.

**M-learning (mobile learning):** Learning that takes place via such wireless devices as cell phones, personal digital assistants (PDAs), or laptop computers.

**Point-to-multipoint:** Transmission between multiple locations using a bridge.

**Point-to-point:** Transmission between two locations.

**Self-paced learning:** An offering in which the learner determines the pace and timing of content delivery.

**Streaming media:** [Media](#) that is consumed (heard or viewed) while it is being delivered. Streaming is more a property of the delivery system than the medium itself. The distinction is usually applied to media that are distributed over computer networks; most other delivery systems are either inherently streaming (radio, television) or inherently non-streaming (books, video cassettes, audio CDs).

**Synchronous learning:** A real-time, instructor-led online learning event in which all participants are logged on at the same time and communicate directly with each other. In this virtual classroom setting, the instructor maintains control of the class, with the ability to "call on" participants. In most platforms, students and teachers can use a whiteboard to see work in progress and share knowledge. Interaction may also occur via audio- or videoconferencing, Internet telephony, or two-way live broadcasts.

**Teleconferencing:** Two way electronic communication between two or more groups in separate locations via audio, video, and/or computer systems.

**Videoconferencing:** A set of interactive [telecommunication technologies](#) that allow two or more locations to interact via two-way video and audio transmissions simultaneously. It has also been called visual collaboration and is a type of [groupware](#).

**Webcasting:** Broadcasting through the web; transmitting live presentations over the internet that can be archived for later use. Uses streaming media technology.

**Webinar:** A seminar that is conducted over the World Wide Web. It is a type of web conferencing. In contrast to a [Webcast](#), which is transmission of information in one direction only, a webinar is designed to be interactive between the presenter and audience. A webinar is 'live' in the sense that information is conveyed according to an agenda, with a starting and ending time. In most cases, the presenter may speak over a standard telephone line, pointing out information being presented on screen, and the audience can respond over their own telephones, preferably a speakerphone.

**Web conferencing:** Used to hold group [meetings](#) or live [presentations](#) over the [Internet](#). In the early years of the Internet, the terms "web conferencing" and "computer conferencing" were often used to refer to group [discussions](#) conducted within a [message board](#) (via posted text messages), but the term has evolved to refer specifically to "live" or "[synchronous](#)" meetings, while the posted message variety of discussion is called a "[forum](#)", "message board", or "[bulletin board](#)". In a web conference, each participant sits at their own [computer](#), and is connected to other participants via the internet. The most basic feature of a web conference is screen sharing, whereby conference participants see whatever is on the presenter's screen. Usually this is accompanied by voice communication.

**WBT (Web-based training):** Delivery of educational content via a Web browser over the public Internet, a private intranet, or an extranet. Web-based training often provides links to other learning resources such as references, email, bulletin boards, and discussion groups. WBT also may include a facilitator who can provide course guidelines, manage discussion boards, deliver lectures, and so forth. When used with a facilitator, WBT offers some advantages of [instructor-led training](#) while also retaining the advantages of [computer-based training](#).

**Whiteboard:** An electronic version of a dry-erase board that enables learners in a virtual classroom to view what an instructor, presenter, or fellow learner writes or draws. Also called a smartboard or electronic whiteboard.

*Source: ASTD's E-Learning Glossary, including definitions from Barron's Dictionary of Computer and Internet Terms; Barry Willis and the University of Idaho; Brandon-hall.com; Cisco Systems, Internet Learning Solutions Group; click2learn.com; Cnet; The Computer Glossary: The Complete Illustrated Dictionary; Corporate University Xchange; EdWeb; Illinois Online Network, University of Illinois; The Indiana College Network (ICN); edutools.info; Teach Wisconsin; Tech Encyclopedia; The Trainer's Dictionary; Webopedia; whatis; WR Hambrecht + Co.*

## **December issue of Thiagi GameLetter**

I am happy to announce the December 2006 issue of my free online newsletter.

You can read it by visiting <http://thiagi.com/pfp/december2006.php> .

The December issue contains--

A different approach to training the trainer.

A short piece on using horses in training.

An announcement for an upcoming public workshop in Switzerland.

An activity by Regina Rowland that uses mapping for negotiation.

Brief descriptions of five more textra games (bringing us up to 25).

A 99-Words piece by Brian Remer about one approach to difficulty.

A 99-Words piece by Rahul George praising the 99 Words format.

A 99-Seconds clip about multitasking.

A Paradox piece by Tracy Tagliati about work and play.

Enjoy this issue of the Thiagi GameLetter. Read it and play it! And please give us feedback.

Playfully,

Thiagi

### **January issue of Thiagi GameLetter**

Happy New Year!

I am happy to announce the January 2007 issue of my free online newsletter.

You can read it by visiting [http:// thiagi.com/pfp/january2007.php](http://thiagi.com/pfp/january2007.php) .

The January issue contains--

A practical article on rapid training design that features participant-generated training content

A multipurpose card game called DOZENS in which participants build a list, one item at a time

An invitation to co-create other training games based on the DOZENS frame

An interview with Susan Otto, this month's guest gamer

A simulation game, DO YOU REMEMBER, by Susan Otto

A reminder about Thiagi's workshop in Zurich on training games and simulations

Descriptions of five more textra games for using with your reading assignments

Les Lauber's reviews of two useful books

An important insight from Brian Remer in exactly 99 words

A 99-Seconds audio clip featuring a bilingual joke

Enjoy this issue of the Thiagi GameLetter. Read it and play it! And please give us feedback.

Playfully,

Thiagi

### **February issue of Thiagi GameLetter**

I am happy to announce the February 2007 issue of my free online newsletter.

You can read it by visiting [http:// thiagi.com/pfp/february2007.php](http://thiagi.com/pfp/february2007.php) .

The February issue contains--

An audio game about displaying empathy to customers.

A structured sharing game that explores why employees don't show empathy to customers

A DOZENS game for the training of new supervisors by Catherine Tencza

An online analysis (and evaluation) tool that uses single-item surveys

Les Lauber's review of two books, one on productive conversations and the other on facilitation skills

An insightful exploration of empowerment by Brian, in exactly 99 words

A 99 seconds audio clip that presents a formula for happiness

A 99-words article by NancyAnn Jambor on leading the group and managing the room

Enjoy this issue of the Thiagi GameLetter -- and playing it!

And please give us feedback.

Playfully,

Thiagi

*Focus on state JBE offices:*

### **Utah Judicial Institute, at the Utah Administrative Office of the Courts**

Diane Cowdrey, Ed.D., Director, Utah Judicial Institute

The Utah Judicial Institute is the education arm of the Administrative Office of the Courts in Utah. We have a lot of institutional support for judicial branch education, owing in no small part to the efforts of Chief Justice Christine Durham, who was instrumental in the early judicial education efforts around the country, including the Leadership Institute in Judicial Education, and to Dan Becker, State Court Administrator, a past COSCA

President, and National Center for State Courts Board Member. Utah has a centralized state court system, a Judicial Council that sets policy for the courts, and a Judicial Rule that mandates 30 hours of education for judges and 20 hours of education for court staff. Throw in the beautiful mountains, the great skiing and the many national parks in our state, and you've got a great place to be a judicial branch educator!

Staff is responsible for educational programming for all state and justice court judges and all state and justice court staff. We hold approximately 20 conferences or multi-day programs during the year, as well as over 100 classes for court employees, covering topics such as "Drugs and Alcohol," "Cultural Competency" and "Coaching Employees." We hold orientation programs for court employees, probation officers, small claims judges, and judges from the state and justice courts. In the past two years, an initiative to strengthen the role of presiding judges has resulted in Presiding Judge orientation and yearly programs. Likewise, our Trial Court Executives have been receiving training on NACM Core Competencies, primarily from ICM. When possible, we conduct joint training with Idaho's court administrators.

Other specialty programs include a Legal Institute, where non-attorney Justice Court judges can receive a "Certificate in Legal Education" by attending a series of mandatory and elective classes taught by law school faculty. This past year, we developed a number of on-line programs for judges and clerks in the Justice Courts - a WebCT program on working in teams, developed by ICM, and three programs adapted from the New Mexico website. We're starting slowly with on-line learning and focusing on helping people to use it effectively. An additional initiative has been using the curriculum development process created by California CJER to develop long-range curriculum plans.

Our dedicated staff has grown to 7, quite a jump from the three person department when I arrived in 1992! The scope of our work is broad, and we accomplish an amazing amount of programs and products for the judicial branch. The Utah Judicial Institute is highly regarded within our courts system, as we endeavor to accomplish our mission:

*"The mission of the Utah Judicial Institute is to provide education and foster a culture of learning which promotes excellence among all judges and court staff."* Diane Cowdrey, Ed.D., Director, Utah Judicial Institute

*Focus on state JBE offices:*

**Meet the Indiana Judicial Center**

**Anne Jordan, Program Attorney, Indiana Judicial Center**

The Indiana Judicial Center is the staff agency for the Judicial Conference of Indiana. The Judicial Conference consists of all full time trial and appellate judges, full-time magistrates, senior judges and retired judges who serve as special judges. Our policy making body is a Board of Directors, chaired by the Chief Justice along with 26 judges who serve as directors.

The Indiana Judicial Center serves the judicial officers by providing several educational programs. The Indiana Judicial Center provides orientation programs for pre-bench, general jurisdiction and juvenile court judges. It also has a three-day Spring Judicial College program, a two-day Juvenile Court Judges program, a three-day Mandatory Annual Meeting of the Judicial Conference of Indiana, a two-day City and Town Court Judges program, a two-day Domestic Relations program every other year; and a one-day Winter Program.

Additionally, The Indiana Judicial Center assists the probation department by conducting testing and certification of probation officers, responding to probation related research questions from judges and probation officers, setting standards for probation officers, sponsoring annual and regional probation officer education programs, and assisting local courts in the development and improvement of probation services.

The Interstate Compact Department is another interesting part of the Indiana Judicial Center. It facilitates the interstate transfer of adult probationers, monitors the collection of fees associated with the out-of-state transfer of adult probationers, represents Indiana at the national level on adult compact issues, facilitates the interstate transfer of juveniles, and facilitates the return of runaway juveniles. Further the Indiana Judicial Center provides research and legal information to the courts as well as publishes a weekly "CaseClip" summary of case law affecting Indiana courts. Additionally, it assists committees in drafting bench books and other materials and answers questions and provides information to executive and legislative branches and media.

In the Juvenile and Family Services area, the Indiana Judicial Center has drafted bench books and other materials relating to juvenile/family law; assisted education staff in planning and conducting juvenile judges orientation programs, the annual two-day Juvenile Court Judges program, and the two-day Domestic Relations program; worked with private organizations, federal agencies and other state/local agencies to promote the administration of justice in this area; developed, maintained and distributed a monthly roster of residential childcare facilities; and conducted research projects and studies to improve the administration of justice in this area.

The Indiana Judicial Center has done some special work in the drug court and problem solving court area. It has assisted local courts in establishing court alcohol and drug programs; and administered, supported, regulated, and certified court alcohol and drug programs. Further, it administers the Court Substance Abuse Management Specialist (CSAMS) credential program and conducts training on alcohol and drug issues. It also has promoted the expansion of problem-solving initiatives within the Indiana court system.

Lastly, the Indiana Judicial Center provides important administrative services, including the budgeting and coordinating of the operation of the Center; providing logistical support for the Indiana Graduate Program for Judges and other special projects as requested by the Indiana Supreme Court; gathering and disseminating information and data to the courts; coordinating regional district meetings for the Indiana Supreme Court; and answering questions from and providing information to executive/legislative branches, media and general public regarding Indiana's judiciary and its role.

## **What to do in Portland**

Portland Oregon is where you want to be for the National Association of State Judicial Educators (NASJE) Annual Conference, August 12-15, 2007.

Set against the backdrop of beautiful Mt. Hood, Portland combines a sophisticated, cosmopolitan atmosphere with refreshing friendly, small-town warmth. The sky is a bright blue, the Willamette River flows freely and on any given day you will see boaters, jet skis, and merchant ships sailing by.

Families stroll along the river, enjoying the many fountains that grace the landscape of the city while others may take a moment and enjoy a bench, good book and a delicious cup of freshly brewed coffee from a local coffee shop. Visitors fall into the rhythm of the city by strolling through gardens and parks or by shopping tax-free in tempting stores and boutiques.



Just outside the city limits you can pass through lush wine country, stopping to taste the award winning wines from the Willamette Valley or just two and half hours away from Portland, you will find North America's semi-active volcano, Mount Saint Helens.

This is a wonderful opportunity to bring your families to the Pacific Northwest and explore everything it has to offer!

Big city excitement and small town charm make Portland, Oregon, known as "the City of Roses", one of the favorite destinations in the West. Portland is situated approximately 70 miles from the Pacific Ocean in a magnificent setting between the sparkling waters of the Columbia and Willamette Rivers. Portland's historic old town, galleries and museums, Saturday Market, and theatre companies will keep visitors busy for weeks!

Portland was built with walking in mind. The short blocks, combined with public art and old fashioned statuary, fountains, bridges and parks offer opportunities for leisure and contemplation for the casual stroller. Walking tours of the downtown area focusing on the best of the city's art, architecture, urban parks and fountains are available. For the more adventuresome walker, Forest Park has over 70 miles of trails.

Nightlife in Portland is excellent and varied. This includes the world class performances of the internationally-known Oregon Symphony. Performing arts in the area offer ballet, plays, Broadway musicals, modern dance and much more. Oregon Zoo concerts are a summer treat, with music for all kinds of listeners. Portland has many local pubs and brewhouses, and is the home of the Trail Blazers basketball team.

### **Attractions**

Portland Rose Garden  
400 S.W. Kingston Avenue  
Portland, OR 97201  
(503) 823-3636

It is the oldest, official continuously operated public rose test garden in the United States and home to more than 8,000 roses.

**Hours:** Open daily  
**Reservations:** None  
**Cost:** Free admission  
**Location:** West of Downtown  
**Best Time to Visit:** Early through late summer

Portland Japanese Garden  
611 S.W. Kingston Avenue  
Portland, Oregon 97201  
(503) 223-1321

**Hours:** Open daily except closed Thanksgiving, December 25 and January 1  
**Reservations:** Not required  
**Cost:** Admission charge, their brochures carry a discount coupon  
**How Long:** Allow an hour to wander around or take a guided tour

Pearl District

**Location:** Just north of downtown Portland, between Burnside and the Willamette River, and between I-405 and NW Broadway.

Portland's art district retains an industrial flavor, but is filled with cafes and artists' shops.

Best known for:

Gallery walks on the First Thursday of every month

See-and-be-seen restaurants and wine bars

Upscale shopping

Home of Powell's City of Books

Portland Saturday Market  
108 W. Burnside Street  
Portland, OR 97209  
(503) 222-6072

The largest outdoor arts and crafts market in continuous operation in the United States, the Portland Saturday Market showcases local goods, including artisan creations, baked goods and international foods. At the Portland Saturday Market, you'll find all kinds of goods, from handcrafted metal sculptures to funky lawn ornaments.

**Hours:** Every Saturday and Sunday, March 1 through December 24, starting at 10 AM Saturday and 11 AM Sunday

**Location:** Near downtown

**How Long:** You can spend a half hour here just browsing, or much longer if you get down to serious shopping

**Best Time to Visit:** Any time, but you'll get the best selection if you go early

Oregon Zoo  
4001 SW Canyon Road  
Portland, OR 97221  
(503) 226-1561

The oldest zoo west of the Mississippi is home to 200 species of birds, mammals, reptiles, amphibians and invertebrates.

**Hours:** Open daily except December 25

**Cost:** Admission charged, discounted on the second Tuesday of every month

**Location:** West of downtown

**Museum & National Parks**

### **CM2 - Children's Museum 2nd Generation**

Activities and exhibits for kids. The Children's Museum is located across from the Portland Zoo on S.W. Canyon Road, off Highway 26. You can get to it by Max Lightrail or car, parking is free.

### **Forestry Discovery Center**

Just across from the Oregon Zoo, this museum is dedicated to forests and forestry.

## **Oregon History Museum**

Explore Oregon's rich history through artifacts and exhibits.

## **Portland Art Museum**

The oldest art museum in the Pacific Northwest. Collection includes works of European painting and sculpture, American painting and sculpture, English silver, Asian art, Native American art, Pre-Columbian art, Cameroon and other African art, contemporary art, sculpture, prints and drawings, and photography.

## **Fort Vancouver National Historic Park**

The administrative headquarters and main supply depot for the Hudson's Bay Company's fur trading operations, located across the Columbia River in Vancouver, Washington.

## Shopping & Dining

### **Shop N.W. 23rd and Hawthorne Boulevard.**

In Portland, 23rd is more than just another street. It's a long stretch of upper-end clothing stores (possibly the best shopping street in the NW) and amazing restaurants.

Hawthorne Boulevard is 23rd's diametric opposite. Hawthorne is low-key, anti-yuppie and extremely earthy. And it's more than just the vintage shopping, the specialty food or hip atmosphere that make Hawthorne worthwhile. Walking Hawthorne Boulevard is a totally unique experience. It gives you a glimpse of a whole subculture and a feel for the gritty nature of Portland.

### **Powell's Book Store**

Powell's covers an entire city block and is the largest new/used bookstore in the world.

### **Gorge yourself on burgers and beer at the Mission Theater.**

You'll never be satisfied with a bucket of popcorn again. At the Mission Theater, patrons watch movies while drinking brew and eating juicy hamburgers! Everyone orders before the movie, then waiters serve the meals during the flick. The theater is playhouse style – large open floor with tables and chairs and a balcony with conventional movie theatre seats.

## **Managing Without a Carrot or a Stick.**

William Ginn, Esq.

Congratulations, you've made it. You finally have some seniority. You have people under you that you can give directions to and expect the direction to be followed. Although the subordinate staff (hereinafter "staff") is lower on the corporate "totem pole" than you are, if you mistreat them, "bossing them around" for example, you create trouble. This staff member might be a secretary, an assistant, or even someone who is equal to you on the corporate structure, but lower in seniority.

However, you now have a problem. You are their boss, but you really don't have any power over them. You don't have the power to grant bonuses, raises, or to terminate their employment, because that power is reserved for someone elsewhere in the corporate structure. Perhaps you do technically have power over them, but because of relationships outside of the corporate structure, they can easily go over your head to your boss. This might be because of a family relationship (i.e. a child of the boss/owner/management); a close personal relationship; or a romantic relationship with your boss.

In any case, you have no effective way of utilizing the traditional management carrot and stick method to get results. So what do you do?

Here are a few rules that I've learned, having been both the "manager" without power and the staff member with the family relationship to the boss.<sup>1</sup>

### **Rule #1 - Be Nice.**

It's a rule that you either learned at an early age, or you should implement. Say please and thank you to your staff. Try to be courteous to them. Do nice things for them. Pay attention to them. Remember that they are people with thoughts, feelings, and interests. Especially after a hard task with your staff member(s) went out of his or her way to assist you, say thank you. How you say thank you is up to you and your discretion. In some workplaces, it is bringing in pizza for lunch occasionally. In other workplaces, it may be bringing a small present back from a trip to show your staff that you were thinking of them. In other places, if you have the authority, it is sending people home early for long weekends. These all depend on where you are, and what your company's culture is.

### **Rule #2 - Be Humble.**

Another way to think of this rule is to remember that you do not have all of the power. You don't have more power than what you have. Your "staff" wields far more power to make your life easy or difficult than you wield over them.

For example, a document needs to be finished by 8:00 a.m. tomorrow morning. You will stay until the early morning light to get it finished, but your staff member expertly knows how to complete the job. If you are humble concerning your staff member's superiority with that portion of the document, you are far more likely to receive your staff member's assistance. However, your staff can leave you on your own and claim you did not get your part of the document finished in enough time to give him or her the opportunity to properly complete the document.

Also remember that just because someone is in a staff position rather than a managerial position, it does not automatically mean that you are superior to him or her. I have known far too many people over the years who turned down managerial positions because they liked where they were, what they were doing, and did not want the added responsibility of being a manager.

### **Rule #3 - Be Courteous**

When you see your staff overwhelmed, do what you can to assist him or her. Make copies, return a phone call, do something that you might not usually do. People remember the times when they were under pressure and someone helped them. Although the old rules of courtesy are not as black and white as they once were, you should be able to assist without offense.

### **Rule #4 - Take The Blame, Spread The Credit**

Like it or not, your role is to take the blame when something goes wrong. The higher up the corporate food chain you are, the more important it is to remember when something goes wrong, even if someone lower than you on the corporate ladder made the mistake, that the buck stops with you.

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<sup>1</sup> For three years out of college, I worked for my father's company. Just over two years ago, the owner of the company where I have been working for the last 6½ years hired his son.

The blame should stop with you, you are in charge. Think of the times when you were looking for a problem to be solved and everyone you spoke to said, "It is not my fault." After a while you are blaming everyone because no one will definitively state, "I am sorry that this situation occurred and I will do what I can to assist you." You protect your business' reputation. The quality of the company's staff keeps the company's reputation.

If you take the attitude that it is more important to get the job done than it is to spread blame, then slowly, you will earn the respect of your staff. It takes a few times for something to go wrong with no blame spread for people to trust that they won't be blamed.

It is equally important to remember that when things go right, it is far more important to spread the credit for the good job done. When you receive a letter that states how wonderfully a project turned out, pass the letter around the office perhaps with a handwritten "thank you" on it. Let your staff member "overhear" you compliment his or her work to a third party. Make sure that the good things they do are placed in their personnel file (if possible). When your staff knows that you appreciate them, they will appreciate you more.

### **Rule #5 – Be Understanding**

Life is not always the easiest thing to balance with a career. Inevitably, given Murphy's law, when a deadline is pressing, some life crisis will arise. It could be a broken down car, a computer that crashes, a copier that doesn't work, a child too sick to go to school, or just about anything else. What should you do? Focus on the problem and devise a solution. Be understanding and accommodating to the point where the job will get done, but without taking on all of someone else's responsibilities in addition to your own. Find others who can cover part of the tasks. Yelling at someone for things out of their control won't fix the problem. If there is a broken down car, send someone to get them. If the computer froze, try to move them to another computer.

### **Rule #6 – Be An Example**

You must conduct yourself and adhere to the same rules that you expect others to follow. If you are driven and timely, you will show by example that you expect the same from others. If not, then your staff may either resent you because you do not work as hard as they do or prepare for the day your boss asks them about your work habits.

All in all, the best way to manage without a carrot or a stick is with humble humanity. Remember that your staff has a stick every time you ask for extra help. I once heard someone say, "the people who you climb on to get to the top are the same people who are there to greet you on the way down." However, the people whom you assist on your way up, will remember you as they also rise, which can lead anywhere.

### **Rule #7 – Communicate**

There is no substitute for communication. You, the manager, may have an understanding of what projects or deadlines are coming that require input from others that your staff may not be not aware of, or that on certain days a "crunch" will be coming and that everyone is expected to pitch in and make sure that it gets done. Tell everyone as far in advance that you think that this is coming so that they can re-arrange their plans as much as possible.

This shows that you are interested in them and their lives, and recognize that they have lives outside of the workplace.

### **Rule #8 – Praise in public, criticize in private.**

No matter how nice and courteous you are to your staff, there will be a time when you have to act as a traditional supervisor. Don't yell, scream, or berate any member of the staff in front of others. Not only will that undermine you and your authority, in the long run, it will also make what you say less credible.

Instead, praise in public and criticize in private. There is an old saying "you will catch more flies with honey than with vinegar." If you praise people for a good job in public and criticize them in private, then your ability to lead, as well as to fix problems, both go up because it shows that you are more interested in the well being of your staff than in building up your reputation.

As an added benefit, taking this attitude bolsters your credibility with your superiors when you do have to criticize someone or their job performance. It also bolsters your authority when the time comes where someone's employment must be terminated based on your recommendation. Those who scream, yell, and berate their staff lose credibility when the time comes to terminate a troublesome staff member.

### **Rule #9 – Ask for Help**

Perhaps the hardest of these rules to follow is to ask for help. Once you have some authority, there is a tendency to do everything on your own, your own way. Your staff sometimes have insight into what you are facing that would surprise you. If you can, ask for suggestions for facing problems in the workplace that they address. Your staff member's self interest is extremely important here. They want ways to make their jobs easier and to make them feel that they have accomplished something. It may be small, or large, but if their ideas are at least considered, they will have an emotional ownership interest in making the company run better, and it will also make their job easier.

Will following all of these rules make you a stellar manager who never has troubles with employees? Absolutely not. Will ignoring these rules and following none of them make you a horrible manager? No. These rules are generalities, and not meant to be applied in all situations. Will following these rules make you a better manager with happier and more productive staff? My experience says that it will.

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