

Computer-based Education for Judges

by Steve Simon

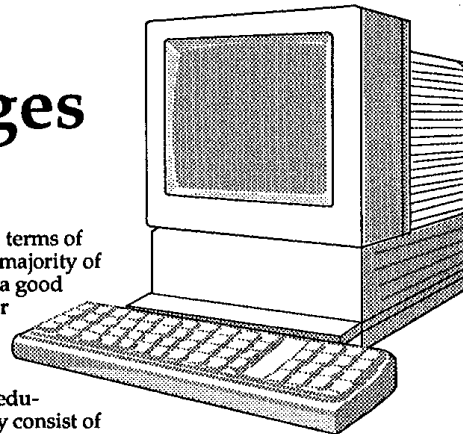
Judges should have educational resources available to them without having to leave their court system. Judges need educational opportunities that will provide them with immediate and relevant feedback on the degree and quality of the learning that they are trying to acquire. Effective and flexible education methods are needed to teach the varied, complex, and integrated skills and knowledge that judges must have to be competent, fair, and efficient. Computer-based teaching technologies address all of these needs.

Limitations of Traditional Education Methods. Three major limitations of the current methods of judicial education are (1) they require bringing judges together for judicial education; (2) they provide little, if any, feedback to the judges regarding what they have learned; and (3) they cannot be used to provide newly appointed judges with effective education and training as soon as they are appointed.

When judges are appointed to the bench, they are expected to immediately master a variety of complex knowledge and skills. We demand that they keep current on the ever-changing laws of our society; however, even though we give judges great responsibility and

demand much of them in terms of knowledge and skill, the majority of the skills they need to be a good judge must be acquired or significantly refined after they become a judge. The traditional methods of training and educating new judges usually consist of providing them with volumes of printed materials that describe in great detail the skills and knowledge the judge is expected to master. Although some states offer new judge courses, and new judges are sent to the National Judicial College, many new judges serve on the bench for up to a year before they can take advantage of these educational opportunities.

There are significant barriers to providing our judges with the education, training, and skills development they need. It is difficult for judges to acquire the majority of the skills needed before becoming a judge. Sitting judges find it difficult to take time off for judicial education or training because they know that (unlike removing a lawyer from the court system) their absence causes all or a portion of the court system to shut down. Judges are thinly distributed throughout each state and the nation, often at great distances from the main metropolitan areas that contain the majority of legal and judicial educational resources. It is time-consuming and costly to bring them together for judicial education or training.



Sitting judges receive little, if any, constructive criticism from the parties who appear before them. Judges work in relative isolation from other judges and have little
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Annual Conference Scheduled

The annual conference of the National Association of State Judicial Educators is scheduled for October 8-11, 1989, in Seattle, Washington. The conference will be held at the Edgewater Inn on the Seattle waterfront.

The program will include ethics and standards, adult education methods and techniques, and legal issues for state judicial education.

Information on the conference will be finalized on July 1; for details call Carol Weaver at (206) 753-3365.

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opportunity to compare their performances to each other. Judges, because they are so powerful, often have a difficult time seeking out constructive criticism even when it is available.

Ideally, the best way for a judge to acquire skills is to read about and discuss the skills, observe the skills being implemented by an experienced judge in an actual trial or courtroom setting, and finally implement the skills in a simulated trial or courtroom setting and receive immediate feedback on the quality of that performance. This feedback is crucial to skill development, for it communicates to the judge the degree to which he or she has mastered the skill or knowledge. Skills training through simulation is labor intensive and logistically complex because it requires bringing judges, lawyers, and other parties together. While live simulation courses have proven very effective in introducing new judges to trial skills and must and shall be maintained, the tremendous demands on newly appointed judges to begin handling court calendars and other judicial responsibilities immediately, as well as the significant distances involved in most states, makes it difficult and expensive to bring new judges to these simulation exercises when they first assume the bench.

Advantages of Computerized Education. Computers and interactive videodisc technology can provide judges with powerful, effective, and flexible skills and knowledge training in their own communities. One of the very significant benefits of these teaching mediums is that they are available at any time. In that sense they are like printed materials. New judges can use these teaching technologies as soon as they are appointed. Because they can be used by any judge at any time, learning can be brought to the judge, rather than bringing the judge to the learning. Computers and interactive computer-videodisc technology present judges with lifelike, complex situations within

which they can apply the skills and knowledge they are trying to acquire or refine. These technologies also provide the feedback necessary for judges to ascertain how successful they are in performing the skill or in acquiring the knowledge they are trying to

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master. If the judge is not mastering the material, the computer provides the judge with tutorial assistance and lets the judge work at his or her own pace until the skill is mastered.

Interactive computer-videodisc technology involves linking a computer with a videodisc player so that a judge can watch an event,

activity, or process (such as a trial) and respond to the objections and observed actions of the attorneys, witnesses, and the defendant in a critical manner via the computer, just as if the judge were presiding at an actual trial. The computer evaluates the judge's response and either directs the videodisc player to proceed to the next stage of the trial or engages the judge in a dialogue to help the judge develop a better understanding of the issues and alternatives that could have been used to resolve the specific objection or issue properly. Based on the judge's decision, the computer directs the disc player to present alternative versions of the trial (again, just as in a real trial). Depending on the judge's ruling, the simulated trial can, and will, proceed down alternative courses. Interactive videodisc technology is the most powerful and dynamic teaching medium that exists today, short of actual courtroom simulation courses.

The cost of computer-based teaching technology has dropped dramatically in the past ten years. A complete computer and interactive video system can be acquired for less than \$3,000. All court systems have or are acquiring computers for calendaring and case and data management, which can also be used for judicial education. If a court system wants to provide interactive videodisc-based judicial education, and they already have computers, all they need is the disc player, which costs less than \$1,500. Educational exercise-authoring software is now available for developing state-specific exercises; it requires no programming knowledge or training.

Computer-based judicial education is a powerful answer to the need to provide effective learning to the busy judges in our court systems. It brings active learning to the judges, gives them lifelike and complex issues to resolve, and, most importantly, provides them immediate feedback on the quality of their learning. ■