



NASJE CURRICULUM DESIGN

JUDICIAL BRANCH EDUCATION – LEADERSHIP DCH9BH-5@

LEADERSHIP: 9bhf m Level Content



NASJE

NATIONAL ASSOCIATION OF STATE JUDICIAL EDUCATORS

Judicial Branch Education – Leadership Potential

*This is a summary of the content in this curriculum design.
Although content is divided into two parts, headings are continuous A – I.*

I. Issues for Judicial Branch Educators

- A. Leadership Considerations
 - a. Leading in the court system
 - b. Leading in the administrative organization
 - c. Judicial branch education’s varied roles
- B. Judicial Branch Education and the Court System
 - a. Origins
 - b. Benefits
 - c. Contributions

II. Leadership, Visioning, and Organizational Development

- C. Exercising Leadership
 - a. Definition
 - b. Characteristics
- D. Leadership vs. Management
- E. Leadership Theories/Models/Styles
 - a. Exercising leadership as staff
 - b. Exercising leadership as a manager
 - c. Exercising leadership as the judicial branch education department
- F. Organizational Change/Organizational Development
 - a. Definition
 - b. Relationship to vision, mission, and strategic plan
 - c. Relationship to learning organization
- G. Leadership and Communication
 - a. Communication styles and factors
 - b. Active listening
- H. NASJE Principles and Standards of Judicial Branch Education
- I. The Local Environment

NASJE Curriculum Designs The Numbering System

NASJE Curriculum Designs follow a consistent numbering system to facilitate identifying information and navigating within and among various curriculum designs.

The first number refers to the NASJE Core Competency.

For example:

9 indicates the NASJE competency addressed in this curriculum design is leadership

The second number refers to entry- or experienced-level content. (Entry indicates that the content is new to the target audience; it is not a reference to the experience level of the participants. Experienced level indicates learners already have some familiarity with the content.)

For example:

9.1 is the entry-level leadership curriculum design
9.2 is the experienced level

The third number refers to the section of the design.

For example:

9.1.1 is the content section for entry-level leadership
9.1.2 is the faculty resources section
9.1.3 is the participant activities section
9.1.4 is the bibliography and selected readings

The final number refers to the order of items in a section.

For example:

9.1.1.1 is the overview in entry-level leadership content
9.1.2.7 is the seventh faculty resource
9.1.3.3 is the third participant activity

Judicial Branch Education – Leadership Potential

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Use of NASJE Curriculum Designs

Taken together, the curriculum designs in this series provide an overarching plan for the education of judicial branch educators; this overarching plan constitutes a curriculum. Individually, each curriculum design and associated information provide faculty with resources and guidance for developing courses for judicial branch educators. Content from the curriculum will be used alongside other content as determined by the NASJE Education Committee.

The designs are based on the [NASJE Core Competencies](#). Two curriculum designs are provided for most competency areas, one for entry-level content and the other for experienced-level content. Content level relates to the participants' familiarity with the subject area and not their tenure in judicial branch education.

Each of the curriculum designs, based on the competency areas, may be used either in its entirety or in segments to meet the needs of the individual circumstance or situation, the particular audience, time constraints, etc.

Each curriculum design includes a series of learning objectives and an outline of content to support those learning objectives. Content is annotated with the bracketed number of the learning objective it supports. Learning objectives for each curriculum design are listed in order of importance or in a logical progression. Faculty is encouraged to select content based on the order of the learning objectives. Content is provided in an abbreviated outline format. Faculty may expand on the content based on the needs of the learners.

Associated information for each curriculum design includes: (a) resources for faculty's use (as reference and/or as participant handouts), and (b) a series of recommended participant activities to measure achievement of objectives. Each resource and participant activity has a cover sheet explaining its use. Faculty notes near the beginning of each curriculum design provide important information to assist faculty in effectively preparing to design and deliver a course.

Developing any course from a curriculum design will require that faculty (a) utilize an [instructional design model](#) (in the appendix), (b) employ [adult education principles](#) (next page), and (c) have an in-depth knowledge of the content beyond what is included in the design. A bibliography accompanies each curriculum design and contains additional sources of information. Because there are many sources for each content area that are not in the bibliography, faculty is encouraged to fully explore a variety of available sources when designing a course from a curriculum design.

The NASJE Curriculum Committee welcomes feedback, updates, corrections, and enhancements to these designs so they will remain current and viable.

Adult Education Principles

As learners mature, they change in terms of:

1. **Self-concept:** *They evolve from being dependent to self-directed.*
2. **Experience:** *They accumulate a growing reservoir of experience that becomes an increasing resource for learning.*
3. **Readiness to learn:** *Their readiness to learn becomes oriented increasingly to the developmental tasks of their various roles.*
4. **Orientation to learning:** *Their time perspective changes from one of postponed application of knowledge to immediacy of application, and accordingly their orientation toward learning shifts from subject-centered to problem-centered.*
5. **Motivation to learn:** *Their motivation to learn is internal rather than externally generated.* (Knowles, 1984).

Effective learning for adults is dependent on faculty:

1. **Engaging learners actively in their learning:**
Adult learners generally prefer to participate, test new learning, and engage in discussion about the relevant content. Faculty needs to actively engage them at least 50% of the time through questions, activities, etc. and enable learners to discover how their new learning will serve them.
2. **Creating and maintaining an effective, safe learning environment:**
Adult learners will participate readily in an educational situation if the environment is physically and psychologically suitable. Physically suitable includes comfortable, well-lighted, and easily accessible space; psychologically suitable includes feeling welcome to offer opinions and differing views and to ask questions. Faculty needs to alter the physical environment to meet the needs of learners and to state and demonstrate that the learning situation is open and non-threatening.
3. **Demonstrating respect for differences:**
Adult learners are independent and self-reliant; they are of varied races, ethnicities, religions, backgrounds, experiences, and education. In an educational situation, they need to be respected for their differences, even if their experience and knowledge is different from faculty. Faculty needs to state and demonstrate their willingness to engage different views.
4. **Providing learners with information on what to expect:**
Adult learners prefer to understand what will happen in their learning and what will be expected of them in the learning environment. Faculty needs to provide an agenda, an overview, learning objectives, etc.
5. **Basing content on immediately applicable information and skills:**
Adult learners generally prefer to engage in learning that will help them in their daily lives and work. Faculty needs to ensure that theoretical information serves only as a background for practical application of new knowledge and skills.

[Instructional Design: The Backbone of Effective Education](#) and [Developing Faculty](#) NASJE curriculum designs include additional information on adult education theory and practical application.

Title: Judicial Branch Education – Leadership Potential

NOTES:

Part of the materials for NASJE curriculum designs is a glossary, which will be the basis for developing a shared or common professional language for judicial branch educators. The first time a word found in the NASJE Glossary is used in a curriculum design, it is identified with a word border. Subsequent uses of the word do not have a border. In the online format, the definition will pop up when you roll your cursor over the text inside the border. In the hard copy format, you can find the definition in the glossary at the end of the curriculum. Faculty members using the NASJE curriculum designs are encouraged to familiarize themselves with the definitions relevant to the content area by reviewing the glossary terminology.

Words or terms underlined and in blue indicate a link to parts of the curriculum design. In the electronic format, click on the text to view the identified item. In hard copy format, refer to the page number that follows the text.

Related to NASJE Competency:

[Competency Area 9 – Leadership, Visioning, Organizational Planning, and Building and Maintaining Support for Judicial Branch Education](#) (available on the NASJE website) Competency Summary: For judicial branch education to be recognized as integral and necessary to the efficient and effective administration of justice, it must have leaders who can inspire individuals inside and outside of the courts to believe in the transformative value of education.

Target Audience:

This curriculum design is intended for judicial branch educators who are beginning to explore the area of leadership.

Content Level: X Entry _____ Experienced

(This is not a reference to the general experience of the learner, but the experience the learner has with the specific content. For example, a learner with 20 years of experience in judicial branch education may be at the entry content level for a he or she has not had an opportunity to work with the content or become proficient with it.)

Date Approved: June 18, 2013 Last Updated:

9.1.1.0 Curriculum Design

9.1.1.1 Curriculum Design Overview:

(This section provides an overview and states the purpose for this educational area. It does not include all the detail shown in the outline, but is intended to provide a synopsis of the content.)

Judicial branch educators must have the ability to work with policy makers internal and external to the administrative organization and the to the courts, members of target audiences, faculty members, and others to (a) ensure that judicial branch education is part of the overall vision, mission and strategic plan of the governing entity, and (b) develop a vision and plan for judicial branch education that highlights its transformative potential.

The content in this curriculum design includes models of leadership and explanations of vision, mission, and strategic plan. In addition, the content addresses education-specific roles with regard to high-level goals for the future of the judicial branch, including organizational development, knowledge management and learning organizations. Content will also provide judicial branch educators with perspectives regarding how to employ leadership roles personally and organizationally, within a larger organization and within the division or department.

9.1.1.2 Special Notes for Faculty:

This curriculum design is intended for judicial branch educators who are managers and those who are not. Leadership is addressed as an activity rather than a position. The content is generally academic and not in great detail since the audience may have varying levels of responsibility and ability to exercise leadership in their local environment.

Faculty members need to be more familiar with the content than what is provided in this design. The bibliography provides resources to review before designing the course. Also, models and theories presented are certainly not the only ones available. Faculty may prefer to use other models, which is fine so long as those models are tied to leadership in the same ways as existing models.

The content outline is divided into two parts. The two parts are to assist faculty in addressing how the content of this curriculum design plays-out in the environment of the administrative organization and of the courts. The first part [I – Issues for Judicial Branch Educators] provides an overview of leadership issues in the court environment. The second part [II – Leadership, Visioning, and Organizational Development] addresses leadership opportunities. The headings (A – I) are consecutive/continuous throughout to assist faculty in referencing

specific areas in the content outline when reviewing faculty resources and participant activities (which reference specific headings). If judicial branch educator learners are new to the court system, faculty for a course based on this design needs to spend some time in the first part of the content. If learners are familiar with the court system, faculty may be able to focus on the second part.

The Curriculum Committee believes that issues of diversity and fairness, ethics, and technology are viable and valuable considerations to be incorporated into courses developed from NASJE curriculum designs. After reviewing the entry level curriculum design for leadership, faculty should address these areas as appropriate for a specific course. In addition to how these issues are already incorporated into this curriculum design, additional content could include:

- Diversity and Fairness: The importance of cultural competency when exercising leadership; potential areas of bias (e.g., age, disability, gender, race, ethnicity, religion, sexual orientation, language); unintended bias (e.g., using “those people” as a reference to members of a group different from your own, gender-based use of first names vs. use of surnames)
- Ethics: The importance of ethical decision making for anyone serving in a leadership role; the need for honesty, integrity, and truthfulness when leading other people; dilemmas occurring when ethics compel an individual to act in ways that may be politically or philosophically challenging for him or her.
- Technology: Use of technology as a means of communication and connection for those serving in leadership roles.

9.1.1.3 Participant Learning Objectives:

(These are statements of what participants can say and/or do to demonstrate learning when participating in a course designed from this content. Learning objectives are directly related to selection of content for this curriculum design. They are listed in order of importance or in a logical progression in both the “in general” and “for the individual situation” sections. Faculty is encouraged to use learning objectives from both areas. Included with this curriculum design are participant activity suggestions for each learning objective.)

As a result of this education, participants will be able to:

In General:

1. Discuss the opportunities and barriers for judicial branch educators to exercise leadership in their administrative organization and in the court system.*

* The basis of this learning objective is Competency Area 1, Governance: Roles, Responsibilities, Structures, and Functions of Boards, Advisory and Planning Committees, and is addressed here only as it applies to leadership roles.

2. List the major contributions that judicial branch education makes to the justice system, including benefits to the public and achieving the goal of public services.
3. Differentiate between **management** and leadership, including identification of major management and leadership styles and approaches.
4. Define organizational change/development, including its link to education and training.
5. Describe knowledge management and how it is linked to education and training.
6. Compare/contrast knowledge management and a learning organization.
7. Explain the key approaches to and components of **visioning** and strategic planning, including a description of how they relate to education and training;
8. Practice effective communication skills, including active listening.
9. Discuss the benefits of NASJE’s Principles and Standards of Judicial Branch Education, including facilitating and inhibiting factors in the courts.

For the Individual Situation:

10. Assess your own organizational environment regarding opportunities for leadership, addressing vision/mission/strategic planning, implementing knowledge management, and establishing a learning organization.

9.1.1.4 Educational Content:

(This is an outline of content to be included in courses developed from this curriculum design. Each area of content is annotated with the bracketed number of the learning objective it supports. The information in parentheses after key headings of the outline provides faculty with the overarching question the heading is designed to address.)

I. Issues for Judicial Branch Educators

A. Leadership Considerations [1]

- a. Leading in the court system [sometimes “leading from behind”] (*what is unique about leadership in the court system and who is generally considered “leadership”; what are the potential barriers judicial branch educators might face in exercising leadership, which may be seen as a non-traditional source of leadership*) – what are the traditional leadership positions in the courts and court system; what are potential

barriers for non-traditional, non-judicial sources of leadership; how can you exercise diplomacy in introducing new ideas, etc.] [see 9.1.2.1 [Stakeholder-Based Governance Model](#), pg. 23]

- b. Leading in the administrative organization (*what are the possibilities and limitations in the various administrative structures for judicial branch education*) – leading in the Administrative Office of the Courts, leading in a university, leading in an association, etc.; how is education viewed or valued; what can be done to enhance its role
- c. Judicial branch education’s varied roles
 - i. Supportive role (*when should judicial branch educators support other groups in the pursuit of their goals*) – responding to requests for education from court system entities, including administration, departments, divisions, etc.; serving on committees or teams where educational expertise is needed; consulting with groups planning to deliver education; etc.
 - ii. Facilitative role (*when should judicial branch educators facilitate and contribute to development/improvement and enable others to pursue their goals*) – suggesting that certain educational opportunities would benefit others; assisting other groups in designing and developing education; etc.
 - iii. Leadership role (*when should judicial branch educators take the lead*) – identifying situations in which education could contribute to professional and organizational development; advocating for education’s involvement in the developmental stages of new projects; creating educational opportunities that have transformative potential; recommending adoption of new strategies, models and processes that advance the organization and the role of education, etc.
 - iv. Understanding the justice system
 - 1. Risks (*what might go wrong in exercising leadership when not understanding the environment of the court system*) – unsuccessful leadership efforts; potential damage to role of judicial branch educator; being marginalized; etc.
 - 2. Risky behaviors (*what are some actions that enhance the risk of failure*) – failing to recognize or honor the hierarchy of the courts; intervening prematurely, offending those in traditional leadership roles; failing to build adequate support; failing to involve and/or inform key people; ineffective communication to those potentially affected by new ideas, identifying with a political “side,” failing to be transparent in activities, etc.
 - v. Leading as staff (*what are the opportunities*)

1. Formal roles – working with teams, developing processes, etc.
2. Informal roles – volunteering to solve problems, etc.
- vi. Leading within a management team (*what are the opportunities*)
 1. Exercising personal leadership – offering new, practical, sustainable, and creative ideas, approaches, and processes to resolve problems; agreeing to take the lead on organizational projects, etc.
 2. Exercising leadership on behalf of the department/division – highlighting the talent in the department; offering the expertise of groups or individuals in the department to assist, participate or lead organizational efforts, etc.
- vii. Leading as a department/division (*what are the opportunities*)
 1. Judicial branch education
 - a. Philosophy (*what is the desired departmental image within the organization and the courts, how is that philosophy shared with others, how is it demonstrated, etc.*) – transformative role of education; leadership for positive change; continual advancement of intellectual capital, etc.
 - b. Vision for the future (*what is the internal view of the long-term role/goal of the department/division, how is the vision communicated to others*) – a key department for support for organizational change; focus on outreach; dependability and responsiveness; high-level concern for customer service; multi-faceted access to educational content, etc.
 2. Education and training (*what needs to be done in the department/division*) – engaging everyone in the department/division in developing or reviewing the philosophy and the vision; demonstrating leadership activities; educating everyone about how to exercise leadership in daily activities; stressing the power of acting as a group; etc.
 3. Thinking and acting collectively (*how can everyone act as one*) – challenge everyone in the department, collectively and individually, to reflect the department/division’s philosophy; engage everyone in working toward achieving the vision; recognize and reward leadership efforts; etc.

B. Judicial Branch Education and the Court System [2]

- a. Origins (*where did it begin, why does that matter*) – generally due to the leadership of a judge(s), or from legislative mandate, often initiated with educating new judges; often creates “ownership” and “leadership” that is difficult to share with others; importance of the administrative environment, including administrative offices of the courts, universities, associations, etc.
- b. Benefits (*who benefits and why*) including judges, staff, justice system partners, the public
- c. Contributions (*what is the value-added by judicial branch education*) – including effectiveness, efficiency, professional development, organizational development
 - i. Education for inculcation of tradition
 - ii. Education for sharing and discovering new knowledge
 - iii. Education for self-actualization
 - iv. Education for transformation

II. Leadership, Visioning, and Organizational Development

C. Exercising Leadership [3]

- a. Definition (*what is it*) – the art of motivating people to act toward achievement of a common goal, generally without exercising authority or force (*why is this an art rather than a set of skills; who demonstrates this art*)
- b. Characteristics (*what do leaders do, how do they act*)
 - i. Focus on change – continual improvement leads to success
 - ii. Optimistic – there is a way to achieve goals
 - iii. Motivated by Intrinsic Values – more than by reward(s)
 - iv. Demonstrate emotional intelligence, including: are aware of their own strengths/weaknesses, are self-regulating by controlling their emotions and thinking before acting, are empathetic, and demonstrate high-level social skills
 - v. Create loyalty – energize people into action

D. Leadership vs. Management [3] [see 9.1.2.2 [Leadership and Management – Comparison and Contrast](#), pg. 26] - (*what are the similarities and differences*) including, many people are both; leaders may be managers, but not all managers are leaders, and not all leaders are managers

E. Leadership Theories/Models/Styles [3]

- a. Exercising leadership as staff
 - i. Some models [the models presented are not the only models of leadership; they are models that seem to not be dependent on the position of supervisor/manager]
 1. Servant leadership – [Robert Greenleaf] – leadership arising from a desire to serve rather than a desire to

- lead; encourages collaboration, trust, foresight, listening and the ethical use of power and empowerment
2. Following part of leading – [Katzenbach and Smith] – asking questions instead of giving answers, providing opportunities for others to lead you; doing work in support of others rather than having them do work in support of you; helping people help each other; seeking common understanding (rather than consensus)
 3. Team leadership – [Meredith Belbin] – choosing to limit individual role to the preferred team role; building on diverse strengths; developing others; creating a mission which others can adopt and take action as they see fit
- ii. Exercising leadership as part of the judicial branch education department/division (*what are the possibilities for use of these models within the larger organization; what are the possibilities within the department or division*)
- b. Exercising leadership as a manager
- i. Some models [the models presented are not the only models of leadership; they are models that seem appropriate for individuals with the position of supervisor/manager]
 1. Participatory leadership – [Kurt Lewin] - based on respect and engagement, involving everyone on a team in certain aspects of decision-making, tapping varied perspectives for determining action toward a common goal
 2. Situational leadership – [Tannenbaum and Schmitt] – different situations call for different leadership actions - telling, selling, consulting, joining; [Hersey and Blanchard] – adapting leadership to the individual followers - directing, coaching, supporting, delegating
 3. Transformational leadership – [Stephen Covey] – transforms an organization and individuals: builds on human need for meaning, transcends daily affairs and is concerned with long term goals, focuses on missions, releases human potential, concern for overarching goals
 - ii. Exercising leadership as a manager in judicial branch education department/division (*what are the possibilities for use of these models in the larger organization; what are the possibilities within the department or division*)
- c. Exercising leadership as the judicial branch education department or division (*how can these models of leadership be incorporated into the behavior of the full department or division for department work and in regard to the larger administrative organization and the courts*) – approaches to engaging all personnel in leadership, consideration of other education providers (establishing complementary activity rather

than competing for resources and participants, etc.), strengthening connections with the larger administrative organization and with the court system

- F. Organizational Change/Organizational Development [4] (*how can judicial branch educators engage in organizational development*)
- a. Definition – an organization-wide effort for systemic change to improve organizational performance and effectiveness
 - b. Relationship to vision, mission and strategic plan [7]
 - i. Definitions
 1. Vision – an aspirational description of what an organization desires/plans to become or accomplish in the long-term
 2. Mission – written description of an organization’s ongoing purpose, what the organization will accomplish, what its intended direction is, how it will achieve its vision
 3. Strategic Plan – road map that outlines an organization’s goals as well as the strategies and actions that will lead to achieving those goals
 - ii. Role of judicial branch education
 1. Departmental/divisional leadership in broader organization
 - a. Education on processes to develop vision, mission, strategic plan
 - b. Education regarding knowledge, skills, abilities needed to achieve stated goals
 2. Leadership within judicial branch education department/division
 - a. Support of larger organization’s vision, mission, strategic plan
 - b. Development of department/division vision, mission, strategic plan in support of the organization’s goals
 - c. Relationship to knowledge management [5]
 - i. Definition – strategies and processes used by an organization to identify, capture and share intellectual capital
 - ii. Role of document management/technology (*what is needed to introduce and maintain knowledge management*)
 - iii. Barriers (*what could prevent achieving this goal*)
 1. Individual – lack of time to share, lack of understanding the value of information, etc.
 2. Organizational – hierarchy/structure, unclear management expectations, etc.
 3. Technological – lack of technical support to capture and share data, inadequate IT systems, etc.

- iv. Role of judicial branch education – education on value of knowledge management; introduction of viable models; etc.
- d. Relationship to learning organization [6]
 - i. Definition – an organization that continually evolves and increases individual and organizational effectiveness
 - ii. Necessary “five factors” [Peter Senge]
 - 1. Systems thinking – organizational thinking, awareness of the connection of all facets of the organization
 - 2. Personal mastery – commitment of individuals to the process of learning
 - 3. Mental models – assumptions shared across the organization, subject to challenge and change
 - 4. Shared Vision – an organization-wide vision built from shared individual visions
 - 5. Team learning – accumulation of individual learning
 - iii. Barriers (*what could prevent achieving this goal*)
 - 1. Individual – fear of organizational control, etc.
 - 2. Organizational – fear of individual empowerment, etc.
 - iv. Role of judicial branch education – including education on value of a learning organization, introduction of viable models/processes to achieve the goal, etc.
- G. Leadership and Communication [8]
 - a. Communication styles and factors (*how can you communicate effectively with a variety of individuals*) – individuals have communication preferences; people in leadership roles need to be able to communicate with others in ways that are meaningful to others in order to be effective
 - i. DISC profiles/communication styles – one of many models of interaction and communication preferences; presents a simple framework for understanding how others may communicate differently and respond differently to certain kinds of information; model as used in this content is not intended to predict outcomes, but is instead intended to demonstrate the need for leaders to be able to communicate in a variety of ways in order to address the variety of preferences
 - 1. **Dominance**
 - a. Individuals are direct, results-oriented, efficient, impatient
 - b. Prefer brevity/highlights - verbal or written
 - c. Dislike overly-detailed, unnecessary information
 - 2. **Influence**
 - a. Individuals are social, collaborative, creative
 - b. Prefer communication with personal interaction, opportunity for input and choices

- c. Dislike directives, hard-and-fast rules
 - 3. Steadiness
 - a. Individuals dislike change, need support, are predictable
 - b. Prefer/need to know the “why”
 - c. Dislike sweeping generalities
 - 4. Compliance/Conscientiousness
 - a. Individuals are detailed, rules/process oriented, stay on-task
 - b. Prefer/need to know details and the “how”
 - c. Dislike disorganized or incorrect information
- ii. Meaning in communication (*how do others derive meaning from what/how you communicate*) – the “weight” of communication cues: Words 7% - Tone/Pace 38% - Nonverbal Cues – 55% [Mehrabian]; non-verbal factors: (1) static features – distance, orientation, posture, environment; (2) dynamic features – facial expressions, gestures, eye contact, physical contact/touching
- iii. Cultural considerations (*what difference does culture make in communication*) – in some cultures eye contact, touching and other anglo-based communication practices have complex and sometimes negative results
- b. Active listening (*how can you ensure that you understand what others are communicating*) – there are many models; the purpose is to gather information, build rapport, gain trust, better understand others
 - i. SOLER [adapted from Egan]
 - 1. **S**quarely face the talker
 - 2. **O**pen your posture
 - 3. **L**ean slightly forward to indicate interest
 - 4. **E**stablish Eye contact
 - 5. **R**elax and **R**eflectively **R**espond with paraphrasing to check your understanding which includes: remain non-judgmental, avoid thinking of responses or solutions, listen to understand the emotions and true message; cultural adaptations and considerations
 - ii. Active listening [MindTools]
 - 1. Pay attention by focusing on the speaker
 - 2. Show that you are listening by your posture and occasional brief affirmations
 - 3. Provide feedback by paraphrasing or asking clarifying questions
 - 4. Defer judgment by allowing the speaker to finish and by not giving counter-arguments
 - 5. Respond appropriately, honestly, empathetically

- iii. Active listening model for coming to an agreement [adapted from Turning the Tide]
 - 1. Listen with attention
 - 2. Reflect/Repeat key words;
 - 3. Clarify meaning or intentions
 - 4. Explore options
 - 5. Test outcomes (repeat steps as necessary from any point)
- iv. CARE [The Positive Way]
 - 1. Concentrate – focus on the speaker
 - 2. Acknowledge the individual and what is said (use body language like nodding)
 - 3. Respond with questions for clarification
 - 4. Empathize by demonstrating understanding and acknowledging what the speaker may be feeling
- H. NASJE Principles and Standards of Judicial Branch Education [9] (*how do the Principles and Standards inform and guide leadership in judicial branch education and in the court system*)
 - a. What guidance is provided by the Standards?
 - b. What are facilitating and inhibiting factors in the governing or administrative organization and in the court system to fully achieve the Principles and Standards?
 - c. What can be done to familiarize others with the Standards and encourage support for achieving them?
- I. The Local Environment [10] (*what are the possibilities locally*)
 - a. What are the opportunities locally for leadership by judicial branch education?
 - b. What strategies are needed to establish an organizational and departmental or divisional vision, mission, and strategic plan?
 - c. What are the possibilities for knowledge management?
 - d. What is the potential for establishing a learning organization?

9.1.1.5 Resources for Faculty:

(This is a list of documents, reference materials, and other sources of information that faculty may find useful. In addition to the attached materials, links are provided to more detailed resources.)

9.1.2.1 [Stakeholder-Based Governance Model](#), pg. 23

9.1.2.2 [Leadership and Management - Comparison and Contrast](#), pg. 26

[NASJE Core Competencies](#)

9.1.1.6 Related Educational Areas:

(This is a list of content and/or contextual issues that are relevant to this educational area; faculty should be familiar with these areas and may include or reference some of this material in courses developed from this curriculum design.)

Other NASJE curriculum designs or curriculum-based courses:

[Curricula and Programs: The Basics of Models, Development, and Implementation](#)

[Governance: Roles, Responsibilities, Structure, and Functions of Boards Advisory and Planning Committees](#)

Other relevant topics or educational areas:

Diversity and Fairness

Ethics

Last reviewed, April 13, 2013

Judicial Branch Education - Leadership Potential

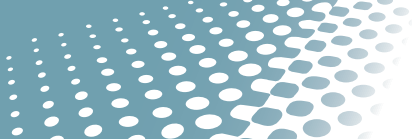
9.1.1.7 Learning Objective, Resource, and Activity Chart

This chart shows the relationship among learning objectives, certain faculty resources, and participant activities; there are faculty resources that do not have any relationship to learning objectives and thus are not referenced in this chart.

Learning Objective	Faculty Resource	Participant Activity
1. Discuss the opportunities and barriers for judicial branch educators to exercise leadership in the court system.	9.1.2.1 Stakeholder-Based Governance Model , pg. 23	9.1.3.1 Exercising Leadership in the Court System , pg. 30
2. List the major contributions that judicial branch education makes to the justice system, including benefits to the public and achieving the goal of public service.	None	9.1.3.2 Judicial Branch Education's Contributions , pg. 32
3. Differentiate between management and leadership, including identification of major management and leadership styles and approaches.	9.1.2.2 Leadership and Management – Comparison and Contrast , pg. 26	9.1.3.3 Management v. Leadership , pg. 34
4. Define organizational change/development, including its link to education and training.	None	9.1.3.4 Organizational Change/Development Definition , pg. 36
5. Describe knowledge management and how it is linked to education and training.	None	9.1.3.5 Exploration of Knowledge Management , pg. 38

<p>6. Compare/contrast knowledge management and a learning organization.</p>	<p>None</p>	<p>9.1.3.6 Knowledge Management and a Learning Organization, pg. 40</p>
<p>7. Explain the key approaches to and components of visioning and strategic planning, including a description of how they relate to education and training.</p>	<p>None</p>	<p>9.1.3.7 Visioning, pg. 41</p>
<p>8. Identify effective communication skills, including active listening.</p>	<p>None</p>	<p>9.1.3.8 An Effective Communicator, pg. 43</p>
<p>9. Discuss the benefits of NASJE's Principles and Standards of Judicial Branch Education, including facilitating and inhibiting factors in the courts.</p>	<p>NASJE Principles and Standards [available on the NASJE website]</p>	<p>9.1.3.9 NASJE Principles and Standards, pg. 45</p>
<p>10. Assess your own organizational environment regarding opportunities for leadership, addressing vision/mission/strategic planning, implementing knowledge management, and establishing a learning organization.</p>	<p>None</p>	<p>9.1.3.10 Your Local Leadership Opportunities, pg. 47</p>

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 **FACULTY RESOURCES**



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Judicial Branch Education – Leadership Potential

Explanation of Faculty Resource

9.1.2.1 Stakeholder-Based Governance Model

Purpose of resource/document

This chart provides judicial branch educators with an overview of the potential levels of governance that may be involved in making decisions about judicial branch education and that may have an impact on leadership efforts by individuals and/or the department/division.

It is also a visual representation of the role and responsibility of judicial branch educators in considering their connectedness to/with each level of governance. In addition, the chart highlights the possible need for various approaches to leadership throughout their governance structure. The chart implies an ongoing connection between judicial branch educators and all levels of governance.

Use of resource/document

This chart may be used when addressing issues and concerns regarding leadership considerations in the courts [See A, [Leadership Considerations](#), pg. 8 in the curriculum design]. In this use, it may serve both to illustrate what a governance model may entail and to generate discussion of the governance models in place in the various states represented by participants.

The chart may also be used in measuring participant achievement of learning objective 1. In this use, participants may review the chart and then discuss in more detail the opportunities and barriers to exercising leadership at various levels of governance.

With any use, participants need to understand the critical and pivotal role of any governance model on the potential for judicial branch educators to effectively exercise leadership.

Related documents or materials

Participant activity

9.1.3.1 [Exercising Leadership in the Court System](#), pg. 30

Judicial Branch Education – Leadership Potential

Stakeholder-Based Governance Model

Authority	J U D I C I A L B R A N C H E D U C A T O R L E A D E R S H I P	The highest level of governance provides the authority to develop and implement judicial branch education. This group may be the State Supreme Court, the Administrative Office of the Courts, an association, a university, or other entity. This group is responsible for major decisions, such as budget allocation for judicial branch education or whether participation in education is required.
Policy		An oversight group, generally a committee or board with responsibility for policy decisions, makes decisions regarding the overall direction of judicial branch education. This group makes decisions about overall approaches to development and delivery of judicial branch education, such as whether to use a curriculum-based planning approach or whether partner with other organizations. The group may delegate responsibility for specific approaches to other committees and/or the judicial branch education division/department
Curriculum		A curriculum development committee(s) decides which curriculum model best meets the needs of the target audience(s) the group represents. The committee(s) may have responsibility for initially designing the full curriculum for a target audience or may delegate it to others.
Program and Course		A series of committees develops or adopts a program development model and a course development model to best meet the needs of planners, faculty and staff. They use available curriculum designs to determine which specific topics/courses will be offered. This group may have responsibility for choosing faculty and ensuring those chosen adhere to the development model(s).
Faculty		Individuals chosen by program committees and/or staff use adopted program and course development models to plan and deliver content.
Staff		Judicial branch educators exercising leadership need to consider each layer of governance and determine how to most effectively exercise leadership with each layer.

Judicial Branch Education – Leadership Potential

Explanation of Faculty Resource

9.1.2.2 Leadership and Management – Comparison and Contrast

Purpose of resource/document

This chart provides a clear distinction between the expectations of the roles of management and the expectations of the roles of leadership.

Use of resource/document

This chart is useful when discussing leadership vs. management [see D, [Leadership vs. Management](#), pg. 9 in the curriculum design]. Faculty may choose to use the chart as a reference or provide it to participants for discussion purposes. Participants may critique the chart, generating more in-depth, less generalized thinking about the distinctions between these two roles.

NOTE: Faculty needs to honor both management and leadership roles; both are integral to an effective organization. Faculty may want to explain to participants that the characteristics in the comparison/contrast chart are archetypes and generalizations and are not intended to in any way diminish the role of management.

Related documents or materials

Participant activity

9.1.3.3 [Management vs. Leadership](#), pg. 34

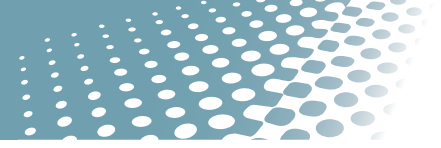
Leadership, Visioning and Organizational Change

Leadership and Management – Comparison/Contrast

Adapted from ChangingMinds.org

The following are generalized characterizations of the roles of leadership and management. Many people in management positions are also leaders, but leaders do not necessarily need to be in positions of management. Management's key roles include maintaining order, ensuring work is done, providing structure and working within the organization's parameters. Leadership's key roles include getting people energized around a goal, testing what is possible, and pushing beyond the organization's boundaries.

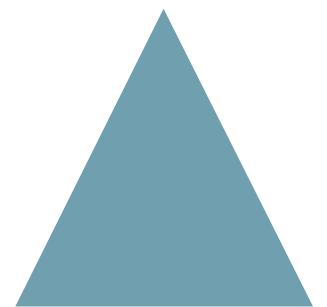
Subject	Leadership	Management
Essence	Change	Stability
Focus	Leading People	Managing Work
Have	Followers	Subordinates
Horizon	Long-Term	Short-Term
Seeks	Vision	Objectives
Approach	Sets Direction	Plans Detail
Decision	Facilitates	Makes
Power	Persona Charisma	Formal Authority
Appeal to	Heart	Head
Energy	Passion	Control
Culture	Shapes	Enacts
Dynamic	Proactive	Reactive
Persuasion	Sell	Tell
Style	Transformational	Transactional
Exchange	Excitement for Work	Money for Work
Likes	Striving	Action
Wants	Achievement	Results
Risk	Takes	Minimizes
Rules	Breaks	Makes
Conflict	Uses	Avoids
Direction	New Roads	Existing Roads
Truth	Seeks	Establishes
Concern	What is Right	Being Right
Credit/Responsibility	Gives	Takes
Blame	Takes	Gives



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CURRICULUM DESIGN

▲ PARTICIPANT ACTIVITIES



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Judicial Branch Education – Leadership Potential

Explanation of Participant Activity

9.1.3.1 Exercising Leadership in the Court System

Purpose of activity

This activity engages judicial branch educators in thinking about the environment of the courts and their administrative organization with regard to opportunities and barriers for exercising leadership as individuals and as the judicial branch education department/division.

Use of activity

This activity may be used as the opening activity for the course, or it may be used during or after a discussion of leadership considerations [see A, [Leadership Considerations](#), pg. 8 in the curriculum design]. The chart provided is a basis for having judicial branch educators take the time to consider leadership in the courts from a variety of views.

Participants may identify opportunities and barriers that are localized rather than generalized to the court system as a whole; while the exercise is intended to be generalized to the system, it is fine to have localized responses. Faculty should encourage judicial branch educators to also think globally in this exercise. Faculty should be prepared to offer ideas/suggestions that are global in nature.

Participants may find opportunities in the current roles of judicial branch education and/or they may identify non-traditional opportunities in which education can exercise leadership. They may identify barriers that include current strong stakeholder leadership, lack of time, lack of resources, the silo effect of departments, or the view of the role of “staff” held in the system.

The activity may be an individual or a small group activity.

Relevant Learning Objective

1. Discuss the opportunities and barriers for judicial branch educators to exercise leadership in their administrative organization and in the court system.

Judicial Branch Education - Leadership Potential

Exercising Leadership in the Court System

Use the chart to list opportunities and barriers for each heading and situation.

Judicial Branch Education As a Tool		
Situation	Opportunities	Barriers
Supportive Role:		
Facilitative Role:		
Leadership Role:		
Leading within an Organization and/or on a Management Team		
Situation	Opportunities	Barriers
Personal Leadership:		
Leadership on Behalf of the Department:		
Leadership <i>with/for</i> Another Department/Division:		
Leading As Staff		
Situation	Opportunities	Barriers
Working on Teams:		
Leading Teams:		
Volunteering:		
Leading As a Department/Division		
Situation	Opportunities	Barriers
Preparing/Engaging Staff for/in Leadership:		
Thinking/Acting Collectively:		

Judicial Branch Education - Leadership Potential

Explanation of Participant Activity

9.1.3.2 Judicial Branch Education's Contributions

Purpose of activity

This activity involves judicial branch educators in considering the contributions made by judicial branch education both to those within the court, those associated with the court and those outside it.

Use of activity

This activity would be useful when discussing judicial branch education and the court system [see B, [Judicial Branch Education and the Court System](#), pg. 10 in the curriculum design]. It would be effective as an introduction to this section of content or may be completed as a review at the conclusion of this section of content.

This could be an individual or a small group activity.

Relevant Learning Objective

2. List the major contributions that judicial branch education makes to the justice system, including benefits to the public and achieving the goal of public service.

Judicial Branch Education - Leadership Potential

Judicial Branch Education's Contributions

Use the chart to list judicial branch education contributions to each group.

Beneficiaries or stakeholders	What does judicial branch education provide them?	How do they benefit from judicial branch education?
Within the Courts		
Judges		
Court Administrators		
Court Staff		
AOC or Administrative Organization		
Associated with the Courts		
Primary Court Users		
Witnesses, Victims, Jurors		
Justice System Partners		
Outside the Courts		
Other Branches of Government		
Schools, Colleges, Universities		
The Public in General		

Judicial Branch Education - Leadership Potential

Explanation of Participant Activity

9.1.3.3 Management vs. Leadership

Purpose of activity

This activity engages judicial branch educators in exploring the differences in approaches and styles of managers and leaders. Faculty should note to participants that some managers are leaders, and some leaders are managers – but the two descriptors are not necessarily interchangeable.

Use of activity

This activity is most effectively used during the discussion about leadership styles [see D, [Leadership vs. Management](#), pg. 11 in the curriculum design]. The activity may be completed after the discussion or used as an opening exercise for participants to discover what they may already or intuitively know about the differences between management and leadership.

This could be an individual or a small group activity.

NOTE: After the initial activity, faculty may generate a second activity and discussion by asking participants to identify their styles/approach to issues: a) in the department/division, b) in the larger administrative organization, and c) in the courts to determine if those behaviors are more managerial or leadership-based. Participants may then discuss how to work toward having those approaches become leadership-based

Relevant Learning Objective

3. Differentiate between management and leadership, including identification of major management and leadership styles and approaches.

Judicial Branch Education - Leadership Potential Management v. Leadership

Use the chart to list approaches by managers and leaders for each topic/issue.

Topic/Issue	Manager's Style/Approach	Leader's Style/Approach
Dealing with People:		
Level/Type of Focus on Product:		
Determining Process:		
View of the "Horizon":		
Ideas about Change:		
Ideas about Rules:		
Level of Risk-Taking:		
Taking or Giving Credit:		
Taking or Giving Blame:		
Source of Motivation:		

Judicial Branch Education - Leadership Potential

Explanation of Participant Activity

9.1.3.4 Organizational Change/Development Definition

Purpose of activity

This activity involves judicial branch educators in choosing key words to define organizational change/development. Participants are asked to choose three words from a list of descriptors in order to write a definition. The word choices provided in the list will force participants to focus on the most important aspects of organizational change. There are no right or wrong answers to this exercise. Having participant share answers will reinforce the fact that this is a complex organizational process. The relationship between organizational change/development and Judicial Branch Education is intended to focus participants on the role that education plays in this systemic process.

Use of activity

This activity would be most effectively used as an introductory exercise for the discussion on organizational change/development [see F, [Organizational Change/Organizational Development](#), pg. 13 in the curriculum design]. The discussion that follows the activity will provide participants with further insights regarding this complex organizational process.

This is an individual activity.

Relevant Learning Objective

4. Define organizational change/development, including its link to education and training.

Judicial Branch Education – Leadership Potential

Organizational Change/Development

The following words are from various definitions of organizational change/development. Choose three words (or adaptations of those words) to write your own definition of organizational change/development.

Adaptive	Contextual	Systemic	Continuous
Learning	Intervention	Transformation	Evolution
Re-conception	Cross-Disciplinary	Institutionalized	Cyclic
Ongoing	Redesign	Transition	Improvement
Strategic	Modify	Effectiveness	Process

Organizational Change/Development is _____

Given your definition, write a sentence or two about how Judicial Branch Education relates to organizational/change development.

Judicial Branch Education is related to organizational change/development by:

Be prepared to discuss your answers.

Judicial Branch Education - Leadership Potential

Explanation of Participant Activity

9.1.3.5 Exploration of Knowledge Management

Purpose of activity

In this activity judicial branch educators highlight what they know or think about the various forms/aspects/approaches of knowledge management and how judicial branch education contributes to each.

Use of activity

It would be most effective after the discussion of knowledge management [see F, [Organizational Change/Organizational Development](#), pg. 13 in the curriculum design] to ensure participants have some baseline knowledge of the concept.

The most important outcome of this activity is to have participants see that judicial branch education contributes to the “data/information/knowledge capture” aspect of knowledge management – through participant materials/resources, course designs, content documentation – and the “people sharing knowledge” aspect of knowledge management – through the environment generated by gathering people and engaging them in discussing content, sharing their experiences, exploring new ideas, etc

This activity may be done individually or in small group discussion.

Relevant Learning Objective

5. Describe knowledge management and how it is linked to education and training.

Judicial Branch Education - Leadership Potential

Exploration of Knowledge Management

What aspects of or approaches to knowledge management fit into the left and right hand columns? What does judicial branch education provide to contribute to those aspects or approaches?

Data/Information or Knowledge Capture	Judicial Branch Education	People Sharing Knowledge

Judicial Branch Education - Leadership Potential

Explanation of Participant Activity

9.1.3.6 Knowledge Management and a Learning Organization

Purpose of activity

In this activity judicial branch educators highlight the supportive role of knowledge management in a learning organization through comparison and contrast.

Use of activity

This activity would be most useful after discussing the definitions of knowledge management and a learning organization [see F, [Organizational Change/Organizational Development](#), pg. 13 in the curriculum design]. To fully explore the relationship between these organizational activities, participants will need to spend some time thinking about the various aspects of each.

No template is provided for this activity because this discussion is intended to be free-flowing and exploratory.

Participants may come to the conclusion that knowledge management is a step toward developing a learning organization. They may come to the conclusion that knowledge management could be implemented in an organization that never attempts to be a learning organization; knowledge management may be a mechanistic gathering of data for access/sharing or, in a fuller form, it may be a system continuously engaging people in discussions, explorations, and sharing. The most important aspect of this comparison and contrast is that a learning organization would be dependent on some form or system or process of knowledge management/sharing.

This activity could be a large group or a small group discussion. There is no activity sheet for this activity.

Relevant Learning Objective

6. Compare/contrast knowledge management and a learning organization.

Judicial Branch Education - Leadership Potential

Explanation of Participant Activity

9.1.3.7 Visioning

Purpose of activity

This activity draws together all of the aspects discussed under the heading of organizational change/development. The term “visioning” in this activity is intended to go beyond an organizational vision and instead indicate an ongoing “envisioning” of the future. The term “strategic planning” is intended to go beyond an organization’s static “strategic plan” and instead indicate an orchestrated, ongoing effort for the evolution of the organization. The outcome of the activity is intended to be the potential for leadership by judicial branch education in this kind of organizational activity.

Use of activity

The most effective use of this activity is at the conclusion of the discussion of the various aspects of organizational change/development [see F, [Organizational Change/Organizational Development](#), pg. 13 in the curriculum design]. For participants to explore “visioning” they will need to have discussed a variety of organizational activities that move an organization into the future.

The activity can be done individually or as a small group.

Relevant Learning Objective

7. Explain the key approaches to and components of visioning and strategic planning, including a description of how they relate to education and training.

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Visioning

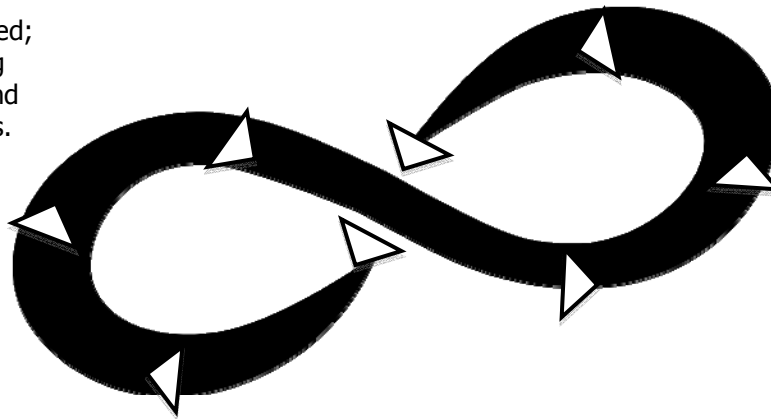
(adapted from a variety of models)

Insight

Agreeing on current realities;
exploring possibilities;
starting new conversations;
preparing to take action.

Hindsight

Examining
lessons learned;
considering
strengths and
weaknesses.



Foresight

Envisioning a future
state; creating
strategies;
implementing and
living the change.

Visioning is an ongoing, cyclic, intertwining process, using strategic planning to move forward, but keeping organizational thinking in a fluid state in order to continue to learn, adapt to new realities and create a more desirable future state.

What do you envision as the potential role of judicial branch education?

Hindsight: _____

Insight: _____

Foresight: _____

Other: _____

Judicial Branch Education - Leadership Potential

Explanation of Participant Activity

9.1.3.8 An Effective Communicator

Purpose of activity

This activity has judicial branch educators focus on and name communication skills/strategies/behaviors used by someone they feel is an effective communicator.

Use of activity

This activity would be effective before discussing communication skills [see G, [Leadership and Communication](#), pg. 14 in the curriculum design] as a way to have participants draw upon what they already know about communication. Faculty should refer back to the answers participants provide during the leadership and communication section of content.

This is an individual activity.

Relevant Learning Objective

8. Identify effective communication skills, including active listening.

Judicial Branch Education – Leadership Potential

An Effective Communicator

Think of people in your personal and professional life. Choose the one person you feel has the most effective communication skills. Answer the following questions about how he/she communicates.

<p>What does he/she do when communicating? What are the behaviors or characteristics?</p>	
<p>How does he/she convey thoughts, ideas, answers to questions, etc.?</p>	
<p>How does he/she indicate understanding of what you are communicating?</p>	
<p>What are the differences in his/her communication with you and communication with a group of people?</p>	
<p>What is the most important aspect of his/her approach to communication?</p>	

Judicial Branch Education - Leadership Potential

Explanation of Participant Activity

9.1.3.9 NASJE Principles and Standards

Purpose of activity

This activity focuses judicial branch educators on NASJE's Principles and Standards and how to implement them. Participants are given options to address a full principle or specific aspects of the principles that have not been fully implemented and identify facilitating and inhibiting factors for implementation. The overall purpose of the activity is to get participants thinking about the Principle(s) - or aspects of them – and how to get them implemented. The activity will also contribute to and enrich a discussion of the benefits of implementation.

Use of activity

This activity requires that participants have a copy of the [NASJE Principles and Standards](#) for reference. The activity would be useful during or after a basic review of the Principles and Standards [see H, [NASJE Principles and Standards of Judicial Branch Education](#), pg. 16 in the curriculum design], so participants have a baseline knowledge of the content before considering facilitating and inhibiting factors in the courts/judicial system. If participants have given personal thought to the facilitating and inhibiting factors, they will be better able to contribute to a broader discussion about the benefits of implementing the Principles and Standards, which is the goal of the activity.

This could be an individual or a small group activity.

Relevant Learning Objective

9. Discuss the benefits of NASJE's Principles and Standards of Judicial Branch Education, including facilitating and inhibiting factors in the courts.

Judicial Branch Education – Leadership Potential

NASJE Principles and Standards

Choose a principle or a specific aspect of a principle that has not been implemented fully in your organization and list the facilitating and inhibiting factors that would apply to its implementation.

Principle/Standard	Facilitating Factors	Inhibiting Factors
1. Need 1.1. Responsibility 1.2. Availability 1.3. Core Function		
2. Organization/Resources 2.1. Mission Statement 2.2. Staff 2.3. Staff Development 2.4. Advisory Committee 2.5. Fairness 2.6. Adequate Resources		
3. Career Needs 3.1. Orientation 3.2. Career-Long Education 3.3. Curricula 3.4. Regional/National		
4. Adult Education 4.1. Needs Assessment 4.2. Learning Objectives 4.3. Learning Activities 4.4. Learning Environment 4.5. Evaluation		
5. Faculty 5.1. Qualifications 5.2. Selection/Development 5.3. Diversity 5.4. Evaluation 5.5. Service		
6. Resources 6.1. Materials 6.2. Program Materials 6.3. Lending Library 6.4. Technology		
7. Outreach/Collaboration 7.1. Community Focus 7.2. Leadership Model 7.3. Program and Materials		
8. International JBE 8.1. Translation 8.2. Support		

Judicial Branch Education - Leadership Potential

Explanation of Participant Activity

9.1.3.10 Your Local Leadership Opportunities

Purpose of activity

This activity engages judicial branch educators in considering what they may be able to do locally to enhance their leadership role in organizational activities.

Use of activity

This activity is most effectively used at the conclusion of the course when participants have had an opportunity to explore all of the content and can more readily assess the potential for leadership in their local environment.

This is an individual activity.

Relevant Learning Objective

10. Assess your own organizational environment regarding opportunities for leadership, addressing vision/mission/strategic planning, implementing knowledge management, and establishing a learning organization.

Judicial Branch Education – Leadership Potential

Your Local Leadership Opportunities

Use the following questions to answer - What are the leadership opportunities in your organizational environment? How can you individually and as a judicial branch education department or division contribute and lead?

Vision, Mission, Strategic Plan

- What can be done?
- Who would be involved?
- What would be the first steps?

Knowledge Management

- What can be done?
- Who would be involved?
- What would be the first steps?

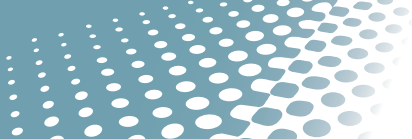
Learning Organization

- What can be done?
- Who would be involved?
- What would be the first steps?

Organizational Change/Development

- What can be done?
- Who would be involved?
- What would be the first steps?

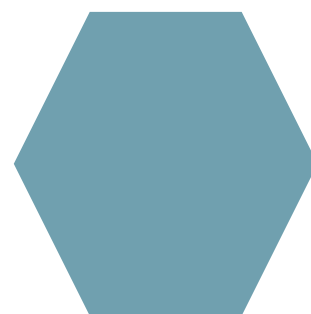
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