Computer-based Education for Judges

by Steve Simon

udges 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.

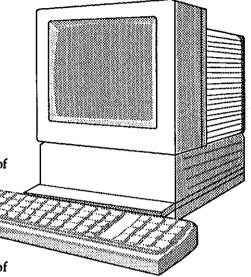
Limitations of Traditional Education Methods. Three major limitations of the current methods of judicial education are (1) they require bringing judges together for judicial education; (2) they provide little, if any, feedback to the judges regarding what they have learned; and (3) they cannot be used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

ately master a variety of complex knowledge and skills. We demand that they keep current on the everchanging laws of our society; however, even though we give judges great responsibility and

When judges are appointed to the bench, they are expected to immedidemand 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 continued on page ten



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.

Steve Simon is professor of law and director of the law clinic at the University of Minnesota School of Law.—ED

President's Column

Rita Stratton



everal months ago. I received an inquiry from the National Association of Women Judges asking what percentage of faculty at state judicial education programs are women. I conducted a survey of state judicial educators in December 1988 asking for information regarding numbers of women and minorities who serve not only as faculty, but also as members of judicial education planning committees. The numbers received cover calendar years 1987 and 1988. Twenty-two state judicial education officers responded to the survey.

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Total Number	of eacuity	2,199
Men		77%
Women	a la electric	23%
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Black		4%
White		93%
Hispanic		2%
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Asian		1%
Total Number	4.6	
Education Plan		
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A study conducted by the Fund for Modern Courts in 1985 indicated that 7.2 percent of state judges are women. It appears this study excluded limited ju-

continued on page nine

A Further Discussion of Basic Grant Writing:

Practitioner Concerns

by Lawson Veasey

The development of quality grant proposals is time-consuming, arduous, frustrating, complex, and sometimes rewarding. Obviously, the effort to generate quality grant proposals is not an undertaking for the fainthearted. As Robert Roper posited in an earlier article (NASJE News, summer 1988), it is critical to success in the grant-writing process to have a concept/idea to develop and a comprehensive plan to follow. Roper does an excellent job of reviewing what to include in a grant proposal and how to deliver a quality product if the proposal is funded. This article will highlight practitioner concerns regarding the nuts and bolts of grant writing. For a comprehensive guide to proposal writing, see

ed.) Portland,
Oregon: Continuing
Educational Publications,
1977.
A useful, possibly critic
nent of the grant-writing p

Mary Hall,

Developing

Skills in Pro-

posal Writing (2d

A useful, possibly critical, component of the grant-writing process is developing a working checklist for the project you wish to undertake. Most discussions of what should be included in a grant application, including Roper's format, suggest that an applicant organization develop a concept internally before seeking external support. Many individuals/organizations, however, apply for grants without analyzing

locate a potential source of funding and then write a proposal designed solely to meet the funder's perceived need. This strategy generally produces low quality proposals. Develop a concept within the expertise of your organization and then seek a source of support.

Sources of Funding. Many organizations find it difficult to locate new funding sources, possibly

the process beforehand. Another common mistake, particularly for newcomers to grant writing, is to

ganizations find it difficult to locate new funding sources, possibly indicating an overdependence on governmental support.

Historically, there has been substantial dependence on federal governmental funding. Although the growth in federal financial support has slowed during the Reagan years, over \$100 billion was channeled to state and local governments during fiscal year 1988. Because much of the

federal money is now administrated by state and local governments, contact with local officials is critical for organizations seeking governmental assistance.

Most organizations apply for federal funding, and many of them have received federal financial support for many years. This makes it difficult for new applicants to compete successfully. Numerous nonprofit and corporate foundations, however, have millions of dollars to distribute. Furthermore, many lesser known governmental agencies are overlooked by applicant organizations. Please refer to sources listed in the accompanying table, the Catalog of Federal Domestic Assistance (CFDA), and The Foundation Directory.

Lawson Veasey is professor of political science and director of the public administration program at the University of Central Arkansas.—ED

Assessing Capability. Another area of concern for new or inexperienced grant writers is the doublebarreled difficulty of assessing the needs of the funding organization as well as the ability to assess the capabilities of your organization. All governmental entities specify their requirements in Requests for Proposals (RFPs). This information can be supplemented with letters of inquiry or phone calls, or through contact with previously funded organizations. Nonprofit and corporate foundations regularly publish policy statements listing their funding priorities and generally are willing to respond to more specific inquiries (see the CFDA and The Foundation Directory for funding priorities and requirements).

An even greater difficulty is assessing the capabilities of your organization. Potential funding sources seek applicant organizations that have the capacity to get the job done. The critical variable for most organizations is leadership. The principal investigator must have the ability, expertise, organizational skills, and time to devote to the proposed project. Your organization must also compete with many other entities for support. Usually, the factors that separate winners from the losers are (1) feasibility of the concept; (2) capabilities of the organization; (3) reputation and skills of key personnel; (4) reasonable expected results for projected costs; and (5) unique features of the concept, leadership, or organization that prove intriguing to the potential funder. Can you realistically evaluate your organization's ability to successfully complete the research or contract? How accurately and honestly you can assess the preceding question should be a good indication of whether your organization can compete successfully for outside support.

Evaluation. Regardless of the funding source, monitoring and evaluating the research effort/project are crucial for the funding agency and the funded organization. The organization needs to demonstrate its ability to evaluate every stage of the project while allowing the overseeing agency to monitor the project at regular intervals. Evi-

dence of comprehensive planning sensitive to specific objectives makes evaluation much easier for the funding source. If the funded organization provides clear methods and standards for evaluation, then positive outcomes will seem more achievable.

Proposal evaluation is, in many instances, a subjective process. However, the following general criteria will apply to evaluating the merits of any proposal:

- Description and identification of an important need in the field;
- Indication of a coordinated and well-organized program;
- 3. Evidence of professional competence and leadership;
- Development of a cogent research and evaluation methodology;
- Projection of a budget that can realistically support the intended outcomes;
- Provision of support by other organizations (or is there a significant match);
- Descriptions of how the intended beneficiaries will be helped by the project; and

8. Appearance of overall consistency in the project/program.

(See Margaret F. Mahoney, "Evaluation Can Help Make the Manager's Life Easier," Foundation News, 5, Nov./Dec. 1976, 17, pp. 29-34; and Bishop, Brown, Gibson, and Williams, Programming for Corporate Support, The Coro Foundation: Los Angeles, June 1975.)

These general criteria are more specifically described in light of the following section on common proposal weaknesses.

Typical Shortcomings. This section will offer some actual comments regarding why proposals fail to receive funding. Most funding sources will provide applicants with reviewer comments after the application review procedure has been completed. Certainly, if you receive constructive criticism or comments, "experience can be the best teacher." Numerous examples of proposal weaknesses exist, but the following is a representative sample. continued on page seven

Funding Sources

(A Sample)

Federal Funding

Catalog of Domestic Assistance,
Office of Management and
Budget (published annually
with periodic updates): Available through most public or
university libraries.

Commerce Business Daily, U.S. Department of Commerce (published weekdays).

Federal Register, U.S. General Services Administration (published weekdays).

United States Government Manual, U.S. General Services Administration.

(These federal publications, as well as many others, are available from Superintendent of Documents, Government Printing Office, Washington, DC 20402).

Private Foundations

Encyclopedia of Associations, Gale Research Company, Book Tower, Detroit, MI 48226.

The Foundation Directory, The Foundation Center, 888 Seventh Avenue, New York NY 10019.

Foundation News, Council on Foundations, Inc., 888 Seventh Avenue, New York, NY 10019.

Source: Mary Hall, Developing Skills in Proposal Writing, 1977

Judicial Education in New South Wales, Australia

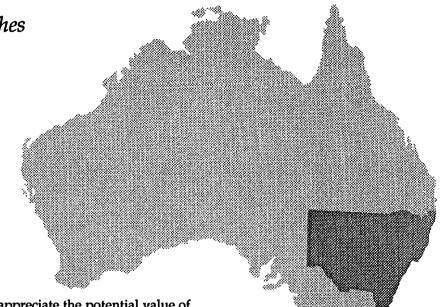
by Anne L.N. Riches

The Establishment of the Judicial Commission. The standards of iudicial conduct and competence were not, until recent times, a matter of particular public concern in Australia. However, criminal charges, trials, a commission of inquiry into the conduct of a high court judge, criminal charges against a district court judge, and the conviction of a former chief magistrate have led to closer scrutiny of judicial standards and, among other things, to the passage of the Judicial Officers Act in 1986. The legislation establishes the Judicial Commission, which has three main areas of responsibility: judicial conduct, sentencing, and judicial education.

The Commission's first responsibility is investigating complaints about the ability or behavior of judicial officers, and there is little doubt that this was the most contentious aspect of the legislation. The Judicial Commission's second responsibility is designing a sentencing information system to assist judges and magistrates in exercising their sentencing discretion.

Judicial Education. The inclusion of judicial education as one of the three functions of the Judicial Commission is significant. It would appear that the Judicial Commission of New South Wales (NSW) may be the only judicial service organization, at least in Australia, the USA, Canada, and the UK, which includes both disciplinary and educational functions. Without debating the arguments for and against this combination, it takes little reflection

Anne L.N. Riches is the education director in New South Wales, Australia. Ms. Riches will be visiting several judicial education organizations in the United States this summer.—ED



to appreciate the potential value of such an arrangement since patterns of complaints may indicate the areas in which judicial officers can benefit from education.

Judicial Education in New South Wales. Judicial education is still in its infancy in Australia, particularly in comparison to the USA. Judges and magistrates have held national or state conferences regularly for many years; however, as with many conferences, the opportunity for real and ongoing learning and professional development is not always available, at least in an optimal form. In March 1988, the Commission moved to its own premises and could begin its work in earnest. However, the time between October and March was used profitably by researching and evaluating overseas experience, forming policy, developing plans, and preparing publications.

The Judicial Commission promulgated policy regarding objectives, educational leave, participant costs, faculty development, judicial education committees, program development, and development of written materials for judicial use.

In keeping with the obligation to consult and mindful of the benefit of participant involvement in various

stages (including the design of the programs), judicial education committees lished in each ju

tion committees have been established in each jurisdiction. Additionally, a standing advisory committee (SAC) has been established with a representative from each of the court committees. These committees meet as required to discuss the proposed judicial education programs for their court. The SAC provides general guidelines and informs each jurisdiction of the activities in the other courts.

Additionally, in February 1988, a survey of all NSW judicial officers was conducted to seek their views on the programs that should be offered by the Commission. As a result of the survey, the Judicial Commission produced the Judicial Officers Bulletin and a local courts bench book.

The Judicial Officers Bulletin is a monthly publication written especially for judicial officers, the first issue of which was published and distributed in April 1988. It includes a digest of significant recent decisions and legislative changes and draws attention to other major developments of interest, including

the dissemination of sentencing information. The bulletin also contains court news, articles (usually by judicial officers), editorial comment, and information about judicial education activities that may be available. The bulletin is distributed to all judicial officers at no charge.

Probably one of the highest priorities for the Commission in its education function is facilitating the production of benchbooks and jury directions.

The Local Courts Bench Book was distributed at the NSW Magistrates Conference in June 1988 and has been updated four times since then. An editorial committee composed of those members of the local court education committee meets regularly to oversee the development of the bench book. Virtually all the chapters have been written by a judicial officer, and all materials are carefully reviewed by the editorial committee before publication.

Another small committee of representatives of both the Supreme Court and the district court oversees the preparation of a trial court bench book for common use by those courts that conduct jury trials. Work on this is well advanced, and the first chapters are expected early in 1989.

Face to Face Programs. Immediately upon appointment, each new judicial officer has the opportunity to attend the Commission's induction program. This program enables a senior judicial officer to provide the new judicial officer with information and advice concerning the demands and responsibilities of judicial office. The program is conducted at the Commission, which ensures consistency of induction procedures across jurisdictions. So far, all recent appointees to both the district court and the local court have attended this course.

There has been some resistance to implementing a sitting in program, primarily because of a perceived waste of judicial time at a period when the length of court delays is exceptionally high. It is anticipated that an analysis of the costs/benefits of this program will be undertaken in the near future in an effort to foster greater judicial support of this program.

Seminars. On a regular basis, seminars are organized to keep judicial officers up-to-date with current developments and emerging trends. The seminar topics include areas identified as needing review or rapid and major changes in the law. The survey results, initially, and the education committees are the main sources of suggestions for seminar topics.

Seminars so far have been on a jurisdictional basis, but it is hoped that, in the future, seminars will include representatives from all

jurisdictions.

Annual Conferences of Supreme Court Judges, District Court Judges, etc. The Commission is providing advisory and administrative services to courts that hold their own conferences.

Some Final Comments. Although judicial education has been an integral part of judicial life in the USA for over 25 years, in the UK for over 10 years, and in many European countries as a prerequisite for judicial office, Australia is just entering this field. The Commission has gleaned much from the experiences of many of those countries and has received significant pointers on establishing a judicially supported continuing judicial education scheme.

It is no news to the readers of this article that, in the first instance, those who need judicial education most will be those who seek it least. However, it is my understanding that consumer resistance has been experienced initially in all countries, and it is by no means unique to the judicial profession. Unlike some states in the USA or other professions where a practitioner's certification or economic gain depends upon his or her participation in continuing professional education, participation in continuing judicial education programs is not a prerequisite to performing the role of judge or magistrate in NSW.

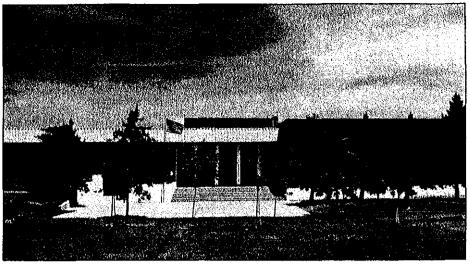
Resistance to judicial education stems partly, no doubt, from a concern that to admit to a need or desire for judicial education might suggest either that something has gone wrong in the selection process or that the judicial officer has not been able to maintain the levels of

proficiency, performance, and productivity that were or were assumed to be present or potential at the time of the appointment.

Perhaps the most worrying objection to judicial education stems from a misguided belief that there is nothing more to learn or that even if there is, there is no suitable or appropriate person to teach judges. This attitude, it cannot be doubted, may be held by a few, but there are many more who recognize that the powers of deduction and understanding need to be constantly honed, and this cannot happen solely in the courtroom. Most judicial officers appreciate that they should not rely on what was learned 10, 20, or even 40 years ago without opening their minds to new ideas and concepts.

One very important issue, however, is the relationship between judicial education and the maintenance of judicial independence, and this has had a significant impact on the planning and development of the Judicial Commission's scheme of judicial education. Obviously, participation in CJE should never compromise judicial officers in their complete control over the proceedings in their courts. For this main reason, judicial education in NSW is judge run so far as possible. Judicial officers are involved in every aspect of the scheme from the determination of content and the planning of the program through the presentation of seminars. The Commission is committed to the view that the training of judges must not be controlled by the executive.

We feel that the Judicial Commission has achieved significant progress in a short time. This is a direct result of the time taken in developing a policy, planning, and involving judicial officers at all stages of design, development, and implementation of the programs. There is still much to do and a long way to go before NSW reaches the levels of sophistication of many of the American judicial education schemes, but I would like to thank those members of NASIE who have responded so thoughtfully to my calls for help. I trust they can take some reward from reading about a new scheme, to the success of which their advice has contributed.



The National Judicial College, located on the campus of the University of Nevada Reno since 1965, has been a national leader in providing educational opportunities for the judiciary.

The National Judicial College

udges play a very important role in our society. They make decisions that affect our lives and our freedoms. Yet, until relatively recently, no formal training or education was required of our

nation's judges.

Some 1,700 judges from throughout the country attend the National Judicial College each year. In its 25year history, more than 37,000 judges have participated in NJC courses for continuing judicial education, and more than 500 judges from 112 foreign countries have visited the college to learn more about the American justice system.

Affiliated with the American Bar Association, the National Judicial College offers over 40 resident classes a year geared to the jurisdictional needs of trial court judges, special court judges, administrative law judges, military judges, and Indian tribal judges. Classes for nonattorney, special court judges provide additional focus on the legal basics and give hands-on experience in legal research.

Even with law school training, being a judge is not the same as being a lawyer. The lawyer is trained to be an advocate. The judge must listen to all sides and make fair decisions. The judge must also deal with jurors and the public and manage the courtroom and the court system.

The college offers two- to fourweek courses to equip the new judge with skills that help with the transition to being a judge. For graduates of the general courses and for those who have longer service on the bench, a variety of advanced and special sessions are offered in oneand two-week sections.

Advanced courses include such topics as evidence, sentencing, constitutional criminal procedure, the decision-making process, and managing complex cases. Special courses focus on topics such as alcohol and drug abuse, computers in the courts, judicial writing, alternate methods of dispute resolution, and how to manage the everincreasing caseloads confronting the

Today, younger judges are coming to the bench, and they view judging as a lifelong profession and career. The advanced and special courses offered by the National Judicial College are important so that judges can keep up with the changes in law and in society.

The law faculty of the National Judicial College is made up of outstanding and dedicated judges, lawyers, and law professors from throughout the United States who volunteer their time and talents to furthering the education of judges. The law faculty is joined by medical doctors, psychologists, sociologists,

communications experts, and scientists. All faculty members are experienced teachers, and many of the judge faculty are graduates of the college. Some 150 individuals serve on the faculty each year.

The method of instruction is similar for most courses: a series of faculty lectures with plenty of opportunity for questions, followed by small group discussions and problem-solving exercises. Judges are assigned to discussion groups so that they can exchange ideas and experiences with judges from other parts of the country. Courses may also include panel discussions; film, videotaped, or overhead presentations; visits to local facilities, such as hospitals, courts, and prisons; visits from sentenced defendants who are willing to share their observations with judges; and mock courtroom

Learning continues far beyond classroom hours--during lunch served at the college and in informal "corridor conferences" between classes. Most judges stay at the College Inn, located across the campus, where they can continue their discussions during breakfast or dinner.

In 1986 the college inaugurated the nation's first advanced degree program for trial judges, the master of Judicial Studies Program, offered in cooperation with the University of Excerpts from the

MasterCalendar

From the National Center for State Courts

NASJE News Voi. 4. No. 2, Spring 1989

June 4-7 Annapolis, MD

Juvenile Court Dispositions

Institute for Court Management

June 4-7 Williamsburg, VA

Court Security Management
Institute for Court Management

June 4-9 Durham, NC

Policy Analysis for State Executives

The Governors Center at Duke University
For more information, contact Meret A. Keller, (919)
684-4155/4477.

June 4-9 Washington, DC

Judicial Educator Training Specialist Certificate Program

American Academy of Judicial Education

June 4-9 Reno, NV

Basic Juvenile Justice Management InstituteNational College of Juvenile and Family Law

June 4-16 Reno, NV Summer College

National College of Juvenile and Family Law

June 11-16 Albuquerque, NM

Evidence

American Academy of Judicial Education

June 11-16 Reno, NV

Family Law

National College of Juvenile and Family Law

June 18-20 Philadelphia, PA

Designing and Delivering Effective Presentations for Court Personnel

Institute for Court Management

*June 18-23 Durham, NC

Strategic Leadership for State Executives

The Governors Center at Duke University For more Information, contact Meret A. Keller, (919) 684-4155/4477.

June 22-27 New Orleans, LA

Committee on Appellate Staff Attorneys Annual Seminar

American Bar Association For more information, contact Renee Prestipino, (312) 988-5696.

June 25-28 Washington, DC

The National Judicial Conference on Child Support Enforcement

Institute for Court Management

July 2-7 Cambridge, MA

Fact Finding and Decision Making

American Academy of Judicial Education

July 10-14 Cambridge, MA

A Judge's Philosophy of Law

American Academy of Judicial Education

*Information has been changed or added since the last issue of the *Report*.

**New course offering.

Many of the conferences listed in the Master Calendar are sponsored by these organizations:

ABA Judicial Administration Division Appellate Judges' Conference Sandra M. Roos, 750 N. Lake Shore Drive Chicago, IL 60611 (312) 988-5696

American Academy of Judicial Education 2025 Eye Street, N.W.; Sulfe 824 Washington, DC 20006 (202) 775-0083

Institute for Court Management of the National Center for State, Courts Suite 402, 1331 17th Street Denver, CO 80202 (303) 293-3063 National Center for State Courts 300 Newport Avenue Williamsburg, VA 23187-8798 (804) 253-2000

National Council of Juvenile and Family Court Judges National College of Juvenile and Family Law P.O. Box 8070 Reno, NV, 89507 (702) 784-6012

National Judicial College University of Nevada Reno: NV 89557 (702) 784-6747



National Center for State Courts

300 Newport Avenue Williamsburg, VA 23187-8798 (804) 253-2000

This calendar contains notices of seminars, meetings, institutes, and similar events of interest to the court community. Listings must be received by the 15th of the month preceding publication. Send all listings and corrections to Master Calendar Editor at the above address. The information in this calendaring be reprinted. Please specify the correct sponsoring organization and phone number.

July 15-22 Moran, WY Philosophical Ethics and Judicial Decision Making American Academy of Judicial Education

July 15-22 Moran, WY The Rule of Law and Justice American Academy of Judicial Education

July 15-22 Moran, WY Justice, Law, and Literature American Academy of Judicial Education

July 16-20 Charlottesville, VA **Appellate Judges Seminar** American Bar Association For more information, contact Renee Prestipino, (312) 988-5696.

July 16-21 Atlanta, GA Fifty-second Annual Conference National College of Juvenile and Family Law

July 16-August 12 Steamboat Springs, CO Phase II Court Executive Development Program: Management In the Courts and Justice Environment institute for Court Management

July 17-21 Charlottesville, VA **Constitutional Criminal Procedure** American Academy of Judicial Education

July 17-28 Charlottesville, VA Trial Judges' Academy American Academy of Judicial Education

July 23-25 Vail, CO Managing Courts: The Humanistic Perspective Institute for Court Management

**July 23-26 Steamboat Springs, CO Adolescent Sexual Offenders: Intervention by Juvenile Courts Institute for Court Management

July 24-28 Charlottesville, VA Career Judicial Writing Program—Trial Judges American Academy of Judicial Education

August 6-11 Palo Alto, CA The Many Roles of a Judge and Judicial Liability American Academy of Judicial Education

August 6-11 Reno, NV Advanced Juvenile Justice Management Institute National College of Juvenile and Family Law

August 6-11 Vail, CO **Improving Judicial Effectiveness** Institute for Court Management August 13-18 Colorado Sprinas, CO Constructive and Creative Judicial Change: Use of **State Constitutions** American Academy of Judicial Education

August 20-23 Seattle, WA Courts and the Public Institute for Court Management

August 20-23 Stateline, NV **Appellate Judges Seminar** American Bar Association For more information, contact Renee Prestipino, (312) 988-5696.

August 21-25 Colorado Springs, CO **Domestic Relations**

American Academy of Judicial Education

August 27-September 1 Denver, CO Building a Microcomputer-based Case Management System Institute for Court Management

September 6-8 Reno, NV National Conference on Judicial Education For more Information, contact the National Center for State Courts.

September 10-15 New Orleans, LA **Personnel Administration** Institute for Court Management

*September 14-16 Buffalo, NY 6th New York Conference on Dispute Resolution **BBB Dispute Settlement Center** For more information, call 1-800-828-5000.

September 17-20 Denver, CO **New Approaches to Case Management** Institute for Court Management

September 17-21 Philadelphia, PA Appellate Judges Seminar For more information, contact Renee Prestipino, (312) 988-5696.

September 18-20 Chicago, IL Victim-Witness Programs for Juvenite Courts Institute for Court Management

September 24-17 Denver, CO Space, Facilities, and Effective Management Institute for Court Management

October 1-3 Denver, CO National Conference on the Legislature and the Courts Institute for Court Management

October 1-6 Durham, NH

Search and Seizure and Recent U.S. Supreme Court Criminal Procedure Cases; The Law of Hearsay American Academy of Judicial Education

October 4-7 San Francisco, CA

Management of Chief and Presiding Judges
Institute for Court Management

October 8-11 Seattle, WA

National Association of State Judicial Educators Annual Conference

For more Information, contact Carol Weaver (206) 753-3365.

*October 12-13 North Andover, MA

Northeastern Regional Conference

For more Information, contact the National Center for State Courts, (508) 687-0111.

*October 12-13 Williamsburg, VA

Southeastern Regional Conference

For more Information, contact the National Center for State Courts, (804) 253-2000.

*October 15-18 Location to be announced

Advanced Management: Executive Leadership in the Courts

Institute for Court Management

October 15-20 Nashville, TN

American Judges Association Annual Meeting

For more information, contact Director of Secretariat Service, National Center for State Courts.

*October 15-20 Reno, NV

Evidence

National College of Juvenile and Family Law

*October 15-27 Reno, NV

Fall College

National College of Juvenile and Family Law

*October 18-22 Chlcago, IL

National Conference of Metropolitan Court Judges Annual Meeting

For more Information, contact the National Center for State Courts.

*October 22-27 Location to be announced

Managing Human Resources

Institute for Court Management

*October 22-27 Reno, NV

Family Law

National College of Juvenile and Family Law

*October 26-27 Kansas City

Midwestern Regional Conference

For more information, contact the National Center for State Courts, (804) 253-2000.

*October 29-November 3 Atlanta, GA

Records Management

Institute for Court Management

October 31-November 5 Santa Fe, NM

Council of Chief Judges of Courts of Appeal Annual Seminar

American Bar Association For more information, contact Renee Prestipino, (312) 988-5696.

*November 5-8 San Francisco, CA

Alternative Dispute Resolution
Institute for Court Management

November 5-10 San Antonio, TX

The Trial Judge—Common Problems and National Perspectives

American Academy of Judicial Education

November 8-11 San Diego, CA

Fall Probate Seminar

National College of Probate Judges For more information, contact Secretariat Service, National Center for State Courts

November 10-13 Washington, DC

National Association of Women Judges Annual Meeting

For more Information, contact Director of Secretariat Service, National Center for State Courts.

*November 12-15 Tucson, AZ

Courts and the Mentally III: Court Clinics and Judicial Administration

Institute for Court Management

*November 12-17 Denver, CO
Caseflow Management and Delay Reducation
Institute for Court Management

*November 16-17 San Francisco, CA

Western Regional Conference

For more information, contact the National Center for State Courts, (415) 557-1515.

*November 29-December 1 San Antonio, TX Court Security Management

Institute for Court Management

*December 3-6 Phoenix, AZ

Managing Traffic-related Cases
Institute for Court Management

*December 3-8 San Diego, CA Juvenile Justice Management Institute for Court Management

*December 3-8 New Orleans, LA

Evidence

American Academy of Judicial Education

Master Calendar Editor: Kim Swanson

State Judicial Educators

- ALABAMA. *Mr. Frank Giegory, Director, Alabama Judlckil College, 817 S. Court Street, Montgomery, AL 36130-0101, (205) 348-7566
- ALASKA. Ms. Carole A. Baekey,
 Director of Magistrate Services,
 Office of the Administrative
 Director, 303 K Street, Anchorage, AK 99501, (907) 264-8237
 ARIZONA. "Ms. Nancy Scheffel,
- Manager of Judicial Education Programs, Arizona Supreme Court, 1314 N. Third Street, Suite 330, Phoenix, AZ 85004, (602) 253-5700 ARKANSAS. *Ms. Kay Boothman,
- ARKANSAS. *Ms. Kay Boothman, Judicial Education Coordinator, Arkansas Judicial Department, Justice Bullding, Little Rock, AR 72201, (501) 371-2295 CALIFORNIA. *Ms. Constance E. Dove,
- CALIFORNIA. *Ms. Constance E. Dove, Executive Director, California Judges Association, Fox Plaza, Suite 208, 1390 Market Street, San Francisco, CA 94102, (415) 552-7660
- CALIFORNIA. *Mr. Paul M. Li, Executive Director, California Center for Judicial Education and Research. 2000 Powell Street, 8th Floor, Emeryville, CA 94608, (415) 464-3828
- COLORADO. *Ms. Maryann Motza, Professional & Legal Services, Colorado Judiciai Department, 1301 Pennsylvania Street, Suite 300, Denver, CO 80203, (303) 861-1111
- CONNECTICUT. *Mr. Anthony B. Fisser, Director, Continuing Education, Connecticut Judicial Department, 75 Elm Street, Hartford, CT 06106, (203) 722-5868
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- WISCONSIN. *Mr. V. K. Wetzel, Director of Judicial Education, Supreme Court of Wisconsin, 110 East Main Street, Room 510, Madison, Wi 53703, (608) 266-7807
- WYOMING. Mr. Robert Duncan, Court Coordinator, Supreme Court of Wyoming, Supreme Court Building, Cheyenne, WY 82002, (307) 777-7581

Nevada Reno. This program provides a formal academic setting in which trial judges obtain a graduate degree in judging—the first of its kind in the country for trial judges.

From time to time, the Judicial College conducts national conferences of the judiciary on contemporary issues. Topics in recent years have included victims of crime, family violence, overcrowding in jails and prisons, rural courts, guardianship proceedings for the elderly, and bioethics. Judicial representatives from the various states and jurisdictions, members of state legislatures, and officials of the federal government have frequently participated in the conferences. Results of these conferences have been widely publicized and disseminated and have led to significant changes and improvements in judicial matters throughout the country.

The interest of judges involved with the ABA in the early 1960s helped establish the college. An ABA committee, headed by then Supreme Court Justice Tom Clark, organized a series of instructional seminars for judges that were offered in many parts of the country. The success of these seminars led to the establishment of a national college for judges.

The college's first classes were held in 1964 on the campus of the University of Colorado at Boulder. Later, the Max C. Fleischmann Foundation offered a 10-year, multimillion dollar grant on the condition that the fledgling college be moved to the campus of the University of Nevada Reno.

The National Judicial College of the State Judiciary, as it was then called, continued for several years to offer the general four-week summer courses for trial judges. Real growth of the program was made possible in 1972 with the dedication of the Judicial College Building on the UNR campus. This building contains several classrooms, offices for the 36-member staff, and a 60,000 volume law library, which is designated a selective Federal Depository.

The college also publishes reference books for judges written by the country's leading judicial experts.

The Criminal Law Outline is updated

each year to include the most recent U.S. Supreme Court decisions. This book is used by thousands of judges and attorneys throughout the nation.

Fifteen board members from throughout the country, who are appointed by the ABA Board of Governors, set policy for the non-profit college. Former Chief Justice of the United States Warren Burger is the honorary chairman of the board.

In 1985 the Nevada legislature appropriated a special \$2.5 million

challenge grant for the college on the condition that an equal amount be raised within two years. Response to the challenge was impressive, with the additional \$2.5 million raised six months ahead of schedule. Major contributors for the matching funds included the American Bar Endowment and, significantly, the alumni and members of the volunteer faculty. The college's total endowment has grown to over \$7 million, and the college is continuing its drive to build the endowment.

Grants continued

General Weaknesses

- Doesn't fulfill required goals of the organization.
- 2. Costs are unreasonable for anticipated results.
- Lacks necessary resources and capacity to meet proposal criteria.
- 4. Proposal is unclear, nonspecific, incoherent, or incomplete.
- Project procedures and methodology are unlikely to produce quality results.
- Expected results are not applicable to or usable by larger population.
- 7. Approach offers nothing new or unique to the discipline.
- Statistical aspects of the methodology are not well considered.
- Proposed evaluation/monitoring procedures are inadequate or nonexistent.
- 10. Proposal promises too much with little chance to deliver positive outcomes.

Specific Shortcomings

- Principal investigator overloaded with responsibilities other than this project.
- Staff, facilities, equipment, or resources underdescribed or omitted.
- Organizational research match or other sources of support is weak or nonexistent.

- Description of key staff/personnel omitted.
- Specific cost estimates lack substantiation or are unrealistic.
- Affirmative Action/Equal Opportunity Employment forms unsigned.
- 7. Timelines either omitted, unrealistic, or nebulously defined.
- Institutional guidelines for "Human Subject Research" omitted.
- Proposal lacks signatures of or approval by key organization leadership.
- 10. Proposal lacked familiarity with important or current research.

(See Ernest M. Allen, "Why Are Research Grant Applications Disapproved?" Science, Nov. 25, 1960; also comments from publications of the National Institute for Health.)

Obviously, many of these reviewer comments are subject to interpretation, but proposal writing is fraught with numerous pitfalls. If the reviewers have any negative perceptions, then your organization's chances to receive funding are significantly reduced. Remember, perception is reality when reviewer comments are concerned.

HOTELS:

Developing a Win/Win Negotiation Strategy

by Scott C. Smith

he purpose of this article is to A help the meeting planner understand the need for developing a negotiation strategy when selecting a hotel for a conference. A strategy is essential to facilitate a mutually beneficial result -- a win/win environment. There are three major steps in designing this strategy: developing your group profile, selecting your target hotels, and determining the negotiability factor of your, and the hotel's, needs. While there are no magic wands to make negotiating completely painless, careful consideration of these three factors can do much to minimize an unpleasant seminar experience.

The first step in designing a negotiation strategy is to control as much information as possible about your group. It is this preparation that is the most critical element in creating a win/win environment. Examples of this information are your group size, room-use history, no-show ratio, group hotel-type preference, food and beverage expenditures, and how fast you pay your bills. Collectively, these factors may be called your "group profile."

When your negotiation strategy is built upon an exhaustive knowledge of your group profile, several very important things will happen. You will be in command at the bargaining table because you will know what you have to offer; the hotel will be more at ease with you because planner unpreparedness is the greatest enemy; the price you pay

This article is the second half of a twopart article. Part I appeared in the winter 1989 issue (vol. 4, no. 1).—ED

for the hotel's services will be lower because the hotel knows that a minimum of work (staff time) will be needed to administer your account.

One of the greatest shortcomings of meeting planners in group profile development is a lack of control over the hotel room reservation process. Having complete control over conference registration provides you, the meeting planner, with the surest

There are three major steps in designing this strategy: developing your group profile, selecting your target hotels, and determining the negotiability factor of your, and the hotel's, needs.

route to a comprehensive knowledge of your group profile. This means, of course, handling hotel room reservations in-house. This commitment of your staff will pay big dividends when it comes to booking future business. Remember, when you

walk out the hotel's front door after a conference, the hotel is working on someone else's account. It is unreasonable to ask the hotel to provide you with information about your group's conference when the implementation of simple management systems would have provided you with the same if not better informa-

Step two, selecting appropriate hotel properties, is all important. It is doubtful that a 10-room tourist court adequately fills your needs. It might be likewise inappropriate to target top-end luxury properties. Not every area of the country has every type of hotel. The meeting planner must carefully analyze the local offerings. The point is, know the hotel type you want before beginning negotiations---don't waste your time and their's by targeting inappropriate properties.

The third step in developing a win/win negotiation strategy is to develop a list of desirable features you want for your group. Your list might include airport transportation, special faculty rates, waiver of meeting space charges, or waiver of parking charges. This list should be divided into shall, should, and may categories. An example of a shall item might be guest security features, while an example of a may item might be to have your meals served in an atrium. Regardless of

how important you feel an item is, you must determine the negotiability factor of each item before approaching the hotel.

The next part of step three is to identify the target hotel's prioritized rules and be familiar with the negotiability factor of each of these. Be aware that the willingness of the hotel to place an item in the may category instead of shall can fluctuate seasonally or depending on how much you buy.

Since only you, the meeting planner, knows the priorities of your list, the remainder of this article will concentrate on identifying items on the hotel's list.

Most articles and seminars on hotel bargaining will have you believe that everything is negotiable. In many cases, this philosophy holds true only if you have no plans to use that hotel again. The win/win strategy includes allowing the hotel to make a reasonable profit on your contract.

Four main categories of hotel offerings are subject to negotiation: sleeping rooms, meeting space, food and beverage, and guest services.

Sleeping Rooms — room rate, room block, room block location in large hotels, amenities, upgrades for VIPs, security, safety, complimentary room ratio (if appropriate), cancellation policies, late and early checkins, late check-outs, and weekend holdovers.

Meeting Space — size, location, set-up charges, use of meeting space when your group isn't using it, bookings in adjacent space (beware of motivational groups!), special needs such as extra risers, drapes and lighting, and audiovisual equipment.

Food and Beverage — meal prices, menus, gratuity, number of waitpersons, space allotment, style of service (buffet or plated), and meal

Guest Services — airport transportation, other transportation (malls, restaurant districts), front desk staffing, bell staff, restaurant hours and menus (lunch menu offered at night), billing to accounts, cost of inroom movies, cost of local telephone charges, hotel long distance surcharges, parking charges, parking

attendants, security guards, and safety deposit boxes.

The most important thing to remember is that none of the above listed items are "free." While you might get a direct charge waived, the service will either be absent or paid for otherwise. The decision as to whether an item's cost is negotiable depends on the hotel's overall financial condition. For obvious reasons, this may be difficult to determine. None of the items can be plucked from the environment in which they operate. There can be no substitute for a thorough understanding of how hotels make money in designing a win/win negotiation strategy.

The purpose of this article has been to help you determine the need for a carefully planned negotiation strategy. The article has directed your attention to three important ingredients necessary to create a win/win bargaining environmentthe negotiability of your and the hotel's needs, the identification of the target group of hotels, and, most importantly, the development of your group profile—know what you have to offer!

There's no substitute for experience. I hope yours will be rewarding and filled with successful achievements—good luck! ■

President's Column continued

risdiction judges. Since the largest percentage of women judges are limited jurisdiction, we cannot strongly consider the 7.2 percent in comparing the number of women faculty with the number of women judges.

The survey I conducted did not ask for the total number of judges in the state and how many of the number are women. I can use Kentucky as my only example to compare number of women judges with number of faculty. In Kentucky, the total number of state trial and appellate judges is 237. Six percent of the Kentucky judges are women, and in calendar years 1987 and 1988 only, 2 percentof the faculty were women.

The National Judicial College adopted a policy in 1988 mandating the active recruitment of women and minority faculty. In 1987 19 percent of the National Judicial College faculty were women, and in 1988 the percentage increased to 21 percent. The National College does not have information regarding the number of

The National Council of Juvenile and Family Court Judges does not have numbers available of women and minority faculty. The Council has had a formal policy since 1975 requiring women and minorities be given equal consideration when selecting faculty for education programs.

Ten percent of the American Academy of Judicial Education faculty are women. No numbers were available regarding minority faculty.

In 1988 the Institute for Court Management faculty was composed of 78 percent men and 22 percent women. Of the 1988 faculty members, 94 percent were white and 6 percent were minority. The National Center for State Courts and its Institute for Court Management have made the hiring of staff and recruitment of minorities and women for programs a priority. Several steps are under way for implementing this priority, such as providing a scholarship program for minority court employees to attend ICM programs, active recruiting of women and minorities for faculty, and having the Institute for Court Management Advisory Council recommend policies and practices to improve the women and minority attendance and faculty at education programs.

I urge judicial educators to actively recruit women and minority faculty and planning committee members. If you have established or are creating guidelines for state judicial education programs, such guidelines should include language regarding recruitment of women

and minorities.

Computer-based Education, continued

1

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

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 statespecific 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.

P R O F I L E

He is a thoughtful man. Reflective and serious, his smife nonetheless remains warm and at the ready.

Although acknowledged as a veteran in the judicial education trenches, a founding father of NASJE, and the executive director of one of the premiere judicial education programs in the world, he is modest and unassuming about his numerous accomplishments.

Mention judicial education.

Mention a judicial educator. His name rapidly leaps to the tongue — Dennis W. Catlin.

Who is Dennis Catlin, this trim, neatly bearded judicial educator of some 45 winters, most of them spent in Michigan? What contributions has he made to his state and to the field? What prepared him for his work?

Although Dennis, his wife Jan, and his two children live in Holland, Michigan, an area Dennis affectionately terms the "Dutch Riveria" for its predominant Dutch population and influence, Dennis was raised in Pontiac, part of the greater Detroit area. But when Dennis grew to college age, he chose Hope College in Holland — a small college in the western part of the state founded by the Reformed Church in America. There Dennis studied sociology. Upon graduation, his first full-time job was as a detective-sergeant with the Holland police department responsible for juvenile matters. Dennis was the juvenile division. He enjoyed the work, the network with social service agencies and schools, and his experience with the police academy. The seeds for training and continuing education were already germinating.

In 1969, after his initial law enforcement experience, Dennis served as a special agent with the FBI. He served first in Memphis shortly after Martin Luther King's assassination, then served in Baltimore. While in the D.C. area, he was on duty during Vietnam-related demonstrations. He received two



Dennis Catlin

letters of commendation from J. Edgar Hoover.

Motivated to continue his own education, and interested in teaching, Dennis left the FBI in 1972, and he and his family returned to Lansing, Michigan, where Dennis pursued graduate education. He began his doctoral trek and simultaneously supervised the planning of statewide training programs for the Michigan Law Enforcement Officers Training Council.

Two years later, Dennis received his masters degree in criminal justice, and the Michigan court administrator hired him to develop training programs for judges and support personnel. From Dennis and his secretary, the program grew to what in October 1977 became the Michigan Judicial Institute.

In 1980 Dennis received his doctorate in administration and higher education. His doctoral thesis was "An Empirical Study of Judges' Reasons for Participation in Continuing Professional Education."

By that time, the Michigan Judicial Institute was already well known and respected. As early as 1977, the Michigan Judicial Institute began its faculty development series—a highly popular program, which recently has seen the inauguration of the "Advanced Faculty Development" program.

Staffed with some 15 persons and underwritten by a \$1.5 million budget, the Michigan Judicial Institute received a major Kellogg Foundation grant as well.

The Michigan Judicial Institute is the continuing education arm of the Michigan Supreme Court and is administratively under the supervision of Supreme Court Justice Michael F. Cavanagh. It was so established to ensure a measure of academic freedom and to provide an administratively neutral forum for judges, administrators, and professional personnel to express their opinions.

In addition to the program efforts, of what is Dennis particularly proud? Interestingly, it is the staff graduates who have gone on to continued success elsewhere—Maureen Connor as judicial educator in Illinois, Terry Nafisi with the U.S. Court of Appeals in San Francisco, and Debbie Plog as continuing educator in the private sector in Connecticut.

On the national scene, Dennis has made numerous contributions. He has readily served as a technical assistance resource to new judicial educators not only in this country but around the world. Kay Boothman, Arkansas judicial educator, recalls the assistance Dennis provided her as being not only kind but "invaluable." Tony Fisser, of Connecticut (whom Dennis followed as NASJE president), states unequivocally that consultation with Dennis saved him "a year's worth of work and experience."

It has already been noted that Dennis was present at the Chicago meeting in 1975 which formed

continued on page twelve

Profile continued

NASIE. Over the years, Dennis has contributed to the work of NASIE in countless ways, serving on committees, "moving through the chairs," maintaining the judicial education clearinghouse and data bank, conducting a national survey, and, from 1984-1986, serving with distinction as the NASJE president.

Over this period, Dennis has proved himself a conceptual thinker as well. He has contributed several articles of note to such publications as the Judges' Journal, the State Court Journal, and the Justice System Iournal.

And his contributions continue. One of his more exhilarating experiences, and one which will result in a publication anticipated this year, is the Judicial Education Study Panel funded by SJI. To this effort, Dennis contributed a practical, well-reasoned article, "The Who and What of Judicial Education."

Dennis Catlin — a professional, dedicated judicial educator. An educator who serves Michigan well while making contributions to the entire developing field. And to top it off, it is refreshing to see that Dennis loves his work.

Update on Technical Assistant Workshops

he NASJE SJI-funded management team is currently planning the content of the 1989 course module workshops on court security, jury management, and personnel management skills for judges. Several state judicial education officers (SJEOs) indicated interest during the Alexandria, Virginia, conference in being part of, or hosting, a regional workshop for other judicial edu-

The anticipated format of the workshop will be one and onehalf days of mini-demos on each topic plus another half day on the judicial educator's role in implementing each program. The management team's objective in planning these modules is to provide resources and program development help not normally

accessible to a state judicial educator.

Note: There are scholarships available to SJEOs who are unable to pay travel costs to a regional work-Shop. Please call thy of the SJEO's listed below, in thating your interest in participating in a two-day work shop in your region. We would like to hear from you by June 30, 1989.

> Larry Stone, OH (614) 466-4150

Dee Lawton, FL (904) 488-8621

Carroll Edmondson, ND (701) 224-4216

Nancy Scheffel, AZ (602) 255-2136

Ellen Marshall, MD (301) 974-2353

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This newsletter, published quarterly by NASJE through the National Center for State Courts, is made possible by a grant from the State Justice Institute. Opinions expressed herein, however, do not necessarily reflect the views of the State Justice Institute. Address all correspondence and inquiries to NASJE News, National Center for State Courts, 300 Newport Avenue, Williamsburg, Virginia 23187-8798; (804) 253-2000.