

FRANKY

# NASJE News

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## Vermont Hosts NASJE Annual Conference

**B**right sunshine, warm temperatures, colorful foliage, and sparkling Lake Champlain welcomed NASJE members to the annual conference in Burlington, Vermont. Those coming early seized the opportunity to explore this quaint old college town, to eat and shop their way through the Church Street Fall Festival, and to take the Ethan Allen narrated history boat tour before the reception, which officially began the conference on Sunday evening. Over 75 members gathered to share information, explore new ideas, and strengthen the networking relationships so valuable to judicial educators. Hosted by the Northeast Region, with conference management by the very capable Ed Borrelli, the conference provided a blend of educational programming, problem-solving discussions, and social interaction.

**Personality Diversity and the Judicial Educator:** "I'm an INFJ," exclaimed Elsie Educator. "What are you?" "Oh," responded Edwin Eager, "I'm an ESTP." Others may have responded ISFP, ESFJ, or INTP. These are a few of the 16 types of preference indicators that may be reported by the Myers-Briggs Type Indicator (MBTI) according to Judge John W. Kennedy, of the San Bernardino County, California, Superior Court, in his presentation on the implications of the MBTI for judicial educators.

Twenty-six educators took the opportunity to complete the MBTI questionnaire and return it to Judge Kennedy for scoring before the annual conference. The questionnaire yields four preference scales

regarding individual personality types:

- *Source of energy:* An Extrovert (E) gains energy in life from others; an Introvert (I) gains energy from the inner self.
- *Cognitive process:* A Sensing (S) person gathers information through the senses; an Intuitive (N) person gathers information from the meaning of things.
- *Decision-making basis:* Thinking (T) people make decisions based on an objective set of standards; a Feeling (F) person makes decisions based more on human values.
- *Organization of external world:* A Judging (J) person is decisive, planned, and orderly; a Perceptive (P) person is flexible, adaptable, and spontaneous.

Judge Kennedy described each of the four categories and explained how different personality types

function as planners and as students. For example, he noted that as planners, Extroverts prefer group activities and are comfortable with brainstorming. They tend to think off the tops of their heads, throwing out many ideas with little investment in any of them. On the other hand, Introverts prefer to synthesize their thoughts and present careful, studied ideas. They prefer to lecture and tend not to allow class time for discussion and participation. As students, Extroverts enjoy opportunities to participate in group activities. In contrast, Introverts prefer listening and individual assignments, such as reading and writing.

Judge Kennedy continued this pattern with the remaining three categories composing the personal-  
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*Unseasonable weather greeted conference goers. This is a view from Lake Champlain.*

## PRESIDENT'S COLUMN

*Jerry Beatty*



**O**n behalf of NASJE, I want to thank Northeast Director Ed Borrelli, of New York, his staff, and other judicial educators in the Northeast Region for planning and coordinating an excellent annual conference in Burlington, Vermont, October 7-10. We registered 105 judicial educators—the largest number ever to attend a NASJE conference. I think the impressive turnout speaks well of the superb program and the growing interest in the field of judicial education. During the last decade, our membership has more than doubled from 57 to 121. We welcomed 19 new members this year.

I also want to express my appreciation to Rita Stratton for the tremendous job she has done as president of NASJE for the last two years. During her term, a judicial education technical assistance consortium was born, a wealth of judicial education materials and curricula were developed, and *NASJE News* continued its vital role of disseminating innovative ideas and information about the profession. Rita also spearheaded the drive to develop standards for judicial education and revise the NASJE brochure. Both projects are expected to be completed soon.

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# ABA Adopts New Model Code of Judicial Conduct

**A**fter three-and-a-half hours of debate, the American Bar Association at its annual meeting in Chicago in August adopted a new Code of Judicial Conduct, including six "clarifying" amendments. According to committee members, the new code is a "great improvement for judges" because it clarifies many areas left open previously, which put judges at risk. Now judges will be given much more guidance regarding how to conduct their personal and professional lives. The code also reflects evolving standards for judges. In addition to holding judges responsible for dealing with court delay, it strengthens language prohibiting the expression of gender and ethnic bias and imposes more-realistic limitations on political activities.

Many judges will find the new model code provides much more realistic guidance, while recognizing the more active role that judges are asked to play in the 1990s. With regard to ex parte communications, for example, the new code specifically adds qualified exceptions for handling administrative matters, consulting with law clerks, and participating in mediation and settlement conferences. The code and commentary now explicitly provide that a judge should "monitor and supervise cases" to reduce "avoidable delays and unnecessary costs." (Section 3B(8) and Commentary.)

Gender-based language is eliminated from the code. The code also incorporates the principle (Section 2C) first adopted in 1984 that "a judge shall not hold membership in any organization that practices invidious discrimination on the basis of race, sex, religion or national origin." The commentary also clarifies that it would be a violation of the canons to arrange a meeting at, or regularly use, such a club. In response to the controversy engendered by this section, the commentary now, in effect, provides a one-year "grace period" in which a judge may "make immedi-

ate efforts to have the organization discontinue its invidiously discriminatory practices" in lieu of resigning from the club.

In a related provision, the commentary to Canon 3B(3) prohibits the manifestation of bias by facial expression or body language. In addition to oral communication, Canon 3C(1) extends the prohibition to court administration, and Canon 3C(2) requires judges to require their staffs and "others subject to the judge's direction and control" to refrain from manifesting bias or prejudice in the performance of their official duties. The commentary to Canon 4A clarifies that conduct off the bench, including jokes or disparaging remarks, can also violate the code.

A substantially revised Canon 5 regulates the political conduct of judges and candidates for appointive or elective judicial office. While continuing to restrict substantially judges' participation in partisan political activities or the campaigns of other office seekers, the code now provides that judges may publicly correct "false information concerning another judicial candidate" and may privately express views on other candidates for office. (Canon 5A(1) Commentary.) Rather than prohibiting judges who are seeking election or appointment from announcing their "views on disputed legal or political issues," the code now more reasonably prohibits making "statements that commit or appear to commit the candidate with respect to cases, controversies or issues that are likely to come before the court," while allowing "pledges or promises respecting improvements in court administration." (Canon 5A(3)(d) and Commentary.) The new code also allows candidates to "respond to personal attacks or attacks on the candidate's record." (Canon 5A(3)(e).) Special provisions governing candidates for election to judicial office allow contributions to political organizations and attendance at political

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# The Curse of the Missing Van

## ACT ONE

### Scene I

The scene is a hallway outside a hotel meeting room. A judicial education program is in progress. The state judicial educator is standing in the hallway, speaking with a judge. As the curtain rises, the state chief justice is churning down the hall from the direction of the front desk. Her presentation is over, and, presumably, she had left for the airport. The look on her face could freeze-dry a jalapeno pepper.

**Educator:** (Knowing that the chief justice was returning to work on the education budget.) Is something wrong? I thought you'd be on your way by now.

**Chief Justice:** You bet there is! I have a plane to catch in one hour and the front desk tells me the driver just took the van to the shop. How am I going to catch my plane?

### Scene II

The scene is at the hotel front desk about five minutes after the conversation with the chief justice. With contract in hand, the educator is discussing a solution with the hotel general manager and front desk manager.

**Educator:** (Relieved.) So, it's my understanding that since our contract requires the hotel to provide "on call" transportation to the airport for my VIPs, the hotel will pick up the cab fare while your van is in the shop.

**General Manager:** That's correct. Ah, here comes the cab for the chief justice now. I'll go out and give the driver a voucher.

**Educator:** (To chief justice as she boards cab). You'll get to the airport in plenty of time. Hope you have a nice flight!

**Chief Justice:** I will. By the way, I was impressed by the way you handled this affair. Good thing you had a well-prepared contract. See you next week.

*(Fade to Continued Employment)*

This one-act play ended happily because the judicial educator had a thorough contract that had been reviewed with management during the preconference meeting. The problem was solved by involving top management so that an immediate fix could be achieved. The outcome of this story could have just as easily been "fade to unemployment." Failure to protect your program with an adequate contract could have disastrous consequences.

To be a successful meeting planner, knowledge of user group profiles, hotel operations, and negotiability of items is critical. All is for naught, however, if you don't "close the deal" with a binding contract!

For various reasons, hotels desire to contract separately for sleeping rooms and catering. Several months might pass between agreeing on

room rates and food prices. Neither of the two might address default, termination, or other "protective" items. While there are many good hotel contracts (from the hotel's perspective), no substitute exists for designing and using your own. Only then can you control, absolutely, the contract's contents (and your continued employment).

Since laws and hotel markets vary, there is no better choice than to obtain legal counsel *knowledgeable* in the meeting/hotel industry in your state.

Although regional differences in law and the hotel industry occur, there are several "must" items for any meeting contract. These are as follows:

1. Approximate number of attendees, both administrative and participants.
2. Dates of function.

3. Number of sleeping rooms (singles, doubles, suites, rates, reservation cutoff).
4. Sleeping-room guarantee policy and cancellation policies.
5. Specific meeting space, set-up times, audiovisual and special needs.
6. Catering needs: menus, prices, times, guarantee, change in guarantee, service persons, percent over guarantee preparation. Style of service, coffee service (breaks), where meals will be held in hotel.
7. Preconference acceptance and storage of seminar materials.
8. Parking charges or their waiver.
9. Airport ground transportation.
10. Tax status.

*continued on page 4*

## The Curse, continued from page 3

11. Direct billing instructions.
12. Default (yours and the hotel's).
13. Termination (your decision to).
14. Required clauses like AA/EEO, minority business, officials not to benefit, etc.
15. Funding out clause—should your program not be funded.
16. Exclusiveness of this written agreement and the handling of amendments and exceptions.

A well-written contract is important. It is, however, only part of the picture. In the above scenario, the meeting planner came out ahead because he had covered all aspects of the contract with the hotel's management before the need to enforce the airport transportation clause. Had he not done so, valuable time would have been wasted arguing the point rather than finding an alternative. Both the design of the contract and the review just before the meeting must receive equal weight. Even if hotel staffing doesn't change between entering into the contract and your function, it would be folly to believe management would remember the terms of *your* agreement among many. A preconference meeting with management will ensure mutual understanding about expectations regardless of staff changes.

In summary, a well-written contract is an absolute when planning meetings at hotels. It should be designed by an attorney knowledgeable about your state's laws and hotels and the conference industry. The contract should be enforceable but written clearly enough to be understood, thus preventing the need for enforcement.

Armed with a valid, well-understood contract, no one will ever write plays about the work you used to do. Fade to successful meetings! ■

— Scott C. Smith

## The Foolproof Committee Meeting

The meeting started promptly, 30 minutes after its 10:00 a.m. scheduled time. The judge-chair wanted to start by going around the room for introductions from the eight members beginning with Judge X to his right. He also asked each member to give his or her ideas about what should be on this year's program. Judge X told the committee about his vast experience as a lawyer and a judge. He couldn't resist discussing his first jury trial and several upsetting events in chambers. By 12:30 p.m., the members had exhausted themselves, and the staff, with painful introductions and conflicting ideas for the annual conference. Now it was time for lunch!

Reconvening at 2:00 p.m., the chair asked staff for their ideas. At 3:00 p.m., two members grabbed their papers and rushed off to the hotel shuttle for their flights home. With six hardy souls remaining, the meeting continued until 4:30 p.m., when the chair asked staff when the next meeting could be scheduled. Staff responded that only one meeting had been budgeted, and off went the committee members, back to their respective courts. The staff's task was to draft a proposed program based on miscellaneous suggestions without any committee consensus.

Don't let this scenario strangle your planning process. The following agenda, if followed closely, will allow you to plan a three-day program within three to five hours. Here's how it works—and here's the suggested text for the agenda mailed to committee members before the meeting. The agenda can be adapted to a single-subject seminar by having the committee focus on the subtopics within the larger program topic.

### Other Committee Meeting Tips

**Select a firm but participatory leader as chair and discuss his/her role.** The committee chair should be able to obtain the other members' input while moving the meeting along through all agenda items. If the chair is too firm, he or she may plan a personal program that other members will not endorse. If the

chair is too weak, the planning tasks may not get completed. As program staff, you may need to step in periodically to fill any leadership gap.

**Follow the procedure in the agenda.** Committee members will be tempted to plug in speakers or decide timing issues before they have even selected the program topics. This can lead to a great waste of time and a very lengthy meeting. This agenda has been used successfully for more than 12 years, and it works well if the tasks are performed in order.

**Facilitate the meeting by taking notes for the committee.** As topics are suggested, the judicial educator should list them on a flip chart and post the pages on the meeting room walls. This will permit the committee to see the suggested topics and to combine related ideas and decide topic priorities. When it comes time to assign topics to times within the schedule, post the daily times for the program and fill them in as the committee reaches agreement. This keeps the committee focused on completing the schedule.

**List as many potential speakers as possible.** Get as many suggestions from the committee members as possible for each topic. Some speakers will inevitably be unavailable. The list can be narrowed by the chair and program staff at a later date, if necessary.

**After the meeting, prepare a program summary and list of members' responsibilities with deadlines.** The planning meeting will leave you with jumbled notes and many unwritten thoughts regarding the program. Within one week, they should be memorialized as a proposed program containing the program schedule, with topics, topic descriptions, and potential speakers. The summary should include deadlines to facilitate staff follow-up. You should attach to the program a list of tasks that committee members have agreed to perform, such as moderate a panel, recruit speakers, or write materials. ■

## Planning Committee Meeting Proposed Agenda

*Date:*

*Time:*

*Place:*

### 1. *Welcome*

2. *Identify potential topics.* The first and most important step in planning a program is to identify all potential topics. The committee chairperson will ask every planning committee member to suggest a number of topics. The committee should discuss the topics and identify any related subtopics, *without deciding at this point* what topics should be included in the program, when the topics should be presented, or who should be asked to serve as faculty. This important limitation on the initial discussion will greatly expedite the planning process.

NOTE: As the committee members are suggesting their topics, the judicial education staff will list them on flip charts and post the lists on the walls of the meeting room to facilitate the committee's later consideration.

### 3. *Arrange priorities to the topics.*

When all potential topics and subtopics have been identified, the planning committee should review them and assign priorities to them. The committee should also discuss whether to combine several topics for presentation at the program. Before determining the priority of each topic identified in Step 2, the committee members may simply wish to identify certain topics that must be included in the program (but *not* when or by whom at this time). The best method of determining the relative importance of the remaining topics is to assign a value between 1 and 10 to each potential topic (with number 1 being the least important and 10 being the most important). The numbers should be assigned by informal consensus among the committee members; no formal voting is needed. The most important

topics can then be assigned a time within the program schedule pursuant to Step 4.

4. *Design the program.* After identifying the topics and determining their relative importance, the committee can then incorporate them into the program schedule (the preallotted time for the conference), indicating (1) *when* each topic should be presented, (2) *how much time* should be allotted to each topic, and (3) *the best method* for presenting each topic (i.e., lecture, panel discussion, role playing, small-group discussion, etc.). As a general rule, the most important (or appealing) topic should be presented at the beginning of the program and the second most important at the end.

5. *Identify potential faculty.* The committee should next identify potential faculty members for each topic as well as judges who might lead seminar discussions. The final choice of speakers and seminar leaders is normally left to the program chairperson with assistance from staff. This flexibility is needed because some faculty members may not be available, or later developments in the planning process may cause one faculty member to be preferred over another.

6. *Plan the program materials.* Generally, the speakers are requested to furnish a brief outline or other written materials relating to their presentations. The materials are collected by the judicial education staff and reproduced in a syllabus that is distributed to the program participants. The planning committee should (1) consider what types of syllabus materials would best help the participants to follow the speakers and to take notes, (2) decide what how-to materials (e.g., checklists, spoken

and written forms, scripts, etc.) should be provided for the participants' later use in their work, (3) decide what special topics, if any, should be covered in the program syllabus, and (4) suggest special authors and other sources for the various materials. The committee may wish to suggest existing articles that might be included in the syllabus or recommend a special format for an article or a certain type of coverage for a particular topic.

7. *Plan social events.* The committee should make program decisions regarding such related matters as opening remarks, the number and scheduling of receptions, and groups luncheons or dinners. [NOTE: In some states, the participants will be requested to pay an activities fee to cover the costs of group meals and social events planned by the committee, because state funds cannot be used to cover the costs of these functions. If so, committee members need information on the costs of these items so they can plan the events within a cost that will be acceptable to participants.]

8. *Other business.* [List any additional items the committee should address and leave a few blank lines.]

NOTE: Following this meeting, the staff will prepare for the planning committee's review a draft of the entire program, incorporating the committee's curriculum decisions and also reminding its members of any follow-up tasks they may have agreed to perform. When approved, the program will be mailed to all judges with the announcement and registration materials.

*This system is used by the California Center for Judicial Education and Research for its planning meetings.—ED*

## NASJE/NCSC Technical Assistance Project

Nineteen states spanning the U.S. from the Florida panhandle to Washington State have either used, or will use within the next year, curriculum guides developed by the NASJE/NCSC Technical Assistance Project funded by the State Justice Institute. Participants at the Annual Conference of State Judicial Educators in Vermont, October 7-10, 1990, verified this widespread application of the guides.

Jury management/impanelment and court security teaching guides were developed by Tom Munsterman, of NCSC, and the Honorable Fred Geiger, of Chicago. These guides were then supplemented by trainers' notes and audiovisual support materials so that any judicial educator could present the curriculum to an in-state judicial audience. Dr. Carol Weaver, former SJEO from Washington and currently on the faculty of Seattle University, crafted a judicial educator's implementation guide to ensure an even greater ability to transfer the information and skills to any state judicial education operation.

Current and former NASJE members composed the management team for this project. They included Dee Lawton, of Florida; Larry Stone, of Ohio; Carrol Edmondson, of North Dakota; Nancy Scheffel, of Arizona; Ellen Marshall, of Maryland; Jeff Kuhn, of the National Council of Juvenile and Family Court Judges; Lans Leavitt, of the National Judicial College; and Doug Lansford, of the American Academy of Judicial Education.

Staff support was provided by Brenda Wagenknecht-Ivey, formerly of the Institute for Court Management (ICM), and Toni Bonacci, currently with ICM.

"This is exemplary proof that excellent judicial education products can be produced through the cooperation and hard work of SJEOs, national providers, and the National Center for State Courts," observed management team chair Ellen Marshall. ■

## New NASJE Officers Chosen

Every two years at the NASJE annual conference, new officers are elected. New officers for 1990-92 are: Jerry Beatty, president; Larry Stone, vice-president; and, in a break with the past, the secretary-treasurer position has been split—Ed Borrelli, secretary; and V.K. - Wetzel, treasurer.

A new NASJE board of directors is also in place: Ellen Marshall, Northeast Region; Kay Boothman, Southeast Region; Dan Schenk, Midwest Region; and Karen Waldrop, West Region. Rita Stratton, as immediate past president, rounds out the board of directors. ■

## Membership Information

To receive NASJE membership information, write Diana Clemons, Chair, NASJE Membership Committee, Education Services, Administrative Office of the Courts, 100 Millcreek Park, Frankfort, KY 40601-9230; or call Diana at (502) 564-2350.



Conference Host, Ed Borrelli, met with the NASJE News editorial committee during the Burlington conference. Left to right, Scott Smith, Michael Runner, Jim Toner, Ed, Kay Boothman, Bill Fishback, Jim Drennan, and Betty Ann Johnson.

# CONTINUING PROFESSIONAL EDUCATION ADVISORY BULLETIN



A service of the  
**JUDICIAL  
EDUCATION  
ADULT  
EDUCATION  
PROJECT**

Sponsored by  
**The National  
Association of  
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**The University  
of Georgia**

**Diane E. Tallman**  
Project Manager, JEAEP  
Department of Human  
Resource Development  
Georgia Center for  
Continuing Education  
The University of Georgia  
Athens, GA 30602  
404-542-2275

**Richard D. Reaves**  
Project Advisor, JEAEP  
Executive Director  
Institute of Continuing  
Judicial Education  
School of Law  
The University of Georgia  
Athens, GA 30602  
404-542-7491

## Editor's Column

Welcome to the new look for the *Continuing Professional Education Advisory Bulletin*. This "new and improved" masthead also features our project's new name -- the Judicial Education/Adult Education Project -- or, JEAEP. This new name embodies the essence of this project, which is to make information and resources from the field of adult education available and accessible to judicial educators. The JEAEP Project was created to serve you, the continuing judicial educator.

In this issue of the *Advisory Bulletin*, we have reprinted an article that helps in examining why certain programs "fail" and offers a method for performing a "post-mortem" on a failed program. Also included is an article detailing an environmental scanning program, which could be applied in many judicial organizations. Additionally, both the book review and the excerpt on teaching methods feature the concept of critical thinking, which many have found to be very appropriate and exciting in creating professional development programs.

As always, please contact me if you would like this newsletter insert to address a particular topic of concern in the field of adult education. I'd love to hear from you!

*Diane E. Tallman*  
Editor

## Why Programs Fail

*Excerpts from "The Postmortem Audit: Improving Programs by Examining Failures," by Thomas J. Sork. This article originally appeared in Lifelong Learning, November 1981, pp. 6-7. Reprinted with permission.*

Improvement in the quality of educational programs for adults is largely dependent on the willingness of adult educators to analyze carefully both their programming successes and failures. The literature of adult education seems replete with case studies of successful programs, but reports of programming failures are quite uncommon. In his article, Dr. Sork discusses a method for

educators to use as they analyze both their successful and failed programming ventures. He proposes that although there are three distinct types of program failures, they all have one thing in common: organizational resources of one type or another was expended but the planned outcome was not realized. In this article, each type of program failure will be discussed and the postmortem audit method presented.

### Types of Program Failures

Type I failures address the programs that are partially completed, but are terminated before implementation. A key question to consider when deciding whether a program is a Type I failure is whether one of the first steps in planning the program involved a conscious decision to proceed or not to proceed. If the decision not to proceed is made after careful consideration of the nature of the proposed program, the clients to be served, and the resources required, then termination of planning should not be considered a failure. Clearly a certain amount of programmer/instructor or programmer/client interaction would be required before adequate information was available to make this decision.

On the other hand, if substantial resources were expended under the assumption that the program would be offered, then termination of programming may well be considered a failure. Taking this view requires developing a set of criteria to judge the appropriateness of program ideas and applying those criteria at the earliest possible stage of planning.

Another complication of Type I failures results when the decision is made to terminate planning, but it is later discovered that the program would have indeed been appropriate and feasible for the institution to offer.

Type II failures occur when planning for the program is completed and the offering publicized, but it does not attract a sufficient number of participants. Viewing this type of event as a program failure may displease some adult educators because their institutions advertise a wide range of offerings knowing full well that 20-50 percent will be cancelled because of low registration. They

might argue that this practice is a relatively inexpensive way to conduct an interest assessment. And they are probably correct if the institution subscribes to the "cafeteria approach" of providing adult/continuing education. A fundamental problem with this orientation, however, is that it ignores both the investment required to produce the alternatives and the costs associated with cancelling advertised programs. The psychic impact that cancellations have on both the people who plan and teach such programs and the participants is often an underestimated end result of Type II program failures. Clearly, when adults decide to participate in a program, whether as an instructor or participant, they must disrupt their lives to make room for the activity. This disruption must be planned for in advance of actual participation, so when a program is cancelled adults' lives are disrupted twice with no payoff whatsoever. Careful analysis of the consequences of Type II failures should specify *all* the costs associated with cancellations, not just those that can be expressed in dollars.

*A postmortem audit involves the systematic examination of the program to determine the cause of death.*

Type III failures occur when program planning is completed, offering publicized, and enough people enrolled so the program is conducted. However, it does not provide what the participants had expected so they either fail to complete the program or they react so negatively to it that no consideration is given to offering the program again in its original form. This type of failure seems especially problematic for organizations which specialize in short-term, intensive programs where opportunities for making adjustments without major program dis-

ruptions are few.

The main difficulty with programs in this category is deciding at what point programs move from "bad" to "failure" status. The key to identifying Type III failures is the phrase "... that no consideration is given to offering the program again..."

#### Postmortem Audit

A postmortem audit involves the systematic examination of the program to determine the cause of death. The following questions are designed to guide an educator in assessing the reasons and ramifications for the failure of a program:

- 1) What is the dollar value of personnel time devoted to this activity?
- 2) About how much money (other than for personnel) was expended on this activity?
- 3) What event(s) initiated our involvement with this activity?
- 4) Why was this activity judged to be related to our goals?
- 5) What event or evidence led to this activity being judged a failure?
- 6) What are the consequences associated with this failure?
- 7) What could have been done to avoid this failure?
- 8) What should be done to avoid future failures like this?

In conclusion, it is important to remember that conducting a postmortem audit is for the purpose of discerning what needs to be corrected, not as a means to fix blame for failure. By carefully monitoring program failures, the incidents of program failure should decrease as one becomes more knowledgeable about the effects of their programming decisions.

#### Resources

*Mezirow, J. and Associates (1990). Fostering Critical Reflection in Adulthood. San Francisco, CA: Jossey-Bass.*

The changing social norms of our modern society reinforce the need we have to critically examine the assumptions by which we live. Many adults have not learned how to become critically reflective or make reflective judgments. Critical self-reflection

allows us to change the way we make sense of our world, which culminates in "transformative learning." *Fostering Critical Reflection in Adulthood* provides methods and approaches from the successful experiences of eighteen adult learning experts for fostering transformative learning in formal and informal contexts. These approaches can be used by the judicial educator in his or her own professional development or used as teaching methods with particular judicial groups.

In Part One, program approaches for identifying and changing frames of reference are described. These approaches can be used in any context by any professional. One such approach is described by Kennedy in his chapter "Integrating Personal and Social Ideologies." Through enculturation, he argues, we develop a self-identity which is a reflection of society. However, individuals possess certain characteristics which do not fit the prevailing social perspectives. Therefore, constant conflict and negotiation exists between the individual and society. By using critical reflection and analysis, we can conduct searches through our personal histories to uncover ideologies. Educators can then devise strategies for responding to these ideologies.

In his chapter, Kennedy proposes two exercises to accomplish this ideological probing. One introduces the learner to the critical reflection and analysis of their ideologies based on their experiences. Secondly, personal breakthrough experiences relating to sexism, racism and classism are analyzed. These exercises prove practical in both a workshop and classroom context. Many learners have experienced greater sensitivity through these techniques.

In Part Two, Brookfield's chapter, "Using Critical Incidents to Explore Learners' Assumptions," introduces critical incidents as a means of delving into the learner's world of assumptions. Critical incidents are brief descriptions from a learner's biography of important events in their life. Brookfield provides three examples of how critical incidents derived from biographies can be used in workshops.

This approach to critical reflection can cause resistance from learners due to the mental challenge of uncovering our deeply ingrained assumptions. It is also potentially threatening for learners to admit that their lives may have been based on faulty assumptions. The strengths of this approach are its personal nature and that it is grounded in the context of the decisions and dilemmas we face on a daily basis.

In transformative learning, the educator

becomes a co-learner during the process of helping the learner explore his or her way of interpretation. Editor Jack Mezirow stresses that the central responsibility of every adult educator is to foster critical reflection and transformative learning. This is a real opportunity in judicial education where issues such as race and gender awareness or bias, ethics, and fairness are current topics of educational programs. Educators can assist learners in taking the action found necessary from these new perspectives. This book presents practical approaches for helping adults to become critically aware of their own perspectives.

*Camille A. Carr, M.S. Ed., is a doctoral student in Adult Education, The University of Georgia.*

### Critical Reflection: Three Techniques

*Excerpts from "Facilitating for the Adult Learner: Principles and Methods of Continuing Education," by Dr. Joan E. Dominick. This chapter is in the process of being reviewed and edited by NASJE reviewers and JEAEP Project staff to be included in the revised Conference Planning Manual. The Manual is tentatively planned for distribution in 1992.*

The learning process of adults is facilitated by three key elements of adult education principles (Marsick, 1990). These interrelated processes are: (1) action learning (2) reflective learning, and (3) theory building. In her article, Dr. Dominick discusses the facilitator's role in these processes and how he or she can create the most beneficial learning environment for adults.

Action learning is a participative and proactive approach that uses team problem solving techniques as a way of stimulating adult learning. When adults are asked to take action -- such as working in groups, using their professional experiences, and helping to solve a problem considered relevant -- an exciting learning dynamic is initiated which is powerful for both the learner and facilitator. The facilitator is just as much a part of the action learning process as the participant. This does not necessarily mean that the

facilitator must join in on the group process, but the facilitator remains in constant contact with the action process occurring during the class. At all times, the learning environment must be viewed as a group process incorporating all members of the learning situation. Action learning is designed to encourage one to view a variety of perspectives when learning.

The process of reflective learning involves creating a learning environment in which the participant has the opportunity to re-examine their thoughts, from simple skills issues to critical value issues. Because adults are in settings that are constantly in transition, they welcome a learning environment which safely allows one to reflect on those changes and re-evaluate how they feel about such changes. Directing participants to reflect on processes and value systems takes considerable preparation on the part of the facilitator. Providing a framework which fosters critical reflection can help the adult learner to adapt to change in his or her environment. The facilitator creates a reflective learning environment by raising such questions as "Why are things this way?"

***Reflective learning involves creating an environment in which participants have the opportunity to re-examine their thoughts.***

Additionally, the facilitator can have the group identify issues which are in need of examination within their professions. Professionals are the barometers of their professional fields; they are the first to know about change but often are not given an environment which encourages such reflection. Providing such an environment is ethically necessary for the healthy growth of professionals and their professions.

Finally, theory building is the process of encouraging learners to make

decisions concerning the definitions of their professional self and their profession. That is, the learner must take an active role in creating theory rather than prescriptively ingesting the theories of others in their profession. This process goes beyond reflective learning because it encourages the framing of the new views of theory which result from the reflective learning process. A facilitator can encourage theory building among participants by using information provided by the professional's experiences to answer questions. This provides an environment which is quite exciting for the adult learner.

These processes -- action learning, reflective learning, and theory building -- combine for optimal learning when adults actively explore a real life problem and begin to reflect on their own practice, which has often been taken for granted. Through this reflection, adults learn to trust their instincts and incorporate them into their everyday practice. Ultimately, adults develop the capacity for critical self-reflection of their personal and professional selves.

#### References

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### Environmental Scanning: Looking To The Future

*This article describes a type of forecasting and scanning system. It has been suggested that this system, called environmental scanning, could be used in judicial organizations of all sizes. This article provides information on the system at the Georgia Center for Continuing Education; a system that could easily be modified to suit the needs of particular judicial organizations. -Ed.*

Discussions of current strategic planning models invariably include a consideration of the planning component

known as "environmental scanning." It is a widely accepted technique for monitoring the pulse of change in the external environment, whether it be in political, economic, technological, or social arenas or of national or international import. Optimum assistance for strategic planning occurs when environmental scanning lessens the randomness of information used in decision-making and alerts managers to trends and issues that may affect the organization. The goal is not to be surprised, and, wherever possible, to manage the issues that will shape the organization's future. Establishing an environmental scanning system can assist educators in determining the learning needs of their client group.

*Environmental scanning is a widely accepted technique for monitoring the pulse of change in the external environment.*

#### Establishing an Environmental Scanning System

Many variations of environmental scanning are found in government, business, education, and the non-profit sector. At the high end (significant resources are involved) would be the insurance industry's Trend Analysis Program (TAP) or the United Way environmental scanning effort. And at the low end, picture several colleagues using electronic mail to identify and monitor external changes which may present opportunities or threats for their profession.

All formal environmental scanning systems have certain things in common. After that, they may exhibit some real differences. The generic components are as follows:

- 1) Resources to scan (journals, magazines, newsletters, newspapers, etc.)
- 2) People to scan and prepare written abstracts
- 3) People to draw implications for the

organization

- 4) People to analyze and prioritize
- 5) People to take action on items of strategic significance
- 6) A specified person to coordinate the system

Some of the differences in scanning systems have to do with how many people are involved; how open the system is to participation by a wide range of employees; whether the same or different people perform functions 2-5 specified above; whether participation is voluntary or mandatory; how often people meet to process scanning data and take strategic action; how widely scanning information and results are disseminated; how scanning assignments are tracked and brought to conclusion; and the amount of resources earmarked for the effort.

#### An Example

As an example of how the many variables of environmental scanning can be brought together in a system, consider the scanning model developed by the Georgia Center for Continuing Education. Since 1985, some sixty representatives of management and staff have actively scanned various sources of current information, looking for threats to and opportunities for continuing higher education and residential conferencing. Managers, through the department head level, are required to participate; all other scanners are volunteers.

Scanners submit abstracts of articles, including the implications for the Georgia Center, to the scanning coordinator in the director's office. In May and November, when it is time to analyze and prioritize findings for strategic planning and action, the sixty scanners function in two committees. Those in management comprise the Strategic Planning Executive Committee (SPEC). All other scanners form the Environmental Scanning Evaluation Committee (ESEC). Using a "Strategic Planning Worksheet" developed by the scanning coordinator, individual scanners vote on the issues to establish what will be thoroughly discussed during the committee meetings. ESEC meets first with the goal of communi-

cating to SPEC their concerns regarding the top issues; this may include specific recommendations. In the SPEC meeting, top concerns of both committees are analyzed for strategic importance. As action steps are specified they are immediately assigned to someone. To wrap up each round of scanning, all decisions are put in writing and distributed to both committees; and a newsletter, **Lookouts**, is prepared by the scanning coordinator and distributed to the entire Georgia Center staff.

In conclusion, two points need to be stressed. First, modern models of strategic planning require some form of environmental scanning. A large staff and budget are nice but not necessary. Second, it is the commitment of the organizations' leader that has everything to say about how any environmental scanning system will look and operate. Scanning efforts that are strongly supported at the top will survive and thrive.

*For a copy of an article that describes in detail the Georgia Center's environmental scanning program, contact Donna McGinty, Scanning Coordinator, Director's Office, The University of Georgia Center for Continuing Education, Athens, GA 30602.*

#### Continuing Professional Education Advisory Bulletin

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Diane E. Tallman, *Editor*

Georgia Center for Continuing Education  
The University of Georgia  
Athens, Georgia 30602  
404/542-2275



# Judicial Educators: Three Different Worlds

**H**ave you ever thought it strange the way some of your colleagues define their job as a judicial education officer?

At a recent meeting of a NASJE committee, I watched one respected, professional colleague say he would be "embarrassed" to spend his time doing what another respected, professional colleague thought was an integral part of his job. Later, another member of the committee expressed puzzlement that anyone would devote time to "theoretical" matters, which a fourth member of the committee found entirely practical.

As I reflected on the exchange, it occurred to me that judicial educators do indeed come from "different worlds" in terms of their background and experience. (Understandably. Let's face it; none of us set out to be judicial educators when we grew up.) Almost unconsciously, it seems to me, we tend to dismiss at least one of the following three activities (the one we know the least) as trivial or certainly as "not my job."

**"Maggie/Max Meeting Planner":** Subscribes to *Successful Meetings*, *Meeting News*, *M & C*, hotel/restaurant trade journals. Belongs to Society of Government Meeting Planners. Up on all the latest audio/video technology. Can out-negotiate any banquet manager, rig a perfect sound system, repair any projector, and reset a room in four minutes flat. Doesn't understand why judicial educators would waste their time with educational or (heaven forbid) legal "theory."

**"Edwin/Edith Educator":** Reads Ron Cervero and Chuck Claxton. Speaks "CPE" and has an open account with Jossey-Bass publishers. Can match audio/video technology with Maggie and Max; in fact, believes the medium is the message. Doesn't care who picks the topic if they can pick the process. Can design an interactive educational experience for 350, have judges



develop a five-year curriculum plan, or teach a law professor to write behavioral objectives in 40 minutes flat. Doesn't understand why judicial educators would waste their time with talking to banquet managers or doing legal research.

**"Letitia/Louis Lawyer" or "Curt/Carol Court Administrator":** A judicial educator who is also a content specialist; subscribes to *Judges' Journal*, *Judicature*, and (depending on background) *Journal of Legal Education*, *Justice System Journal*, or *Harvard Law Review*. Can't fix AV equipment or speak CPE, but can negotiate with banquet managers if required. Can discuss and evaluate proposed course or conference topics with judges or court administrators (though maybe not both), define roles for a faculty panel, or become an expert on "judicial discretion" in four days flat. Doesn't understand why judicial educators would waste their time with logistics or figuring out how to include small-group discussions.

Interestingly enough, as I look at NASJE members I see that all three areas, exaggerated in my fictional characters, can be developed to a professional level of expertise; that logistics, process, and content are all necessary components of a successful judicial educational program; and that as individuals and as teams we can benefit most from our

collective diversity—so long as we recognize and value it. ■

—A State Judicial Educator

## Newsletter Board Changes

**K**ay Boothman, NASJE News project chair, reports that Jane Nelson, of Washington, and Scott Smith, of Texas, have resigned from the newsletter's editorial board. Scott ("Can-I-Show-You-Houston?") began his service on the newsletter during the 1988 annual conference. Jane ("Just-One-More-Store!") first met with the newsletter's board in January of this year.

"Both Jane and Scott made tremendous contributions to the newsletter during their tenures—they and their contributions will be missed by their colleagues," Kay said.

Replacing Scott and Jane on the newsletter board are Frank Gregory, director of the Alabama Judicial College, and Maureen Lally, judicial education specialist, Washington State office of the administrator for the courts. Frank's and Maureen's NASJE journalistic endeavors begin in January. ■

## Vermont, continued from page 1

ity type indicators. He reiterated that the MBTI measures preferences, meaning tendencies and characteristics, not competency, IQ, emotions, normality, maturity, intelligence, or psychiatric disturbances, nor does the scoring always reflect a person's true desires. He urged those who completed the survey to evaluate the accuracy of their preferences as determined by the indicator. He noted that everyone has characteristics of all types and that all personality types are needed to achieve balance and diversity in program planning.

**Meeting Planning:** Scott Smith, Texas, and Stephanie Gorman, New York, employed a group problem-solving method to discuss a range of topics, including contract defaults, the use of judge committees for planning programs, marketing, shortcuts to meeting planning, long-range planning, food selection and costs, scheduling, staff roles with committees, audience attitude, and speaker motivation. Participants brainstormed on several of the topics and offered advice for solving the situations.

On a more general note, Gorman urged the participants to build a good rapport with hotel employees and to use local convention and visitors bureaus. Smith advised becoming knowledgeable about the hotel industry.

**Computer Literacy Programs:** Armed with the knowledge that almost half of the 140 judges attending a National Judicial College program last summer chose *Computer Literacy* as an elective course, Edward P. Hill, judicial attorney at the California Center for Judicial Education and Research, designed and implemented a two-hour computer literacy program for California judges. Hill said the first step was to identify practical applications of the computer to traditional judicial tasks, such as docketing, writing/retrieving of case histories, writing of orders, jury instructions, calendar management, and legal research.

A variety of word-processing programs are available and may be adapted to contain "boilerplate" material, or customized, specific documents, such as jury instructions. Another program allows input of trial notes (traditionally handwritten) that can be viewed later along with testimony, evidence, and decisions using a split-screen monitor.

According to Hill, some judges remain concerned about the security of confidential computer-generated information. To allay fears and create an atmosphere for learning, Hill set four functional objectives for judicial computer training at an introductory level:

1. Save time
2. Arouse interest in computers
3. Relieve stress and burnout
4. Eliminate errors

Lastly, Hill stressed, "Keep it simple!" Don't overwhelm your audience with "high-tech" jargon, but rather show how traditional tasks can be done more efficiently by using a computer.

**Fairness Education:** Welcomed by the strains of Helen Reddy's "I am Woman," NASJE conference participants heard Ellen Marshall, Maryland, point out that one of the most important challenges and duties of judicial educators was "fairness education" and define the judicial educator's responsibility in this area.

Judge Judith Billings from the Utah Court of Appeals, identifying herself as the "cheerleader" for gender fairness in the courts, reported that 33 states are currently at various stages of exploring, formulating, or implementing fairness education programming. While it is not the only answer, judicial education training constitutes a major response to fairness issue demands. Judge Billings reminded educators that when someone is unfair, it does not always mean bad intent; it may instead be a lack of awareness, knowledge, or sensitivity.

"There is a growing emphasis on the positive approach," reported Judge Billings, "in which the preferred term 'gender fairness' is replacing the appellation 'gender bias.'" She pointed out that even where there is not an actual problem, the perception of a problem is often present, and the courts need to deal with the perception of unfairness as well.

Judge Billings added that conducting a gender fairness program only once usually proves insufficient. It should be repeated or incorporated into regular substantive programs. She also suggested that men as well as women should serve as faculty when dealing with gender fairness issues.

Case problems stimulated small-group discussions of approaches to gender fairness training and how to deal with special interest groups who advocate their particular point of view. A panel presentation for special interest groups to address issues of concern to them is one solution. A "Round Robin" or "Crackerbarrel" session also provides special interest groups an opportunity to showcase their concerns.

Helen Johnson, New York, and Holly Hitchcock, Rhode Island, briefly described how their states have approached fairness training.

**National Resources:** A 90-minute period set aside on the Tuesday morning agenda provided an opportunity for educators to visit with representatives from national providers to learn more about SJI-funded projects and other sources for support and enrichment of state judicial education programs.

**Program Planning, 1991 and Beyond:** Maureen Connor, Illinois, and the conference program committee involved NASJE members in a group process at the closing session to define the purposes of the annual conference and to suggest the content and format of the annual conference. The session had two goals:

- to obtain the information necessary to develop a conference that will continue to meet the professional development of NASJE members; and
- to develop the annual conference so that it reflects the mission of the association and can stand as a model of excellence for judicial education nationwide.

Results of this working session will be reported in the winter issue of *NASJE News*.

The conference adjourned and members departed with the promise, "See you in San Antonio." ■

## Hot Topics in Judicial Education

This lively session, which offers brief reviews of new ideas and judicial education innovations, continues to be one of the most popular components of the annual conference.

### **Rich Reaves, Georgia:**

Reminded educators that a copy of the SJI-funded judicial writing training program has been provided to the states. He reported that Georgia judges respond to an optional early morning start at 6 a.m. These early-bird judges conduct literature reviews or share book reports in the period before the scheduled program begins.

**Scott Smith, Texas:** Individually customized certification programs for mandatory continuing judicial education are of special value to longer-tenure judges, who may choose standard programs or have an individual program approved. One-day courses are offered on registration day preceding three-day conference programs. Up to 30 courses are available on such topics as personal communication, public speaking, or management. A different kind of faculty is needed for these programs, says Smith, who recommended Toastmasters and other resources for special expertise in the subject area.

**Ellen Marshall, Maryland:** Proposed a different approach to traditional one-state/one-agency programs. She suggested that a cooperative effort that shares resources and promotes communications between jurisdictions and government agencies enriches the educational prod-

uct. Early support from the chief justice to obtain commitment and budget support is essential. Tips for interstate planning:

Appoint a lead state judicial educator;  
Apportion responsibilities among the participating states;  
Allow sufficient lead time; and  
Assure regular communication

**Marvin Haiken and James Vesper, California:** Reported that CJER continues to strengthen its publication of benchbooks and bench guides. CJER has an agreement with California CLE to finance printing costs in return for the right to sell the products to attorneys and the general public. CJER continues to explore additional ways to get reviewers to react and respond promptly, such as technique notes or taped answers of review interviews.

**Krista Johns, Mississippi:** Encouraged educators to tap other resources to meet the needs of upper-level job responsibilities and invited members to attend the ACLEA conference in Seattle.

**Helen Johnson and Ed Borrelli, New York:** Described a recent program and suggested resources for DNA and other scientific evidence. Panelists in the New York program included a trial judge who ruled in a major case, an FBI agent who described how evidence is collected and handled, a laboratory scientist who identified specific problems, and a law

professor who delineated civil rights issues.

Johnson and Borrelli also reported that New York's 2,300 local justices have very broad jurisdiction. A resource center of educational materials has been established to assist the 1,800 nonlawyer justices to meet certification requirements.

**Virginia Leavitt, Colorado:** Judges enjoy a "Judicial Trivia Bowl," where 16 teams compete to the bonus round with the able assistance of two Vanna Whites. Questions are Colorado-specific, dealing with legal and judicial issues.

**Sandy Ratcliff, American Judicature Society, Chicago:** Judges instruct young lawyers on proper behavior in three-hour "Sidebar" programs held in 14 cities in 1989-90. Judges portray their pet peeves and reenact lawyer behavior. AJS will offer the program in 18 cities in 1990-91.

**Larry Stone, Ohio:** Teleconferences for court referees are held in ten cities for two hours twice a month at a cost of \$10 per person per program. A one-time cost of equipment at each location is about \$500.

**Contributed from the floor:** Look to local vocational/technical schools and community colleges as a resource for computer training before investing large sums in establishing a training center or purchasing equipment. Community colleges have an obligation to provide services at minimal cost in the same manner as land-grant colleges.

**ABA, continued from page 2**

gatherings, as well as other campaign activities and endorsement or opposition to "other candidates for the same judicial office." Some will be disappointed to see that candidates' committees may solicit contributions and public support up to one year before an election. (Canon 5C(2).) In light of the campaign disclosure rules in most jurisdictions, the code's attempt to insulate the candidate from knowledge of contributors' names has been dropped. (Canon 5C(2).)

In another bow to new realities, the code eliminates the reference to cameras in the courtroom. The new code also eliminates the quixotic suggestion that judges should not "permit" family members to accept gifts and substitutes a "more realistic and enforceable standard" under which the judge is admonished to "urge" family members to comply with code provisions. (Canon 4D(3).) A similar provision applies to family members' political activity. (Canon 5A(3).)

These changes will undoubtedly prompt many state supreme courts to consider changes to individual state codes in the coming months, with an attendant need for educational programs to consider the new provisions. According to Professor

**Publication Reviews**

**Court Review**, American Judges Association, 300 Newport Avenue, Williamsburg, VA 23187-8798, Tel: (804) 253-2000, \$25/year (quarterly distribution). Scholarly articles on topics of interest to state court judges. Recent issue discussed the new model code of judicial conduct and nuts and bolts of being a criminal trial judge. A good source for articles that are of interest to limited jurisdiction court judges.

**Trial**, Association of Trial Lawyers of America, 1050 31st St., N.W., Washington, DC 20007-4499, Tel: (202) 965-3500, \$48/year (monthly distribution). Scholarly articles on a variety of legal topics. Recent issue discussed computer-integrated courtrooms and the Supreme Court's rulings construing Federal Rule of Civil Procedure 11. Strong departments: Supreme Court Review, Speaking &

Writing, Law Office Technology, and Books.

**The Judges Journal**, Judicial Administration Division, American Bar Association, 750 N. Lake Shore Drive, Chicago, IL 60611, Tel: (312) 988-6077, \$25/year (quarterly distribution). Scholarly articles for judges and administrators. Recent issue had articles on jury selection methods, AIDS in federal prisons, and the insurance industry's effect on civil litigation.

**Judicature**, American Judicature Society, 25 East Washington St., Suite 1600, Chicago, IL 60602, institutional subscriptions \$24/year (bimonthly distribution). Scholarly articles on federal and state legal issues. Recent issue featured articles on judicial recruitment and racial diversity on state courts and the effect that abolishing federal diversity jurisdiction would have on state courts. ■

Jeffrey Shaman, coauthor of "The 1991 Code of Judicial Conduct: An Overview," which appeared in the June-July 1990 issue of *Judicature*,

the American Judicature Society in Chicago (312-558-6900) stands ready to provide state programs with speakers on the new code. ■

**President's Column, continued from page 2**

I would be remiss if I did not thank the State Justice Institute (SJI) for making many of these projects possible. Experimentations and innovations in judicial education require financial resources not always available at the state level. With SJI's leadership, assistance, and concern, I am sure more can be done to enhance the training and education of judges and support staff throughout the United States.

When I joined NASJE in 1978, the association was only three years old; the late Jack Dillard, of Texas, was president. Since then, NASJE has been served by six outstanding leaders: Paul Li, of California; Paul Westphal, of Minnesota; Tony Fisser, of Connecticut; Dennis Catlin, of Michigan; Rich Reaves, of Georgia; and Rita Stratton, of Kentucky. We are fortunate that

five of our former presidents continue to be active in the association.

During the next two years, I would like to suggest three goals for the association: 1) increased membership and participation, 2) enhanced support and technical assistance to state judicial education programs, and 3) closer cooperation between state and national judicial education providers. Although NASJE's membership has grown tremendously in the last few years, there are still a number of states that do not participate in our organization. We should encourage the professional staff responsible for judicial education in these states to take advantage of the information and technical assistance available. I would like to see greater sharing of instructional materials and speak-

ers, more-frequent program visitations among judicial educators, and technical assistance for all states that need it. Finally, I believe there is a role for both state and national judicial education organizations and that cooperation among providers will best serve the interests of judicial education. The efforts of SJI to require a state and national mix on certain projects and to widely disseminate the products produced are steps in the right direction. I hope we can build on this relationship.

I look forward to working with all of you during the next two years. I welcome your ideas and suggestions and hope you will feel free to call or write. I will be asking many of you for advice and assistance. ■

## PROFILE

## Jerry K. Beatty

The new NASJE president likes to run, rain or shine, three times per week, a vigorous five miles. Trim, in fact maintaining a healthy similarity to his college weight, the youthful 48-year-old approaches the NASJE presidency well prepared by temperament, experience, and the Iowa milieu to manage the task at hand.

Jerry K. Beatty is a veteran judicial educator. After earning a Ph.D. from the University of Iowa in political science, he assumed judicial education responsibilities in 1973. Working initially in traffic court administration and magistrate judge training, Jerry has continued his judicial education responsibilities for 17 years, adding and modifying responsibilities along the way. Officially titled the executive director of judicial education and planning, Jerry Beatty can justifiably claim longevity and experience equaled by few in the field.

Solid, reliable, Jerry Beatty is a worthy representative of Iowa. Bordered on the east by the Mississippi River, the gently rolling plains of this fertile agricultural state testify to the Indian meaning of the word Iowa, that it is a "beautiful land." Iowa is famous for other things as well. The Hawkeye State consistently is at or near the top in resident literacy. Every four years the presidential caucuses focus attention on the state. Herbert Hoover was a proud

native son, and Meredith Wilson gave tribute with 76 trombones to his home state in *The Music Man*.

Iowa is where Jerry Beatty was born. Raised at the edge of Shellsburg, a community of 700 some 18 miles from Cedar Rapids on the eastern side of the state, Jerry was born the second of four siblings to parents who were active in their community. Jerry's parents owned the grain elevator, lumber yard, and a small farm, where Jerry had the opportunity to milk a cow daily. As a 4-H member, he raised pigs and entered them competitively in the county fair. In this most prolific corn state, Jerry continues to enjoy gardening as a creative pursuit. After graduating from high school in a class of 18, Jerry matriculated at Cornell College. The Iowa Cornell is actually older than the perhaps better-known Cornell located in New York.

Jerry next received his master's degree from Northern Illinois University, followed by a fellowship from the Ford Foundation's National Center for Education in Politics. Through that fellowship, Jerry served as a staff assistant to Governor John King in New Hampshire, where for the first and last time he snow skied.

During and after Jerry's education, he distinguished himself with several awards. In high school, he served as a page at the 1956 Democratic Convention in

Chicago, where Adlai Stevenson was nominated for the second time. Later, Jerry was selected for several internships, including one as assistant to Iowa Chief Justice Theodore Garfield in 1968-69. In 1973 and 1982 he was a finalist in the Judicial Fellows Program for the United States Supreme Court. Jerry graduated from the Institute for Court Management Court Executive Development Program in 1977.

Although he protests that he is not a proficient dancer, he met his spouse, Linda, at a ballroom in Cedar Rapids. Linda is now seeking her fourth term as an Iowa state representative.

Jerry and Linda have two children. Ted, 19, is a sophomore at Carnegie-Mellon University in Pittsburgh, where he is studying mechanical engineering by means of a U.S. Navy scholarship. As a good Navy prospect, Ted is also a member of the swim team there. The youngest Beatty, Elizabeth, is a high school senior exploring college possibilities.

How did Jerry enter judicial education? Teaching at Northern Illinois University, the University of Iowa, Simpson College, and Drake University all prepared him for the task. His association with the state supreme court provided further entree. Jerry's doctoral dissertation was entitled "An Institutional and Behav-



ioral Analysis of the Iowa Supreme Court, 1965-1969."

In the state court administrator's office, Jerry and a secretary provide judicial education. He quickly points out that numerous committees provide input and advice on program and curriculum development. Jerry's continuing education and training responsibilities in the unified Iowa court system extend to some 800 persons. In addition, Jerry conducts surveys, collects and analyzes judicial statistics, edits the department's quarterly newspaper, provides information to interested parties, prepares other court publications, and performs sundry other duties. He also finds time to develop court manuals and write articles on the Iowa court system.

*continued on page 12*

Over the years in NASJE, Jerry has made quiet and responsible contributions. He has served in various offices, in many capacities, and on numerous committees.

Reflecting on his judicial education experience, Jerry is proud that education is now considered essential for the continued growth and

development of judges. He is proud, too, that Iowa was the second state to formally mandate continuing education of judges and attorneys. He enjoys knowing and appreciates working with every judge in Iowa.

Songs from *The Music Man* serve as a leitmotif for Jerry's endeavors

as NASJE president. With his "Wells Fargo Wagon," Jerry conveys support for the nation's judicial education effort. Particularly appropriate is "but you got to know the territory!" And Jerry Beatty does. ■



Rita made several presentations of appreciation. Pictured here are, left to right, Ellen Marshall (MD), Roy Rawls (TX), Marilyn Nejeski (Women Judges' Fund for Justice), and Ed Borrelli (Conference Host, Northeast Regional Director, bon vivant).



## National Association of State Judicial Educators

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