

## The Annual Conference: NASJE Enhances Its Future

Maureen Conner

On the final morning, participants gathered randomly at several round tables, not knowing exactly what to expect. Designated facilitators aligned flipcharts and readied pens for action. One person was drafted to report each group's findings. They began with basic questions. "How can we improve?" "What do we need to help in our everyday work?" Slowly but surely the ideas began to flow, and, as the groups warmed up, the future direction became clear, even exciting. The reports reflected similarities and differences but revealed the rays of consensus. Within three hours, the group had adjourned, content with its accomplishments and optimistic about its future.

No, these participants were not judges; they were professional judicial educators—NASJE members—closing their annual, three-day conference with a blueprint for the content of future association pro-

grams. The NASJE directors had given the education methods committee responsibility for designing the substantive program at future conferences. And with the direct participation of NASJE members, the committee skillfully crafted a basic framework for the 1991 meeting, one year in advance. Applying planning methods they had frequently advocated, NASJE members created a conference plan that reflected their best professional interests.

### Rationale and Description of Change

The NASJE board, during its October 1990 meeting, unanimously authorized the education methods committee to plan, develop, and administer the substantive content of the annual conference. This is a major departure from past practice, which held the regional host responsible for all conference planning and administration. Beginning with the 1991 annual conference, the responsibilities will be split between the regional host and the education methods committee. The regional

host will secure the site, handle all logistical arrangements, coordinate on-site social and cultural events, and conduct all stages of conference announcement and registration. The education methods committee will develop the conference agenda by establishing a plan for the content and its delivery, conducting needs assessment, selecting topics, setting goals and objectives, developing content, contracting with faculty, formatting and administering the sessions, and evaluating the conference.

The board favored this procedural change for several reasons. First, it recognized the tremendous amount of work involved in orchestrating the conference each year. Under this new procedure, the work of the conference will be shared by the education methods committee members, freeing the regional host to concentrate solely on host activities.

Second, the membership of NASJE is changing. No longer is it a small homogeneous group. Because of the growth and diversity of the membership, the board believed that a representative committee would be better able to identify the group's complexities and develop programming suited to the membership's needs and desires.

Third, continuity can be better achieved through establishing a master plan to ensure the same level of professionalism year after year. Finally, the board wished to retain the sense of community that long-time NASJE members have so

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### We're Back!

In December the SJI board awarded NASJE a two-year continuation grant to continue publication of *NASJE News*. Kay Boothman, newsletter committee chair, thanks all who helped with the grant application, especially Rita Stratton and Pamela Bulloch.

Remember, you can help. Please send your comments about the newsletter, any ideas for articles that you think will benefit our readers, and articles to *NASJE News*, 300 Newport Avenue, Williamsburg, VA 23187-8798. ■

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## PRESIDENT'S COLUMN

Jerry Beatty



I am pleased to announce that the three components of the Judicial Education Technical Assistance Consortium—JERITT (Judicial Education Reference, Information, and Technical Transfer) at Michigan State University, JEAEP (Judicial Education Adult Education Project) at the University of Georgia, and the Leadership Institute in Judicial Education at Appalachian State University—have been refunded by the State Justice Institute for another two years. Congratulations to project managers John Hudzik, Diane Tallman, Chuck Claxton, and their staffs for their successful programs.

As you know, last year the JERITT Project began several data collection programs and published the *Judicial Education Programs Quarterly Summary*, the *Judicial Education Grants Awards Sourcebook*, and the *Judicial Education Bibliography*. The *Judicial Education Trends and Issues Annual* will be published shortly. JERITT also has provided face-to-face technical assistance and database searches for judicial educators. These and other projects will be expanded in the next two years.

JEAEP also was very active in 1990: 1) providing 13 professional education technical assistance consultations; 2) preparing the four-page "Con-

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# Reversible Error in Criminal Appeals and Its Implications for Judicial Education

"[T]he decisions of first-level appeals courts, which have trial court error correction as a primary function, provide a way to identify difficulties for trial courts that might be addressed by education."

So states a recently completed, SJI-funded report, *Understanding Reversible Error in Criminal Appeals*. The premise is sound. By tracking trial court errors (as identified by appellate courts), judicial educators can tailor their programs to the difficulties being encountered by their judges.

The researchers, National Center for State Courts senior staff associates Joy Chapper and Roger Hanson, believe that a systematic, statewide examination of a state's first-level appellate court's caseload and pattern of its outcomes would shed light on trial court operations and on the problem areas that should be addressed by judicial education.

A reversal indicates that a trial judge erred in a specific case, and appellate court decisions reflect the types and frequency of errors within a jurisdiction. Furthermore, if states use a common methodology to examine appellate court rulings, judges from different jurisdictions can discuss the similarities and differences in their error patterns.

Chapper and Hanson examined all criminal appeals from intermediate appellate courts in California, Colorado, Illinois, and Maryland for one year and from the Rhode Island Supreme Court, which has no intermediate court, for two years. They discovered that 80 percent of criminal convictions are affirmed. But when sentencing issues are raised, error is found 25 percent of the time, suggesting a continuing concern for judicial education.

"In the 1,750 cases examined, the appeals courts identified 267 prejudicial errors (out of almost 3,800 issues raised) affecting matters other than the sentencing hearing or the sentence."

Chapper and Hanson make the following five findings from their data.

- The study courts were similar in their caseloads, issues raised on appeal, and distribution of outcomes.
- The courts found similarity in the nature of the error found in trial court proceedings—the error did not appear to be from differences in underlying precedents or procedures.
- The frequency of error did not strongly correlate to the kind of trial court proceeding—error was found just as often in nontrial and posttrial proceedings as in trial proceedings.
- The frequency of error did not correlate to the underlying offense or severity of the sentence.
- A common source of error found by all the courts was in new litigation, where law or procedure had not yet been settled.

The complete report is available through the Publications Coordinator, National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23187-8798; (804) 253-2000, ext. 390. ■

# Dealing with "Nonlegal" Aspects of Judging

*Ray Crapo*

During the 1988 NASJE annual conference, Justice Sandra Day O'Connor was asked, "What learning experiences as a judge best prepared you for the position you now have?" Her response was startling to most: "Speed reading. I read over 1,800 pages a day."

The Arizona state courts sponsor an annual conference of the highest standards with dozens of legal topics under the theme of "A View of the Bench: A New Decade of Perspectives." Among topics like "Discovery Abuse," "Judicial Review and Approval of Legal Fees," "Pretrial Release and Bonds" are courses like "Courtroom Control," "Administering the Smaller Court," and "Nonverbal Communications," and they are heavily attended. Whether it is among 800 New York judges at their annual seminar, several dozen new judges in Olive Branch, Mississippi, preparing for their bench debuts, or a handful of Connecticut's experienced mentor judges preparing to educate their new colleagues, it is clear that judges are starved for learning experiences that deal with the "nonlegal" side of judging. They are choosing increasingly to learn about the behaviors, attitudes, and communications skills that make judges more efficient and effective.

Few other professions of such importance, impact, and dignity grant so much power and authority without comprehensive preparation. The implied concept that the mastery of judging is the mastery of law and procedure has been found wanting. The first weeks and months on the bench are a time of personal achievement, incredible growth, increased prestige, and greater loneliness, anxiety, and bewilderment. Who really does run the court—the clerk, the prosecutor, the bar, or the judge? Who is to be trusted? How do I know that what

is off the record is really off the record? Can I really change things here to make them work my way? What's all this administrative and financial stuff ... is there a Catch 22? How do I handle that lawyer? Who is running this case anyway? What's the secret, if any, in getting on top of this endlessly increasing pile of work?

Most of these questions are answered not by a greater understanding of law and procedure but by a comprehension of the true dynamics of court processes. Judges need to know a lot more about the effects of personalities, systems, forms flow, interaction with other agencies, personal communications styles, body language, cultural diversity, and personal expression. Judges must understand just how much their individual reputations have to do with the effective operation of their courts. This is not to say that the importance of law and procedure have been, or should be, diminished.

These thoughts raise the perpetual dichotomy of "hard learning" versus "soft learning." Law and procedure are "hard" subjects; leadership, communications style, and personal management are "soft" subjects. A judge's decision is either reversed or sustained on the law, the argument goes, not on his or her communications style or body language. Therefore, given the scarce resources of judicial educators, we give first priority to law and procedure. Period. Following this argument, judicial educators tend to make the same errors as public school systems when faced with limited or dwindling resources: they cut out the soft stuff and stick with the hard essentials. The results are just as tragic in either case. When soft and hard knowledge and skills are viewed as parts of a continuum rather than polarities, the opportunities for learning are greatly increased.

It is the total judge who is effective or ineffective on the bench. How a judge conducts proceedings

has as much, if not more, impact on the final results as does the law. Just watch several arraignment judges working and the message becomes very clear. Working under the same laws and circumscribed by the same procedures, the results vary incredibly. One loads up the court system with good and bad cases, another loads it only with good cases, and a third settles most matters then and there. Is the variable the law? Probably not. It is most likely personality, the combination of a series of observable, definable, measurable, learnable behaviors that have as much impact upon the rendering of fair and speedy justice as any other factors. When we take the time to observe, define, and measure them, we are dealing with "judicial temperament." To provide an overwhelmingly one-sided judicial education, therefore, is to limit a judge's potential effectiveness.

What should judicial educators do? They might do what Connecticut, Mississippi, and Arizona, among others, are already doing. They should educate the entire judge by identifying a core bottom-line curriculum that includes the nonlegal part of judging. If the budget is limited (and where isn't it?), then limit legal and procedural training too in order to squeeze in those soft aspects of the curriculum that allow judges to work effectively. If a judge is particularly well versed in the law yet takes an inordinately long time to promulgate decisions, that judge is just as ineffective as one who understands all the dynamics of the courtroom but misses significant dispositive issues in a decision. The product of judicial educators should be a well-rounded judge, who possesses as much of what he or she needs to know as resources permit and who knows where and how to learn more.

Judicial educators have to become advocates of "whole judge development," if they are not already so. They have to become increasingly

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# The Balancing Act: *Preparing Discussion Leaders to Juggle*

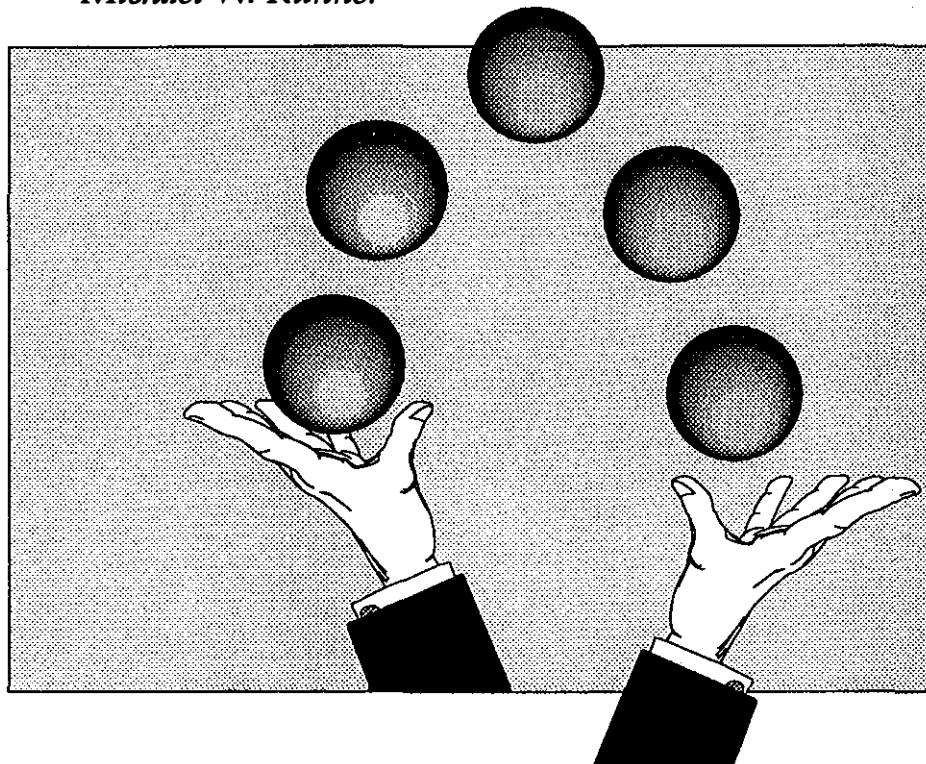
Michael W. Runner

Does this seem familiar? Twelve judges have just seated themselves around a conference table under artificial lighting in a small, interior hotel room near the airport in a resort city. It's late Friday afternoon, the midpoint of the three-day annual spring conference. The participants in this discussion (or seminar) are raring to go—outside, to their hotel rooms, home—anywhere but here for another hour-and-a-half of what many will characterize as a "bull session."

Already, the discussion leader, a noted judicial expert in the state, has expanded greatly about his vast experience and set the tone for a lengthy series of tedious introductions. Judge Rain chimes in with a discourse on the case he handled just before leaving for the conference. Judge Down nods in and out of a light doze, while Judge Round rolls his eyes for the second time. After making dinner plans with Judge Social, Judge Anxious packs up and leaves the room. "Not my fault," muses the restless educator seated to the side. "These are the experts. We can't make them discuss their problems. It's the leader's job to keep them on track." And so it goes.

Of course, this scene could have been avoided with proper planning and adequate preparation of seminar leaders. The first consideration is timing. Was the seminar group scheduled at a time when participants would most likely stay for the discussion? Perhaps it should have been placed in the morning program, immediately before lunch. Seminars at the end of the day are usually not well attended.

Second, do the participants have anything to discuss? Does the seminar follow an interesting or controversial session that would naturally provoke discussion? Did



the judges come to the conference with a list of local concerns to bounce off their colleagues? Does the leader have an agenda, or can the participants develop one quickly at the beginning of the session?

Third, were the seminar leaders properly prepared? This means more than whether or not they are respected judges and possibly experts in selected areas of law or judicial practice. The real question is whether they have been given the tools to make the seminar a valuable experience. Do the leaders know how to structure and guide the discussion, involve all group members, and handle problem participants? The following guidelines can help an educator prepare his or her leaders for the balancing act of leading a lively, cohesive, informative discussion.

## 1. *Develop Discussion Group Objectives*

Common purposes of small group discussions include:

- Clarifying information given in large group plenary sessions or the written materials.
- Problem solving to give the participants experience in handling issues discussed during a plenary session or designated by program planners.
- Resolving judges' common problems in their courts.
- Examining and comparing judges' various judicial practices and techniques, including their underlying premises, to consider whether they ensure fairness and expedite case dispositions.
- Increasing the effectiveness of new judges.
- Identifying areas of personal bias and setting standards for courtroom behavior that will minimize the effects of bias in the courtroom and on decision making.
- Encouraging judges to work closely with their judicial colleagues to enhance judicial performance and the administration of justice.

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Using the relevant purposes for the session, the seminar leader may be able to construct some specific objectives for the discussion. An objective is a specific task the seminar participants should be able to perform as a result of the session. In a discussion group following a sentencing presentation, for example, the goal may be for every member to be able to compute the proper sentence in specific types of cases.

## 2. Lead the Discussion

- Start with brief introductions. The leader should consider introducing himself or herself first to set the tone and expected length.
- State the purpose of the discussion. This may be defined by the judicial educator or judge-planners. (See the list of potential purposes above.) Quickly develop an agenda of the members' issues if the discussion period is unstructured.
- Encourage participation by all members. Emphasize that the discussion groups are designed to pool the knowledge and experience of all participants. Encourage them to contribute answers or raise questions when they have special knowledge or experience.
- Open the discussion with an interesting question that relates to the purpose of the seminar. Continue to pose questions until the group members warm up and ask questions on their own.
- For each issue, have the group discuss both the governing principles of law and their applicability to the various courts represented. Address only one issue at a time. Resist the urge always to speak first; draw on the participants' experience and expertise.
- Try to summarize the discussion and find concrete, viable solutions.
- Don't waste valuable time arguing about the law. Use the applicable codes and program materials to resolve legal disputes.

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## Prepare Questions for a Purpose

Before the session, plan and practice canned, open-ended questions that can be used to stimulate discussion. Consider the following examples that focus on particular intentions of the questioner.

<i>Intent of Question</i>	<i>Examples of Questions</i>
To stimulate thinking and creativity	<p>(1) Have you thought about the potential effect of this suggestion?</p> <p>(2) We need more ideas. Who has another thought?</p> <p>(3) Is there anything we have forgotten?</p>
To clarify issues and concerns and to build information	<p>(1) I'm not sure everyone understands that point. Could you clarify it?</p> <p>(2) It sounds like the problem is a lack of communication. Am I correct?</p>
To reveal motives and hidden agendas	<p>(1) How do you relate this point to the question we're discussing?</p> <p>(2) Why do you think it should be handled that way?</p>
To keep discussion on track	<p>(1) That's an important fact; how does it relate to the problem?</p> <p>(2) Aren't we straying from the subject?</p>
To give positive or negative feedback	<p>(1) That sounds like a great idea. Can you give a little more detail?</p> <p>(2) If you think that's not worth considering, can you give us another idea?</p>
To explore emotions and feelings about an issue	<p>(1) How do you think this question will affect the parties in this matter?</p> <p>(2) What are your thoughts about this?</p>
To move the group toward a decision	<p>(1) Have we heard enough to make a decision, or do we need something more? If so, what?</p> <p>(2) Is there consensus on this issue?</p>

**Balancing**, continued from page 5

- Keep the discussion interesting and on track.
- Resolve group members' individual questions. If a topic is not of general interest, answer it briefly and move on to the next subject. Do not treat any question as frivolous.

**3. Close the Discussion Session**

- Close the session on time, unless the group has not resolved an important question (obtain the members' express agreement to stay if the resolution takes more than a few minutes).
- Encourage the participants to contact each other after the program with materials or information that might be useful to all courts. Ask them to furnish copies of any written materials to the state judicial educator for further use or dissemination.
- Thank the participants for their contributions. ■

## From the State Justice Institute

Grants to support in-State implementation of training programs previously developed with SJI funds are limited to no more than \$20,000 each and will be awarded on the basis of criteria including: the need for outside funding; the certainty of implementation; and expressions of interest by judges and/or court personnel (e.g., the State Judicial Educator, State Court Administrator, or individual court manager) who would be directly involved in or affected by the project. The Institute will also consider such factors as diversity of subject matter and geographic diversity in making implementation awards....

State Justice Institute, *Final Grant Guideline Fiscal Year 1991* at 14 (October 1990). ■

## Handle the Various Member Types

Groups comprise all different types of persons. The leader's ability to work with these various personalities can greatly affect the quality of the discussion. Consider the following potential problem situations.

- **The Monopolizer**

*Possible reasons for conduct:* This person wants to have his or her say all of the time at the expense of other group members. Usually, the monopolizer seeks recognition and may become more quiet after receiving the express acknowledgment of his or her contributions.

*Techniques for handling:* (1) find merit in the monopolizer's positions; (2) interrupt his or her long speeches; (3) firmly and politely request that all members be given an equal opportunity to contribute; (4) speak privately to the monopolizer about the problem; (5) for the know-it-all, ask other group members if they agree with the opinions.

- **The Silent Member**

*Possible reasons for conduct:* Of course, look for nonverbal cues. If the silent member is alert and interested, there is probably no need for concern. Some persons just like to listen more than talk. Other persons may be fearful of expressing themselves or simply bored.

*Techniques for handling:* (1) occasionally pose a question to him or her directly to foster a connection with the group; (2) make the question particularly challenging if boredom appears to be the reason for the silence; (3) if fear is a factor, try to pose a question that would draw on the silent member's known area of expertise; (4) when the silent member contributes, give special recognition.

- **The Chronic Interrupter**

*Techniques for handling:*

(1) reaffirm the unspoken ground rule that one person should be allowed to finish their comments before another person speaks; (2) interrupt the interrupter and ask him or her to permit the speaker to finish.

- **The Side Conversationalist**

*Techniques for handling:*

(1) state that it is difficult to hear and suggest that only one person talk at once; (2) speak with the person privately if the side conversations persist.

- **The Arguers**

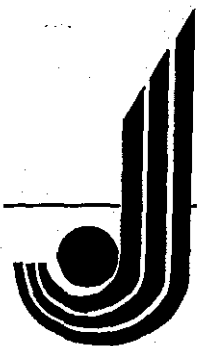
*Techniques for handling:*

(1) when the disputants cease to give new information and are simply rehashing matters, ask for input from other group members; (2) ask each disputant to rephrase the opponent's position or to give it in a nutshell; (3) don't get involved personally; (4) stop any monopolizing; (5) if a member expresses personal animosity, redirect a question to a neutral member.

- **The Lifeless Group**

*Techniques for handling:*

(1) use small talk, kidding, or humor to make the members smile or laugh; (2) ask lots of easy questions, and play the devil's advocate, to generate enthusiasm until the group catches hold; (3) ask members questions from a list prepared before the session; (4) challenge the group to find a practical solution to an especially complex procedure; (5) ask for divergent opinions; (6) encourage the members to express their true feelings by posing a hypothetical question, asking members to write their answers, and then having each member read his or her answer without permitting countercomments. ■



# CONTINUING PROFESSIONAL EDUCATION ADVISORY BULLETIN

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

Sponsored by  
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Association of  
State Judicial  
Educators**  
and  
**The University  
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## Editor's Column

This issue of the *Continuing Professional Education Advisory Bulletin* marks the end of our first year of publication. The *Advisory Bulletin* is one of the services offered to judicial educators by the JEAEP Project. We recently learned that the JEAEP Project has been tentatively awarded a two-year renewal grant from the State Justice Institute. Therefore, we are pleased to be able to continue providing the *Advisory Bulletin* to the NASJE membership.

This issue offers two excellent articles. The first details the technique of focus groups, an innovative method of gathering information from the learners we serve. The second is an excerpt by Ronald M. Cervero from one of the chapters currently in process as we publish the CJE Conference Manual. It is concerned with how judicial educators learn from their own experience to become "experts" in their everyday practice. It's an exciting way to approach our professional development in continuing education.

We're looking forward to continuing to provide this service to you. Please contact me if you have any suggestions for articles or special areas which you would like to see addressed in the *Advisory Bulletin*.

*Diane E. Tallman*  
Editor

## Using Focus Groups for Needs Assessment in Judicial Education

Determining the educational needs of the constituencies we serve requires a repertoire of various approaches to needs assessment. As continuing education organizations become increasingly complex and operate in an environment of change, it has become imperative to improve our ability to listen to the people we serve. There is a great value in listening to our constituencies on an on-going basis in an organized fashion. One increasingly well-regarded and systematic way of listening and gaining information is the **focus group**. A growing number of educators and human services profession-

als are using the focused group interviews, or focus groups, as a method of qualitative research in needs assessment and evaluation. This method can be very effective in continuing judicial education in determining the learning needs of specific groups of judges and court personnel.

### What is a Focus Group?

A focus group is an information gathering technique, a qualitative method, which brings together a group of approximately 7 - 12 people who are usually unfamiliar with each other. The participants are selected on the basis of common characteristics in order to obtain their perceptions, attitudes, and opinions on a topic of interest. Usually, depending on resources, at least three focus groups are conducted with members of the target population on each topic of interest in order to determine recurring themes and issues. In the case of needs assessment, the topic of focus would be perceived educational needs of a particular group of people who either are being served or could be served.

### Planning Focus Groups

Planning is critical to the success of focus groups. The first step is to determine the topic of interest for a targeted population. Before conducting focus groups, it is important to determine who will use the information that will be collected for the report. These individuals should be considered stakeholders and interviewed to determine what they want to know about the target population and how they would use the information. Questions can then be asked during the group interviews in order to ascertain useful information. In addition, it will be important to inform the participants about how the information they share will ultimately be used.

While it is possible to conduct focus groups to assess the needs of your own clients, it is not the preferred approach. In order to minimize bias and provide a neutral group environment where participants can be candid, it is desirable to have an objective moderator and reporter who is not invested in the program or delivery of services. A moderator with focus group experience is desirable, but most educators with experi-

ence with small groups and with interviewing skills can manage the task. In addition to conducting the groups, other tasks include: compiling a list of possible participants from the target population; telephoning to recruit participants; scheduling rooms; tape recording sessions; transcribing tapes; analyzing data; and developing a written and/or oral report. The same person can be responsible for all tasks; however, it is advisable that one other person, such as an assistant, be available to serve as a back-up.

The location should be neutral, if possible, in order to minimize participants' tendency to feel they are guests and should provide "polite" responses. In conducting focus groups, the object is to maximize the opportunity for participants to feel comfortable sharing what is on their minds.

It is also advisable to plan an acknowledgement of the time participants contribute in the focus groups. A light snack or dinner is one possible acknowledgement that can be used. The informal time to share food and beverages also contributes to a relaxed atmosphere and can enhance group interaction. It is common in marketing research which relies heavily upon focus groups, to pay participants. In the non-profit sector, complimentary services can act as acknowledgement of the volunteered time as well as an opportunity to promote a new program or service.

***The focus group offers an approach to eliciting information from participants which not only gives them a voice but the opportunity to influence the services they receive.***

It is advantageous to write up a proposal which includes the intended line of questioning, number of participants, number of groups, sources for names of potential participants, scripts

for telephone recruitment and introduction to groups, timeline and budget. This short written proposal can be shared with the stakeholders in order to get responses. This stage allows further refinement in order to get optimum use of the resources invested in the research project. If at all possible, a pilot focus group should be included in the budget. In the event that a particular line of questioning creates problems, or logistics need to be reconsidered, the subsequent groups can be modified accordingly.

Scripts for telephone recruitment interviews, letters of confirmation, moderator outline or questioning plan and thank you letters can be refined again after the pilot, if necessary. Notetaking during all phases of the pilot will ensure that possible needs for revision can be made.

### **Conducting Focus Groups**

Following any revisions of the pilot, recruitment for the focus groups begins. The importance of this phase of the project should not be underestimated since this is the first contact with the participants. The precise time that the session is expected to begin and end should be specified and maintained. Most focus group interviews are one and one half hours in length with warm-up time added on to that. If at all possible, it is helpful to have the person who is moderating conduct the recruiting as well. That way continuity is assured and the group dynamics are likely to be enhanced.

The moderator and assistant will set up the room in a circle to facilitate group interaction. An introduction is first provided by the moderator. Ground rules for participation are important. People should understand that this is an opportunity for them to have input, to be heard. The object is not to reach a consensus but to cover a diversity of opinions. The purpose of the focus group project, the expectation of how information shared will be communicated to the organization as well as how the organization expects to use the report, and the promise of anonymity should all be included during the introduction. If the sessions will be

audio or video taped, it is important to explain that the tapes will be transcribed by the moderator or assistant and will not be shared with others, if this is in fact true. If there are any observers, they should be introduced and their reasons for observing specified. There is always the risk that if people are observed or tapes are to be shared, the participants will give socially desirable responses rather than honest ones.

Once introductions have been made and casual interaction over a light snack or dinner has occurred, the business of interviewing the group begins. This is the most important part, but without good planning and recruiting, useful information gathering cannot occur.

The focus group interview is different than the individual interview. The object is to encourage group interaction in response to general questions posed. Questions will relate to the overall purpose of the needs assessment. They may involve items normally included in written needs assessments, but they are open-ended and exploratory. Focus groups provide the opportunity for expanded responses, probing follow-up, and group dialogue. They can be excellent means of discussing contemporary issues currently facing the court system. The moderator is the holder of the focus, enforcing ground rules and ensuring that everyone participates and all opinions are heard. The moderator will record both verbal and nonverbal interactions. This data will be used along with the transcribed tapes in developing a final report.

The focus group method offers an approach to eliciting information from participants which not only gives them a voice but the opportunity to influence the services they receive. This factor is critical to their continued involvement and support of the educational programs, and their empowerment as learners.

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## Resources

Wlodkowski, R. J. (1985). *Enhancing Adult Motivation to Learn*. San Francisco: Jossey-Bass.

Teachers of adults in a variety of settings - professional, business, industrial - can learn how to motivate their learners for effective learning. In his book, *Enhancing Adult Motivation to Learn*, Raymond Wlodkowski emphasizes the use of motivation. The reader will learn how to include the development of motivation in planning learning activities, as well as strategies for enhancing motivation within specific contexts.

The first chapter of the book reviews the supporting research on motivation as essential for competent learning. Chapter Two outlines the characteristics the author deems necessary for being a motivating teacher - expertise, empathy, enthusiasm, and clarity. In Chapter Three, the reader is introduced to the six factors that motivate learning. These factors - attitudes, needs, stimulation, affect, competence, and reinforcement - are discussed in detail, including strategies and examples for their use, in Chapters Four through Eight. Chapter Nine provides an outline of these factors as a summary, with examples of planning for motivation and guides for evaluating motivation during the learning process. The book concludes with suggestions for encouraging motivation that will lay the foundation for lifelong learning.

Chapter Three functions as the core of the book, as it provides an understanding of the six major factors that motivate adults to learn. The effectiveness of the learning process is directly impacted by the level of intensity of each factor.

**Attitudes** influence learning because they help people understand their world. Adults enter the learning situation with predetermined attitudes; however, because attitudes are learned, they can be changed.

A **need** drives an individual toward a goal. The stronger an adult feels a need, the greater the motivation to achieve the particular goal.

According to Wlodkowski, stimulation is "any change in our perception or experience with our environment that makes us active" (p. 51). Adults seek stimulation which helps to prolong learning behavior.

**Affect** relates to those emotions adults experience toward learning. The intensity of emotions is a predictor of how adults will react to learning activities.

Adults have an inherent desire to become **competent**. Those who attain a feeling of competence in a learning situation will be further motivated.

Using **reinforcement** with learners serves to sustain motivation. In particular, positive reinforcement is important for learning to be effective.

According to Wlodkowski, these six factors that influence motivation interrelate during the learning process. Each phase of the learning process has the potential for positive motivational influence on the learners based on specific factors. When the learning process begins, attitudes and needs play a major role in determining motivation. Stimulation and affect then become the overriding influences during learning. As the learning process concludes, learners that experience competence and reinforcement will be further motivated. Wlodkowski posits six questions for instructors to address in planning the learning experience that will indicate strategies for enhancing motivation. Wlodkowski has developed strategies for each specific factor during a particular phase of the learning process. By applying these strategies, optimal motivation can be achieved.

Wlodkowski bases his assertions on experience and behavioristic philosophy alone, with no theoretical nail upon which to hang them. It does provide the reader with a comprehensive understanding of motivation which must precede strategy selection. The book is easy to read and detailed, which makes it a useful resource for any teacher of adults. It is practical and universal in its applicability.

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

## Judicial Educators as Learners

Excerpt from "Improving Everyday Practice in Judicial Education," by Dr. Ronald M. Cervero. The 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 Fall 1991.

Like other professionals, judicial educators make judgments in everyday practice using a repertoire of practical knowledge and practical reasoning strategies that have been acquired primarily through experience in prior practice situations. Although we lack systematic research to support this view of judicial educators, a compelling body of theory and research has accumulated about the development of professional expertise over the past 15 years supporting this view of learning. This research has found that professionals actually use practical knowledge, as opposed to formal principles, in their everyday practice and that this knowledge is best learned through practice or reflection on practice.

### Practical Knowledge and Expertise

Although the knowledge acquired through practice goes by several names (such as, know-how, practical knowledge, implicit theory), it clearly forms the basis of expert practice. The point is repeatedly made that the use of practical, not abstract, knowledge is the basis of expertise. That is, a major difference between experts and non-experts in any field is that experts have far more practical knowledge, meaning they know how to perform their craft. For example, research has found that expert judges bring to bear their own personal theories to the situation that include penal philosophies, sentencing objectives, a view of the severity of a particular crime, and a definition of the judging role in relation to particular cases (Lawrence, 1988). These implicit theories have a major impact on not only the final decision but also on the process whereby that decision is reached. As one magistrate put it: "You're going to follow a pre-existing

...from where whatever does happen is going to fit between extremes of what you have dealt with before" (Lawrence, 1988, p. 255).

**Research has found that professionals actually use practical knowledge, as opposed to formal principles, in their everyday practice.**

These implicit theories, developed through experience, are the major criteria distinguishing expert from novice judges. In the conclusion of her study, Lawrence (1988, p. 257) said: "In a highly personalized professional role, with individualized ways of defining outcomes and processes, experience provided the experts with patterns for reducing work loads. ...Experience also brought with it ideas about what to look for, and ways to follow up leads in the data. ...experts were markedly different from...the novice in pulling leads out of files and reports."

The research into the acquisition of professional expertise strongly supports the notion that judicial educators need practical knowledge in order to make the best judgments in their everyday work. However, this view does not hold that practical knowledge is the best simply because it is what educators use. For example, we can all think of colleagues whose years of experience has produced ineffective forms of practice. That is, the knowledge acquired from practice is not always both necessary and sufficient for making the best judgments. In this regard, educational principles and theories have a role to play in facilitating the best judgments because of their ability to generate new ways of looking at old realities. Principles can help alert us to problems, point to strategies we may not have thought of, remind us of what we should care about, or prompt our practical insights into specific cases. The challenge, then, is to be able to integrate these principles into judicial

educators' repertoires of practical knowledge and reasoning.

This model of judicial educators as learners has implications for what must be learned as well as how it can most effectively be learned. It is clear that the focus must be on the development of practical knowledge, which is generally understood as a repertoire of examples, images, metaphors, practical principles, and rules of thumb that are used in practice. Because most educators are not fully aware of the knowledge in their repertoires, it is as important that this knowledge become explicit as it is to develop new knowledge. I would like to suggest some ways that judicial educators' repertoires of practical knowledge can be improved.

**Judicial educators must see themselves as researchers of their own practice.**

**Developing Practical Knowledge**

The primary responsibility for improving everyday practice falls to judicial educators themselves. The primary strategy to do this is for educators to see themselves as researchers of their own practice. Their goal should be to understand how they frame problems and their own roles, to uncover their own practical knowledge, and the processes by which they use that knowledge. Individual reflections on practice can be fostered by institutionally supported activities, such as staff meetings where educators discuss how their practice is affected by the constraints of their organizational settings. A tremendous amount of practical knowledge exists in a collection of judicial educators in a workplace, which unfortunately is often not fully tapped by others. Directors often have wealth of uncovered practical knowledge among their staff that is not systematically made available to everyone. Finding ways to identify and share this knowledge would offer many ways to improve the practice of individual judicial educators as well as the collective work of a judicial education unit.

Practice can also be improved by participating in formal educational programs, such as workshops and conferences. In these programs, formal knowledge and principles are usually stressed. To increase the likelihood that this kind of knowledge will be incorporated into judicial educators' repertoires of practical knowledge, it should be presented in such a way that the judicial educator audience uses it to reflect on their own practice situations in the presence of the instructor. Many specific methods have been proposed and used to accomplish this, including discovery methods, case studies, and coaching. This can be done in more informal ways, such as visiting other state judicial educational organizations. In these site visits, the visiting judicial educator can observe the work of others and then discuss what happened and why.

**Reference**

- Lawrence, J. A. (1988). *Expertise on the bench: Modeling magistrates' judicial decision-making*. In M.T.H. Chi, R. Glaser, & M.J. Farr (Eds.), *The nature of expertise* (pp. 229-259). Hillsdale, NJ: Erlbaum.

**Continuing Professional Education Advisory Bulletin**

The *Continuing Professional Education Advisory Bulletin* is published as an insert to the NASJE News by The University of Georgia Center for Continuing Education. It 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.

Diane E. Tallman, *Editor*

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Athens, Georgia 30602  
404/542-2275



The flipchart should be the tool of choice for speakers who work without the aid of sophisticated visuals. The obvious advantage of a flipchart, aside from its low cost, is its flexibility. You can prewrite your messages and simply turn pages while you are talking, or you can "ghostwrite" them beforehand and fill the words in boldly as you go along. It can also be a great way to encourage audience participation.

### Attention Grabbers

To get the audience involved, ask the group to create an agenda. Your job is to list one, two, or three points on each page. Rip off the pages then, and hang them around the room, using masking tape to protect walls and molding.

During your presentation, refer to the pages on the walls to show how well the session is sticking to the agenda, if it is. If not, you can point to items on the pages to bring a wandering commentator back on track.

In creating a flipchart agenda, you'll need input to guide the audience. Ask leading questions so you get all the major points onto the flipchart. "What about the time element?" you might ask when you want the subject of scheduling to be included. Try to use the exact spoken words, even though you may have a more precise phrase in mind.

Another way to involve your audience is to have three or four members stand and hold pages in front of them. This is a great way to

*Robert Letwin is president of Robert Letwin Consultancy in Fort Lauderdale, Florida, and founding editor of Successful Meetings. This article is reprinted with permission from the February 1990 issue of Successful Meetings.—ED*

# Tips on Flipping

## Flipcharts

Robert Letwin



get participation without threatening anyone. One person shows a page suggesting one approach; another shows an idea in opposition. Then ask the audience: "How many agree with Harry?" "Who thinks Shirley's approach is better?"

### How to Use Them

1. Never use an unstable stand for your flipchart. It's worth investing in a good folding easel, and worth bringing it with you when you speak outside the company.
2. Angle the easel so your chart can be seen from each seat in the room. If an easel is already in place, go to the back of the room and make sure it can be seen from each seat.
3. Use a chart with paper stock heavier than newsprint. Use heavy crayons or wide-tipped felt pens so your lettering is easily read.
4. Use at least two colors of pen or crayon: One for facts or statistics; another for actions to be taken.

5. Use big print letters so anyone in the back row can easily read them. Keep words short or abbreviate.

6. Cover specific points in a presentation by listing them on flipchart pages in advance, using a light blue pencil to letter. The audience can't see the lines, and you merely trace them as you proceed.

7. Draw pictures or shapes in advance, again in blue pencil, and trace them.

8. Using blue lines also allows you to

write notes to yourself without calling too much attention to the fact. Write notes at the bottom of

preceding pages to remind you what's coming up next, or keep them small at the top of the page at hand.

9. Another device is to print bold messages in advance and cover them with blank strips of paper, using the bare minimum of tape to fasten them down. Then as you give your presentation, rip a strip off to reveal the point you're making.
10. Unless you have a lapel mike, don't talk while you write or draw.

Finally, practice! Make sure you're comfortable turning the pages. Practice ripping them off, if that's what you plan to do. Flipcharts that don't attach to easels have a nasty way of wobbling or falling off the stand unless you've developed some skill in keeping them steady while you flip the pages, tear off sheets, print and letter, or sketch a diagram. ■

## The Annual Conference, *continued from page 1*

enjoyed. It was believed that the sense of community could be broadened only through a great deal of care, sensitivity, and planning. By making one committee responsible for the conference, this goal will always be achieved.

With the new procedure in place, the education methods committee—Maureen Conner, Dee Lawton, Virginia Leavitt, Larry Stone, Karen Waldrop—conducted its first planning session during the 1990 annual conference. Through the small group process, the members of NASJE were asked to identify, articulate, and prioritize the purposes of the annual conference and to recommend methods to achieve the stated purposes. The three purposes for the annual conference were identified as professional development, development of NASJE community, and a forum to conduct association business and planning.

Professional development of NASJE members was the number-one priority. Professional development was defined as keeping the membership informed of emerging trends, issues, knowledge, and information that could be successfully transferred and implemented at each individual workplace. Within professional development, the members identified three specific areas they would like addressed: new technologies, adult education from theory to practice and from planning to evaluation, and administration and management of judicial system training programs that include building and maintaining support for training and education innovations.

The second priority was the development of NASJE community—a familial or collegial relationship among members. The annual conference was viewed as the primary and most visible vehicle for achieving this goal. The members identified several ways in which the annual conference could meet this priority, such as planned social activities, interactive topical sessions, opportunities for networking,

orientation for new members, and topical sessions using the diverse and extensive history and expertise of NASJE members. In short, the development of community means enriching all the members of NASJE.

The third and final priority for the annual conference was conducting association business. An additional, related purpose was planning for the future of NASJE and judicial system education.

A potpourri of other suggestions were offered for improving both the annual conference and association services. In no particular order, the suggestions were increased use of JERITT; increased use of vendors at the conference; a special session for new members; the presentation of multiple tracks based on the diverse interests of the membership; topical sessions that address the needs of new, mid-career, and advanced-career educators; a directory of members, that includes demographic data to increase networking during the conference; a mentoring system for new members; installation of a "plus day," which is skill-specific training not necessarily related to judicial education but to personal enhancement; distribution of a local resource guide before the conference; diversified conference topics to address training needs for all judicial system personnel; conference faculty who are informed about NASJE and its mission; faculty and materials from other disciplines; interactive sessions; conference registration that includes pre-enrollment in concurrent sessions or tracks; problem-solving sessions; establishment of membership services; planned preconference social activities; a course devoted to the development of publications; and the implementation of a clearly defined and articulated master plan to direct association business.

Suggestions directly related to the annual conference are being incorporated in the conference plan for 1991. Not all suggestions can be implemented in the first year, but they will be included in the master plan for future conferences. Ideas related

to other NASJE activities or committees have been passed on to the board for their review and action.

### The 1991 Annual Conference

A synthesis of the ideas and suggestions received during the 1990 annual conference has resulted in a draft agenda for the 1991 annual conference.

On Sunday, October 13, an orientation for new members will be held. Next, the board will host a reception, where the president will officially open the conference and formally introduce the board and the association's new members.

The annual business meeting will start the first full day of the conference on Monday, October 14. Following the business meeting, sessions will be held on sharing challenges, innovations, and ideas; JETA consortium reports; and a special presentation on judicial system education as the leader and champion of change. All sessions will blend the methods of lecture, small group discussions, and interactive exercises.

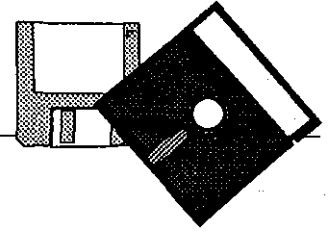
The day will end with the annual banquet, where the president will recognize members who have contributed to the growth and professionalism of NASJE during the past year.

Tuesday, October 15, will be dedicated to four concurrent sessions. The topics are under development, but the audience and focus of each session have been established. The sessions are:

- Starting or Revamping Your Education Program for the New or Relatively New Educator
- Rejuvenating and Enriching the Seasoned Educator
- Skill Enhancement for Meeting Planners
- Advancements in Teaching and Learning Theory and Practice

The conference will conclude on Wednesday, October 16, with two consecutive sessions. The opening session will be devoted to debriefing the group regarding ideas, resources,

# Tools for the Trade



and skills gained through conference attendance. The conference attendees will be asked to identify how they will use what they have learned once they return to their organizations.

The closing session will be a planning meeting. NASJE members will be given the opportunity to comment on the 1991 annual conference and shape the 1992 annual conference. The Wednesday sessions will be conducted using both large and small group discussion.

Many aspects of the 1991 conference are still under development. The conceptual work is complete and mirrors the NASJE membership's three major goals—professional development, a sense of community, and a forum for conducting association business and planning for the future. The board, the regional host, and the education methods committee want to challenge NASJE members to achieve new heights of professional achievement through their participation at the annual conference. ■

## Membership Information

To receive 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. ■

## Software

### *Name Tag Kit*

Powerup (800) 851-2917. Under \$50.

High quality name tags with dot matrix or laser printers. The program requires 384K, supports numerous printers, and doesn't require a graphics card. The program has a built-in database for typing in names, titles, addresses, cities, etc., or you can import ASCII files in either fixed or delimited format.

### *Flow Charting II+*

Patton & Patton, 81 Great Oaks Blvd., San Jose, CA 95119 (408) 629-5376. Under \$150.

"If you can see it, you can solve it." This software creates flowcharts of procedures. The program requires 256K of memory and IBM CGA or EGA graphics capability or Hercules card. It supports most dot matrix and laser printers. If your organization uses flowcharts for educational purposes, you'll appreciate this software.

### *Calendar Maker PC*

CE Software, P.O. Box 65580, West Des Moines, Iowa 50265 (515) 244-1995. Under \$60.

This calendar-creating software is so easy to use that the first chapter in the manual is for people who don't read manuals! Great for creating training program calendars for committees or student judges. It requires Microsoft Windows, graphics adapter card, and 512K of memory. The program apparently supports many printers because no limitations are noted.

## Publication

### *Trainer's Forum*, TEXTonics

Information Services, 1829 Westcliffe Dr., Newport Beach, CA 92660 (800) 424-5284. Under \$50 per year (10 issues).

This magazine is dedicated to government-meeting planners. It contains good articles on evaluation, volunteers, visual aids, quick tips, and "what's new at the store," providing a showcase of training technology.

## Association

*Toastmasters International*, P.O. Box 10400, Santa Ana, CA 92711. (714) 542-6793.

This nonprofit educational organization is, according to its founder, the late Dr. Ralph Smedley, "a voluntary association of people who desire to gain facility in the art of communication." Toastmasters International is composed of over 6,000 local clubs, each offering help in developing the individual's business ability in a variety of situations—meetings, presentations, interviews, training sessions, professional seminars, telephone communication, and problem solving.

In addition to typical club activities of sharpening communication skills, Toastmasters will present its "Speechcraft" course to groups of judges and court personnel. These one-day seminars enhance communication skills. For judges or court personnel who wish to become more effective public speakers, this organization's programs deserve a look. ■

## Contributions Wanted

Please send us a list of the videos, printed material, etc., that you use on a regular basis. Also, the newsletter would like to publish an article on training judicial mentors—please send any information that you may have to NASJE News.



## President's Column, continued from page 2

tinuing Professional Education Advisory Bulletin" for NASJE News, and 3) revising the *Continuing Judicial Education Conference Manual*. The new manual will be disseminated to judicial educators this year. In the next two years, JEAEP plans to build on its experience and success in providing products and professional development opportunities to judicial education systems.

The third part of the Technical Assistance Consortium is the Leadership Institute in Judicial Education cosponsored by Appalachian State University and the Women Judges' Fund for Justice. In 1990 six states were invited to send a five-member judicial leadership team to the institute for four days of intensive training in leadership skills, needs assessment, curriculum and faculty development, and program management. Each state team developed a judicial education action plan. The training was augmented by follow-up site visits and the development of instructional materials. The institute will expand its leadership training to 12 other states in the next two years.

I want to thank the State Justice Institute for making the Judicial Education Technical Assistance Consortium possible. The SJI board recognized that national coordination was essential to enhance the quality of judicial education in the United States. Although the new grants are conditional, I am hopeful that means will be found to continue indefinitely the projects most beneficial to judicial education.

I am also happy to report that SJI funding for NASJE News has been secured for another two years. This newsletter has been invaluable to state judicial educators in sharing innovative ideas, information, and experiences and in drawing on the expertise of other professional disciplines. The quality and relevance of NASJE News have been outstanding, and I want to thank the members of the newsletter committee for contributing their time and talent to this publication. Although we have been asked to assess alternative-funding sources, I am hopeful that some form of accommo-

dation can be worked out to ensure the continuation of NASJE News.

On another grant matter, I am pleased to report that NASJE has submitted a concept paper to SJI entitled "The Judicial Education Management System." The goals of the project are to 1) survey the state of automation support for judicial education offices nationwide, 2) analyze in-depth the automation needs of judicial education offices, 3) evaluate current software packages against the requirements of judicial educators, and 4) develop a hardware-independent judicial education management system (JEMS), using the latest computer-assisted system engineering (CASE) tools, that will be a model for state replication. Judicial educator Tony Fisser is largely responsible for conceiving the JEMS idea and securing the technical assistance support of the National Center for

State Courts. The SJI board of directors will notify us by April 1, if they are receptive to the project and invite a formal grant application.

The NASJE board of directors will hold a midyear meeting in Dallas, February 16-17, 1991, to discuss current projects and future priorities of the Association. The education methods committee also will be meeting to plan the agenda for our annual conference, which will be held in San Antonio, October 13-16, 1991. Hope all of you can attend the annual conference.

If you have any suggestions of things NASJE should be doing or projects we should initiate, please give me a call or contact your regional director. We want the Association to address the interests and concerns of our membership. Best wishes for a successful year in judicial education. ■

## NASJE Committees Effective January 1, 1991

The following judicial educators have been appointed by NASJE president Jerry Beatty to serve on various standing and special committees

### **Education Methods (Standing)**

Maureen Conner, IL (Chair)  
Larry Stone, OH (Board)  
Karen Waldrop, AZ (Board)  
Dee Lawton, FL  
Virginia Leavitt, CO

### **Membership (Standing)**

Diana Clemons, KY (Chair)  
Ed Borrelli, NY (Board)  
Ken Miller, TX  
Fred Oswald, UT  
Jane Tanner, GA

### **Nominating (Standing)**

Suzanne Keith, TN (Chair)  
Janet Hammer, NE  
George Glass, IN

### **Standards (Standing)**

Tony Fisser, CT (Chair)  
Rita Stratton, KY (Board)  
Richard Saks, NJ  
Catherine Springer, IN  
Joe Trotter, ATAP

### **Bylaws Revision (Special)**

Dennis Catlin, MI (Chair)  
Dan Schenk, SD (Board)  
V.K. - Wetzel, WI (Board)  
Helen Johnson, NY  
Richard Rosswurm, WV

### **Newsletter (Special)**

Kay Boothman, AK (Chair, Board)  
Jim Drennan, NC  
Frank Gregory, AL  
Betty Ann Johnson, MN  
Maureen Lally, WA  
Michael Runner, CA  
Jim Toner, NCJFCJ

### **SJI Proposal (Special)**

Ellen Marshall, MD (Chair, Board)  
Dennis Catlin, MI  
Krista Johns, MS  
Paul Li, CA  
Richard Reaves, GA

# AJS's Ethics for Judges

*The following is an edited version of a letter sent by Larry Stone, director of the Ohio Judicial College, to Sandra Ratcliff, director of programs, American Judicature Society, in which Larry comments on the AJS-produced, SJI-funded "Judicial Ethics and the Administration of Justice" videotapes.*

Dear Sandy:

Just thought I'd let you know that we made excellent use of the ethics for judges tapes at a course we offered in November. We had 62 judges attend.

Briefly, here is what we did: From 9:00 a.m. to 10:30, attendees were provided with an update on Ohio judicial ethics cases and opinions in Ohio. At 10:45, we dealt with scenario #1 on tape 1 until noon. From 1:00 p.m. to 2:05, scenario #2 was considered, followed by formal presentations on campaign ethics and substance abuse.

Using the videos with a group this size worked quite well. Here is what we did: Attendees were seated at round tables of eight. Each table had a discussion leader armed with the questions from the instructor's guide. Following the viewing of the scenario, groups had approximately 20 minutes to discuss it, after which the videotaped panel discussion was shown, followed by another 20-minute discussion period. Group members were told not to reach a consensus and individual groups did not report back to the large group.

Evaluations administered following the programs indicated the judges found the tapes thought-provoking and that they enjoyed the opportunity to interact in small groups to the videos. By having the attendees consider the questions in a small group setting, far more attendees participated than would have if the questions were posed to the entire group of 62.

We will use the remaining two scenarios in a session this spring and will continue using all four on a rotating basis. This is one of the most useful SJI-funded projects I have received and I most strongly suggest that consideration be given to producing additional scenarios.

Thank you for this most valuable resource.

## New Activities for JEAEP

The Judicial Education/Adult Education Project (JEAEP), a project cosponsored by NASJE and The University of Georgia, has been tentatively approved for a two-year renewal grant by the State Justice Institute. The renewal will mean that the products and services of JEAEP will be available to state judicial educators for two more years. The three products of the project are (1) technical assistance consulting to judicial educators by experts in adult education, (2) an insert to NASJE News that focuses on adult education, and (3) a substantial revision of the Continuing Legal Education Conference Manual that combines the expertise of adult educators and judicial educators. During 1990, 12 organizations received technical assistance from JEAEP.

During the upcoming year, monies are available through JEAEP to accommodate approximately 15 technical assistance consultations. Judicial organizations are encouraged to contact the JEAEP project manager to apply for technical assistance. The JEAEP project subcommittee will select technical assistance applications for funding in early spring. NASJE members are encouraged to take advantage of this service that has been especially created for their use.

For information on any of these projects, or to apply for technical assistance, contact Diane Tallman, JEAEP project manager, at 404/542-2275 or Rich Reaves, JEAEP project advisor, at 404/542-7491. ■

## Dealing, continued from page 3

sensitized to the contradictions that exist within judges' minds. Sitting on the bench, particularly in the first years, is to sit with power, authority, and fear of challenge simultaneously; to be in the center of a human traffic jam and yet lonely through uniqueness; to be responsible and also responsive; to be thorough and yet timely; to deal with the law-versus-justice internal conflict; and to be "solely in charge" while remaining accountable to a host of other powers. This is accomplished by reexamining the essential skills and knowledge judges must have at the various stages of their careers. Ironically, it is possible that legal updates might be most important for those sitting a long time on the bench and that body language skills might be essential to those who have reached the assured stage that typically commences after about two years of sitting on the bench. These are core needs, not extra needs.

Finally, a comprehensive assessment of just what new judges need in total would be a good expenditure of time and resources. Limited budgets should mean less of everything instead of the elimination of whole areas of important skills. Balance must remain.

How can a judge settle without negotiating skills? How can a judge negotiate without learned body language skills? To what extent are these skills just as important to the judge and the court system as rules of evidence? This author does not pretend to know precisely. However, Justice O'Connor's answer, which cited neither law nor procedure, does provoke thoughtful reevaluation. ■

## Thanks!

The newsletter committee would like to express its gratitude to the following individuals for contributing to the newsletter during 1990: Diana Clemons, Ellen Marshall, and Richard Reaves. ■

## Transitions



**Anne Sweeney** has been promoted to manager of judicial education for the state of Washington. For the past three years, Ann served as a judicial education specialist with the state office of the administrator for the courts. She holds an undergraduate degree from Clarke College in Dubuque, Iowa, an MS degree from Chapman College in Orange, California, and a JD degree from University of Puget Sound School of Law in Tacoma.

Ann replaces Jane Nelson who is working on special projects within the agency.

A record number of new members were recorded at the 1990 annual meeting of the National Association of State Judicial Educators. New NASJE members recognized were:

**Robert J. Brink**, executive director, Flasher Judicial Institute, Massachusetts.

**Susan Button**, manager of staff development and training, administrative office of the courts, North Carolina.

**Marvin Haiken**, assistant director, Center for Judicial Education and Research, California.

**Holly Hitchcock**, judicial educator, Rhode Island.

**Jeffrey A. Kuhn**, project attorney and project director, National Council of Juvenile and Family Court Judges.

**John R. Meeks**, staff attorney, legal affairs and education division,

office of the state courts administrator, Florida.

**Kenneth W. Miller**, training specialist, Justice Court Training Center, Texas.

**Maurna Murray**, staff attorney and judicial educator, Vermont.

**Sheila L. Redel**, director for information and publications, Canadian Judicial Centre.

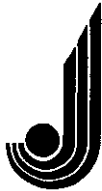
**Jim Richardson**, academic director for the master of judicial degree program, University of Nevada, Reno.

**Joseph J. Simeone**, appellate judge and professor emeritus, St. Louis University School of Law.

**John Hudzik**, director of the JERITT project, Michigan State University.

**Lans Levitt**, director of project development, National Judicial College.

Welcome to all of these new members! ■



### National Association of State Judicial Educators

#### NASJE Editorial Committee

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The editorial committee encourages contributions to *NASJE News* from judicial educators and other interested parties. Not every contribution will receive a byline. Articles will receive a byline under the following guidelines:

The writing is intended to reflect the opinion of the author;  
The editorial committee finds it appropriate to give a byline to make clear that the writing does not reflect the opinion of the editorial committee; or  
the writing reflects a substantial piece of work that occupies a prominent place in the newsletter and is at least one newsletter page in length.

In applying these guidelines the committee will resolve close issues against giving bylines to committee members and in favor of giving bylines to noncommittee members. When noncommittee members make contributions not otherwise credited, their names will be listed as contributing to that newsletter.

*Contributing to this issue was Diane Tallman.*

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