

Tech Tonic: A Cure for the AV Blues

Michael Pack

The explosive growth of presentation technologies in the last four years has redefined the use of audio/visual teaching aids in judicial education programs and, to some extent, the role of the judicial educator. It is easy to be overwhelmed by the prospect of using new technologies, especially when the traditional aids appear to work well enough. But when new methods are more efficient and better advance the learning objectives of a presentation, are we not obligated to explore the more efficient use of our constituents' time? This article explores potential problems and dispels the fears of using computerized audio/visual aids and seeks to convince the judicial educator that these new aids work well within their existing framework of program planning, preparation, and execution.

The JERITT monographs predicted the use of computer-generated audio/visual teaching aids. Although Monograph Four deals specifically with flip charts and posters, overhead transparencies, slides, films and videos, audiotapes, and written materials, the same principles apply when considering the use of computer-generated and assisted media. Monograph Four states that "faculty, in consultation with the judicial educator, determine the teaching aids to be used based on the topic and their individual teaching style" (p. 38). On pp. 38-39, this monograph details

the criteria for selecting the appropriate teaching aid:

- **Impact/special aspects**, which refer to the unique features of an aid that others cannot offer.
- **Appropriateness**, which refers to the relationship between compatibility of the aid and the setting in which it will be used.
- **Nature of information**, which refers to the compatibility of the information and the benefit the aid can offer.
- **Audience size**, which refers to the fact that certain aids, even if appropriate for the information being offered, are not effective with larger groups of people.
- **Availability**, which refers to the ease of access and use of the aid. Even a very appropriate aid, if difficult to access or use, will not yield optimal results and thus should not be selected.

These criteria apply just as well to the use of Microsoft Power Point, Corel Presentations, LCD panels, and responder systems, to name a few.

In using criteria detailed in Monograph Four, the judicial educator and faculty would need to be familiar with the use of these presentation technologies. As judicial educators, you should expand your knowledge in order to offer the participants in your state a potentially better alternative to the traditional audio/visuals.

For instance, the proper use of an overhead transparency dictates that listed or bulleted items, like a presentation with more than one learning objective, be revealed one at a

time. This is usually accomplished by using a piece of paper to hide the items not being discussed, sliding the paper down the transparency to reveal the remaining objectives as they are addressed. This is effective, but the room for error is vast and the action of sliding the paper can appear sloppy. The modern alternative is to use some sort of presentation software, like Microsoft Power Point, projected through an LCD panel or projector. You display the objective being discussed by either depressing the space bar or left clicking the mouse. You can use any number of animation effects to spice up these transitions. If you use an infrared, cordless mouse, you can make transitions between objectives from anywhere in the room, thus freeing yourself from the head table and dispelling the misconception of being overly dependent on the equipment. By analogy, imagine a presenter who is chained to the podium as opposed to one who simply uses a head table.

Dependency on the bells and whistles is a definite concern, though. For example, a very enthusiastic new judge approached me with the desire to teach his colleagues at our annual judicial college. Our office is always thrilled with the prospect of recruiting a new instructor, so we encouraged this conversation. When asked what subject he would like to present, our potential instructor indicated no preference, but he did want to use that "cool responder system." We explained the concept native to effectively teaching adults,

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PRESIDENT'S COLUMN

Ellen Marshall

It has been but a few weeks since I have been privileged to serve as the NASJE president, but I have already begun to see how exciting a year it will be. As I mentioned in my short address to you in Lake Tahoe, my two major goals for this year are to increase international membership while engaging NASJE members in the international judicial education market and to strengthen our organization's relationship with national associations and providers. Karen Thorson's presidency did so much to strengthen our internal structure that I feel NASJE is now ready to concentrate on these critical external relationships. I invite all of you to actively join me in working on these goals.

I would like to thank Nori Cross for all of her contributions to the very successful 1997 annual conference. As chair of the Education Committee, Nori shouldered much of the preparation and implementation responsibility for the conference. Nori only was she operating from two states away, but during the final preparation, she worked without a regional director's support—because Judith Anderson was on maternity leave. Kudos also to the Education Committee members who actively participated all through the year. Thanks also to Martha Kulbourn of CJEK who helped with conference logistics.

NASJE Board

This year I am honored to be working with a very talented board of directors. Karen Thorson and Blaine Leagle continue on the board as immediate past president and president-elect, respectively. Your election of Branny Maguire to the vice presidency created a vacancy in the secretary's office. Libby Hodges resigned as treasurer, and I immediately

asked her to take the secretary's job. That leaves the treasurer's position to fill until the 1998 election. In addition, Cathy Lowe was elected director of the Western region and Richard Saks was reelected director of the Northeastern region. They join fellow directors John Meeks (Midwestern region) and Michael Pack (Southeastern region).

The board meets monthly by teleconference. Contact either your regional director or me if you wish the board to consider any NASJE matter of importance to you or your state.

One thought that struck me this year at our annual conference is how talented and innovative my colleagues are. We have one of the best and most challenging jobs in the courts. We have daily opportunities to facilitate the professional and personal growth of judges and court personnel. From the energy and intelligence witnessed in Tahoe, you take full advantage of those opportunities.

Annual Membership Survey

It is also critical to NASJE's vitality that you contribute your time and talents to your professional organization as well. NASJE's strength has always been its members' generosity in supporting the growth of the profession through sharing ideas. You will soon receive my interest survey encouraging you to volunteer for a committee assignment. There are several major committees with vacancies that I am anxious to fill as soon as possible. I look forward to hearing from you about how you'd like to join me and your board in fulfilling this year's goals.

JERIT

By the time you read this message you should have received, and returned, the JERIT survey. As you know, your input is critical in developing the data for the

bi-annual Issues and Trends in Judicial Education Issues and Trends is routinely used by researchers who study court operations and by your fellow judicial educators in supporting arguments for additional state funding for court education. If you have not already done so, return your survey to JERIT immediately.

National Symposium on the Future of Judicial Education

President-elect Blaine Leagle chairs our ad hoc Futures Committee. It has developed an SII grant proposal for a National Symposium on the Future of Judicial Education in 1999. Under this proposal, NASJE and the National Judicial College will coordinate a team of coalition partners or organizations active in court education and administration. NASJE will be responsible for the symposium's curriculum development and NJC will administer the grant. As part of the curriculum development process, focus groups will help fine-tune the agenda. That process undoubtedly will involve many of you. So if we are successful in being awarded the grant, you will be hearing much more about this program in 1998.

Annual Dues

During last year's strategic planning process, the board considered various options for maintaining NASJE's fiscal viability. It became painfully clear that, in order to maintain the current level of service to our members, we are going to have to increase the number of members and raise membership dues for the first time since 1991. Membership dues support the NASJE publications and provide operating expenses for the association.

To that end, Karen Thorson introduced the proposal for section membership during the

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1997 Annual Conference Held at Lake Tahoe

The Cal-Neva Lodge on the north shore of Lake Tahoe was the setting for the 1997 annual conference, October 5-8. This memorable lodge was once owned by Frank Sinatra, whose guests included the famous "Rat Pack."

On the Saturday before the conference, NASJE repeated its highly popular "New Educator Orientation" that debuted in Orlando. This program provides tools that new judicial educators need to be effective and has become a regular feature of the conference.

The Leadership Convocation, another preconference workshop, was held on Sunday. The Leadership Convocation was designed to bring together the leaders of judicial education boards, commissions, and committees to share, learn, and discuss the issues surrounding judicial education today. An article detailing the features of this new NASJE program will appear in the spring 1998 issue of the *NASJE News*.

The annual educational program got under way Monday, October 6, with "Community Collaboration and Leadership." Roger Warren, president of the National Center for State Courts, gave an overview of courts, past and present. He spoke about the public's perception of the courts, how courts can improve that perception through collaboration with and leadership in the multiple and diverse communities in which we function, and the role judicial branch education should play in that process. Chief Justice Robert Yazzi, of the Navajo Nation Supreme Court then explained the concept of tribal justice, how it differs from Anglo justice, and described how the precepts of the Navajo Peacemaker Court can be adopted into the American judicial system. John Yanez, Teen Court Coordinator in Globe Arizona, and Judge Veronica McBeth, of the Los Angeles Municipal Court, described successful community outreach programs in their courts. Finally, Pamela Casey and David Rottman, of the National Center for State Courts' Research Division, reviewed principles common to successful

court/community collaborative programs.

NASJE's educational sessions were augmented by a field trip to Reno, where participants were hosted by the National Council of Juvenile and Family Court Judges and the National Judicial College. The trip ended with the annual banquet at Harrah's Automobile Museum.

On Tuesday participants had four programs to choose from. The first, "Mentor Programs," featured Blan Teagle and Judge Kathleen Kearney, who provided very honest advice founded in their experiences with the Florida judicial mentoring program. They divided their program into two sessions. The first focused on the groundwork for establishing a mentor program. Blan and Judge Kearney had participants define *mentor* and list the qualities that are essential in a good mentor. The discussions and exercises in this session included the identification of institutional barriers to establishing a mentor program, developing strategies to overcome those barriers, building an approach and considering policies and procedures to ensure the success of the new mentor project. This first session concluded with some very practical advice for the selection of mentors and their subsequent assignment.

The second session of the mentoring presentation worked from the premise that the participants either have, or are setting up, a mentoring program. The focus of this session was centered on developing, encouraging, and following up with the judicial mentor. Participants identified and discussed the critical components of a mentor education program and the importance of communications skills to the successful judicial mentor. Continuing education and training for judicial mentors was emphasized with ideas and suggestions provided by Blan and Judge Kearney. Both instructors also stressed the importance of enhancing the credibility and integrity of the program itself, while recognizing the contributions of individual mentors.

The second program, "Community and Media Relations," was also

divided into two sessions. In the first, Cynthia Gray, director of the American Judicature Society's Center for Judicial Conduct Organizations, presented "When Judges Speak Up: Ethics, the Public, and the Media," a draft ethics curriculum on judges' relationships with the public and the media. The curriculum consists of a videotape, an instructor's manual, and a self-study guide, which Ms. Gray invited participants to critique. These comments will be incorporated into the final version of the curriculum.

In the second session, "Courts under Attack and Counterattack: Public Education, Media Relations, and Community Relations," Judge Robert Pirraglia, of the Rhode Island District Court, presented a program developed by the American Bar Association's Conference of Special Court Judges. According to Judge Pirraglia, judges have no clue as to the extent of the problem of public perception of their performance and what they can do about it. They first need to be convinced of the crisis. Judge Pirraglia then shared a number of cost-effective tools to help judges respond to this crisis. He also related his own experiences in dealing with the media and how judges can make effective use of community access cable.

The third program dealt with "Restorative Justice." In the first session, Chief Justice Robert Yazzi, of the Navajo Nation Supreme Court, expanded on his remarks from Monday's plenary session. He offered a more detailed look at how the Peacemaker Court works, how Peacemakers are chosen, how the community participates in the process, the resulting decisions, and how the process affects the outcomes.

The second session, "Preparing Courts for Victims and Community," was led by Thomas J. Quinn, a visiting fellow at the National Institute of Justice in Washington, D.C., and focused on restorative justice. Mr. Quinn noted that restorative justice brings the issues regarding victims and the community to the forefront and offers a chance to make positive changes in the criminal

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Professionalism in the Legal System: Restoring Community Values

Rich Reaves

Modern practices of lawyers are routinely cited as the primary origin of growing public mistrust and professional frustration with the legal system, and judicial behavior is not immune from criticism. A remedy repeatedly championed by bench and bar is professional continuing education of lawyers. This educational drumbeat is frequently followed by calls from the bar for similar training of judges. Education, although important, cannot do the job alone and is seriously thwarted without a corresponding initiative from professional disciplinary authorities. Certainly, such a scenario is the experience of Georgia, Ohio, Florida, and many other states.

Rich Reaves is the executive director of the Institute of Continuing Judicial Education at the University of Georgia School of Law.

Continuing judicial education (CJE) has always contained a strong orientation to professionalism in its judicial ethics training. The various states' codes of judicial conduct, unlike their counterparts for lawyers, have not routinely carved up professional behavior into aspirational and advisory versus disciplinable acts. Better practice has always been the focus of judicial ethics, whereas acceptable versus nonacceptable practice has so often been the concern of lawyer ethics that no time was left for better practice.

Continuing professional education for judges on improving lawyer professionalism has focused typically on judicial duties as well as lawyer practices. Combating abuse of authority or omitting vices of judicial "robitis" is a never-ending task of CJE. Training of judges about gender fairness and racial-

ethnic-status-fairness directly blends into courses on interpersonal demeanor, procedural courtesy, and practical regard that operate at the heart of modern concerns about lawyer professionalism. These efforts must not be abandoned.

The positions of judges in the community-at-large, as well as in conflict resolution, frequently become viewed as critical linchpins to improving lawyer practices. Moreover, both the power and obligation to improve lawyer professionalism is accorded to judges by the bar and the public. While being attentive to strengthening their own professional practices, judges should welcome this opportunity to mold and advance law practice. Lawyer professionalism is a legitimate focus of judicial practice and CJE.

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A Snapshot of a Rural State's Education Program

Carla Kolling

In 1995, the North Dakota Supreme Court institutionalized judicial education in the state with adoption of Administrative Rule 36, which established within the North Dakota judicial system the Continuing Judicial Education Commission. The commission is responsible, in part, for developing judicial training and continuing judicial education programs for judges and court employees.

Administrative Rule 36 also formalized the position of director of judicial education. The director helps the commission implement the rule and its many directives. The education department consists of the director and one part-time support staff. It has a biennial budget of nearly \$200,000.

Through Administrative Rule 36, mandatory education for all judges

within the state system became reality. Each judge of a court of record, including justices of the supreme court and surrogate judges, is required to complete at least forty-five hours of approved coursework in continuing judicial education. Three of the forty-five hours must be in the area of ethics. Each municipal court judge is required to complete at least eight hours of approved continuing judicial training each year.

Since the adoption of Administrative Rule 36, the commission has successfully broadened its education outreach to include not only judges but all employees of the judicial system, including juvenile court officers, magistrates, referees, clerks of court, secretaries, court reporters and recorders.

For judges, the Judicial Institute serves as the cornerstone for our judicial education efforts in North Dakota. The Judicial Institute is the major annual education program, which consists of five days of

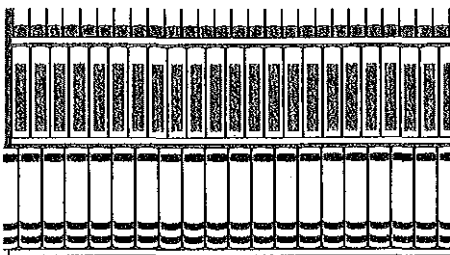
intense education on various subject areas pertinent to fulfilling the educational needs of the judges.

Educational programming is accomplished through meetings of each constituent group. Through the planning efforts of each group, we have developed high quality continuing educational programs for each group and developed and implemented new employee orientation programs.

In most instances, educational programming is offered through traditional methods. On a few occasions video conferencing was used; however, the response to its use was unsatisfactory. We are currently exploring other options and hope to find one that will be suitable for implementation in the state.

As judicial education grows stronger, we will continue to do our part to see that the needs of our judges and employees are met, for they are the force behind a strong and fair judicial system. ■

Carla Kolling is director of education for the North Dakota Supreme Court.



The NASJE Bookshelf

Barry R. Schaller, *A Vision of American Law: Judging Law, Literature, and the Stories We Tell*. Westport, Conn.: Praeger, 1997, 200 pp. \$55.00.

Reviewed by Hon. Stephen E. Moore

Barry R. Schaller, a Connecticut judge for twenty-three years, has seen the law from several perspectives, including one afforded by eighteen years on the trial court bench and another from five years on an appellate court. In his new book *A Vision of American Law: Judging Law, Literature, and the Stories We Tell*, Schaller seeks to assess "the role and impact of law in American society" from a third perspective: that of the writer of what others call fiction, but that Judge Schaller calls "imaginative literature." Perhaps because the word "fiction" carries with it the connotation of "untrue," Judge Schaller prefers his own term, as he believes strongly that much of what is contained in fiction and touches upon law in culture is true.

Lawyers in general and judges in particular gain much of their sense of law in culture from professional experience and professional literature. In the same way that a one-eyed person accepts a monocular view of the world and a color-blind person accepts a monochromatic view of the world, lawyers and judges are prone to accept a view of law in culture as seen through the lens of the profession as normative.

The optometrist flips the lenses in an optometer and asks "Is this better (click) or this?" Schaller flips the lenses through which lawyers and judges might see law in culture and asks "If this is good (click), isn't this good, too?" Schaller's second lens, his alternative to seeing law in culture from the perspective of

pleadings, legal documents, and appellate decisions, is the view afforded by nonlawyer Americans writing fiction.

There is strength and depth of feeling in what the author attempts in this book. Both law and literature matter enormously to him. He holds a high regard for law because, in his view, the ethnic and religious plurality of American society leaves law as the only remaining unifying force to hold together political, social, and economic structures. He holds a high conception of literature, finding that it embodies those issues that matter most to a society. The presence of legal themes throughout American literature is thus proof to Schaller of the centrally important role of law in American culture. Where professional legal writing desiccates human stories of their emotional content, fiction restores them to life by transfusing feelings about legal issues into print.

The whole of the book is divided (like Caesar's Gaul) into three parts.

The first part concerns the relationship between the individual and the state, and the tensions between order and freedom, authority and choice, rights and responsibilities. While he draws on several dozen works to illustrate these tensions, he concentrates particularly on James Fenimore Cooper's *The Pioneers* and Ralph Ellison's *Invisible Man*.

The second part concerns how law has failed to answer the challenges of the twentieth century. He argues that persistent violence and its apparent growth undermines confidence in the judiciary to hold society together. He illustrates this idea by references to Robert Penn Warren's *Night Rider*, Don DeLillo's *Libra*, Joyce Carol Oates's *them*, Richard Price's *Clockers*, and Craig Nova's *Trombone*. He argues that complexity, delay, cost, and unintelligibility contribute to the erosion of

the authority of the law. He illustrates this idea by references to James Fenimore Cooper's *The Ways of the Hour*, Theodore Dreiser's *An American Tragedy*, and Russell Banks's *The Sweet Hereafter*. He argues that positive idealism has gradually been replaced by skeptical pessimism as the bad guys win, the little guys get steamrolled, money talks, and courts seem to side with the status quo rather than to facilitate change. He illustrates this idea by references to Frank Norris's *The Octopus*, Stephen Crane's *Maggie*, John Dos Passos's *The Big Money*, Nathaniel West's *The Day of the Locust*, and F. Scott Fitzgerald's *The Great Gatsby*.

The third part concerns the author's suggested role of the judiciary in restoring hope in American culture. This is to be achieved, Schaller argues, by striking an appropriate balance between upholding and defending the core of principles found in the Constitution while assuming leadership when changed social circumstances demand new social goals and values. In addition to using many other illustrations, he supports this argument with references to Mark Twain's *Huckleberry Finn*, John Steinbeck's *The Grapes of Wrath*, Wendell Berry's *A Place on Earth*, and Saul Bellow's *Herzog*. This is followed by an analysis of six opinions of the Supreme Court of the United States that illustrate Schaller's suggestions.

Because American law is so often Anglo-American law, one might wish that Schaller had opened his lens a bit wider and included a wider selection of fiction within the scope of this book. Literature by British authors or in British settings or about British subjects has much to say to an understanding of law in American culture. Possibilities

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Stephen Moore works part time as a judge in fourteen district and municipal courts in two counties in Washington State and part time as the vicar of All Saints' Episcopal Church in Bellevue, Washington. He teaches a popular course in law and literature annually for the Washington State District and Municipal Court Judges Association.

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President's Message, *continued*

Leadership Convocation that preceded this year's annual conference. Several convocation participants indicated a strong interest in this category of membership. The membership voted to add section membership to the membership options at our business meeting. In 1998 membership dues will be: \$150 for full and general members; \$75 for associate members; and \$50 for section members.

You will receive your first dues notice in January. Note that dues cover a calendar year, not the time from one conference to the next. You must pay your dues by August 15 each calendar year to maintain your voting eligibility. Dues paid after that date through the end of the year will be applied to the next calendar year's membership.

I look forward to working closely with all of you during this year. Together we can work miracles. ■

SOUTHEAST REGIONAL NEWS

Kay Palmer of Arkansas informed other members of the Southeast Region at the annual conference about an impressive education initiative among municipal and city court clerks in Arkansas. Their association has established a certification program with the assistance of the Arkansas Municipal Judges Council and the Arkansas Administrative Office of the Courts. This certification program ensures an orientation for new clerks while establishing a framework for the continuing education and training of all municipal clerks.

In Kentucky Rita Culbertson made the technological leap last June with the Kentucky Court of Justice's first distance learning initiative. The AOC sponsored two four-hour teleconferences broadcast from Kentucky Educational Television in Lexington to ten sites across the state. Each teleconference targeted circuit court clerks and deputy clerks and focused on issues of domestic violence, including the dynamics of domestic violence and office procedures for processing emergency protective orders, domestic violence orders, and full faith and credit for out-of-state orders. Kentucky also celebrated the twentieth anniversary of the creation of the district court that came with the unification of the Kentucky Courts through the Judicial Article. The original district court judges were honored and recognized at a banquet last October.

Frank Gavin, of the National Center for State Courts, Institute for Court Management, reaffirmed ICM's mission of leadership and support in training to the state courts. Programs sponsored by ICM this last year included Women at Work, Internet Application in the Court, Public Information Officers Conference, and a law librarian workshop.

Tom Galligan, the executive director of the Louisiana Judicial College, reports that his office instituted a mentoring program and produced training videos for new judges. An orientation program for new judges focused on philosophy, administration, ethics, professionalism, bias, substantive law, and procedure.

In response to an overwhelming number of citizens with little or no knowledge about the government or the court system, the Florida Supreme Court instituted an initiative designed to inform and teach Florida citizens about the judicial branch of government. "This institute offers an up-close examination of the workings of the judicial branch of government. Through meetings with supreme court justices and other judges, interactive activities, simulations, and group discussions, participants will explore the concept of justice,

debate topical legal issues, and develop techniques and strategies for teaching students and other educators about the nature, history, organization, and process of the Florida justice system." The Justice TEACHING Institute is reportedly a runaway success in addressing the needs of Florida citizens.

Leslie Johnson, director of the Mississippi Judicial College, has become the director of the American Academy of Judicial Education. Leslie is still the director of the Mississippi Judicial College, but has accepted this added responsibility to facilitate the transformation of the American Academy in its new cooperative relationship with the Mississippi Law Center. The American Academy continues to offer judicial education programs across the nation. ■



The NASJE Bookshelf, continued

include Bruce Alexander's series of historical novels about Sir John Fielding (1721-1780), Robert Bolt's *A Man for All Seasons*, Antonia Susan Byatt's *Babel Tower*, Kate Charles's *A Dead Man Out of Mind*, P.C. Doherty's *A Tapestry of Murders*, T.S. Eliot's *Murder in the Cathedral*, Frances Pyfield's *Perfectly Good and Pure*, John Clifford Mortimer's *Like Men Betrayed*, and Leon Uris's *QB VII*. Perhaps a wider field will be the focus of Judge Schaller's next book. In the meantime, an excellent

source in which to find more works than Schaller reviews is Jon L. Breen, *Novel Verdicts: A Guide to Courtroom Fiction* (Metuchen, N.J.: Scarecrow Press, 1984), which includes British as well as American novels.

A text somewhat comparable to Judge Schaller's is Robert A. Ferguson, *Law and Letters in American Culture* (Cambridge, Mass.: Harvard University Press, 1984), which can profitably be read alongside Schaller's book.

A Vision of American Law is less the product of a single sustained idea, written start to finish, and more a cobbling together of ideas first exposed in articles written for law reviews and other legal periodicals between 1992 and 1996. Not every county law library subscribes, for example, to the *Quinnipiac Law Review*; thus the reader will be grateful that this single volume may be ordered from the publisher by calling 1-800-225-5800. ■

Tech Tonic: A Cure for the AV Blues, *continued*

not to mention the principles and practices of judicial education. The danger illustrated here is planning a session around a device, rather than a need. Fortunately, our judge was very cooperative and did indeed go through a thorough faculty development program. The equipment used during his presentation: an overhead projector and a flip chart.

The desire to use an advanced polling device like a cordless responder system can be overwhelming, especially if one has seen such a system used effectively. Some instructors will rationalize the use of the latest bells and whistles with uncanny sincerity. For example, one instructor delivering a thirty-minute case update insisted the responder system was vital to his presentation. He reasoned that the responder should be used after discussing each case to poll the trial judges in attendance to see if they agreed or disagreed with the ruling. The results would then be displayed for the appellate judges in the audience, and/or mailed to those appellate judges unable to attend. Red flags began to wave.

The judicial educator must remain grounded. Dissuading this instructor from a potentially perilous course of action was not difficult. Using the criteria in Monograph Four, we simply discussed the appropriateness of using the responder in this instance and the relationship between the information being conveyed and the benefit the responder could offer. We decided that thirty minutes is not a sufficient block of time in which to conduct an effective presentation using the responder and achieve the presentation's learning objectives. Reluctantly, our instructor also agreed that it may not be appropriate to conduct an on-site evaluation of appellate decisions with appellate judges in the audience or to forward the results of such a poll.

Use the criteria set forth in Monograph Four, and do not treat computerized or computer-assisted audio/visuals any differently than an overhead or flip chart in the assessment phase of the presentation planning. Problems can occur

Ten Quick Tips for Advanced AV

- Never use a responder when a show of hands will do.
- Young and old eyes are in the audience. Make graphics and letters clearly legible in size and color from every vantage of the room.
- An LCD panel that uses an overhead projector as the light source may not work as well as a self-contained LCD projector for audiences over 100.
- How to use the Internet-type presentations: try creating HTML files and Web pages to load directly on participants' PCs instead of actually using the Internet. Control and design the content for better instruction and always make it a "hands on" presentation.
- Flash and pomp are cool, but can be distracting if overused, or simply done for effect. Have an objective, and do not allow the tail to wag the dog.
- Power Point and Corel Presentations: choose animations within your slides carefully. Some animations can take precious moments to load and become legible.
- Power Point and Corel Presentations: Slides II: Overactive animations will draw participants' eyes, and thus their attention, to the screen like mosquitoes to a candle. Not always a good thing, especially when you are trying to drive home the learning objective with the magic phrase.
- "Keep it simple, stupid" is a good phrase to remember. The more equipment, software, etc. used, the more the odds increase for a major malfunction. Do not overcomplicate the presentation with unnecessary audiovisuals.
- Always have a Plan B. The major malfunction does occur. Have overheads to back up that computer-assisted presentation.
- As part of your faculty development, instruct faculty on how to acknowledge audio/visual problems, not to panic, and to move on with Plan B. ■

when the judicial educator or faculty give more emphasis to these audio/visuals than is necessary. A presentation using Power Point is essentially no different than one that uses overhead transparencies. The preparation is different, but the result is much the same . . . projecting key words, phrases, and concepts to reinforce the verbal presentation. In fact, after the design portion of Power Point or Corel Presentations, actual use is quite simple. If the presenter can depress a space bar, he or she can use these presentation software packages.

Which brings us to the crux of the issue. Yes, it is logical to use Monograph Four to assess the most effective audio/visuals for a presentation, but who has the time and skill to learn the use of complex software packages and intricate audio/visual devices? You do. This is definitely a case of spending

time to save time. Even if you are not technologically inclined, at least learn the capabilities of the software or audio/visual device. You will then be able to assess the potential benefits based on subject matter, audience size, impact, availability, and appropriateness.

If you can, develop someone on your staff to learn and keep abreast of technological trends. If this is not possible, familiarize yourself and your staff with the available presentation software packages and devices. Not only will you and your staff be in a better position to apply the criteria of Monograph Four, but you will also be able to recommend the correct audio/visuals to instructors, which will enhance their particular presentations.

There are a great many resources for discovering the capabilities and limitations of presentation technologies. The NASJE Education Com-

mittee has done an exceptional job of providing exposure to these new technologies at annual conferences with dedicated sessions and their unassuming use within non-technology dedicated presentations. The National Judicial College has offered technology-oriented courses, most recently sponsoring a course devoted to the use of a cordless responder system and Microsoft Power Point. Judicial educators can also make use of community and state resources that feature computerized and computer-assisted technologies. Written materials, Internet pages, and news groups abound, providing insights into general trends in technology and the capabilities of specific products.

Applying your knowledge of new teaching aids is quite straightforward. Be sure to understand the capabilities and limitations of the software or device in question. Apply the criteria in Monograph Four to assess the needs of the presentation in question. You may

decide that audience size, for example, determines whether an LCD projector is used rather than an LCD panel. Availability may dictate that an instructor uses an overhead projector and transparencies instead of creating a Power Point presentation simply because the only computer you have for presentations is in use or not working correctly. A flip chart may be more conducive to on-site need assessments and brainstorming than any kind of software. Finally, decide whether the information being provided would be better received if presented with a little flair and impact. For instance, a case update is very effective when the instructor uses computer-generated legal research software. The instructor can link between applicable cases and statutes within seconds, displaying the information for the target audience.

Take the time to expand your knowledge of available teaching aids so that you can assess the needs of your audience and faculty.

Planning a presentation around teaching aids is a trap. Remain objective and always rely on what you know well, the principles and practices of judicial education. You do not have to be technically minded to apply the principles and practices of judicial education and to use the criteria presented in JERITT Monograph Four for selecting the appropriate teaching aid. ■

Correction

In the sidebar accompanying Krista Goldstone-Cole's article on Jewish holidays in the fall *NASJE News*, the word *ten* was incorrectly inserted before *Commandments* in the paragraph explaining the Passover (p. 9). Ms. Goldstone-Cole points out that altogether there were over 613 commandments handed down on Mt. Sinai. We apologize for the error. —Ed. ■

1997 Annual Conference Held at Lake Tahoe, *continued*

nal justice system. Restorative justice is an inclusive process that is geared to give victims and the community a voice and allows offenders a chance to earn their way back to the community.

Tuesday's final program focused on "Citizen Volunteers, Our Most Eloquent Spokespersons: Court-appointed Special Advocates (CASA) and Foster Care Review Boards." These volunteers provide invaluable service to both court and community and a forum for interaction and understanding their interdependent roles. The session addressed the role of community in judicial decision making, educating community volunteers, and soliciting and keeping qualified volunteers. Volunteer decision makers account for diverse views in a diverse community and not just for the particular volunteers' views, and the differences these programs make in their communities.

Wednesday morning brought another smorgasbord of sessions for conference participants. Jennifer Fasy led "Judicial Branch Staff Education Resources and Develop-

ment." She outlined the programs available to judicial branch staff in Utah and then invited listeners to share programs in their states. Geoff Gallas and Frank Broccolina presented an overview of the work of NACM's Professional Development Advisory Committee in the area of staff development and distributed the first product of their committee, a draft curriculum on caseload management.

"Incorporating Community and Interagency Education Projects in Judicial Branch Education" featured "Judicial Trial Skills," a program developed in Minnesota by Professor Stephen Simon and adapted for the Hawaii judiciary by Annabel Chotzen and Debra Koehler. A mock trial was held to demonstrate the effectiveness of positive critiquing techniques. This program offers technical assistance to state judicial educators who may wish to incorporate trial skills in their respective state programs. To request technical assistance, contact Professor Simon at (612) 625-1000.

The second part of the session featured P. M. Dubhagh-Ingrassia

highlighting the highly successful domestic violence program entitled "Bruises and Roses." Duffy walked participants through the actual program, which included effective video presentations.

The final educational program of the conference concerned "Recent Developments in Adult Education Theory and Practice." For judicial educators hungry for some professional development, conversation about their work, developmental education, and a wonderful blend of theory and practice, this session was a highlight of the conference. Dr. Carol Weaver talked to a large group of participants about other models of learning and professional education. Watch for an extended article on her presentation in the spring 1998 issue of *NASJE News*.

In addition to educational programs, the association held its annual business and regional meetings, provided an opportunity to discuss NASJE's strategic plan, and sponsored a colloquium facilitated by Carol Weaver on our experiences as judicial educators. ■

Professionalism in the Legal System: Restoring Community Values, *continued*

First, judges and their CJE should, at a minimum, communicate with certainty the courts' expectations of lawyers regarding: proper advocacy behavior in the courtroom, interpersonal conduct between parties and litigators during all pretrial proceedings (including discovery and routine interoffice communications), and the duties of an officer of the court (particularly in the face of conflicts with loyalty to the client or personal moral beliefs). Second, judicial education on the better judicial practices related to attorney professionalism is fully consistent with the judges' Canon Three responsibilities to take appropriate action when lawyer performance discredits or

demeans the judicial system. Third, the other economic and institutional influences undermining lawyer professionalism merit judicial attention in the context of judges' Canon Four responsibilities for improving the law, the legal system, and the quality of justice. While it is probably shortsighted to impose on judges the same professionalism courses targeted at lawyers, there is ample room for overlapping and reinforcing education of both judges and lawyers on the issues arising within this area. At a minimum, specific objectives regarding lawyer professionalism can and should be addressed by judicial educators in courses on judicial ethics, group social values and

personal moral choices, and pretrial and trial management.

Judicial leadership may be key to the transformation of practices cited as lacking in lawyer professionalism. Powerful forces involving law practice economics and inadequacy in professional association discipline foster these questionable behaviors. Whether professional life in the legal community was formerly more hospitable (as is so frequently recalled) than it might now be restored, may never be known for sure. But a sense of collegial professional community can be strived for and advanced with the right kind of judicial support and involvement. ■



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