

NASJE NEWS

Summer 2007

SJI News July 2007

PDF – Only available online

From: Courtgrants.org [Courtgrants.org_rqqbagg@cmpgnr.com]

Sent: Friday, July 06, 2007 5:10 PM

To: Schopick, Philip

Subject: Call for Presenters & Save the Date

The Hawthorn Institute is pleased to announce the National Summit on Grants in Courts. This program recognizes the need for a focused educational program on grants to help address state and local court needs.

Whether you're a judge, employee of the state administrative office, a local court administrator, a city or county grant writer or the local municipal court clerk responsible for helping write and administer grants, this conference will provide a wealth of funding and administrative tools to explore in your jurisdiction. There is no better return on investment than sending staff responsible for the identification, application and administration of court grants to this program.

We are currently conducting a call for presenters at our National Conference on Grants in Courts. The conference will be held in Washington D.C. on December 4-5, 2007.

If you would like to learn more about this conference and the topics we are currently recruiting speakers for, please visit the conference website at:

www.courtgrants.org

The Western Regional Conference was held June 6 - 8, 2007

By Polly Schnaper, Utah

The Western Regional Conference was held June 6 - 8, 2007 and attended by over 40 judicial educators from Colorado, Utah, California, Idaho, and Minnesota. Colorado was our host and provided a relaxed and friendly setting for us to meet, network, and learn from each other.

A popular educational event and discussion focused around Joseph Sawyer's presentation of e-learning tools. He demonstrated an extensive knowledge regarding e-learning software, various products, and e-learning possibilities. The on-going participant discussion revealed challenges most judicial educators face when providing e-learning tools. Although these tools are an asset to those in rural areas and to those who cannot attend a class, most states reported a large number of employees who did not like using e-learning tools. Creating a blended educational opportunity combining some face-to-face events with an easy-to-use, short e-learning segment seemed to work best when total face-to-face was not available.

Incorporating cultural competency into all judicial staff curriculum comprised the topic for the conference's second day. A kick-off showing of the award-winning movie, *Crash*, and an accompanying facilitated discussion demonstrated how perceptions and stereotyping can get in the way of fully connecting to people.

The last morning of the conference took a different turn as we were led in a self-exploratory journey to discover meaningful events in our lives.

The continuous opportunities to network and to share our ideas, successes and challenges overarched the two days. Meeting other judicial educators and learning about their programs and organizational structures was the true highlight of the conference.

Polly Schnaper is an Education Program Coordinator at the Utah Judicial Institute and has been working in this capacity for six years.

Transitions

Please join us in welcoming the following new NASJE members:

- **Ms. Sarah Appleby**, Education Manager, Administrative Office of the Courts, Nashville, TN
- **Ms. Elizabeth Assilin**, Distance Learning Manager, Arizona Supreme Court, Education Services Division, Phoenix, AZ
- **Mr. Gordon "Butch" Chapin**, Senior Educator, Administrative Office of the Courts, Olympia, WA
- **Ms. Joyce Francis**, Judicial Project Manager, Texas Association of Counties, Austin, TX
- **Ms. Deborah King**, Court Leadership Institute of AZ Manager, Arizona Supreme Court, Administrative Office of the Courts, Phoenix, AZ
- **Ms. Marci H. Smith**, Administrative Assistant, Administrative Office of Pennsylvania Courts, Mechanicsburg, PA

We are always pleased to welcome back reinstated members:

- **Ms. Crystal L. Banks Esq.**, Asst. Director for Judicial Education, District of Columbia Courts, Washington, DC
- **Mr. Dennis B. Jones**, Court Executive Officer, Superior Court of California, Sacramento Co., Sacramento, CA

From: .CJEG [CJEG@ncjrs.org]
Sent: Wednesday, June 06, 2007 10:48 AM
Subject: June 2007 CJEG Announcement

Greetings from the NCJRS!

The June CJEG monthly publications list is now available at <https://www.ncjrs.gov/App/Secure/cjeg/CJEGMonthlyPublications.aspx>. Using this link, you can also login to update your contact information and order publications.

We would like to share news and information with you from the National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, Office for Victims of Crime, and your CJEG colleagues. Please share this information with your readers:

FUNDING OPPORTUNITIES

Determining NCVLI Project Effectiveness

Application deadline: June 27, 2007

Funding is available for [Case Study Evaluation of the National Crime Victim Law Institute State and Federal Clinics and System Demonstration Project](#). This study will determine the impact of the National Crime Victim Law Institute (NCVLI) Project, which was established to expand the enforcement of victims' rights in the criminal justice system and to educate legal professionals about the importance of victims' rights. (NIJ)

Grant Seeks To Reduce Forensic DNA Backlog

Application deadline: June 21, 2007

NIJ is seeking applications for the [Forensic DNA Backlog Reduction Program](#). The program is designed to increase the DNA analysis capacity of existing crime laboratories, to improve laboratory infrastructure so that DNA samples can be processed efficiently and cost effectively, and to analyze backlogged forensic DNA casework samples from the Uniform Crime Report. (NIJ)

[National Juvenile Justice Programs](#)

Applications deadline: June 8, 2007 (8:00 p.m. E.T.)

The purpose of the OJJDP FY 2007 National Juvenile Justice Programs is to provide support to programs that have a national scope and national impact on combating juvenile delinquency, reducing the victimization of children, and improving the juvenile justice system and support OJJDP's mission to provide national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. (OJJDP)

[Expansion and Maintenance of the Model Programs Guide](#)

Applications deadline: June 8, 2007 (8:00 p.m. E.T.)

This announcement seeks applicants to maintain and further develop the Model Programs Guide. As an online database of evidence-based juvenile justice programs, the guide is an easy-to-use tool that enables practitioners to locate programs/strategies to implement and facilitates funders' efforts to identify proven programs on which to base their priority funding decisions. (OJJDP)

[Substance Abuse Prevention and Intervention Programs](#)

Applications deadline: June 8, 2007 (8:00 p.m. E.T.)

The goal of this program is to demonstrate the practical implications for policy and practice of substance abuse programs or strategies that enhance juvenile justice, child protection, and delinquency prevention. (OJJDP)

[High-Risk Youth Offender Reentry and Family Strengthening Initiatives](#)

Applications deadline: June 8, 2007 (8:00 p.m. E.T.)

The High-Risk Youth Offender Reentry and Family Strengthening Initiative is designed to support innovations and enhancements of juvenile justice related practice at the local, state and tribal government levels as authorized by the Juvenile Justice and Delinquency Prevention Act of 2002, 42 U.S.C. 5665-5667.

[Support for Mentoring Initiatives](#)

Applications deadline: June 8, 2007 (8:00 p.m. E.T.)

This solicitation invites applicants to propose the implementation of initiatives that will assist in the development and maturity of community programs to provide mentoring services to populations that are underserved due to locations, shortage of mentors, special physical or mental challenges of the targeted population, or other such situations identified by the community in need of mentoring services. (OJJDP)

[Prevention and Intervention Programs](#)

Applications deadline: June 8, 2007 (8:00 p.m. E.T.)

The goal of this program is to demonstrate the practical implications for policy and practice of programs that enhance juvenile justice, child protection, and delinquency prevention. (OJJDP)

[Project Safe Childhood Programs](#)

Applications deadline: June 15, 2007 (8:00 p.m. E.T.)

The Project Safe Childhood initiative combats the proliferation of technology-facilitated sexual exploitation crimes against children. (OJJDP)

[Juvenile Drug Courts/Reclaiming Futures](#)

Applications deadline: June 20, 2007 (8:00 p.m. E.T.)

This solicitation invites communities to propose the implementation of a juvenile drug court program, using best practices in substance abuse treatment, along with the Reclaiming Futures program model. (OJJDP)

NEWS

Training Schedule for Victim Service Providers Available

OVC is offering a series of training workshops (beginning September 2007) to enhance your capacity to better serve crime victims and increase your professional skills. The newest workshop, *Responding to School Violence*, will be offered October 23-24, 2007 in Raleigh, North Carolina. Visit the [OVC TTAC Web site](#) for more information or to register. (OVC)

Video History of the Crime Victims' Field Now Available Online

The "Oral History of the Crime Victim Assistance Field" is now available online at <http://vroh.uakron.edu>. The website offers more than 60 hours of video clips that encompass the first-hand accounts of more than 50 of the field's pioneers. The project was developed by Justice Solutions in partnership with the University of Akron, with support from the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice.

There is a full video, executive summary and complete transcript of each interview. The transcript is designed to allow the user to directly link to any specific spot in the video interview, just by clicking on any paragraph within the transcript. You can access transcripts by interviewee or you can use the internal search engine to search all transcripts by key word.

If you have any questions about the website or other aspects of the Archive, please feel free to contact David Beatty, Project Manager at dbeatty@justicesolutions.org.

Please contact me if you have any questions about this message, the CJEG program, or NCJRS products and services. And thank you for your continued support of NCJRS and the Criminal Justice Editors' Group.

Thank you.

Tammy Melletz

CJEG Coordinator

National Criminal Justice Reference Service

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FROM THE PRESIDENT

What is NASJE's role in judicial branch education? Over the years several experts and committees have written about NASJE's mission and values and we can and should refer to those to remind us about what NASJE should be doing. Just last year, for example, NASJE's members approved a set of core competencies for judicial branch educators. The Core Competencies, which were written by outstanding leaders in NASJE and the field of judicial branch education, can be found on our website, as can other documents about our purpose as a profession and organization.

NASJE's role has changed, however, as our members and the field itself has changed. Many years ago NASJE helped create an identity for those of us in judicial branch education. The profession was not established and having an organization with a shared set of norms, principles, and aspirations gave us something to depend on more than our own belief that we were engaged in good work. Maureen Conner, one of the founding leaders in our field, spoke with me earlier this year about how the uncertainty that pervaded our field in the early years is largely gone.

Instead, Maureen observed, most of us are in established offices where we function in a larger administrative structure. In other words, instead of being pioneers we are now "middle management." In many ways that is the good news. Instead of worrying about whether we can keep our jobs we worry about getting our jobs done.

Our success in establishing ourselves has, however, resulted in a challenge to NASJE to adapt to the needs of our members. For example, as our individual offices have become confident in our own competence, we may believe we do not need to rely on a network of colleagues for ideas and innovative approaches to our work. As the president of NASJE I have also been challenged by the need to spend time managing the work of the organization rather than trying to lead us into the future.

I continue to believe, however, that NASJE has an essential role to play in the leadership and development of our profession. I plan to continue working to make NASJE a strong organization and I ask all of our members, busy as you are getting your jobs done, to join me in making NASJE a source of support and leadership for our profession into the future.

FROM THE EDITOR

The past year has seen the NasjeNews Quarterly continue its evolution into a publication that contributes substantially to our profession. We have continued to add new areas of focus for articles and continue to invite new people to manage the sections of our issues. The improved format of a short introduction to each article on the front page has been very well received.

The newsletter would not have been possible this year without the hard work, great ideas, and commitment of all the people who wrote articles for us, as well as the following editorial board members and guest editors:

Editorial Board

Lee Ann Barnhardt, Steve Circeo, Jo Deyo, David Gamble, Laurie Ginn, Kelly Tait, Deborah Williamson, Lois Wright, and Robin Wosje.

Guest Editors

Pam Casey, Maureen Conner, Denise Dancy, Hon. David Gersten, Ellen Marshall, Kathleen Sikora, and Marguerite Stenquist.

I also want to acknowledge the offices, agencies, and sponsoring organizations that made it possible for these wonderful people to devote their efforts to educating us all. I especially want to thank the Supreme Court of Ohio and Milt Nuzum, Director of the Judicial College, for the support and encouragement that has enabled me to act as chair of this committee.

Often, being a committee chair for any organization is a thankless task, and at times it is hard to comprehend why one would put oneself through it all. For me, getting to work with the people named above has been just as great a reward as being able to bring our membership a valuable publication on a regular basis.

Thank you all for this opportunity.

Respectfully submitted,

Philip Schopick
Editor
NasjeNews Quarterly

BLAST FROM THE PAST: ETHICS ISSUES IN JUDICIAL EDUCATION

This article was originally published in the Spring 1988 issue when Richard Reeves was president of NASJE. The article was written by William Melone who, at that time, was the assistant administrator for human resource for the Rhode Island Supreme Court. He is now retired and is spending time with family. He also DJ's a weekly Jazz radio show on WURI-FM.

PDF only available online.

From: Thiagi [thiagi@thiagi.com]
Sent: Friday, June 01, 2007 11:34 AM
To: Schopick, Philip
Subject: June Issue of Thiagi's Newsletter Now Available

June issue of Thiagi GameLetter

I am happy to announce the June 2007 issue of my free online newsletter.

You can read it by visiting [http:// thiagi.com/pfp/june2007.php](http://thiagi.com/pfp/june2007.php) .

The June 2007 issue contains--

- An interview with our guest gamer, Tracy Tagliati
- An interesting jolt by Tracy that deals with change
- A paper-and-pencil game on diversity and inclusion
- How to use a framegame called QUOTATIONS to design your own games
- An instructional puzzle on characteristics of effective training games
- An application of the RECORDINGS framegame to the topic of influencing coworkers when you are not the boss (by Dave Piltz)
- Les Lauber's review of two books on improv
- Brian Remer's 99 words on culture crash
- A link to the world's biggest encyclopedia
- A 99 seconds audio clip on speaking the listener's language

Enjoy reading this issue of the Thiagi GameLetter -- and playing it, too!

And please give us feedback.

Playfully,

Thiagi

From: Thiagi [thiagi@thiagi.com]
Sent: Monday, July 02, 2007 10:34 AM
To: Schopick, Philip
Subject: July Issue of Thiagi's Newsletter Now Available

July issue of Thiagi GameLetter

I am happy to announce the July 2007 issue of my free online newsletter.

You can read it by visiting [http:// thiagi.com/pfp/july2007.php](http://thiagi.com/pfp/july2007.php) .

The July 2007 issue contains--

- An article on facilitative training that differentiates it from traditional training
- An interview with Lenn Millbower, who talks about magic, music, and show-biz techniques
- A job aid for finding out how effective your music placement is in a game show
- A bookshelf review of three books on simplification
- Brian's Words: How Big Is Home?
- An introduction to the Word Scrambler website
- Les Lauber's reviews of two books of training games
- A single item survey of what makes an effective facilitative trainer
- An article by Brenny Rabine about the improv principle of status
- An improv game: STATUS CARDS

Read, play, and enjoy the July issue. Send us feedback.

Playfully,

Thiagi

Defining a “Win” in a Mental Health Court Program

Hon. Stephen S. Goss
 Superior Courts of Georgia, Dougherty Circuit

Albany, Georgia

Over twenty years ago, I began practicing law in a civil litigation firm with some very skilled and experienced trial attorneys. My senior partner had spent a great deal of his nearly fifty-year career as an insurance defense practitioner, defending complex civil and medical malpractice lawsuits. Two things that he told me early in my career apply to the felony mental health court program over which I now preside. First, one must clearly understand the variety of circumstances that constitute a “win”. Second, a trial lawyer (or judge) that “wins” all his or her cases might not be trying enough cases.

In this law practice, there were times when settlement discussions were attempted, but failed to resolve the dispute. If the case was tried to a jury and liability established, yet the damages awarded amounted to less than the defense had offered in settlement prior to trial, that was a “win”. The result might not have reached the ultimate defense goal of a zero verdict for the plaintiff. However, given the shortcomings of the case and other practical considerations, such a lesser verdict for plaintiff could still be looked upon as a successful effort by the defense lawyers. In presiding over a felony mental health court docket, I draw a clear parallel about what it means to “win”.

Not only is virtually every participant in my court’s program a convicted felon, most have a long history of arrests that have resulted from not keeping current with their mental health medicines. Many in the program have a co-occurring drug or alcohol abuse problem, which compounds and confounds treatment possibilities. Most are poor and have little, if any, family supports. In our county jail, the post-adjudication probationers averaged 136 days per year, before coming into the mental health court program. Many of these participants would have two or three stints in the jail of 30 to 60 days each per year. Their jail confinement often coincided with non-compliance with a medicine regimen, resulting in an outburst leading to a misdemeanor arrest (e.g., disorderly conduct) or a substance abuse relapse and a probation drug test failure. A defendant landed back in jail, followed by mental health treatment and medicine stabilization. After 30 to 60 days, he would be stabilized and released for time-served. In a few weeks or months, the cycle would repeat.

While forty percent of our mental health court participants have not been re-arrested, this does not tell the whole story of any program. Even if a person is arrested once in a year after a drug test failure or similar event, if that same person had been averaging three jail stays a year before coming into the program, progress is being made by participation. As a mental health court judge, I am dealing with many persons exhibiting several disadvantages. Most have criminal records, a real medical mental health disease, spotty financial and other supports and many times, a substance abuse disorder. If this program helps a probationer stay medically stable and completely out of trouble with the law, this is clearly a winning situation. However, if program participation reduces jail stays and crisis hospitalizations by 50 to 65 percent for this chronic participant, this is still a “win”. It is a “win” for the local jail and community mental health center budgets, the court’s already crowded docket, not to mention for the participant and those around him/her, all of whom benefit from a more stable living situation.

That second lesson learned deals with a lawyer trying enough cases. As my partner explained, sometimes a lawyer must evaluate if he or she is bailing out on every close case and settling too many times. While some cases need to be settled, other disputes need to be brought to trial.

As a mental health court judge, there are some cases we realistically cannot handle within the parameters of a treatment court program. A defendant may be clearly mentally ill, yet be a sex offender. For security reasons, that case could not be handled within our program. There may be a defendant whose illness is so profound that available treatment resources in the community cannot meet the person’s needs. Yet, the temptation must be avoided to “cherry pick” participants into the program who have very few problems and an almost one hundred percent chance of success. The purpose of these programs should be to deal with probationers presenting

chronic mental health problems. There should be a goal not only to aid stabilization of the participant, but also to help relieve the jail population and the overcrowded court docket.

In sum, if human beings did not have problems and shortcomings, trial courts would be unnecessary and have little business. Yet that is not our reality. The goal of mental health court programs is to stabilize probationers who present complex medical, legal and environmental problems. In the process, such stabilization relieves the court docket and community resources, including the jail and mental health center budgets. Even if these chronic problems are diminished, while not being completely eliminated, the program is succeeding.

In early 2006, our program was designated by the United States Department of Justice Bureau of Justice Assistance and the Council of State Governments as one of five national Learning Sites (Albany, Georgia; Bronx, New York; Akron, Ohio; Idaho Falls, Idaho; Reno, Nevada). This Learning Sites Initiative is part of an ongoing effort to collect data on these new mental health court programs that are rapidly cropping up across the country. Additionally, these five courts have agreed to share information and to serve as mentoring locations for jurisdictions starting new programs. More information about these programs can be found at [www.http://consensusproject.org/mhcp/](http://www.consensusproject.org/mhcp/). The website for our program is <http://albanycsb.org> click on “treatment court”.

Hon. Stephen S. Goss presides over a felony mental health court program in the Superior Courts of Georgia, Dougherty Circuit, Albany, Georgia, and can be reached at goss@gajudges.org

The Aging of America, the Rise of Elder Abuse and Its Impact on Judicial Education

By Denise O. Dancy and Brenda K. Uekert:

“The social and economic implications of an aging population – and of the baby boom in particular – are likely to be profound for both individuals and society” according to Census Bureau Director Louis Kincannon.

Sometimes sheer [numbers tell the story](#) – or should: Seventy-million plus babies (baby boomers) were born between 1946 and 1964. Comparatively, consider that only 18 million people were born between 1964 and 1979. The first wave of baby boomers turned 60 last year. By 2030, the number of people older than 65 in the U.S. will exceed 71 million. (That’s double the number in 2000). That means statistically one person in every five (1 in 5) will be over 65. The oldest and most vulnerable in our society – those over age 85 – are expected to quadruple in the next few decades. **They are already the fastest growing segment of the U.S. population!** At the same time, the numbers in the age groups who typically perform caregiver tasks for the aging will remain essentially static or even decrease. Changes in the structure of the American family, such as divorce rates, etc., will further impact needs of a growing aging population. In the most practical terms, this means there will be many more needing greater care and oversight and [far fewer to provide it](#).

Two recent reports, the [Maturing of America](#) and [Blueprint for Action](#), suggest that despite some intermittent progress and provision of services, local governments and related systems are generally ill-prepared for the significant impact the sheer numbers of aging individuals will have on our communities. The reports suggest steps for preparing to meet those fundamental needs. Add to those concerns, the growing concern over increases in elder abuse and inadequate oversight of guardianships and meeting the needs of those most vulnerable older Americans. Consider these statistics:

- Estimates are that only 1 in 14 domestic elder abuse incidents are reported
- One to two million people aged 65 or older have been abused by a trusted caregiver

- There are approximately 5 million financial abuse victims EACH year
- The oldest individuals (80+) are abused at two to three times their proportion of the elderly
- A 2000 Adult Protective Services Survey reported investigations increased 61 percent (61%) between 1996 and 2000

What's most startling is these statistics are retrospective, NOT prospective! They do not reflect the projected exponential increase in our aging population or the increase in related statistics as a result.

Elder Abuse. [Elder abuse is complex and wears many faces.](#) It can present in forms of physical, emotional or sexual abuse. It includes many forms of financial exploitation. It can take the form of neglect and/or abandonment (of an elderly person), as well as self-neglect. And, *more than one form* is often present at the same time. Elder abuse also occurs in a variety of contexts and settings. The vast majority of elder abuse occurs in a domestic setting, and most alleged perpetrators are adult children, spouses or partners, or other family members. There is mounting evidence that elder abuse continues to increase. The most recent [2004 survey of Adult Protective Services \(APS\)](#) showed a twenty-percent (20%) increase in the combined total of reports of elder and vulnerable adult abuse and neglect since its 2000 survey.

Guardianship. National attention on the need for standardized guardianship practices began in the 1980s. Inadequate guardianship monitoring practices by courts in more than one state though recently led to a [number of high-profile cases](#) in which guardians abused the wards they were charged to protect. This led to a series of public hearings to discuss remedies and responses to the systemic problems behind such cases. Raising more concern in 2006, the United States Senate Special Committee on Aging called for proposals to address “the continuing failure of guardianship to protect the elderly from physical neglect and abuse, financial exploitation, and indignity.”

Systemic Problem. Certainly the courts are not alone in meeting the challenges of responding to this seismic demographic shift. But when considering the legal field's ability to respond, [Sally Hurme of AARP put it this way:](#)

“Elder abuse and financial exploitation *will* appear in increasing numbers on the civil and criminal dockets...The readiness of courts across the country is uneven. *Every* court needs to take a close look at their preparedness, because the numbers are coming whether they are prepared or not.”

Despite the current statistics and future projections, there seems to be a glaring gap between court perceptions and these emerging realities. A recent [Court Review](#) article notes that “there has been little effort to examine the implications of aging in America on judicial administration, access to the courts, and resolution of the underlying issues that often precipitate court involvement for older adults.” The collective results for all organizations of a 2005 Court-Constituent Survey conducted by the National Center for State Courts rated “making the courts elder-ready” at the bottom in terms of both potential impact on and priority for the courts. This is further supported by inadequate documentation of the abuse of older Americans generally by the courts. Not a single court from among 189 reporting units was able to provide elder abuse data in the National Center for State Courts' annual collection of court data under their Court Statistics Project. [A 2006 exploratory survey on state-level guardianship data](#) revealed similar lack in available data and reporting.

In addition, it is expected the courts will see, and likely are already beginning to see, increases in the following types of cases (This is not an exhaustive list by any means however.):

- Probate, retirement and pension litigation
- ADA compliance challenges
- Capacity determinations

- Traffic accidents and cases
- Age discrimination
- Health care fraud, abuse and crime
- Identify theft
- End-of-life determinations
- Quality-of-care and lawsuits against facilities
- Personal injury litigation and insurance claims
- Family court cases including complex extended family and custody issues

Court operations will also be impacted as years of institutional knowledge and expertise begin exiting the court system as more judges and court staff retire or experience duty limitations due to health issues related to aging, etc. Continuity of operations and succession planning will certainly be impacted.

Educational Solution(s). Judicial education can, however, fill the gap between the courts' perceptions and emerging realities. The [Impact of an Aging Society on State Courts](#) specifically highlights three trends that will face the nation's courts and have direct implications for judicial education:

- Court training on issues related to aging will become paramount
- Greater awareness of elder abuse, neglect and exploitation will encourage innovative strategies and community collaboration
- Increased need for adult guardianships will lead to reform of current laws and practices

In 2005, the National Center for State Courts created the [Elder Abuse and the Courts Working Group](#), which was later [endorsed by the](#) Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA). The Working Group is composed of multi-disciplinary representatives both within and outside of the courts with expertise in the area of elder issues and elder abuse. The members of the Working Group convened their first national meeting in 2006 to craft a strategy for the courts that would increase awareness of the problem and offer [recommendations to improve court responses](#). Overwhelmingly, the Working Group concluded that the TOP TWO components of an effective court response to elder abuse are (1) judicial and court staff training, and (2) judicial leadership. At a minimum, the Working Group recommends the following topics be prioritized and begin being included in judicial and court staff training programs:

1. **What is elder abuse and neglect?** The training should include the prevalence of abuse and neglect, the different types of abuse and neglect, including self-neglect and exploitation, the types of relationships involved (e.g., family, domestic, caretaker), and provide examples.
2. **What is the impact of elder abuse, neglect and exploitation?** Impact can be discussed in terms of physical, psychological, and financial health of the victim. Social costs, such as greater dependence on government programs, might be mentioned.
3. **Why should the courts care?** Judges and court staff should be made aware of how elder abuse can affect their courts in terms of access to justice, efficiency, case management, equal protection, and community coordination.

Model Courts and Practices. Although still few in number, there are also model courts and practices that can be incorporated into specific training considerations as well:

- Stetson Law University's [Eleazer Courtroom](#) is the first model courtroom for the elderly and disabled. The courtroom features are specifically designed for people with visual, hearing and other physical disabilities.
- [Elder Justice Centers](#), such as the one found in Florida's 13th Judicial District in Hillsborough County, "remove barriers and enhance linkages between seniors and court systems" as well as facilitate collaboration and coordinated responses with other organizations.

- The [Elder Protection Court](#), of the Superior Court of California, in Alameda County, coordinates civil and criminal elder abuse cases in a single department which includes specialized case management and vigorous court-community collaboration. It is the first of its kind in the country.
- [Exemplary probate courts](#) can be found in California, Florida, Texas and New Hampshire. Among other features, they have strong focuses on training and monitoring.
- The Arizona Supreme Court offers a Professional Fiduciary Certification Program.

Some additional issues that make elder abuse a challenging training topic include “ageism”- our own biases and denial (systemic and personal) that feed into stereotypes and often negative perceptions of older persons. From a legalistic framework, issues of [mental capacity, consent \(willful\), and undue influence](#) are often muddled and linked to complicated medical and mental health histories. These should be considerations for educational opportunities as well.

Competing educational priorities and limited resources for the courts often compound training needs and impact educational programs. Those challenges are inherent to these issues particularly. However, the unprecedented change already being experienced in our demographics and the seriousness of the problems related to that warrant a careful examination of current judicial training programs and priorities now and into the future.

For additional resources:

[The Elder Abuse and Courts Working Group](#)

[The National Center on Elder Abuse](#)

Strategies for Effective Professional Development: Hot Tips on Teaching Adults

Denise Dallmer, Ph.D.

Associate Professor of Education, Department of Teacher Education and School Leadership
Northern Kentucky University

“To begin with the end in mind means to start with a clear understanding of your destination. It means to know where you’re going so that you better understand where you are now so that the steps you take are always in the right direction.” Stephen R. Covey, *The Seven Habits of Highly Effective People*, 1989, p. 98.

Designing professional development for judicial education staff needs to be practical and applicable for transfer of learning. Those of us who work with adults know this premise intuitively and we know that any professional development must connect the theory to the practice. Obviously, it must conform to the research about adult education so it must provide a clear rationale, give the adults some responsibility for their own learning, take into account the life experiences of the participants, be problem-oriented and task oriented, and the participants must be active in the learning process (Kolb, Knowles,)

The topics that were discussed in the 5-day design were:

- I. How People Learn
- II. When is Work Engaging and Effective?
- III. Curriculum and Learning Targets
- IV. Needs Assessment
- V. Program Evaluation

Driving my design of my professional development week was a brief survey conducted using an on-line survey software, which helped solidify the topics I discussed. It addressed the needs of the group and guided the future focus of the week.

I. How People Learn

This introduction to the week focuses on the memory process and what the components are for the transfer of learning; whether from professional development or other learning situations, and the ability to take that knowledge and apply it to the work environment. The participants of the workshop took a learning styles inventory, www.memletics.com, compared each other's results of the learning styles inventory and then talked about the implications for their work together.

The notion that initial learning is necessary for transfer of learning and that this transfer is active and ever changing is a concept that applies to judicial education staff that plans conferences. Organization is the key to learning because memory is organized in chunks which facilitates the interrelationships which make "calling up" the information in your brain easier. In that sense organizing material for participants when learning facilitates their ability to use it now and in the future. We store material in patterns, phrases and characteristics when we learn. Connecting new information to old information or scaffolding is vital when designing curriculum. Starting where the learner is and what pre-conceptions are about the topic are important. Without knowing that, it is hard to predict what the participants will understand at the end of the conference.

I demonstrated the strategy of "advance organizers" as frameworks to conceptualize the material being presented. Advance organizers can be narrative in nature, graphs, photos, and illustrations. They set the tone for the conference and introduce the subject matter as a mental picture of the learning targets. It forms the foundation for the work during the conference or presentation. I gave the participants in my workshop two examples of advance organizers, using linguistic representations and non-linguistic representations.

II. When is Work Engaging and Effective?

The participants practiced writing advance organizers from yesterday's material that they learned. I had them fill out a "Mind Map" to track their train of thoughts about the information they are learning as well as tracking their thoughts about their future work back at their jobs.

Showing the participants of the workshop that there are numerous ways to present material such as graphic organizers, advance organizers, webs, concept maps, cooperative learning groups, instead of the traditional methods of note taking, lecture, and PowerPoint address the fact that people learn from many different strategies and methodologies. I demonstrated a popular cooperative learning technique, called a Jigsaw.

I led the participants in various activities for example, memory operations, which illustrated attaching meaning to memorization. This illustrates the notion that when presenters organize material around information that exists in a person's schema, then recalling that material is easier.

All the participants completed the Adult Learning Style Inventory by Dr. Malcolm S. Knowles. This explains the theory of the pedagogical model and the andragogical model, which lends itself to designing effective professional development.

Using the "Understanding the Challenge" framework (www.cpsb.com and www.creativelearning.com) I divided the staff into working groups based on their jobs and the tasks they needed to perform. They worked their way through this model of defining their work and setting the course for their future work. They found this to be a useful method in defining their strengths and challenges to be re-visited.

III. Curriculum and Learning Targets

In order to have participants understand that objectives need to be written in measurable and specific terms I used Bloom's Taxonomy to teach the participants the hierarchy of learning targets. I handed out a "cheat sheet"

of verbs to use when they are writing objectives, and which verbs not to use, which are non-functional verbs. Using their own recent work that they designed, I had the participants write objectives that describe what the learner can do (performance) and the condition under which the performance will occur (back at their jobs). The difference between goals which are general, non-specific and which describes the overall direction of the conference was stressed. The participants learned that objectives can be used in the evaluation process and tell the instructor what to emphasize when designing a conference.

I used the Curriculum and Project Planner (2003) to show the relationships between multiple intelligences, learning styles, and instruction while using Bloom's Taxonomy, to make it more authentic and useful I had the participants describe and evaluate their own learning style.

The concept of what is termed backward design explains that when designing a learning experience one should identify the desired results, determine acceptable evidence, and plan learning experiences and instruction (Wiggins and McTighe, 2005, p. 196-97). The characteristics of best design for curriculum were discussed with the staff such as the concept that good teaching's focus should be on "big ideas" with richly textured details, using a hands-on approach and less direct, didactic mode of instruction, with a feedback system throughout the seminar,

The ASSURE (Heinich, Molenda, Russell, Smaldino, 1999) model was presented to the judicial education staff. This model sets up the process as such: 1) Analyze learners; 2) State objectives; 3) Select instructional methods, materials, and media; 4) Utilize materials and media; 5) Require learner participation; and 6) Evaluate and revise.

IV. Needs Assessment

The theme of this day was "How far should be the reach of the needs assessment?" We defined a needs assessment as a process to define a problem diagnosis and subsequent problem solving activities. Discussion topics included: 1) definition of a needs assessment and guiding questions, 2) objective and subjective/anecdotal data, 3) collection methods, 4) gap analysis approach, 5) condition-analysis approach, and 6) types of questions to ask at the end of a conference. There was a group discussion about the current needs assessments that are being used by the judicial education staff. The participants decided they would try a pilot study of doing a needs assessment through an on-line survey.

IV. Program Evaluation

The cycle of program evaluation, needs assessment, and writing measurable objectives is stressed in this unit. I cautioned them to remember that if they were doing a program evaluation just to say that they did it, the results would not be valuable. A basic assessment premise is that the judicial education staff should plan evaluations that ask the question, "Do the programs' performance match the standard?" Defining your aims of program evaluation and what information they want to get from the evaluations that they do was discussed. Trying to achieve the collection of good data that assesses knowledge, skills, and attitudes using both formative and summative assessments would be the goal of good program evaluation.

Participants will design their own action plan for change that they intend to initiate back at their jobs.

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Death by Meeting

By Lee Ann Barnhardt

North Dakota Judicial Education Coordinator

In *Death by Meeting*, Patrick Lencioni explores the idea of adding conflict to meetings to make them more interesting and less something employees dread.

In his introduction, Lencioni writes, “For those of us who lead and manage organizations, meetings are pretty much what we do.... Whether we like it or not, meetings are the closest thing to an operating room, a playing field, or a stage that we have.”

However, people hate meetings, avoid them and wish for them to end. Lencioni asks, “If we hate meetings, can we be making good decisions and successfully leading our organizations?” He makes the point that having a meeting to simply gain consensus or worst--give status--can be deadly. But just like a good movie, having conflict and tension and resolution can make everyone more engaged and interested.

Using the format of a fable, Lencioni leads the reader out of unproductive and unnecessary meetings into a model of meetings that are productive, compelling, and even energizing. He recommends following a structure of four basic types of meetings that will eliminate “meeting stew” and get employees focused on specific issues and tasks at specific times.

The four meetings are as follows:

The Daily Check-In – Requires that team members get together, standing-up, for about five minutes every morning to report on their activities for that day.

The Weekly Tactical – This should last between 45 and 90 minutes with the following critical elements:

- **The Lightning Round:** A quick, around-the-table reporting session in which everyone indicates their two or three priorities for the week.
- **The Progress Review:** Routine reporting on critical information
- **Real-Time Agenda:** The agenda should only be set after the lightning round and progress review are complete. This way the agenda will be based on what people are actually working on and how the organization is performing against its goals.

The Monthly Strategic – This is the most interesting and, in many ways, the most important type of meeting any team has. It is also the most fun. Here, team members wrestle with, analyze, debate and decide upon critical issues (but only a few) that will affect the organization in fundamental ways.

The Quarterly Off-site Review – These provide managers an opportunity to regularly step away from the daily, weekly, even monthly issues that occupy their attention, and review the organization in a more holistic, long-term manner.

The book, which takes only a couple of hours to read, generates questions that all leaders and managers should be asking. Is there a better way to run a meeting and motivate a staff? Will mining for conflict in meetings make us a better organization? The ideas presented by Lencioni offer a starting point for discussion and could be the catalyst for better meetings at all levels of an organization.

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