NASJE CURRICULUM DESIGN

NEEDS ASSESSMENT: Entry-Level Content

NASJE

NATIONAL ASSOCIATION OF STATE JUDICIAL EDUCATORS

Needs Assessment: The Basics of Processes and Models

This is a summary of the content included in this curriculum design.

A. Needs Assessment Overview
    a. Definitions
    b. Types of needs
    c. Basis for identifying needs
    d. Purposes of assessing needs
    e. Approaches to assessing needs
    f. Sources of information
    g. Needs assessment as a critical step in instructional design
B. Needs Assessment Theories to Frame the Process (including the process, benefits and drawbacks for each theory)
    a. System Approach Model
    b. Three-Phase Assessment
    c. Organizational Elements Method
    d. Gap Analysis
C. Exploring Commonly Used Needs Assessment Data-Gathering Approaches
    a. Document review
    b. Interviews and focus groups
    c. Surveys and questionnaires (including use of Likert scale, rank order scale, Delphi Method)
D. Exploring the Use of Questions for Assessing Needs
    a. Structuring questions
    b. Asking questions in a live format
    c. Asking questions in writing
E. Considerations for Choosing an Approach
    a. Deciding how many to involve in the needs assessment
    b. Matching a performance problem to a needs assessment approach
F. Facilitating and Inhibiting Factors in Conducting Needs Assessments
    a. Facilitating factors
    b. Inhibiting factors

NASJE Curriculum Designs
The Numbering System

NASJE Curriculum Designs follow a consistent numbering system to assist in identifying information and navigating within and among various curriculum designs.

The first number refers to the NASJE Core Competency.

For example:
10 indicates the relevant competency is needs assessment

The second number refers to entry- or experienced-level content.
(Entry indicates that the content is new to the target audience; it is not a reference to the experience level of the participants. Experienced level indicates learners already have some familiarity with the content.)

For example:
10.**1** is the entry-level needs assessment curriculum design

The third number refers to the section of the design.

For example:
10.1.**1** is the content section for entry-level needs assessment
10.1.**2** is the faculty resources section
10.1.**3** is the participant activities section
10.1.**4** is the bibliography and selected readings

The final number refers to the order of items in a section.

For example:
10.1.1.**1** is the overview in entry-level needs assessment content
10.1.2.**7** is the seventh faculty resource
10.1.3.**3** is the third participant activity

Needs Assessment: The Basics of Processes and Models

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Use of NASJE Curriculum Designs

Taken together, the curriculum designs in this series provide an overarching plan for the education of judicial branch educators; this overarching plan constitutes a curriculum. Individually, each curriculum design and associated information provide faculty with resources and guidance for developing courses for judicial branch educators. Content from the curriculum will be used alongside other content as determined by the NASJE Education Committee.

The designs are based on the NASJE Core Competencies. Two curriculum designs are provided for most competency areas, one for entry-level content and the other for experienced-level content. Content level relates to the participants' familiarity with the subject area and not their tenure in judicial branch education.

Each of the curriculum designs, based on the competency areas, may be used either in its entirety or in segments to meet the needs of the individual circumstance or situation, the particular audience, time constraints, etc.

Each curriculum design includes a series of learning objectives and an outline of content to support those learning objectives. Content is annotated with the bracketed number of the learning objective it supports. Learning objectives for each curriculum design are listed in order of importance or in a logical progression. Faculty is encouraged to select content based on the order of the learning objectives. Content is provided in an abbreviated outline format. Faculty may expand on the content based on the needs of the learners.

Associated information for each curriculum design includes: (a) resources for faculty's use (as reference and/or as participant handouts), and (b) a series of recommended participant activities to measure achievement of objectives. Each resource and participant activity has a cover sheet explaining its use. Faculty notes near the beginning of each curriculum design provide important information to assist faculty in effectively preparing to design and deliver a course.

Developing any course from a curriculum design will require that faculty (a) utilize an instructional design model (in the appendix), (b) employ adult education principles (next page), and (c) have an in-depth knowledge of the content beyond what is included in the design. A bibliography accompanies each curriculum design and contains additional sources of information. Because there are many sources for each content area that are not in the bibliography, faculty is encouraged to fully explore a variety of available sources when designing a course from a curriculum design.

The NASJE Curriculum Committee welcomes feedback, updates, corrections, and enhancements to these designs so they will remain current and viable.

Adult Education Principles

As learners mature, they change in terms of:

1. **Self-image**: *They evolve from being dependent to self-directed.*
2. **Experience**: *They accumulate a growing reservoir of experience that becomes an increasing resource for learning*.
3. **Readiness to learn:** *Their readiness to learn becomes oriented increasingly to the developmental tasks of their various roles.*
4. **Orientation to learning:** *Their time perspective changes from one of postponed application of knowledge to immediacy of application, and accordingly their orientation toward learning shifts from subject-centered to problem-centered.*
5. **Motivation to learn:** *Their motivation to learn is internal rather than externally generated.* (Knowles, 1984).

Effective learning for adults is dependent on faculty:

1. **Engaging learners actively in their learning:**
   Adult learners generally prefer to participate, test new learning, and engage in discussion about the relevant content. Faculty needs to actively engage them at least 50% of the time through questions, activities, etc., and enable learners to discover how their new learning will serve them.
2. **Creating and maintaining an effective, safe learning environment:**
   Adult learners will participate readily in an educational situation if the environment is physically suitable and psychologically. Physically suitable includes comfortable, well-lighted, and easily accessible space; psychologically suitable includes feeling welcome to offer opinions and differing views and to ask questions. Faculty needs to alter the physical environment to meet the needs of learners and to state and demonstrate that the learning situation is open and non-threatening.
3. **Demonstrating respect for differences:**
   Adult learners are independent and self-reliant; they are of varied races, ethnicities, religions, backgrounds, experiences, and education. In an educational situation, they need to be respected for their differences, even if their experience and knowledge is different from faculty. Faculty needs to state and demonstrate their willingness to engage different views.
4. **Providing learners with information on what to expect:**
   Adult learners prefer to understand what will happen in their learning and what will be expected of them in the learning environment. Faculty needs to provide an agenda, an overview, learning objectives, etc.
5. **Basing content on immediately applicable information and skills:**
   Adult learners generally prefer to engage in learning that will help them in their daily lives and work. Faculty needs to ensure that theoretical information serves only as a background for practical application of new knowledge and skills.

Instructional Design: The Backbone of Effective Education and Developing Faculty NASJE curriculum designs include additional information on adult education theory and practical application.

Title: Needs Assessment: The Basics of Processes and Models

NOTES:

Part of the materials for NASJE curriculum designs is a glossary, which will be the basis for developing a shared or common professional language for judicial branch educators. The first time a word found in the NASJE Glossary is used in a curriculum design, it is identified with a word border. Subsequent uses of the word do not have a border. In the online format, the definition will pop up when you roll your cursor over the text inside the border. In the hard copy format, you can find the definition in the glossary at the end of the curriculum. Faculty members using the NASJE curriculum designs are encouraged to familiarize themselves with the definitions relevant to the content area by reviewing the glossary terminology.

Words or terms underlined and in blue indicate a link to parts of the curriculum design. In the electronic format, click on the text to view the identified item. In hard copy format, refer to the page number that follows the text.

Related to NASJE Competency:

Competency Area 10 – Needs Assessment (available on the NASJE website)
Competency Summary: Successful judicial branch education links education to the job-related needs of judges and court employees, ultimately improving their performance and that of the system. This connection between education and job relevance is best achieved through careful needs assessment.

Target Audience:

Judicial branch educators new to assessing needs with formalized process and models.

Content Level: __X__ Entry ______ Experienced

(This is not a reference to the general experience of the learner, but the experience the learner has with the specific content. For example, a learner with 20 years of experience in judicial branch education may be at the entry content level for a topic if he or she has not had an opportunity to work with the content or become proficient with it.)

Date Approved: June 18, 2013 Last Updated:

10.1.1.0 Curriculum Design

10.1.1.1 Curriculum Design Overview:

(This section provides an overview and states the purpose for this educational area. It does not include all the detail shown in the outline, but is intended to provide a synopsis of the content.)

This curriculum design is intended to provide judicial branch educators with a broad view of assessing needs for educational purposes. It offers both a general overview of needs assessment processes and a detailed examination of specific ways to craft questions and gather data that may impact decision-making and use of educational resources.

In current practice, needs assessment is often considered a perfunctory activity and is addressed in a cursory manner. This is often due to time and budgetary constraints, but may also be due to the existence of an established series of judicial and court personnel training courses. Having an existing series of courses with established course designs that are offered routinely may appear to make needs assessment an extraneous and unnecessary activity. The content in this design highlights the pivotal role of needs assessment to encourage judicial branch educators to reexamine this thinking and the importance of this initial step in instructional design.

As in several other curriculum designs, content includes the instructional design model recommended by the NASJE Curriculum Committee, 10.1.2.1 Recommended Instructional Design Model, pg. 32, as a graphic representation of the value of assessing needs; the model shows needs assessment as the first step, and one which has a significant impact on other instructional design steps. While the model shows needs assessment as a first step, no single model and no single data-gathering approach are recommended. The content in this curriculum design includes several options in terms of theories and approaches and provides some guidance for choosing how to assess needs in certain situations.

10.1.1.2 Special Notes for Faculty:

This design is closely related to the entry-level curriculum designs for instructional design and evaluation, Instructional Design: The Backbone of Effective Education and Evaluation: the Basics of Five Approaches, respectively. The entry-level curriculum design for instructional design provides an overview of assessing needs; this design provides a broad perspective of needs assessment and addresses specific steps of several processes. The entry-level curriculum design for evaluation provides a retrospective assessment of education; this design provides a prospective assessment. While both the needs assessment and the evaluation curriculum designs include data-gathering approaches, each approach is tailored to the specific content area. In addition, several faculty resources that appear in needs assessment also appear in the designs for instructional design and evaluation, but each is addressed differently, depending on the topic area and the specific content.

This design includes a wide array of choices for faculty with regard to depth and breadth of assessing needs in order to provide judicial branch educators with numerous choices and options in guiding the development and delivery of education.

The content in this design is organized to first provide an overview of needs assessment [content headings A and B] and then provide more specific processes, steps, and considerations [content headings C – G]. Depending on the specific audience and the time allotment, faculty may choose to use only the overview sections; however, faculty is encouraged to include some of the theories and data-gathering approaches so judicial branch educators develop (1) an understanding of the pivotal role of needs assessment, and (b) a level of confidence in the processes for gathering and analyzing data for decision-making.

The Curriculum Committee believes that issues of diversity and fairness, ethics, and technology are viable and valuable considerations to be incorporated into courses developed from NASJE curriculum designs. After reviewing the entry-level curriculum design for needs assessment, faculty should address these areas as appropriate for a specific course. In addition to how these issues are already incorporated into this curriculum design, additional content could include:

- Diversity and Fairness: The need for ensuring diversity and fairness in designing a needs assessment process, in selecting diverse people for inclusion in the process, in interpreting the results, in being aware of implicit bias, and in using inclusive language on survey instruments.
- Ethics: The ethical considerations judicial branch educators need to exercise when developing needs assessment questions, selecting participants, interpreting results, prioritizing solutions, and allocating resources; the problems that may result from basing needs solely on input from higher level sources; ramifications of misuse or lack of use of needs assessment results.
- Technology: Possible uses of technology to support the needs assessment process, assist in random selection of participants, sort and categorize responses, and store data and electronic survey tools.

10.1.1.3 Participant Learning Objectives:

(These are statements of what participants can say and/or do to demonstrate learning when participating in a course designed from this content. Learning objectives are directly related to selection of content for this curriculum design. They are listed in order of importance or in a logical progression in both the "in general" and "for the individual situation" sections. Faculty is encouraged to use learning objectives from both areas. Included with this curriculum design are participant activity suggestions for each learning objective.)

As a result of this education, participants will be able to:

<u>In General:</u>

1. Choose a definition(s) for needs assessment that would be most applicable in judicial branch education.

2. Discuss the relationship among needs assessment, course goal(s), and learning objectives.

3. List the benefits and drawbacks of various data-gathering approaches and methodologies.

4. Identify basic considerations for structuring questions to be used to assess needs.

5. Choose needs assessment data-gathering approaches that are effective for various situations.

6. List potential barriers to conducting an effective needs assessment and discuss strategies to address each.

<u>For the Individual Situation:</u>

7. List potential strategies to generate support for a needs assessment approach for a particular target audience.

8. Identify specifically how feedback from needs assessment data gathering is, or will be, integrated into curriculum or course development locally.

10.1.1.4 Educational Content Outline:

(This is an outline of content to be included in courses developed from this curriculum design. Each area of content is annotated with the bracketed number of the learning objective it supports. The information in parentheses after key headings of the outline provides faculty with the overarching question the heading is designed to address.)

A. Needs Assessment Overview **[1]** *(what is it and why do it)*
   a. Definitions *(what are some definitions from the literature)*
      i. The first step, the foundation, in designing an educational intervention
      ii. The process of collecting information about what individuals need in terms of education and analyzing that information to identify whether education would be relevant
      iii. The process of (1) comparing existing performance with desired performance, and (2) determining whether education can bridge the gap
      iv. Systematic processes for collecting information and making decisions about education
      v. Identifying performance or other problems and matching them to related educational needs
      vi. The process of identifying the desired outcome of education (the ends), which serves as the basis for developing course goals, learning objectives, and content (the means to achieve the ends) for a course
      vii. A process to determine what educational needs really exist, how the needs became apparent, how the needs are defined, how to address the needs, and which needs are a priority
      viii. A process of discovering discrepancies and shortcomings that exist in the organization, with the job, and with the individual that can be addressed through education
   b. Types of needs *(what kinds of educational needs are there)*
      i. Normative – needs identified by professional bodies as required or desired for the profession; measurable gaps between target audience performance and established standards or expected levels of performance; professional competencies
      ii. Prescribed – needs required through changes in position or role or through changes in processes or procedures
      iii. Perceived – needs the target audience thinks they want to learn
      iv. Unperceived – needs identified by others, such as superiors, as discrepancies in performance, but not identified by the target audience

v. Comparative – needs identified by comparing the performance of two or more groups

c. Basis for identifying needs *(what are some underlying features of educational needs)* **[7]**
   i. Deficiencies – educational needs based on performance that does not meet the current standard, e.g., complaints about services or outcomes, observed subpar performance
   ii. Aspirations – educational needs based on desired future performance, e.g., performance expectations, code of conduct and rules of procedure for a new judge, a job analysis or job description for a new court employee, or a set of professional competencies for continued performance enhancement
   iii. Changes – educational needs brought about by actual and/or anticipated changes in processes, procedures, responsibilities, etc., e.g., a new law that impacts judges or the introduction of a new case management system that impacts court personnel, educational needs in response to or anticipation of trends based on demographic or other changes or projections (e.g., an increase in the Somali population that necessitates understanding of that culture and the use of interpreters)
d. Purposes of assessing needs *(what are some reasons to assess needs)* **[7]**
   i. To identify optimal performance, assess actual performance, and explore education as a way to bridge the gap
   ii. To discover feelings, values, attitudes, and the context for performance to determine the most effective interventions
   iii. To analyze and prioritize potential solutions in order to take action most likely to bring about changes in performance
   iv. To provide a prospective grounding for education by finding or gathering data to guide use of educational resources, rather than basing courses on the opinion, influence, or conjecture of a few individuals
e. Approaches to assessing needs *(what are the options)*
   i. Formal – written surveys or structured interviews; review of existing data about performance, performance expectations, and aspirations for the profession; observation and analysis of performance
   ii. Informal – asking spontaneous questions, e.g., as a course begins faculty may ask learners questions about their experience with the content or what they find most difficult about the topic area; their responses can be used to help

faculty to focus on specific issues; or receiving casual suggestions for courses from the target audience

f. Sources of information *(where can educational needs be found)*
    i. Reviewing existing documents to determine baseline information about actual and desired performance
        1. Existing data – records/reports related to performance, local, state, national, and international trend data
        2. Rules of procedure, codes of conduct, and related performance documents or expectations for performance, case law, statutes, etc.
        3. Job descriptions – necessary knowledge, skills, and abilities
        4. Task analysis – observations about actual performance
        5. Professional competencies – aspirations for performance
        6. Curriculum designs – learning objectives, topics
        7. Expert information – theories about desired performance
        8. Current/evolving information – results of public satisfaction surveys, relevant media articles, websites
    ii. Actively involving people – to delve deeper into performance issues, actual performance, thoughts, and feelings about performance and initial ideas about solutions to problems or identified issues; broad involvement yields more varied and complete input; complying with ethical standards and ensuring objectivity when choosing individuals to be involved
        1. Individual interviews – carefully crafted questions asked by skilled interviewers in a face-to-face format or by telephone or other communication
            a. Yield – qualitative information
            b. Benefits – personal, allows clarification of questions; provide insight to answers; may unveil a wide range of educational needs or administrative issues that are not resolvable through education; may be done face-to-face or by telephone
            c. Drawbacks – responders are not anonymous; interviews are time consuming; requires accurate documentation by interviewer
        2. Focus group discussions (including use of advisory committees) – discussion among 7 to 10 participants

per group from the target audience and may include individuals from other relevant groups

   a. Yield – quantitative and qualitative information
   b. Benefits – interactive; allows for clarification of questions; generates further comments from group members who may agree or disagree with a responder
   c. Drawbacks – information is from a small number of the target audience; requires a skilled facilitator

3. Surveys or questionnaires – paper or electronic forms with questions that can be yes or no answers, ranking of potential answers, and/or asking for commentary (this includes information gathered from evaluation results)
   a. Yield – generally quantitative information based on a summary of responses
   b. Benefits – low cost, wide distribution, ease of administration, and can be anonymous for responder thus eliciting more truthful information
   c. Drawbacks – often have low return rates; quality of responses is based on quality of questions; no opportunity to clarify questions for responders
4. Involvement for interviews, focus groups, and surveys *(who should be involved to provide the broadest perspective and largest amount of relevant data)*
   a. Members of the target audience
      i. Benefits – often know what they need to learn
      ii. Drawbacks – often the target audience is unaware of what they do not know; they often identify their "wants" for education rather than their actual "needs"
   b. Managers and supervisors, when applicable
      i. Benefits – are familiar with performance issues; opportunity to directly observe performance
      ii. Drawbacks – performance of certain individuals may not indicate performance of the group as a whole

c. Recipients of the services or products of the target audience
    i. Benefits – are the focus of services/products and may see gaps or shortcomings that cannot be seen by providers
    ii. Drawbacks – may have unique experiences with a service or a product that do not reflect an overall educational need
d. Justice partners and others who work with those who provide the services/products
    i. Benefits – are often objective observers who notice shortcomings that members of the target audience and recipients of services or products do not
    ii. Drawbacks – are often not directly involved in the work of the target audience/learners, thus are not aware of work constraints or feasibility of what can be changed

g. Needs assessment as a critical step in instructional design [see 10.1.2.1 Recommended Instructional Design Model, pg. 33]
    i. The first step in instructional design **[2]** – assessing needs serves as the basis for developing course goals and learning objectives; in addition, educational needs are closely linked to course evaluation
        1. Educational need(s) – the basis and justification for an educational endeavor; the statement of why education is relevant
        2. Course goals – the overall purpose or aim of a course; it is based on the identified need(s)
        3. Learning objectives – statements of what participants will be able to say or do during a course to demonstrate learning and achievement of the course goal(s)
        4. Course evaluation – the ultimate evaluation for the success of a course is whether the educational needs were met
    ii. Relevant questions for designers/interviewers/planners to consider when needs assessment indicates education is to be offered [see 10.1.2.2 Needs Assessment Decision Chart, pg. 35]
        1. Is this a significant issue?

2. Is education really the most effective solution?
3. If education is delivered, what learning will be accomplished?
4. What changes in behavior and performance can realistically be expected?
5. What is the likelihood that those changes will actually materialize? (e.g., barriers to change)
6. What are the anticipated costs and benefits of education?

iii. Stating an educational need based on the underlying reason or cause

1. Education is needed due to a change in position; for example, new civil court judges are often unfamiliar with civil law and courtroom procedures for civil cases; or new court clerks need a full understanding of court policies, procedures, objectives, and operational functions in order to provide assistance to the public
2. Education is desirable to achieve professional competencies; for example, new general jurisdiction judges need to be made aware of the ethical constraints that bind judicial officers
3. Education is necessary due to an anticipated change; for example, personnel in the court clerk's office will need to learn new case filing procedures when a new case management system is implemented
4. Education may be needed due to a performance gap; for example, complaints from court users indicate that counter clerks are unfamiliar with the new self-help center and its procedures
5. Education may be desirable to achieve professional or organizational aspirations: for example, judges and court personnel need to contribute to public trust and confidence through consistent practices and fair treatment of all court users
6. Education may be desirable based on a formal assessment of needs; for example, criminal court judges identified the new discovery rules as an area in which they need further education
7. Education may be desirable to address anticipated changes highlighted by new research, the media, or other sources; for example, due to changes in demographics, judges will soon encounter an influx of Cambodian litigants and defendants, requiring an

understanding of that culture and an increase in the use of interpreters

8. Education may be needed due to changes in laws, processes, procedures, and practices; for example, due to the new legislation, changes in sentencing guidelines will soon impact how judges determine imprisonment, probation options, and fines

iv. Determining other reasons that may cause poor performance and when education may not be the best solution
   1. Administrative or organizational issues that impact performance, such as ineffective procedures
   2. Unrealistic performance expectations, such as standards set too high for practical achievement
   3. Environmental constraints to effective performance, such as interruptions, noise, setting, etc.
   4. Nonperformance rewarded, such as when not being tolerant or patient with self-represented litigants brings a faster resolution of the case
   5. Negligence of management that does not address a chronic problem, such as when discipline rather than education or training is needed
   6. Personnel problem, such as a lack of ability rather than a lack of education

B. Needs Assessment Theories to Frame the Process *(what are some overarching frameworks for assessing needs)* – these theories are broad in design, provide a conceptual model for assessing needs, and could employ a variety of data-gathering approaches [see C in the content outline]
   a. System Approach Model – Needs Assessment Taxonomy (Kaufman) [see 10.1.2.3 Needs Assessment Taxonomy, pg. 37] – there is no right or wrong needs assessment approach, just a difference as to which sort of assessment is appropriate as a starting point for the particular performance issues
      i. Options or forms of progressively restrictive approaches
         1. Alpha – anything and everything is open to examination; high risk, but thorough and possibly very revealing; for example, use of open-ended questions to gather information about performance, perceived educational needs, etc.
         2. Beta – basic goals are givens and the assessment is to explore gaps in performance; for example the organization has determined the topic, but a needs assessment explores performance to determine specific content within the topic

3. Gamma – goals and content may be fixed, but people are asked to rank content in priority order; for example, the organization has determined the content of the education, but learners are involved in determining what parts of the content are most important or most pressing
4. Delta – decisions have been made regarding what to teach, but participants are involved in determining how the content will be delivered; for example, the content has been determined, but learners are involved in determining whether content will be delivered in face-to-face courses, online courses, reading material, or some combination
5. Epsilon – related to summative evaluation and is discrepancy-based; participants are involved in determining if results have been accomplished; for example, after education has been delivered, learners are asked to assist in determining if the educational need has been met or new needs have been discovered
6. Zeta – related to formative evaluation, en-route or mid-course progress; participants are involved in assessing progress and determining whether to modify or continue an effort; for example, in a series of courses, learners are asked at intervals whether the education is meeting the need, and changes in content and/or approach are made based on the results

ii. Benefits – provides a preliminary means for assessing needs; helps designers to determine how much has already been decided and how much is open to change based on results of the assessment; may be used in conjunction with other approaches

iii. Drawbacks – may be difficult to get agreement on scope of needs assessment among all stakeholders

b. Three-Phase Assessment (Witkin and Altschuld) [see 10.1.2.4 Three-Phase Needs Assessment, pg. 39] – to guide pre-work and post-work that ensures the needs assessment is effective in identifying the problem(s) and that the results of the assessment guide the action

i. Process

1. "Preassessment" (explanation) – conduct an overview or investigation regarding what is already known to determine the focus and scope of the needs

assessment and to gain commitment for full participation

a. Review existing information
b. Collect existing data from surveys, interviews, and expert information
c. Design the assessment to gather what is not known or to provide clarity about what is known

2. Assessment (data gathering) – conduct the needs assessment to gather data on needed knowledge, skills, and abilities; analyze the data, synthesize results, and look for patterns
   a. Interviews
   b. Focus groups
   c. Written surveys or questionnaires
3. "Postassessment" (utilization) – analyze the results in order to prioritize needs, consider alternatives, and come up with possible ways to resolve the needs, including education

ii. Benefits – represents a careful planning process to ensure assessment is conducted in the most effective manner based on a considerable amount of pre-work, and may be used in conjunction with other approaches

iii. Drawbacks – may be too general for some applications

c. Organizational Elements Method (Kaufman) [see 10.1.2.5 Organizational Elements Model, pg. 41] – "need" as a noun, not as a process; need is considered a gap in this model; gaps identified in the "ends" indicate a need for intervention with the "means" by which ends are generated

   i. Process
      1. Identify means – the organization's efforts
         a. Inputs – raw materials: the people, physical setting, and the financial resources an organization has or uses
         b. Processes – the how-to-do-it: the activities, processes, and ways work is done in the organization
         c. Gaps – the disparities between what are and what should be the means in the organization
      2. Identify ends – the results of the organization's efforts
         c. Products – the micro level: the building blocks, basic results of the organization's processes

d. Outputs – the macro level: what the organization accomplishes, delivers, and/or produces
e. Outcomes – the mega level: the effects on society from the organization's efforts
f. Gaps – what are and what should be the ends of the organization's efforts
3. Evaluate gaps with regard to ends; adjust the means to achieve the desired ends; plan and implement interventions, including education
ii. Benefits – focuses on identifiable differences between ends and means, with emphasis on creating change in the means in order to achieve the desired ends
iii. Drawbacks – bases decisions on a few designers/planners or supervisors/managers; may be overly complex to execute

d. Gap Analysis [see 10.1.2.6 Gap Analysis Example, pg. 43] – checking actual performance against standards and/or future or anticipated levels of performance
i. Process
1. Describe the current situation – what is the current state of knowledge, skills, and abilities of the target audience
2. Describe what the situation may be if nothing is done – will things get better or worse
3. Describe the desired or necessary situation – what are the desired or necessary conditions for success; what knowledge, skills, and abilities are required
4. Describe the gap – what is the difference between the current and the desired situation
5. Set goals – what changes are desired if the gap is resolved
6. Assess potential causes – conduct a needs assessment to determine the cause of the gap in performance
a. Are there administrative problems or distractions affecting performance or is nonperformance rewarded
b. Are there deficiencies in knowledge, skills, or abilities that education could address
7. Take action – prioritize interventions; which is most relevant; what would happen if there is no intervention; what will be the cost of intervention
ii. Benefits – focuses on differences between what "should be" and "what is" with regard to performance; provides a relatively straightforward framework
iii. Drawbacks – may rely too heavily on the opinions of a few people to determine or describe the gap in performance

C. Exploring Commonly Used Needs Assessment Data-Gathering Approaches **[3]** (*what are some process options used to gather data or information*)

a. Document review

i. Job descriptions [see 10.1.2.7 Job Description Needs Assessment Example, pg. 45]

1. Process – one approach
   a. Review the description fully
   b. Highlight areas of needed knowledge
   c. Identify skills and abilities associated with the needed knowledge
   d. State educational needs based on the job generally or focus on specific performance issues
2. Benefits – information is easily accessed; performance expectations are clearly stated and available to all learners as a basis for performance
3. Drawbacks – treats all individuals as equally deficient with regard to knowledge, skills, and abilities; in some instances, e.g., judges, there are no traditional job descriptions

ii. Professional competencies [see 10.1.2.8 Professional Competencies Needs Assessment Example, pg. 49] – one approach

1. Process
   a. Review competencies fully
   b. Identify documented areas of necessary knowledge, skills, and abilities, including attitudes
   c. State educational needs based on the job generally or focus on specific topics
2. Benefits – focuses on aspirational performance; information is easily accessible
3. Drawbacks – competencies are not written with a focus on educational outcomes and are generalized with regard to performance; in many instances, competencies have not been stated

b. Interviews and focus groups

i. Interviews – a private conversation between an interviewer and an individual to collect information in a structured format

1. Process
   a. Identify number and positions of participants for interviews; determine selection process – all or a sampling of identified positions

b. Create an interview structure that can be replicated for subsequent interviews, including open-ended questions to gather the greatest amount of information about performance or performance problems
c. Select and train interviewers
d. Select appropriate places for interviews
e. Conduct interviews, documenting responses as fully as possible; taping interviews may be a possibility, but often those being interviewed are concerned about confidentiality
f. Summarize data and seek patterns or repetitive themes at the end of each day
g. State educational needs based on frequency of responses

2. Benefits – focuses on individual perspectives; enables interviewer to clarify questions for more accurate responses; gathers information individuals might not share in a group; a skilled interviewer can also observe nonverbal behaviors
3. Drawbacks – may be only a sampling of the target audience; is time consuming; large amount of data may be difficult to summarize; patterns may be difficult to determine; requires skilled interviewer and accurate documentation

ii. Focus groups – a series of structured group gatherings, each group comprised of people with similar characteristics or jobs, to identify a problem(s) in a nonthreatening environment

1. Process
    a. Determine the number of participants (plan for 7 to 10 people per group) and the number of groups; determine positions of participants for each group; determine selection process – all or a sampling of identified positions
    b. Create open-ended questions or plan for brainstorming on a few questions about a topic, a skill, a problem, etc.
    c. Document ideas
    d. Facilitate group process to prioritize, combine, refine, or clarify ideas
    e. Analyze and summarize data
    f. State educational needs based on group work

2. Benefits – enables participants to react/respond to one another and build on one another's comments and ideas that may not have occurred to an individual alone
3. Drawbacks – may be only a sampling of the target audience, may be slightly chaotic, and requires a skilled facilitator and a large amount of relatively quick documentation

c. Surveys and questionnaires – written questions disseminated electronically (e.g., "responder" system, Survey Monkey, etc.) or in hard copy to an entire group or sampling of the group for the purpose of gathering information on individual perspectives, opinions, etc.
   i. Likert Scale Assessment [see 10.1.2.9 Likert Scale Examples, pg. 52]
      1. Process
         a. Create a survey asking individuals to (i) rate or rank a fixed set of topics or statements using a measurement such as strongly agree, agree, neutral, disagree, strongly disagree; or (ii) complete a self-assessment to rate their own proficiency with regard to the fixed set of topics or statements
         b. Summarize and analyze the responses to find what most responders think or feel about the topics or statements, or how they rate their level of proficiency
         c. Prioritize the topics based on the largest number of responses to each
      2. Benefits – familiar format; more informative than yes or no choices; quick to do and easy to summarize; may be used in conjunction with other approaches; may be used with groups in which individuals complete the survey and then discuss their ratings to come to some agreement or consensus; or may be disseminated by mail, e-mail, or hard copy, completed individually, and submitted to designers/planners for analysis and summarization
      3. Drawbacks – limits responders to fixed response choices; assumes strength or intensity of an experience is linear; treats choices as equal in value; and treats distance /difference between numerical choices as equal

ii. Rank Order Scale Assessment [see 10.1.2.10 Rank Order Example, pg. 55]
    1. Process
        a. Create a written assessment for each participant, giving responders a set of topics and asking that the items be put in some form of order: preference, importance, etc.
        b. Analyze responses – items higher on the list are more important; or assign numerical values to each item
    2. Benefits – provides a range of possibilities for responders; shows patterns of thought and reaction to items; provides insight as to what is most valued; may be used with other approaches
    3. Drawbacks – since there may be a variety of responses for any given topic, analyzing data may be time consuming unless technology is used

iii. Delphi Method – (Dalkey and Helmer) [see 10.1.2.11 Delphi Method Example, pg. 57] intended to engage a significant number of individuals in successive questionnaires for refinement of information to elicit some commonalities of educational need; based on convergence of opinion on a problem or topic; consensus-building approach regarding what needs the group collectively identifies; may use open-ended questions, Likert Scale, or Rank Order Scale questions
    1. Process
        a. Round 1
            - Select participants
            - Develop an open-ended set of questions related to general areas of interest, a problem, or a topic
            - Invite participants to individually comment or answer the questions about each
        b. Round 2
            - From comments or answers in round 1, summarize and/or analyze and develop a more focused set of topics or questions
            - Redistribute results to participants to individually reassess the content and comment on or answer the questions
        c. Subsequent rounds, generally 3 and 4
            - Continue to refine data and redistribute to participants for their reassessment and comments or answers

- When you have a sense of consensus, a convergence of perspectives, or a concise summary, identify the educational needs

2. Benefits – optimizes input from participants; minimizes problems in conducting live interviews; provides time for careful analysis; provides continual refinement of focus; may be done via computer or hard copy; may be used in conjunction with other methods or models, such as the Likert Scale or Rank Order Scale
3. Drawbacks – answers are individual judgment and opinion; diversity of participants may make summarization difficult, but homogeneity of participants limits the range of identifiable needs; potential for bias in selection of participants, design of survey instrument, and interpretation of responses, etc.; retention of participants through several rounds may be difficult; time-consuming process

D. Exploring the Use of Questions for Assessing Needs **[4]** *(what kinds of questions should be used for interviews, focus groups, surveys, or questionnaires to elicit responses that are useful in assessing needs)*

a. Structuring questions
   i. Closed questions – questions that can be answered with a yes/no or with fixed answers such as agree/disagree
      1. Benefits – quicker for responder to answer; easy for designers/interviewers to summarize and identify patterns
      2. Drawbacks – limits amount of information gathered and any qualifying data responder may have; difficult for responders who think in terms of "what if"
   ii. Open-ended questions – questions that cannot be answered yes/no or agree/disagree; these types of questions solicit more information than closed questions
      1. Benefits – gather a large amount of data; enable responders to provide a context for answers
      2. Drawbacks – take longer for responder to answer; take longer and is sometimes more difficult for designers/interviewers to analyze and summarize
   iii. Ineffective questions – may be closed or open-ended
      1. Questions with implications – such as questions that use "should," "could," or "would"; that characterize or place blame; or that lead the responder toward a predetermined answer
         a. Benefits – generally none

b. Drawbacks – skew responses; limit responder options; may elicit emotional reactions

2. Questions that are ambiguous – questions that yield a minimum amount of useful information; that are overly broad; that elicit generalized responses; and that could have a wide range of interpretations by different responders
    a. Benefits – may be easy and/or quick for designers/interviewers to write
    b. Drawbacks – take valuable time from responders without providing clear direction to designers/interviewers; are difficult for responders who think in terms of variables
3. Questions that would be difficult to summarize or analyze; questions that generate controversy
    a. Benefits – easy for designers/interviewers to create
    b. Drawbacks – do not yield viable, useful data

b. Asking questions in a live format *(what are some basic questions)* – since the interviewer is present, open-ended questions are generally the most effective in gathering a wide range of information; the interviewer is able to clarify a question, ask follow-up questions, and answer questions posed by responders; in face-to-face interviews, only a few questions are necessary
    i. Focus on a solution: "What, if any, education or training do you need?"
    ii. Address problems that may interfere with performance: "What, if any, issues or problems do you face in your work?"
    iii. Clarify the relevance of certain content or topics: "How often do you perform the following tasks?"
    iv. Highlight teaching aids and participant materials that may be useful" "What kinds of tools do you need to enhance your performance?"
    v. Active listening by the interviewer - SOLER
        1. **S**quarely face the person being interviewed to focus your attention
        2. **O**pen your posture to invite interaction
        3. **L**ean slightly forward to indicate interest
        4. **E**stablish eye contact
        5. **R**eflectively respond – paraphrase what is said and ask clarifying questions; identify feelings that are stated or implied; these approaches solicit further information from the responder using questions that begin as follows:

a. "So you are feeling…"
b. "It seems that you are saying…"
c. "That may be a problem for others as well…"
d. "Can you tell me more about..."

c. Asking questions in writing *(what are some considerations)* – since the designers are not present, caution is suggested: since the designers cannot ask follow-up questions of the responders, they may tend to ask more questions to ensure sufficient information is collected; since the designers cannot clarify a question, questions are often more detailed and direct to ensure responses are valid
   i. Avoid use of negative questions – they are sometimes difficult to understand and restrict the range of responses and there is no one present to clarify any ambiguity
   ii. Avoid leading questions – those that have a socially desirable answer or assume something (for example, rather than asking "What…" ask "What, if any…")
   iii. Avoid repetition of questions or similar questions – they are sometimes irritating and time consuming for responders
   iv. Be sensitive to responders' feelings – have someone else review the written questions to ensure sensitivity
      1. Select words and terms carefully to ensure no "trigger" words are used that would cause offense to responders and/or the target audience (e.g., "incompetent," "lacking skill")
      2. Place questions about sensitive matters (such as obstacles to performance) toward the middle or end of the questionnaire or ask them face to face if possible
   v. Ensure each question is clear
      1. Make questions as brief as possible (no more than 20 words per question)
      2. Ensure grammatical correctness
      3. Avoid jargon or acronyms that may be unfamiliar to some responders
      4. Avoid compound questions that could appear to be asking for multiple answers (e.g., "What is the educational need, what is the administrative problem, and who should be responsible for resolving it?)

E. Considerations for Choosing an Approach *(what are some of the considerations and possibilities for determining an effective needs assessment process)* **[5]** sometimes one approach is effective while other times multiple approaches are best; time and cost factors may restrict choices
   a. Deciding the number of participants to involve in the needs assessment

i. Entire group of learners – best for relatively small number of learners; benefit - yields a broad spectrum of input; drawbacks – large amount of data may be difficult to summarize or analyze
ii. Sampling of learners – sampling has inherent errors, but for education needs assessment this may not be a problem; generally the larger the sample, the lower the sampling error
   1. Simple random sampling – drawing names from a hat or using technology to generate a random selection of members of the target audience
   2. Convenience sampling options
      a. Quota sample – select a fixed number of representative learners, e.g., 20 from urban courts and 20 from rural courts
      b. Interval sample – choose learners in a periodic sequence, e.g., every 15th name from a list
      c. Judgment sample – consult experts to assist in selecting the sample of learners
      d. Systematic sample – determine a sample size and choose names from a list to meet the sample number, e.g., create a sample of 25 people from a total of 250 target audience learners by choosing every 10th name
      e. Snowball sample – select a small number of learners and have them recruit others

b. Matching a performance problem to a needs assessment approach
   i. Organization-wide performance – consider using the Delphi method or gap analysis; and/or conduct interviews with recipients of services/products
   ii. Job category performance – consider gathering data from a curriculum design, competencies, or job descriptions; conduct interviews with justice system partners
   iii. Group performance – consider interviews with the target audience of learners, recipients of services or products, and target audience partners
   iv. Individual performance – observe the individual
   v. Anticipated changes – consider having focus group discussions with target audience learners

F. Facilitating and Inhibiting Factors in Conducting Needs Assessments **[6] [7]** *(what factors support and what factors obstruct conducting needs assessments)*
   a. Facilitating factors
      i. Organization/Management

1. Provides hard data for deploying educational resources effectively
2. Focuses on organizational results and "needs" rather than learner "wants"

ii. Learners
1. Value participation in identifying problems
2. Often have a different perspective than management

iii. Judicial branch educators
1. Provide basic step in instructional design
2. Provide foundation for developing goals and learning objectives
3. Give credibility to educational processes
4. Allow for assessment to be done in-house

b. Inhibiting factors

i. Organization/Management
1. May object to cost in money as well as personnel's and responders' time
2. May consider assessment to be disruptive because it interrupts work
3. May not want to know answers to performance problems

ii. Learners
1. Are often unaware of what they do not know
2. Are often unwilling to participate
3. Have concerns about confidentiality of their responses

iii. Judicial branch educators
1. Often do not have expertise in creating assessments and analyzing results
2. Have difficulty choosing the most appropriate approach
3. May not be able to ensure practical or demonstrable use of results
4. May hesitate to initiate assessments due to implicit commitment to ongoing offerings on a regular basis that they feel address current, relevant needs
5. May limit scope to avoid implementing large-scale changes in offerings

10.1.1.5 Resources for Faculty:

(This is a list of documents, reference materials, and other sources of information that faculty may find useful. In addition to the attached materials, links are provided to more detailed resources.)

NACM Core Competencies (available on the NACM website)
NASJE Core Competencies (available on the NASJE website)

10.1.1.6 Related Educational Areas:

(This is a list of content and/or contextual issues that are relevant to this educational area; faculty should be familiar with these areas and may include or reference some of this material in courses developed from this curriculum design.)

Other relevant NASJE curriculum designs or curriculum-based courses:

Instructional Design: The Backbone of Effective Education
Evaluation: The Basics of Five Approaches
Developing Faculty

Other relevant topics or educational areas:

Instructional Design
Evaluation
Faculty Development
Diversity and Fairness
Ethics
Use of Technology

Needs Assessment: The Basics of Processes and Models

10.1.1.7 Learning Objective, Resource, and Activity Chart

This chart shows the relationship among learning objectives, certain faculty resources, and participant activities; there are faculty resources that are not directly linked to learning objectives and thus are not referenced in this chart.

Learning Objective	Faculty Resource	Participant Activity
1. Choose a definition(s) of needs assessment that would be most applicable in judicial branch education	None	10.1.3.1 Choosing a Useful Definition, pg. 61
2. Discuss the relationship among needs assessment, course goal(s), and learning objectives	10.1.2.1 Recommended Instructional Design Model, pg. 33	10.1.3.2 Relationships: Needs Assessment, Course Goals, and Learning Objectives, pg. 63
3. List the benefits and drawbacks of various data-gathering approaches and methodologies	10.1.2.7 Job Description Needs Assessment Example, pg. 45; 10.1.2.8 Professional Competencies Needs Assessment Example, pg. 49; 10.1.2.9 Likert Scale Examples, pg. 52; 10.1.2.10 Rank Order Example, pg. 55; and 10.1.2.11 Delphi Method Example, pg. 57	10.1.3.3 Benefits and Drawbacks of Various Data-Gathering Approaches, pg. 65
4. Identify basic considerations for structuring questions to be used to assess needs	None	10.1.3.4 Structuring Questions for Assessing Needs, pg. 67
5. Choose needs assessment data-gathering approaches that are effective for	10.1.2.7 Job Description Needs Assessment Example, pg. 45; 10.1.2.8 Professional	10.1.3.5 Choosing a Needs Assessment Data-Gathering Approach, pg. 70

various situations	Competencies Needs Assessment Example, pg. 49; 10.1.2.9 Likert Scale Examples, pg. 52; 10.1.2.10 Rank Order Example, pg. 55; and 10.1.2.11 Delphi Method Example, pg. 57	
6. List potential barriers to conducting an effective needs assessment and discuss strategies to address each	None	10.1.3.6 Barriers to Conducting an Effective Needs Assessment, pg. 73
7. List potential strategies to generate support of a selected needs assessment approach for a particular target audience	None	10.1.3.7 Generating Support for Assessing Needs, pg. 75
8. Identify specifically how feedback from needs assessment data gathering is, or will be, integrated into curriculum or course development locally	None	10.1.3.8 Using Needs Assessment Data, pg. 77

NASJE CURRICULUM DESIGN

FACULTY RESOURCES

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Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.1 Recommended Instructional Design Model

Purpose of resource / document

The next page contains a graphic representation of the instructional design model recommended by the NASJE Curriculum Committee, "Recommended Instructional Design Model," and shows assessing needs as the first step in the process of creating a course. It is included in this and in other NASJE curriculum designs.

Use of resource / document

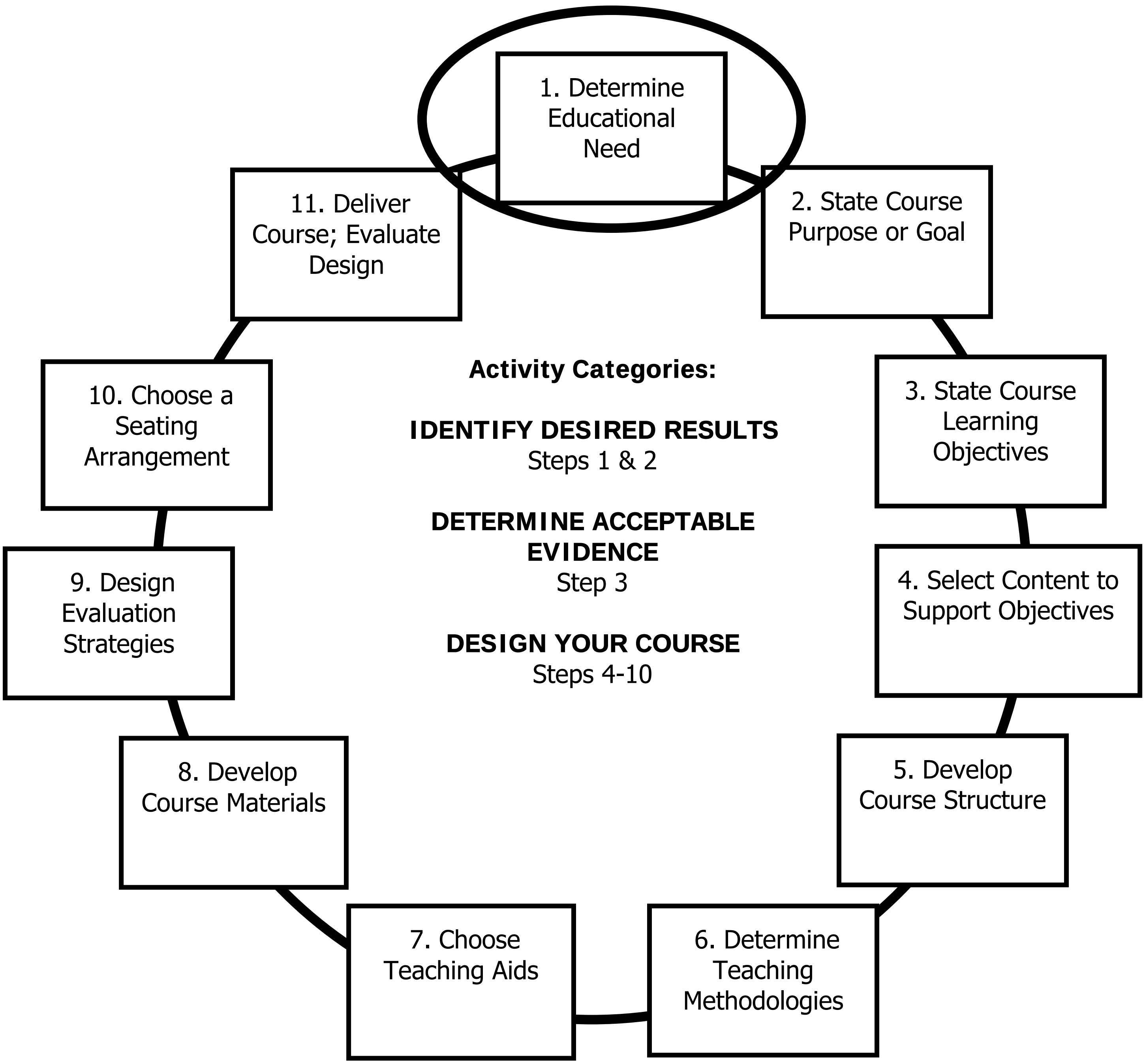
This resource would be effective when presenting the role of assessing needs in the instructional design process [see A, Needs Assessment Overview, subsection g, Needs assessment as a critical step in instructional design, pg. 13 in the curriculum design].

Related documents or materials

Participant activity
10.1.3.2 Relationships: Needs Assessment, Course Goals, and Learning Objectives, pg. 63

Recommended Instructional Design Model

This is the recommended instructional design model/cycle for creating a course.



Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.2 Needs Assessment Decision Chart

Purpose of resource / document

This document outlines a series of steps judicial branch educators may take when a performance problem is presented as an educational need. The decision chart would be most effective if used with the collaborative efforts of supervisors and managers who would have knowledge of many of the answers for decision-making.

Use of resource / document

This chart would be useful when discussing needs assessment as a way to identify and resolve a discrepancy in performance [see A Needs Assessment Overview, subsection g, Needs assessment as a critical step in instructional design, pg. 13 in the curriculum design].

Related documents or materials

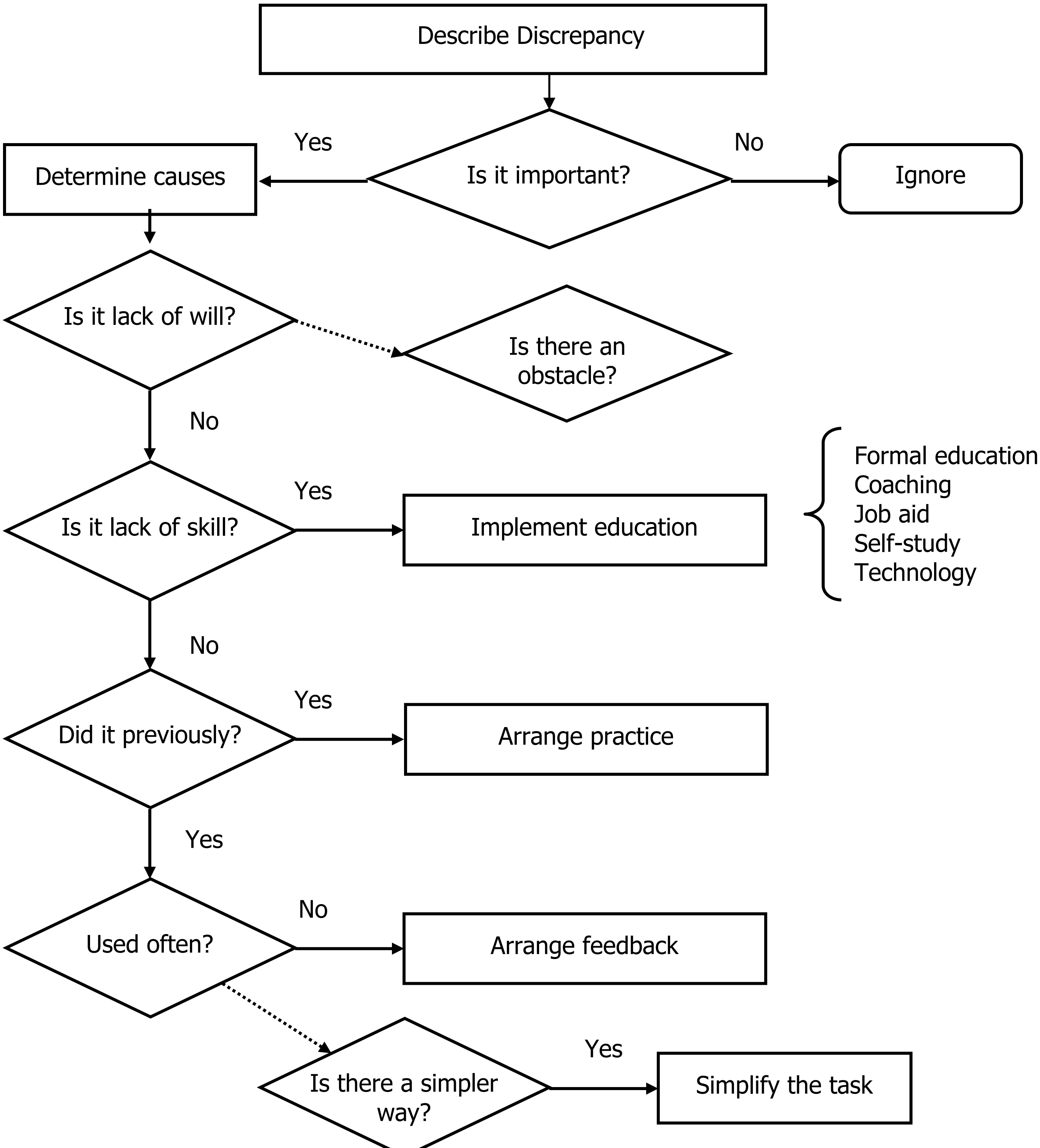
None

Needs Assessment: The Basics of Processes and Models

Needs Assessment Decision Chart

(Based on Strohauer)

Problem analysis – What is the problem? Performance Analysis – Is it an education or training problem? Task and competency Analysis – What knowledge and skills should be included in the education? Learner Analysis – Who needs to be included in the education?



Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.3 Needs Assessment Taxonomy

Purpose of resource / document

This document graphically depicts a tailored version of four of the needs assessment types in Kaufman's Needs Assessment Taxonomy in order to show judicial branch educators the relationships among them.

The alpha is nebulous and not restricted, and the framework of the needs assessment may change as it is pursued, while the remaining three types show increasingly restricted input to focus on needs that have already been identified. Of course, these four types of assessment may be used in conjunction with one another, each building on the results of the former.

Use of resource / document

This illustration would be useful when discussing theories of needs assessment to frame the work [see B, Needs Assessment Theories, subpart a, System Approach Model, pg. 15 in the curriculum design].

Although the graphic representation shows only four of the six needs assessment types, all six are included in the content and are intended to be part of the discussion. The alpha, beta, gamma, and delta types are more closely related to assessing needs as a prelude to designing and delivering education, while the epsilon and zeta types are more closely related to assessing needs during and after the educational event. For purposes of courses based on this curriculum design, the emphasis is on the first four types; the last two are addressed generally in the entry-level curriculum design for evaluation.

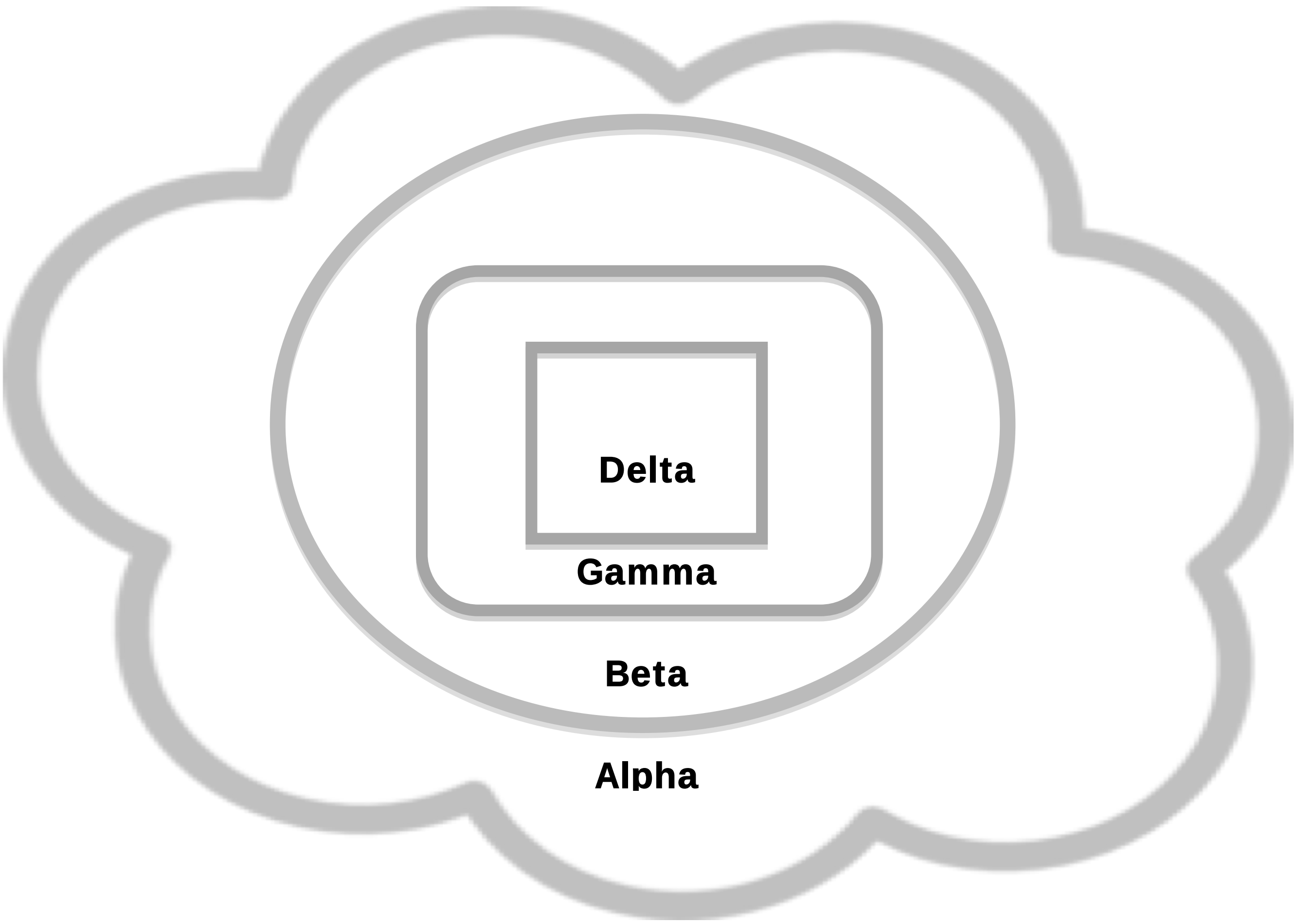
Related documents or materials

None

Needs Assessment: The Basics of Processes and Models

Needs Assessment Taxonomy

This is a simplified illustration of four of the six needs assessment types outlined in Kaufman's Needs Assessment Taxonomy. The full taxonomy highlights the importance of determining the scope of a needs assessment. The four types in the illustration, conducted prior to education, are shown as progressively restrictive. The last two types, not illustrated, are conducted during and after education.



Alpha – Anything and everything is open to examination

Beta – Basic goals are givens and the assessment explores gaps in performance; a needs assessment explores performance to determine specific content within the topic

Gamma – Goals and content may be fixed, but people are asked to rank content in priority order

Delta – Decisions have been made regarding what to teach, but people are involved in determining how the content will be delivered

Epsilon – This is related to summative evaluation and is discrepancy-based; people are involved in determining if results have been accomplished or if the educational need has been met

Zeta – This is related to formative evaluation and en-route progress; people are involved in assessing progress and determining whether to modify or continue an effort; changes in content and/or approach are based on the results

Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.4 Three-Phase Needs Assessment

Purpose of resource / document

This document outlines the basics of Witkin and Altschuld's Three-Phase Assessment in order to summarize key steps before and after data gathering. This model highlights that data gathering is only one aspect of assessing needs. The following are equally important: (a) the quality and usefulness of data gathering is dependent on the pre-assessment phase; (b) unless the data-gathering is of high quality, it will not be useful; and, (c) unless action is taken as a result of the data gathering, the process is not fully realized.

Use of resource / document

This document will be effective if used as part of the discussion on theories to provide a framework for assessing needs [see B, Needs Assessment Theories to Frame the Process, subpart b, Three-Phase Assessment, pg. 16 in the curriculum design]. While this chart is simplified from the original theory, faculty may engage judicial branch educators in discussing more fully what each phase entails. For example, the pre-assessment would include getting "buy-in" from key individuals and groups in the target audience; the assessment phase would include decisions about who to include as responders, and the post-assessment phase would include budgetary considerations for implementing any resolution to the identified needs.

Related documents or materials

None

Needs Assessment: the Basics of Processes and Models

Three-Phase Needs Assessment

This is a simplified version of Witkin and Altschuld's Three-Phase Assessment. This model emphasizes the importance of activity before and after data gathering if assessing needs is to be effective and serve as a guide for action.

Pre-assessment
The Explanation Phase: Conduct an overview or investigation of what is already known to determine the focus and scope of the needs assessment and to gain commitment for full participation • Review existing information – job descriptions, reports • Collect existing data – previous surveys/interviews or expert information • Design the assessment to gather what is not known or to provide clarity about what is known
Assessment
The Data-Gathering Phase: Conduct the needs assessment to gather data on required knowledge, skills, and abilities • Implement interviews, focus groups, written surveys, or questionnaires • Summarize the data • Analyze the data • Synthesize the results • Look for patterns
Post-assessment
The Utilization Phase: Analyze the results for action • Prioritize needs • Consider alternatives to resolve the needs, including education • Implement selected approaches

Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.5 Organizational Elements Model

Purpose of resource / document

This document shows a simplified chart of Kaufman's Organizational Elements Model. This model emphasizes the need to (a) differentiate between "means" and "ends," (b) focus on the ends when assessing needs, and (c) provide interventions to address changes in the means to ensure the expected ends are achieved.

Among other features, this model indicates a need to identify "gaps," which will lead easily into the next theory – Gap Analysis.

Use of resource / document

This document would be useful when discussing theories of needs assessment to frame the data-gathering process [see B, Needs Assessment Theories to Frame the Process, subpart c, Organizational Elements Model, pg. 17 in the curriculum design].

Related documents or materials

None

Needs Assessment: The Basics of Processes and Models

Organizational Elements Model

This is a simplified illustration of the components of Kaufman's Organizational Elements Model. This model emphasizes the importance of focusing on the "ends" when assessing needs and adjusting the "means" to achieve the ends desired.

Means	1. Inputs: Raw materials – people and things	What should be <gap> What is	A. Organizational Efforts	Internal to the organization
	2. Processes: How to do it – procedures and practices	What should be <gap> What is		
Ends	3. Products: Learner or instructor accomplishments or in-process results	What should be <gap> What is	B. Organizational Results	
	4. Outputs: Organizational accomplishments or products and services – the deliverables	What should be <gap> What is		
	5. Outcomes: Effects in and for society	What should be <gap> What is	C. Societal Impact	External to the organization

Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.6 Gap Analysis Example

Purpose of resource / document

This document provides both an outline for one approach to a gap analysis and an example of the content that may be discovered when conducting the process. A gap analysis is often incorporated into other needs assessment models, such as Kaufman's Organizational Elements Model. A gap analysis is a framework frequently used in educational settings.

Use of resource / document

This document would be effectively used when discussing theories that serve as a framework for data gathering [see B, Needs Assessment Theories to Frame the Process, subpart d, Gap Analysis, pg. 18 in the curriculum design].

Related documents or materials

None

Needs Assessment: The Basics of Processes and Models

Gap Analysis Example

This is a simplified example of a gap analysis including both the steps and some substantive information to illustrate possible answers to the questions. At the conclusion of the gap analysis, it would be wise to conduct a data-gathering process to assess the specific educational needs of the judges in the example.

What is the current situation?

- More than 45% of judges do not use available technology to manage their cases, hampering the case management system in many courts.

What would happen if nothing is done?

- Technology will continue to evolve, leaving these judges further behind in its use.

What is the preferred situation?

- All judges use technology, at least in its most basic forms, and remain up-to-date as technology evolves.

What is the gap between current and preferred situations?

- Many more judges need to use technology, at least with regard to the computer-based case management.

What is the organization’s goal?

- Within the next 24 months, all judges will be able to use the case management system.

What are some potential solutions, including education?

- Require use of the case management system
- Educate judges who do not currently use technology

What action will we take?

- Pursue formal requirement to use the computer-based case management system
- Create and deliver quarterly technology courses to be offered around the state for the next 24 months.

Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.7 Job Description Needs Assessment Example

Purpose of resource / document

This document is intended to show judicial branch educators how to use a job description to identify both educational needs for individuals new to the position as well as areas of deficiency for existing personnel. While some job descriptions are written in terms of knowledge, skills, and abilities, others are written in general terms that will require judicial branch educators to perform a review and analysis of the description to determine educational needs.

The resource uses a real-life job description to (1) highlight areas of knowledge that are expected of a court clerk; (2) using those areas of knowledge, identify related skills and abilities; and (3) based on those areas of knowledge, skills, and abilities, compile educational needs.

Use of resource / document

This resource would be effective when addressing commonly used needs assessment data-gathering approaches [see C, Exploring Commonly Used Needs Assessment Data-Gathering Approaches, subpart a, i, Job descriptions, pg. 19 in the curriculum design].

NOTE: The educational needs stated in this example are for illustrative purposes only; faculty and judicial branch educators may identify and/or state needs differently.

Related documents or materials

Participant activities
10.1.3.3 Benefits and Drawbacks of Various Data-Gathering Approaches, pg. 65
10.1.3.5 Choosing a Needs Assessment Data-Gathering Approach, pg. 70

Needs Assessment: the Basics of Processes and Models

Job Description Needs Assessment Example

The following is an actual job description with various areas of necessary knowledge highlighted in bold print. These areas of knowledge serve as a beginning to assess educational needs of those entering the job and possibly existing personnel if they demonstrate any deficiencies in performance.

Court Clerk

Under supervision of Court Administration, performs a variety of difficult, complex, and confidential duties in support of court operations and functions; serves as courtroom clerk; prepares and processes necessary materials and documents; provides information regarding court programs, policies, and procedures.

DUTIES:

Serves as a knowledgeable resource for information regarding **Court policies, procedures, objectives, and operational functions** in the assigned area; responds to inquiries in person and by telephone; provides information utilizing judgment, knowledge, and interpretation; resolves complaints; refers those making inquiries to appropriate source(s) as necessary.

Receives, compiles, and organizes information for the **preparation of documents, records, reports, and correspondence** as assigned; composes confidential correspondence, documents, and reports; physically **files or e-files** various **pleadings, depositions, exhibits, and other documents** in open Court; maintains **confidentiality of information**.

Prepares, certifies, serves, and processes **judgments, orders, findings and recommendations, decrees, and warrants**; prepares orders issued during hearings in Court by the judges and masters; processes and mails referrals; processes and delivers **bond information and forfeitures**.

Performs a full range of **legal clerical work** in **processing cases** before the Court; processes, prepares, and physically files or e-files required documents and reports; maintains **electronic Court dockets and permanent files**; types and prepares a variety of documents for the Court including minutes of Court hearings, trials, and proceedings.

Records, transcribes, files, e-files, and maintains a **permanent minute record of Court proceedings and hearings** including confidential/closed hearings; enters **dispositions of hearings**.

Administers **oaths** to witnesses, interpreters, and jurors; announces information, indictments, and **verdicts** in the courtroom.

May prepare **Court calendar**; pulls and reviews electronic or physical case files prior to hearings; verifies that electronic or physical files are complete; prepares electronic or physical files for Court proceedings including preparing sheets for each file and checking electronic or physical files for appropriate documents/pleadings and settings; delivers electronic or physical files to appropriate personnel.

May collect, prepare, mark, and maintain **exhibits for the Court**; preserves the integrity of physical evidence including narcotics, weapons, and other items; maintains **inventory** of exhibits; prepares and delivers a current list of physical evidence and exhibits to counsel and Court personnel; returns exhibits to the custodian of exhibits when trial is completed.

May **calendar all Court events**; coordinates with **other departments** to adjust schedule and distribute overflow cases; enters information into computer system; verifies accuracy of hearing schedule and department; distributes a daily calendar to appropriate parties including the bailiff, court reporter, Deputy District Attorney, and other Court personnel; notifies interested parties of changes in the calendar.

May assist in **jury selection process**.

May perform **case data entry** and performs **case maintenance for statistical reporting** purposes.

May calculate, record, and monitor the time of each hearing; compiles statistics on proceedings including **hearings, continuances, and other scheduled events**; monitors all criminal and civil cases; prepares **status reports** on cases with multiple pending motions submitted for decision; runs daily terse.

Substitutes for Judge’s Administrative Assistants by performing **administrative support duties for a judge**, including typing, answering the telephone, setting cases for hearings, and setting appointments with the judges.

Qualifications: Two years of **administrative support** experience involving **public contact in a legal environment**. Equivalent to the completion of twelfth grade, supplemented by two years of college level coursework.

Needs Assessment: the Basics of Processes and Models

Job Description Needs Assessment Example (continued)

The following shows one approach to analyzing the first three paragraphs of the court clerk job description with regard to knowledge, skills, and abilities. Following each section is a statement of educational need.

Knowledge of Court policies, procedures, objectives, and operational functions

- Ability to respond to inquiries in person and by telephone;
- Ability to provide information using judgment, knowledge, and interpretation;
- Ability to resolve complaints;
- Ability to refer inquiries to appropriate source(s) as necessary.

Educational need: Court clerks need a full understanding of court policies, procedures, objectives, and operational functions in order to provide assistance to the public.

Knowledge of Court documents, records, reports, and correspondence, including pleadings, depositions, exhibits, and other documents

- Ability to receive, compile, and organize information to prepare documents;
- Ability to compose confidential correspondence, documents, and reports;
- Skill in physically filing or e-filing documents in open Court;
- Ability to maintain confidentiality of information.

Educational need: Court clerks need knowledge, skills, and abilities to enable them to prepare and manage court documents and maintain confidentiality when necessary.

Knowledge of judgments, orders, findings, and recommendations, decrees, and warrants, including court orders, bond information, and forfeitures

- Ability to prepare, certify, serve, and process these documents;
- Ability to prepare orders issued during hearings in Court by the judges and masters;
- Ability to process and mail referrals;
- Ability to process and deliver bond information and forfeitures.

Educational need: Court clerks need an understanding of various court actions in order to prepare, serve, and process these documents accurately.

Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.8 Professional Competencies Needs Assessment Example

Purpose of resource / document

In the previous faculty resource, judicial branch educators were given an example of identifying the knowledge, skills, and abilities in a job description. In this resource, the knowledge, skills, and abilities are provided through professional competency statements.

This resource has two parts: the first is a copy of NASJE Core Competency #10, Needs Assessment (there are 11 competency areas in the full document), which for this document has key areas of knowledge in bold text; the second shows needs that may be deduced from the statements in the competency area.

Use of resource / document

This resource would be effectively used when discussing commonly used needs assessment data-gathering approaches [see C, Exploring Commonly Used Needs Assessment Data-Gathering Approaches, subpart a, ii, Professional competencies, pg. 19 in the curriculum design]

NOTE: The educational needs stated in this example are for illustrative purposes only; faculty and judicial branch educators may identify and/or state needs differently.

Related documents or materials

Participant activities
10.1.3.3 Benefits and Drawbacks of Various Data-Gathering Approaches, pg. 65
10.1.3.5 Choosing a Needs Assessment Data-Gathering Approach, pg. 70

Assessing Needs: The Basics of Processes and Models

Professional Competencies Needs Assessment Example

Successful continuation of judicial branch education links education to the job-related needs of judges and court employees, ultimately improving their performance and that of the system. This connection between education and job relevance is best achieved through careful needs assessment.

The following competencies are essential in order to best achieve proper needs assessment:

- Knowledge of **needs assessment methods**
- Knowledge of the need for determining the initial **scope and direction of the needs assessment**
- Knowledge of budget, personnel, and infrastructure **expenses required** to perform the selected needs assessment method
- Knowledge of how to effectively **use needs assessment results** in program or curriculum development
- Ability to ascertain which **model(s)** is/are most appropriate for the particular educational goal and audience
- Ability to formulate **planning questions** that will determine the scope and direction of the needs assessment
- Ability to calculate **resource requirements** related to conducting the needs assessment and determine whether the resource requirements are appropriate for addressing the performance problem
- Ability to use the **needs assessment to set program priorities** and apply needs assessment results in program and curriculum development
- Skill in selecting a needs assessment process, developing the **appropriate data-collection instrument**, analyzing the results, and reporting and using the results
- Skill in **problem identification**, issue identification, and measuring the organizational will to address the problem or issue
- Skill in **marketing** the need and the approach of the needs assessment
- Skill in conducting a **cost-benefit analysis** for both the needs assessment and the problem, then determining whether the cost of the problem to the organization is worth investing the resources in the needs assessment
- Skill in **using the needs assessment results** to determine program and curriculum goals, establish learner objectives, select audience composition, identify appropriate subject matter, select faculty members, deliver the subject matter in a way that enhances individual and organizational performance, and gain feedback for continual improvement through evaluation methods

Assessing Needs: The Basics of Processes and Models

Professional Competencies Needs Assessment Example (continued)

Educational Needs:

Judicial branch educators should

1. Understand what a needs assessment is and its role in curriculum and course development;

2. Be familiar with the various models and data-gathering approaches for assessing needs and how to choose approaches that are appropriate for given situations;

3. Be able to determine the scope of a needs assessment and relevant questions to answer before undertaking the process;

4. Know the issues surrounding cost and marketing for assessing needs; and

5. Know how to use the results of needs assessment for educational planning purposes.

Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.9 Likert Scale Examples

Purpose of resource / document

This resource has two parts: the first is a chart showing Likert Scale choices that might be appropriate in assessing needs; the second indicates questions that could be used with each rating scale in the chart. The examples provide faculty and judicial branch educators with an array of choices for using a Likert Scale to gather data.

Use of resource / document

This resource would be effective when discussing commonly used needs assessment data-gathering approaches [see C, Exploring Commonly Used Needs Assessment Data-Gathering Approaches, subpart c, i, Likert Scale Assessment, pg. 21 in the curriculum design].

NOTE: A Likert Scale may be used in a variety of data-gathering efforts, including needs assessment, evaluation, and other situations. The rating choices selected are those that lend themselves to assessing needs. Faculty or judicial branch educators may select other scales that are suitable for their purposes.

Related documents or materials

Participant activities
10.1.3.3 Benefits and Drawbacks of Various Data-Gathering Approaches, pg. 65
10.1.3.5 Choosing a Needs Assessment Data-Gathering Approach, pg. 70

Needs Assessment: The Basics of Processes and Models

Likert Scale Examples

(based on Vagias)

The following are examples of Likert Scale choices that could be used for assessing needs (there are other Likert scale rating options suitable for other purposes).

Frequency 1. Never 2. Rarely 3. Occasionally 4. Sometimes 5. Frequently 6. Usually 7. Always	**Importance** 1. Not at all important 2. Low importance 3. Slightly important 4. Neutral 5. Moderately important 6. Very important 7. Extremely important	**Level of Difficulty** 1. Very difficult 2. Difficult 3. Neutral 4. Easy 5. Very easy
Level of Acceptability 1. Totally unacceptable 2. Unacceptable 3. Slightly unacceptable 4. Neutral 5. Slightly acceptable 6. Acceptable 7. Absolutely acceptable	**Amount of Use** 1. Never use 2. Almost never use 3. Occasionally use 4. Use almost every time 5. Always use	**Familiarity** 1. Not at all familiar 2. Slightly familiar 3. Somewhat familiar 4. Moderately familiar 5. Extremely familiar
Level of Agreement 1. Strongly disagree 2. Disagree 3. Somewhat disagree 4. Neutral 5. Somewhat agree 6. Agree 7. Strongly agree	**Likelihood** 1. Extremely unlikely 2. Unlikely 3. Neutral 4. Likely 5. Extremely Likely	**Level of Proficiency** 1. Not at all proficient 2. Slightly proficient 3. Somewhat proficient 4. Moderately proficient 5. Extremely proficient
Level of Responsibility 1. Not at all responsible 2. Somewhat responsible 3. Mostly responsible 4. Completely responsible	**Level of Desirability** 1. Very undesirable 2. Undesirable 3. Neutral 4. Desirable 5. Very desirable	**Priority** 1. Not a priority 2. Low priority 3. Medium priority 4. High priority 5. Essential

Needs Assessment: The Basics of Processes and Models

Likert Scale Examples (continued)

Possible Questions for Assessing Needs

Sample questions based on choice or response options in the preceding chart: These questions would be followed by a list of topics, statements, or phrases for which responders would select one.

What is the **frequency** of accessing the following content in your work?
1. Never 2. Rarely 3. Occasionally 4. Sometimes 5. Frequently 6. Usually 7. Every time

What is the **level of importance** of the following topics in your work?
1. Not at all 2. Low 3. Slightly 4. Neutral 5. Moderately 6. Very 7. Extremely important

What is the **level of difficulty** you experience with the following tasks?
1. Very difficult 2. Difficult 3. Neutral 4. Easy 5. Very easy

What is the **level of acceptability** for the following documented errors?
1. Totally unacceptable 2. Unacceptable 3. Slightly unacceptable 4. Neutral 5. Slightly acceptable 6. Acceptable 7. Absolutely acceptable

How often do you **use** the following skills?
1. Never 2. Almost never 3. Occasionally 4. Almost every time 5. Always

What is your **familiarit**y with the following topics?
1. Not at all familiar 2. Slightly 3. Somewhat 4. Moderately 5. Extremely familiar

What is your **level of agreement** that the following are relevant to your work?
1. Strongly disagree 2. Disagree 3. Somewhat disagree 4. Neutral 5. Somewhat agree 6. Agree 7. Strongly agree

What is the **likelihood** that you would use the following in your work?
1. Extremely unlikely 2. Unlikely 3. Neutral 4. Likely 5. Extremely likely

What is your **level of proficiency** in the following areas?
1. Not at all proficient 2. Slightly proficient 3. Somewhat proficient 4. Moderately proficient 5. Extremely proficient

What is your **level or responsibility** for the following tasks?
1. Not at all responsible 2. Somewhat responsible 3. Mostly responsible 4. Completely responsible

How **desirable** would courses on the following topics be?
1. Very undesirable 2. Undesirable 3. Neutral 4. Desirable 5. Very desirable

What **priority** would you give the following topics? (e.g., rank order scale)
1. Not a priority 2. Low priority 3. Medium priority 4. High priority 5. Essential

Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.10 Rank Order Example

Purpose of resource / document

This resource is only one example of how judicial branch educators might use a rank order scale to gather information that can guide planning for a course or series of courses.

Use of resource / document

This resource would be effective when discussing commonly used needs assessment data-gathering approaches [see C, Exploring Commonly Used Needs Assessment Data-Gathering Approaches, subpart c, ii, Rank Order Scale Assessment, pg. 22 in the curriculum design].

Related documents or materials

Participant activities
10.1.3.3 Benefits and Drawbacks of Various Data-Gathering Approaches, pg. 65
10.1.3.5 Choosing a Needs Assessment Data-Gathering Approach, pg. 70

Needs Assessment: The Basics of Processes and Models

Rank Order Example

The following is an example of how a Rank Order Scale may be used in assessing needs for new judges. This assessment may be given to sitting judges and/or to new judges who take the bench before attending an orientation.

Instruction to judges: While all of the following topics are important, we are seeking your assistance with determining content for the first two days of our week-long New Judge Orientation. The final three days will be devoted to exploring various case types and related content.

Please rank the following topic areas (listed alphabetically) in order of importance, 1 being the most important to be offered during orientation and 10 the least important; topics might also be offered in a form other than in an orientation course, such as in a publication.

Thank you for your assistance

Rank	Topic
	Access and Fairness in the Courts
	Case Management Strategies
	Code of Judicial Conduct
	Courtroom Management, General
	Interpreters and Their Role in the Court
	Judicial Demeanor
	Judicial Writing
	Jurisdictional Issues
	Self-Represented Litigant Issues
	Public Trust and Confidence in the Courts

Needs Assessment: The Basics of Processes and Models

Explanation of Faculty Resource

10.1.2.11 Delphi Method Example

Purpose of resource / document

This resource provides judicial branch educators with an example of how a Delphi Method could be used to gather data that can guide planning for educational activity.

Use of resource / document

This resource would be effective when discussing commonly used needs assessment data-gathering approaches [see C, Exploring Commonly Used Needs Assessment Data-Gathering Approaches, subpart c, iii, Delphi Method, pg. 22 in the curriculum design].

Related documents or materials

Participant activities
10.1.3.3 Benefits and Drawbacks of Various Data-Gathering Approaches, pg. 65
10.1.3.5 Choosing a Needs Assessment Data-Gathering Approach, pg. 70

Needs Assessment: The Basics of Processes and Models

Delphi Method Example

Round 1 Question: *[This open-ended question will gather a wide range of responses]*
What knowledge, skills, abilities, and attitudes do you need as a court executive or court administrator?

Round 2 Question: *[This list of choices includes all responses]*
From the list of knowledge, skills, abilities, and attitudes listed below that were compiled from your answers to an earlier survey, please indicate with a check mark [✓] those topics that need to be included in education this year. These topics are in no particular order.

	Technology		Alternative dispute resolution
	Records management		High profile cases
	Public trust and confidence		Strategic planning
	Self-help issues		Court facilities
	Human resources issues		Safety and security
	Fiscal management		Access to the courts
	Multiple court administration		Jury management issues
	Project management		Leadership
	Education and training issues		Court performance standards
	Team building		Succession management

Round 3 Question: *[This list of choices shows responses from round 2]*
Based on answers from an earlier survey, court executives and administrators identified the following areas of knowledge, skills, abilities, and attitudes that need to be addressed this year. Please place a number from 1 to 5 beside each topic to indicate its level of importance. These topics are in no particular order. You may use a number multiple times.

1. Not important 2. Moderately important 3. Important 4. Very important 5. Extremely important

	Self-help issues		High profile cases
	Fiscal management		Safety and security
	Education and training issues		Leadership
	Alternative dispute resolution		Court performance standards

Possible action: Address topics that have the highest ranking.

NASJE CURRICULUM DESIGN

PARTICIPANT ACTIVITIES

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Needs Assessment: the Basics of Processes and Models

Explanation of Participant Activity

10.1.3.1 Choosing a Useful Definition

Purpose of activity

This activity involves judicial branch educators in considering various definitions of needs assessment and choosing three that are most applicable for use in judicial branch education. All of the definitions are educationally valid. Part of the reason for the various definitions is to demonstrate to judicial branch educators that needs assessment is often a broader activity than what we typically do in the judicial branch. This may encourage a broader use of needs assessment in the future.

Three spaces are left open on the activity chart for faculty and/or participants to add definitions that may be more familiar to them than those provided. If these spaces are used, faculty is encouraged to share the "write-in" definitions with the larger group before participants rank the top three.

Regardless of the top three choices, faculty is encouraged to emphasize that needs assessments are often used in a limited way. This may be due to limitations of time, funds, and personnel. Or to an already established, predetermined series of courses.

Use of activity

A definition should be chosen early in a course developed from this curriculum design. Faculty may present and discuss all of the definitions [see A, Needs Assessment Overview, pg. 9 in the curriculum design] and then ask participants to individually rank their top three before leading a group discussion to reach consensus, or faculty may have participants collectively rank the top three definitions and limit discussion to those chosen.

This is an individual activity.

Relevant Learning Objective

1. Choose a definition(s) for needs assessment that would be most applicable in judicial branch education.

Needs Assessment: The Basics of Processes and Models
Choosing a Useful Definition

Using the following chart, rank the definitions for needs assessment in terms of what would be most applicable in the court system, 1 being the most applicable.

Add any other definitions you use for needs assessment and refer to them when the large group discusses these definitions.

Rank	Definitions
	The first step, the foundation, in designing an educational intervention
	The process of collecting information about what individuals need in terms of education and analyzing that information to identify whether education would be relevant
	The process of (1) comparing existing performance with desired performance, and (2) determining whether education can bridge the gap
	Systematic processes for collecting information and making decisions about education
	The process of identifying the desired outcome of education (the ends), which serves as the basis for developing course goals, learning objectives, and content (the means to achieve the ends) for a course
	A process to determine what educational needs really exist, how the needs became apparent, how the needs are defined, how to address the needs, and which needs are a priority
	A process of discovering discrepancies/shortcomings that exist in the organization, with the job, and with the individual, that may be addressed by education
	[Other definition]
	[Other definition]
	[Other Definition]

Needs Assessment: The Basics of Processes and Models

Explanation of Participant Activity

10.1.3.2 Relationships: Needs Assessment, Course Goals, and Learning Objectives

Purpose of activity

This activity is meant to directly involve judicial branch educators in understanding the relationship and interdependency among educational needs, course goals, and learning objectives. These are the first three steps in 10.1.2.1 Recommended Instructional Design Model, pg. 33, and serve as the basis for further course planning.

Participants are given one of the three and asked to surmise the others.

Use of activity

This activity would be effectively used in discussing the relationship of needs assessment to other instructional design steps [see A, Needs Assessment Overview, subpart g, Needs assessment as a critical step in instructional design, pg. 13 in the curriculum design].

There are various ways to complete the missing components for each of the three learning situations presented. The point is to have judicial branch educators discover the close relationship among the first three steps recommended by the NASJE Curriculum Committee for instructional design. Faculty may want to develop their own answers in order to ask prompting questions if judicial branch educators have any difficulty in completing the chart.

This may be an individual or a small group activity.

Relevant Learning Objective

2. Discuss the relationship between needs assessment, course goal(s) and learning objectives.

Needs Assessment: The Basics of Processes and Models

Relationships: Needs Assessment, Course Goals, and Learning Objectives

Review the information provided and complete the missing components.

	Educational Need	Course Goal	Learning Objectives
1.	A new case management system will cause court clerks to change their procedures for data entry		
2.		This course is intended to provide juvenile court judges with an understanding of the new legislation	
3.			As a result of this education, participants will be able to: 1. List the types of problems that commonly occur in a courtroom during a divorce proceeding; 2. Explain courtroom control strategies that could be used in a hypothetical divorce situation; 3. Describe the financial documents necessary to determine the amount of child support payments.

Needs Assessment: The Basics of Processes and Models

Explanation of Participant Activity

10.1.3.3 Benefits and Drawbacks of Various Data-Gathering Approaches

Purpose of activity

This activity engages judicial branch educators in weighing the benefits and drawbacks of commonly used data-gathering approaches. While there are no right or wrong answers to this activity, the important point is to have participants think about each approach in terms of what it may involve and what it may yield in results.

Use of activity

Faculty may choose to use this activity before presenting the benefits and drawbacks of commonly used data-gathering approaches [see C, Exploring Commonly Used Needs Assessment Data-Gathering Approaches, pg. 19 in the curriculum design]. If used in this way, judicial branch educators will share their ideas and faculty may then supplement discussion with any new topics or any topics not previously covered. The benefits and drawbacks provided in the content outline are not exhaustive so faculty may choose to expand the list based on their own experience or other sources.

This may be an individual or a small group activity.

Relevant Learning Objective

3. List the benefits and drawbacks of various data-gathering approaches and methodologies

Needs Assessment: The Basics of Processes and Models

Benefits and Drawbacks of Various Data-Gathering Approaches

Use the chart below to list the benefits and drawbacks of the models listed.

Approach	Benefits	Drawbacks
Document Review (job descriptions, professional competencies, etc.)		
Interviews and Focus Groups		
Surveys and Questionnaires (using Likert Scale, Rank Order, or Delphi Method)		

Needs Assessment: The Basics of Processes and Models

Explanation of Participant Activity

10.1.3.4 Structuring Questions for Assessing Needs

Purpose of activity

This activity is intended to engage judicial branch educators in assessing the kinds of considerations that are necessary for structuring effective questions for assessing needs. Each question has multiple problems so there are many options for participants to identify.

Use of activity

Before engaging participants in this activity, it might be useful for faculty to pose an inappropriate or ineffective question and have the full group brainstorm considerations and problems. This will give participants an opportunity to hear a broad range of concerns from others. This activity may be used as an introduction to exploring the use of questions for assessing needs [see D, Exploring the Use of Questions for Assessing Needs, pg. 23 in the curriculum design].

Faculty may want to use the first question for the large group discussion. As an example, a few of the considerations and problems for the first question are:
It implies that the interviewer/designer believes that ethics is important;
it is a closed question, answerable with a yes or no; the topic of the question is very broad (ethics is a topic with many facets) so an answer in the affirmative will not yield a clear direction.

There are many variables to this activity, and there is not a right or wrong answer. The point is to have judicial branch educators apply critical thinking skills to what appear to be simple questions, but which may have underlying implications that could skew results in assessing needs.

This is an individual activity.

Relevant Learning Objective

4. Identify basic considerations for structuring questions to be used to assess needs.

Needs Assessment The Basics of Processes and Models
Structuring Questions

Review the following questions, list some considerations or problems with the question, and rewrite them in a more appropriate form.

1.	Question: Don't you think ethics is an important topic for judges? Considerations and problems with the question: Rewritten question:
2.	Question: Which topics would make judges better at family law? Considerations and problems with the question: Rewritten question:
3.	Question: Why are some court clerks resistant to the new system? Considerations and problems with the question: Rewritten question:

4.	Question: Is your supervisor teaching you what you need to know? Considerations and problems with the question: Rewritten question:
5.	Question: Do you want to learn about bias, access, and fairness? Considerations and problems with the question: Rewritten question:
6.	Question: When you are in the courtroom, what is your biggest problem? Considerations and problems with the question: Rewritten question:

Explanation of Participant Activity

10.1.3.5 Choosing a Needs Assessment Data-Gathering Approach

Purpose of activity

This activity engages judicial branch educators in determining an effective needs assessment approach for specific situations. While there are no absolutely wrong answers to choosing an approach, some are more applicable than others for the given hypothetical situation.

The following might be appropriate responses for each hypothetical situation, although judicial branch educators may have differing ideas about what would be effective:
1 – survey, Delphi and/or rank order scale;
2 – focus groups;
3 – survey, Likert scale;
4 – data review of job description and related documents;
5 – interviews.

Use of activity

This activity involves making decisions about data gathering and would be most effective after faculty presents the various data-gathering approaches [see C, Exploring Commonly Used Needs Assessment Data-Gathering Approaches, pg. 19 in the curriculum design].

There is no single right or wrong answer to any of the situations presented. The point is to have judicial branch educators think about various approaches and be able to state why they chose one for a given situation.

This may be an individual or a small group activity.

Relevant Learning Objective

5. Choose needs assessment data-gathering approaches that are effective for specific situations.

Needs Assessment: The Basics of Processes and Models

Choosing a Needs Assessment Approach

Review the four hypothetical situations and provide your responses to the question that follows each.

Hypothetical Situation #1:

As a judicial branch educator at the state level, you are about to begin a curriculum development process for judges hearing family law cases. You have a committee of family court judges who have given you a basic outline of content necessary for judges hearing these cases. Your funding will not enable you to fully address all educational content simultaneously, so you need both to refine and develop the content outline and to prioritize the content with regard to which areas to develop first.

What would be an effective needs assessment approach and why?

Hypothetical Situation #2:

The state judicial education office provides education for judges only. The court clerks of the state have an association that meets annually and produces courses for its members. As a judicial branch educator in a local court, you feel the court clerks need more education than they are able to obtain through the association. You are able only to address what the clerks in your court need.

What would be an effective needs assessment approach and why?

Hypothetical Situation #3:

All courts in your state are about to use a shared computer software system to monitor dates for criminal cases as they progress. This software will be a major change for those individuals who enter data into the system. As a judicial branch educator at the state level, you are responsible for developing education regarding this new system.

What would be an effective needs assessment approach?

Choosing a Needs Assessment Approach (continued)

Hypothetical Situation #4:

Courts in your state have recently adopted a new position to assist self-represented litigants through self-help centers. The new position represents a significant collaborative effort on the part of the human resources departments of each court and the position will be open to internal candidates only. As a judicial branch educator at the state level, you are responsible for developing education for this new position.

What would be an effective needs assessment approach?

Hypothetical Situation #5:

Recently, many court users have complained about lack of courtesy and respect from court personnel. As a judicial branch educator at the state level, you are responsible for developing education to assist court personnel in treating court users more appropriately.

What would be an effective needs assessment approach?

Explanation of Participant Activity

10.1.3.6 Barriers to Conducting an Effective Needs Assessment

Purpose of activity

This activity engages judicial branch educators in thinking about and discussing the realities of conducting an effective needs assessment for any target audience in the courts. This discussion is intended to prepare participants for the range of possible difficulties they may encounter in their local environments when conducting a needs assessment.

Use of activity

This activity may be used before faculty presents or discusses facilitating and inhibiting factors in conducting needs assessments [see F, Facilitating and Inhibiting Factors in Conducting Needs Assessments, pg. 26 in the curriculum design]. If used in this way, faculty may engage judicial branch educators in a discussion of their ideas and then add only those factors not discussed during the activity.

This may be an individual or a small group activity; after identifying the potential barriers, learners should engage in a discussion to identify strategies to address the barriers they have identified.

Relevant Learning Objective

6. List potential barriers to conducting an effective needs assessment and discuss strategies to address each.

Needs Assessment: The Basics of Processes and Models

Facilitating and Inhibiting Factors

To conduct an effective needs assessment for any target audience in the courts, use the chart below and list facilitating and inhibiting factors for each group.
NOTE: these groups are not the target audience for the needs assessment, but they each have a stake in the process and in the results.

Group	Facilitating Factors	Inhibiting Factors
Organization or Management		
Learners		
Judicial Branch Educators		
Others:		

Explanation of Participant Activity

10.1.3.7 Generating Support for Assessing Needs

Purpose of activity

This activity allows judicial branch educators to conduct a needs assessment for a target audience from their local court. Part of the activity is to consider using groups discussed in the previous activity together with the target audience to plan strategies for generating support among many or all of the groups.

This activity asks judicial branch educators to select an approach for assessing needs for a target audience of their choice; the activity does not differentiate between theories and data-gathering approaches. Judicial branch educators may select either a theory to serve as a framework for assessing needs or a specific data-gathering approach, depending on their local situation.

Use of activity

This activity would be most effective after all content has been discussed so judicial branch educators have full information before considering local implementation of a needs assessment.

This is an individual activity.

Relevant Learning Objective

7. List potential strategies to generate support of a selected needs assessment approach for a particular target audience.

Needs Assessment: The Basics of Processes and Models

Generating Support

Select a target audience and an approach for assessing needs. Then, using the chart below, consider what concerns each group may have and what strategies you may use to generate their support.

Target Audience: ____

Needs Assessment Approach: ____

Group	Potential Concerns	Strategies to Generate Support
Organization or Management		
Relevant Committee(s)		
Target Audience		
Judicial Branch Educators or the JBE Department		
Others:		

Explanation of Participant Activity

10.1.3.8 Using Needs Assessment Data

Purpose of activity

This activity involves judicial branch educators in evaluating their local environment with regard to the use of needs assessment results. There will be many variables for each participant, so this activity is not intended to create consensus about answers. Each judicial branch educator will have unique circumstances with which to deal.

Use of activity

This would be most effective as a closing activity. If used in this manner, it serves as an action plan or commitment for each judicial branch educator to utilize needs assessment and data gathering as a routine part of educational planning.

This is an individual activity.

Relevant Learning Objective

8. Identify specifically how feedback from needs assessment data gathering is, or will be, integrated into curriculum or course development locally.

Needs Assessment: The Basics of Processes and Models

Using Needs Assessment Data

Place a check mark in the appropriate box to indicate your current use of the data-gathering approaches listed and answer the questions with regard to improvement or implementation of needs assessment as part of your judicial branch education efforts.

Currently Use Yes	No	Data-Gathering Approaches
☐	☐	**Document Review** How will you improve or implement needs assessment data-gathering results from document review in curriculum and/or course development? Which target audiences will be involved?
☐	☐	**Interviews and/or Focus Groups** How will you improve or implement needs assessment data-gathering results from interviews or focus groups in curriculum and/or course development? Which target audiences will be involved?
☐	☐	**Surveys and/or Questionnaires** How will you improve or implement needs assessment data-gathering results from surveys and/or questionnaires in curriculum and/or course development? Which target audiences will be involved?

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Needs Assessment: the Basics of Processes and Models

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