

# *Mentoring In the Judiciary*

*JERITT Monograph Two*

**Second Edition**

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# **Mentoring in the Judiciary**

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# Preface

Mentoring has enjoyed increasing popularity in organizations and professions as a way of orienting, training and instilling appropriate norms, attitudes and behaviors in new professionals. Traditional mentoring characterized by individual relationships between mentors and proteges, has given way to formalized mentoring which is structured through mentoring programs.

This monograph explores methods and options for establishing judicial mentoring programs. We begin by looking at how three other professions (business, education and medicine), all have lengthy experiences with mentoring, design their programs. In the process, we also investigate how judicial mentoring programs can benefit from the experiences of these three professions, especially when developing, implementing and evaluating mentoring programs for optimal results. Building on this foundation, the monograph turns specifically to mentoring for new judges. Results from a national survey of judicial educators are reported, along with more detailed information about four state-level mentoring programs which represent a range of existing new-judge mentoring programs.

This JERITT monograph provides the judicial educator with a resource for developing a new state-level new-judge mentoring program; it may also provide suggestions for revising an existing mentoring program. To that end, we suggest a process that judicial educators may use to accomplish either goal. Developing new programming of any kind is time consuming and costly. It is the hope that this monograph will reduce both expenditures.





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## Introduction

Over the past few years, the process of mentoring has received increased attention as a strategy for the career development of professionals. Documentation of mentoring relationships and programs can be found in the literature of business, higher education, the health professions and even the popular press. In its simplest form, mentoring is a professional relationship between a senior, high-career status member of the profession (mentor) who, by mutual consent takes an active interest in the career development of a more junior colleague (protégé).

For protégés, the object of mentoring is to shorten the learning curve associated with job tasks, to become socialized to appropriate job-related norms and behaviors and to be recognized as someone on a "fast track" for a leadership role within the work environment. For mentors, this relationship offers professional rejuvenation, a cross-fertilization of ideas and a personal sense of satisfaction from sharing wisdom and experience with younger colleagues.

While mentoring has become a popular career development strategy, its origins can be traced to Greek mythology. When Odysseus went off to the Trojan War, he charged his household manager, Mentor, with the education and development of his son, Telemachus. Mentor acted as Telemachus' teacher, coach, taskmaster, confidant, counselor and friend (Clawson, 1980).

Later, the emphasis of mentoring shifted away from an all-encompassing life mentor to a more focused career mentor. When skilled trade guilds emerged in the 1500's, new trainees (apprentices) were mentored by skilled trade masters until achieving a high level of proficiency in the trade. In early graduate education, students sought-out (or paid for) the sponsorship of a major professor to guide their mastery of the discipline. Before medical schools, trainees would "read medicine" under the guidance of a practicing physician.

In the 1970's, the fields of management development and adult development led the modern resurgence of mentoring as a career development strategy. Kanter's book, *Men and Women of the Corporation* (1979) and Roche's article "Much Ado About Mentors" in a 1979 issue of the *Harvard Business Review* are generally recognized for reestablishing mentoring as a management development strategy. Their research indicated that executives who had mentors earned more money at a younger age, were better educated, were more likely to follow their initial career paths and enjoyed greater career satisfaction than those executives who did not have mentors. Their overall conclusion was that strong mentoring relationships were associated with a variety of positive career outcomes.

Also in the late 1970's, Levinson et al., published a widely-read book, *Seasons of a Man's Life* (1978), which described the mentoring relationship as "one of the most complex and developmentally important a man can have in early adulthood." Levinson's description of mentoring was influential because he defined the process not in terms of formal roles such as teacher or a boss, but in terms of its character and the functions it served (Schapira, 1992). Levinson felt a mentor should fulfill the responsibilities of teaching, sponsoring, guiding, socializing into a profession and providing counsel and moral support. It was not long after these works were published that those charged with preparing today's professionals began to implement mentoring relationships and mentoring programs.

In the 1990's, the nature of the work of professionals also led to the resurgence of mentoring. First, the professional's job has become more complex and specialized. The explosion of knowledge and the complexity of managing and mastering knowledge is overwhelming for a new professional. Second, the cost of formal training programs for professionals has risen to the point where a single corporation or professional discipline can no longer afford continuous and comprehensive training. Finally, the emergence of racial, ethnic and gender diversity, has forced professions to reexamine their commitment to professional advancement for all. Into this complex picture comes today's literature on mentoring and the increasing amount of evidence of its effectiveness.

This monograph does not attempt to present a comprehensive review of all that is currently known about mentoring. Rather, the authors attempt to present a practical synthesis of the literature from business, higher education, and the health professions with the goal of providing judicial educators with information they can use to design, develop and implement effective mentoring efforts for the judiciary. Specifically, this monograph is organized into four chapters. The first chapter presents an operational definition of mentoring, followed by a description of what effective mentors do. Also presented are the stages of a typical mentoring relationship, and characteristics of effective mentor-protégé relationships.

The second chapter presents a review of mentoring programs. Topics presented are the role of mentoring programs, the development and administration of mentoring programs, selecting and training mentors, the assignment and duration of mentoring programs and how to evaluate a mentoring program.

In the third chapter, data from a national survey on mentoring in the judiciary is summarized and offered by the authors as a way of informing judicial educators about the content and process of fully operational new-judge mentoring programs. Following the survey data, profiles of model judicial mentoring programs are presented. The profiles are from Arizona; Florida; New South Wales, Australia; and Ohio.

In the fourth chapter, the authors present the steps involved in designing a new judicial education mentoring program complete with planning and assessment tools. Finally, we include an extensive bibliography on mentoring relationships and programs for those interested in reading further about the topic.



## **Chapter 1: Mentoring Relationships**

### **Mentoring: An Operational Definition**

While the literature of mentoring contains several different definitions, there is, unfortunately, no one generally accepted definition of the term. Merriman (1983), in a review of the existing mentoring literature noted:

The phenomenon of mentoring is not clearly conceptualized, leading to confusion as to just what is being measured or offered as an ingredient for success. Mentoring appears to mean one thing to developmental psychologists, another thing to business people, and a third thing to those in academic settings.

Jacobi (1991) in her literature review, presented 15 different definitions of the term from a variety of disciplines. While all the definitions of mentoring are slightly different, there appear to be four common elements that are constant across all definitions. These elements are: 1) mentoring is a professional, work-related relationship, 2) between an older, more experienced member of a profession or organization, and 3) a lesser-experienced newcomer, 4) where the senior member offers advice and guidance designed to enhance the newcomer's skill development and socialization within the profession or organization.

These common elements may not capture all the intricacies of mentoring, but they nevertheless provide a sufficient operational definition of the term for the purposes of this monograph. Rather than attempt to provide the ultimate definition of mentoring, most researchers in the field have chosen to define or describe mentoring in terms of the functions or roles assumed by a mentor in relation to a protégé. These functions are presented next.

### **Functions of a Mentor**

In Jacobi's (1991) review of mentoring, she identified eight major research studies which examined mentoring relationships from a broad perspective. These studies were based on original data obtained by the authors and were conducted across a variety of professions. From these studies, she identified 15 functions mentors performed in a mentoring relationship with a protégé. These functions are:

1. **Acceptance/support/encouragement**: The mentor takes the protégé "under his/her wing," makes the protégé feel welcome and offers emotional support.
2. **Advice/guidance**: Suggestions are offered by the mentor not only about mastering individual job tasks, but also about overall career planning.



3. **Bypass bureaucracy/access to resources:** Mentors share their knowledge of the "informal network" within the organization/profession and how to work more efficiently.
4. **Challenge/opportunity/"plum assignments":** Using the mentor's position within the organization/profession, protégés are given opportunities to demonstrate their skills that they may not get without a mentor.
5. **Clarify values/clarify goals:** Mentors offer the benefit of their experience and wisdom in helping protégés identify the "big picture" and the unwritten rules.
6. **Coaching:** Similar to an athletic coach, the mentor observes the job performance of the protégé and offers corrective feedback.
7. **Information:** Mentors, because of their position with the organization/profession, have access to information protégés do not. Mentors pass-on information to hasten the protégé's mastery of the job.
8. **Protection:** Again, using the positional status, mentors protect protégés from becoming over-extended or being assigned dead-end tasks.
9. **Role model:** Mentors demonstrate appropriate job behaviors, attitudes and social skills through their actions.
10. **Social status/reflected credit:** Simply being a mentor or a protégé elevates the status of both within an organization/profession. Also, the successful accomplishments of the protégé reflect well on both mentor and protégé.
11. **Socialization/host and guide:** The mentor counsels the protégé on accepted behaviors and social norms, and introduces the protégé to leaders within the organization/profession.
12. **Sponsorship/advocacy:** Mentors "go to bat" for their protégés, promoting the protégé's skills and abilities.
13. **Stimulate acquisition of knowledge:** Information is provided by mentors not necessarily related to an individual job task, that will assist protégés in their overall mastery of the job.
14. **Training/instruction:** Mentors provide direct, hands-on assistance to protégés in helping them complete job assignments.

15. **Visibility/exposure:** Mentors, through their informal conversations with other opinion leaders and through the assignment of high-profile tasks, make sure the efforts of their protégés are seen and recognized.

A closer look at these 15 functions performed by a mentor reveals that a mentoring relationship serves at least two broad functions. As summarized by Olian (1988):

Based upon Kram (1985), Noe (1988a) and Olian et al., (1985), it appears that protégés who have close contacts with a mentor see two primary dimensions to the benefits obtained from the relationship: job and career benefits through information and external brokering provided by the mentor, and psychosocial benefits from the emotional support and friendship obtained within the relationship.

These then are the functions performed by mentors in a mentoring relationship. Presented next is a description of the stages of a career mentoring relationship.

## **The Mentoring Relationship**

The career mentoring relationship, like all human relationships passes through a series of stages. Kram (1983) observed 18 pairs of successful mentors and protégés, and concluded that a typical mentoring relationship has four distinct stages. These stages are: 1) the initiation stage, 2) cultivation stage, 3) separation stage and 4) a redefinition stage.

The initiation stage typically lasts 6-12 months. It is during this time that potential mentors and protégés first become aware of each other, and a bond of mutual respect begins to form. As these two learn more about each other, the mentor will begin to assess the protégé's professional potential, assign tasks that allow the mentor to directly observe the protégé's work performance and begin to share with the protégé work values and observations about the profession. The protégé will begin to "check out" the reputation and credibility of the mentor within the organization and likewise begin to assess the mentor's ability to help the protégé. This initial stage of the relationship generally ends when the two agree to serve as mentor and protégé.

The second stage, the cultivation stage, generally lasts 2-5 years and represents the most active period of the relationship. It is here that the mentor directly intervenes in shaping the career of the protégé by performing many, if not all, the functions listed in the previous section of this monograph. The protégé enjoys the benefits of special assignments, attention, emotional support and recognition, and the mentor experiences the satisfaction of contributing to the success of a young professional.

The third stage, the separation stage, is a difficult one for both the mentor and protégé. It is generally marked by the promotion or reassignment of the protégé. Generally, protégés begin to conduct themselves more autonomously, requiring less input from their



mentors. Some mentors may feel a sense of loneliness or abandonment. Ultimately, both mentors and protégés come to realize the successful outcomes of their relationships.

The final stage, the redefinition stage, is where the mentor and protégé attempt to reestablish their relationship under a new set of rules. The two now interact as trusted peers and provide joint support and professional assistance. This stage is characterized by less direct interaction, but a bond of friendship exists that may last the remainder of their professional careers.

Kram's characterizations of the stages of mentoring represent those found in successful mentor-protégé relationships. It is important to remember that in Kram's research, the mentors and protégés were free to select each other, something that may not always be possible in a structured mentoring program. Also, Kram observes that even when mentors and protégés are free to select each other, the mentoring relationship may not always be successful. The protégé may feel overly intimidated by the mentor, and therefore, feel uncomfortable about developing a more intense relationship. Difficulties may also be encountered when one or both of the parties finds that the expected outcomes do not appear.

### **Characteristics of Successful Mentor-Protégé Relationships**

With the knowledge that most mentoring relationships pass through a series of stages, it is important to examine next what is known about those successful mentor-protégé interactions. Judicial educators charged with the responsibility of establishing mentoring programs cannot hope to control all variables in a successful mentor-protégé relationship, but they can control some. The understanding of others will hopefully contribute to successful implementation efforts. Presented next is a profile of research findings on successful mentor-protégé relationships.

1. Mentor-protégé relationships (MPRs) are based upon a mutual agreement and commitment to participate; they cannot be mandated (Levinson et al., 1978; Colwill, 1990).
2. MPRs maintain achievement as their primary goal. While these are helping relationships, the main dynamic is the assistance and support provided by the mentor to the protégé. This support takes many forms, but is always intended to help the protégé be successful (Jacobi, 1991).
3. In successful MPRs, mentors plan their protégés' learning experience so that they will be stretching but not overwhelming and successful. Protégés are encouraged to accept responsibility, but are not permitted to make large mistakes (Atella, 1974).

4. MPRs are characterized by high mutual respect and trust between mentors and protégés. Respect includes both professional and personal skills. Trust refers to a relatively consistent pattern of behavior by each party over the duration of the relationship (Clawson, 1980; Densmore, 1975).
5. In MPRs, both mentor and protégé demonstrate optimal levels of informality, openness with information and professional intimacy. This willingness to "self-disclose" information and emotions takes the relationship beyond a typical superior-subordinate arrangement (Clawson, 1980; Kram, 1985).
6. In successful MPR's, the participants interact frequently. Mentors and protégés report meeting about once a day or every other day (Clawson, 1980).
7. MPRs are reciprocal relationships. The mentor as well as the protégé report benefits from the relationship, and these benefits may be either emotional or tangible in nature (Jacobi, 1991).
8. MPRs do impact the protégé's success within an organization or profession. Mentored individuals report having more career mobility/opportunity, recognition, satisfaction and promotions than non-mentored individuals (Fagenson, 1989).
9. Situational factors, such as organizational/professional structures, norms, reward systems, performance appraisal systems and the organizational/professional culture impedes and/or facilitates successful MPRs (Fagenson, 1989).
10. Successful MPRs are not a function of racial, ethnic or gender matching. No clear evidence suggests that these factors influence or impede the success of an MPR (Olian, et al., 1988).

In this first chapter of the monograph, we have summarized briefly some of the findings from the literature of mentor-protégé relationships. Because of the contextual nature of these relationships, judicial educators are cautioned not to accept any one finding as fact. Rather, these findings should be considered as background information in designing and implementing mentoring relationships or mentoring programs. In the next chapter, we review findings from the literature of structured mentor programs conducted in business, education and the professions.





## **Chapter 2: Mentoring Programs**

Mentoring programs are the formalization of individual mentoring relationships. Therefore, mentoring programs attempt to capture and capitalize on all that is good about individual mentoring relationships. However, mentoring programs have one specific goal not always present in other forms of mentoring. This goal is to ease the entry and shorten the learning curve of new members so that they can contribute sooner to the organization's purpose and objectives.

Mentoring programs are established as a way of inducting new members into an organization and profession. Administrators recruit seasoned organizational members to orient these newcomers to the organization, instill organizational norms, pass on the organizational culture and provide in-service training. Mentoring programs also strive for the personal and professional enrichment of both mentor and protégé.

This section of the monograph explores the role of mentoring programs, the development and administration of mentoring programs, selecting and training mentors, assignment and duration of mentoring and evaluation of the mentoring program.

### **The Role of Mentoring Programs**

When an organization decides to invest the time and money into establishing a mentoring program, it has determined that mentoring is the most effective and efficient way to get early contribution from new employees. This, then, is the primary goal of mentoring programs. In order to get this early contribution, the organization must put sufficient resources into the orientation, training and grooming of its new employees. The new employees become protégés of the organization as well as the mentor. The mentor plays a dual role in mentoring programs. Unlike individually arranged mentoring relationships where the mentor's sole purpose is the betterment of the protégé, the mentor in mentoring programs must develop the protégé for the organization first and then tend to the personal betterment of the protégé. The personal betterment of the protégé is a secondary goal of mentoring programs. The two goals may not be incompatible, and if that is the case, then both goals can be accomplished simultaneously.

The role of mentoring programs is accomplished by acclimating the new employee to the organization's formal and informal systems; orientation and in-service training of job specific requirements; and instilling the organization's culture, goals and objectives. Mentors, through the mentoring program, also identify for the organization new employees who show outstanding potential and should be fast tracked. In a way, mentors engage in informal performance appraisal and adjust their mentoring based on their appraisal of the new

employee. Thus, mentoring programs become an extension of or replacement for new employee orientation and in-service training programs. Mentoring programs, however, are not a replacement for formal performance appraisal, which is the responsibility of the new employee's manager.

Mentoring programs are prevalent in business, medicine and education. The role mentoring programs play in education, as an example, is to improve the quality of the first year experience for beginning teachers. Mentor teachers are critical to the success of new teachers. New teachers need to know how to effectively control their classrooms at the same time they must create an environment conducive to learning. To that end, mentor-teachers are assigned to new teachers to coach them on how to develop, master and apply classroom control strategies to ensure that learning takes place. Teacher mentor programs attempt to bridge the gap between pre-service training, which is suppose to prepare the new teacher for the classroom and the reality of a real classroom (Howey, 1988).

In academic medicine, new physician faculty often participate in structured mentoring programs with their more senior, tenured colleagues. At the Medical College of Wisconsin (Milwaukee), an "academic friends" mentoring program was established as an alternative to traditional mentoring relationships. New faculty were assigned to a senior faculty member based upon the new faculty member's preference for a specific mentor. These pairs of individuals met on a regular basis to address the challenges of balancing patient care, teaching, research and administrative duties. The program also addressed the social support need of new faculty (Kirsling, 1990).

According to Zey (1985), other examples of successful structured mentoring programs can be found in business (Bell Telephone and Federal Express) and in government (U.S. Army and the Internal Revenue Service). All of these professions and organizations have recognized the importance of formalizing the traditional mentoring relationship as a way to improve newcomers' productivity and morale.

### **Development and Administration of Mentoring Programs**

Mentoring programs, to be successful, must be thoughtfully developed and carefully administered. First and foremost there must be agreement on what the mentoring program is to accomplish. Generally, these programs have as their first priority identifying, selecting and training new arrivals to the profession and organization, and a second priority of socializing the individual to the work environment. Once agreement is reached on the goals of the program, several other matters must be settled.



1. Mentors have to be identified, selected and trained.
2. The role of the mentor must be clearly defined.
3. Mentoring assignment guidelines must be written and shared with the mentor, the protégé and the organization.
4. Policies which address release time and financial remuneration need to be in place before the program can start.
5. Room at the top must be made for the new role that veteran employees take on when they become mentors.
6. Protégés must understand what is expected of them during the mentoring process.
7. The importance of the mentoring program must be accepted by the entire organization and promoted by the organization's administration.
8. A program evaluation procedure must be agreed upon.

Understanding that all of these tasks must be accomplished speaks to the detailed development necessary before a mentoring program can be implemented.

Administration of the mentoring program is important to its initial and on-going success. If the role of the mentoring program is to be realized, it must be actively managed. One individual should have responsibility for the overall program administration. This individual needs to be aware of the progress of all mentor-protégé pairings and act expeditiously to solve problems. One of the key elements of any structured mentoring program is the selection and training of mentors. Suggestions for accomplishing these two tasks are presented next.

### **Selecting and Training Mentors**

Mentors are usually selected by administrators or peer committees. The potential mentor must be willing to mentor, be experienced and have outstanding professional abilities, demonstrate exceptional interpersonal communication skills, be current on the developments in his/her field and exhibit professionalism and a reflective attitude (Howey, 1988). Of course, the mentor should act as a teacher, sponsor, exemplar, counselor, provider of moral support and the facilitator of dreams (Levinson et al., 1978). Age, experience, race and gender can also be important factors when selecting mentors in certain settings.

When defining the selection criteria, those establishing the criteria would be wise to remind themselves of what individuals look for when they chose a mentor for themselves. Beverly Hardeastle (1988) conducted research on what she termed "significant mentorships"; and she defined "significant mentorships" as mentoring relationships which were intimate, long-lasting and life-changing. She found that the characteristics which attracted protégés to their mentors in these "significant mentorships" were wisdom, care, commitment, integrity, high expectations, a sense of humor and the ability to act as a catalyst.

Mentors are professional role models as well as organizational representatives; therefore, establishing selection criteria is perhaps the most important part of developing a mentoring program as mentors have the first and most long-lasting impact on the protégé. Because mentoring is conducted one-on-one, the actions of the mentor cannot easily be monitored and regulated. Thus, the success or failure of the mentoring program rests on balancing the personal interactions between mentor and protégé and managing the program to be sure that stated program goals are met.

Common sense would suggest that mentors should be veterans and seasoned in the ways of the organization and profession they represent. Much of the research on mentoring which addresses the necessary qualifications of the mentor also suggests that mentors should have several years of experience and be chronologically older than the protégé. Research on mentoring programs in education indicates mentors should have at least 3-5 years of teaching experience (Varah et al., 1986). In terms of age, there seems to be agreement that the mentor should be older, but there is no evidence that supports one age category being more effective than another age category (Zimpher and Rieger, 1988).

A similar debate occurs about the gender match in mentor-protégé assignments. Both genders should be represented as mentors. Mentors should be selected for their capabilities, however, gender should not be overlooked as an important selection criteria. Gender, like age, brings up important issues when it comes to pairing mentors with protégés. Some research indicates that there is no difference to be found in same and different gender placement (Klopf and Harrison, 1981), while other research suggests that different gender placement can pose some difficulties (Hunt and Michael, 1983).

Recruiting minorities for mentor positions is also critical. Like gender, the race of the mentor has not been proven to be a significant factor in mentor-protégé pairing. The main criteria for mentor selection is that of experience, ability and longevity with the organization. For many years women and minorities would not qualify to be mentors as they have historically been underrepresented in the work force and in the professions. Selecting minorities and women as mentors should no longer cause problems as their representation is greater, and they now have a professional history which would qualify them to become a mentor.



Once mentors are selected, they need to be trained in the tasks of mentoring. It is not enough to be a subject matter expert, mentors must know and be able to convey their subject matter with mastery. The mentor must also be able to convey to the protégé the appropriate behavioral, ethical and attitudinal expectations.

During training, the mentor must learn the boundaries of mentoring and how to execute the mentoring responsibilities within these boundaries. Mentors must understand the importance of the mentoring assignment and how what they do has positive and negative ramifications for the protégé and the organization.

The mentor then must, at a minimum, receive training in communication, facilitation, assessment, feedback delivery, organizational policies, procedures, job classifications and job requirements. Such training will prepare the mentor for the difficult task of shaping new professionals.

### **Assignment and Duration of Mentoring**

The next important step in creating a successful mentoring program is arranging the mentor's assignment and deciding upon the length of the mentor-protége relationship. The assignment or matching of a mentor to a protégé is an important process. While Kram (1983) suggests that mentors and protégés will ultimately find each other based upon mutual respect and admiration, there are qualities that administrators of mentoring programs should seek in order to successfully match mentors and protégés.

Zey (1984) identified factors for selecting mentors. They are:

1. Is the mentor good at what he/she does?
2. Is the mentor an "opinion leader" within the organization?
3. Is the mentor secure in his/her own position?
4. Is the mentor willing to take-on a protégé?
5. Is the mentor viewed as a good teacher?
6. Is the mentor a good motivator?
7. Can the mentor identify and relate to the needs and goals of the protégé?

Zey (same date) also summarized what mentors look for in a protégé:

1. Intelligence
2. Ambition
3. Desire and ability to accept power and risk
4. Ability to perform the mentor's job
5. Loyalty
6. Similar perceptions of work and organization
7. Commitment to the organization
8. Organizational savvy
9. Positive perception of the protégé by the organization
10. Ability to establish alliances.



The mentor's responsibility within the assignment can range from assisting to assessing. The responsibility of assisting is that of coaching, facilitating, encouraging, instructing and the like. Assessing is the responsibility of evaluating the protégé's progress and performance. When these two responsibilities are performed by the same mentor, difficulties can develop. Both the mentor and protégé can become confused. When the mentor is assisting, he/she is supportive and non-judgmental. When the mentor is evaluating, he/she is objective, analytical and judgmental. It is obvious how this dual role changes the dynamics of the mentor-protégé relationship. For this reason, most mentoring programs usually separate the two functions. If the assisting-assessing function cannot be separated, the role and purpose of each function in the mentoring process must be clearly defined. Additionally, the mentoring guidelines must contain instructions on when and how each function should be performed. A review of five induction-year programs for school teachers in California, Florida, Virginia, Oklahoma, and Toledo, Ohio found that the programs ranged from primarily assistance to primarily assessment; and the role that caused both the mentor and the protégé the most trouble was that of the evaluator (Stroble and Cooper, 1988).

Because the focus of mentoring programs is always on job performance, the mentor must be close in proximity to the protégé and also must be able to be "on location" with the protégé when necessary. The fields of business, education and medicine have found that to accomplish this best, the mentor must have release time from his/her own job so that the mentoring can take place at the time and in the environment where it is most needed. Consequently, the protégé must also have a schedule which allows for meeting time with the mentor. Recall that Clawson (1980) in his study of successful mentors and protégés found that the two parties met as often as every day or every other day.

For the relationship between the mentor and protégé to flourish, the assignment should last the first year of the protégé's job. The first year of employment is usually the most difficult and uncertain for the new employee. The first year is also the period in which the organization's administration is making determinations about the new employee's abilities and capabilities. Additionally, the first year is the time during which the new employee decides whether or not he/she "fits" into the organization. The mentor plays an important role in imparting the norms and values of the organization to the new employee; therefore, the mentor will undoubtedly have the most influence on whether or not the employee thinks the "fit" is good.

## **Personnel and Fiscal Policies**

When an organization veteran is chosen to be a mentor, it is because he/she has been recognized for his/her outstanding leadership, job performance, skill, knowledge and demeanor. If the new mentor was not already involved in the administration of the organization, he/she will undoubtedly become involved, because mentors are in a prime location to see all that is good and bad about the organization. Being a veteran employee

gives the mentor an "insider's" perspective, but working with new employees also gives the mentor an "outsider's" perspective. This unique "insider's-outsider's" view of the organization perfectly places the mentor in a position of having valuable knowledge which can help improve the organization. Administration must be willing to capitalize on this knowledge by involving the mentor in committees, task forces and boards that are designed to improve the organization.

Organizations should not overlook mentoring assignments as a way of rewarding good employees, especially in this era of shrinking budgets and downsizing. With many promotional avenues now blocked, organizations need a way of demonstrating to their employees that they are valued. For an employee to be selected as a mentor announces to the whole organization the importance of that individual.

Organizations, however, should guard against expecting the mentor to execute his/her own job responsibilities and those of mentor too. One of the costs mentioned earlier of implementing a mentoring program, is the cost of reduced job production on the part of the mentor. Personnel policies must be developed to address this issue. Mentoring programs in business, education and medicine developed policies which lowered job performance requirements or shifted job responsibilities to another employee during the time the mentor was assigned a protégé.

The development of new personnel policies around the mentoring program must also include policies about job performance expectations of the protégé during the mentoring process. The protégé will need time for consultation with the mentor. The consultation, to be effective, must be timely. Therefore, the protégé and the protégé's manager must have reduced expectations regarding the protégé's production, because most of the consultations will take place on the job.

School administrators in various districts have implemented a variety of personnel policies pertaining to mentoring programs for new teachers. One such policy is that of release time where the mentor's work hours are reduced so that the remaining hours can be spent in mentoring (Zimpher and Rieger, 1988). Another policy releases the mentor-teacher from the classroom for three years and during those three years the mentor-teacher is totally devoted to the mentoring program (Petrizzella, 1987).

A variety of scheduling options are possible and any decision regarding mentor service must be weighted against other organizational considerations before such policies are formulated. Regardless of the decision, what is critical is that mentoring is performed during the time it is most needed and not at nights or on the weekends and not during stolen moments in the hallways or around the drinking fountains. If mentoring is important, then it must take a place of prominence in how the organization does business.

Financial remuneration may be another consideration when implementing a mentoring program. Several options are possible. If the mentor's sole responsibility is



mentoring then the mentor's regular salary is appropriate compensation. However, if the mentor is required to mentor while still performing his/her own job responsibilities, then additional financial remuneration is required. This remuneration can take several forms. Salary increases, supplemental contracts (Zimpher and Rieger, 1988), more leave time or contributions to the mentor's retirement or investment funds are all options. Another option for remuneration is for the organization to underwrite the mentor's attendance at seminars, workshops or conferences which advances the mentor's presence in the profession, enhances his/her skills and knowledge and returns to the organization a person who is refreshed and professionally on the cutting-edge. Whatever the method, a remuneration policy is necessary before the mentoring program begins.

### **Evaluation of the Mentoring Program**

Evaluation of the mentoring program can be done at several levels. The protégé can be evaluated as can the mentor. The content and process of the mentoring program can also be evaluated. The short and long range goals of the mentoring program is another item open to evaluation. Evaluation of mentoring efforts are important at both the individual and the organizational level. At the individual level, the new employee wants some indication of his/her progress and likelihood of future success. As previously discussed, evaluating the protégé in the mentoring relationship brings a whole set of conflicting dynamics to the relationship. However, this can be mitigated by how the evaluation is performed. One way of evaluating the protégé is for the mentor to provide verbal and written feedback which focuses on, among other things, the protégé's grasp of the job. Another evaluation method is to bring in an outside evaluator at the completion of predetermined stages in the mentoring process to evaluate the protégé using both qualitative and quantitative methods.

The mentor must also be evaluated. An outside evaluator can be used to assess the mentor's performance in somewhat the same way that the protégé is evaluated. The mentor must receive information which improves the mentor's performance just as the protégé needs information to improve his/her performance.

Both the protégé and the mentor must evaluate the content and process of the mentoring program. A critical assessment of the mentoring program is important if the program is to meet its own goals and the goals of the organization.

Additionally, a longitudinal study of the mentoring program is necessary. Such a study should focus on outcome evaluation. Outcome evaluation is critical in determining if the mentoring program truly accomplished what it set out to accomplish. This type of evaluation can be elaborate and expensive. Predetermined organizational success criteria must be established, and then the mentoring program must be linked to this criteria to determine whether the program actually contributed to the organization's success. A well

developed and managed mentoring program takes time, money and commitment. Such an endeavor is worthy of elaborate and thorough evaluation.

While research on the evaluation of mentoring programs is scarce, the accolades for the legacy that mentoring leaves is prevalent. The legacy of mentoring is worthy of exploration and important to note. However, determining that mentoring leaves a legacy does not replace the importance of sound evaluation. Mentoring evaluations and legacies are actually quite compatible and can support and reinforce each other. Mentoring is a head-heart activity; so, what the head cannot capture through evaluation, the heart can capture through experiencing the legacy.

### **The Legacy of Mentoring**

Mentoring has personal, organizational and professional pay-offs which exceed what was perhaps the original intent of a mentor and protégé participating in an organizational mentoring program. The act of mentoring enriches the mentor. For the protégé, being mentored is an affirming experience which establishes the protégé's right to be a player in the organization and the profession. For the organization, mentoring serves as a vehicle by which a new employee can more easily learn both the formal and informal structures of the organization and be an early contributor to the organization's success. The profession which the protégé represents is further shaped and advanced by the protégé's contribution to its continual unfoldment. Whether mentoring is individually engaged in or formalized through the establishment of a mentoring program, it creates and leaves behind more than what was originally intended. Mentoring leaves a legacy.

The benefits experienced by the mentor and the protégé have already been detailed, but they are worth mentioning again because what transpires in this relationship is what the legacy is built on. Protégés have characterized their relationships with their mentors as a spiritual union where two minds and two hearts connect and share the joys and hardships of "making it" in a job, as a professional and in life. Other protégés have said that having a mentor is like having a big sister or brother to help them grow-up. Still others describe their mentoring experience as a time of being coached and guided through unfamiliar territory.

Mentors would agree with all of the proceeding descriptions. The joys of mentoring are also felt by the mentor, because the benefits of mentoring are reciprocal. Additionally, mentors enjoy the special status that is inherent in the title of mentor. Being selected to act as a mentor in a mentoring program is affirmation of the mentor's knowledge and importance to the organization. Mentors are often viewed as ambassadors for their professions when they bring-in new talent. Most importantly, perhaps, is that in the protégé the mentor has gained a life-time friend, confidant and supporter.

The depth and breath of the mentoring relationship speaks to the powerful impact mentoring has on the mentor, the protégé, the organization and the profession. What was



originally believed to be a relationship that had only individual benefits, is now understood to have far reaching effects which shape the knowledge of professions and disciplines as well as the organizations in which protégés work. This far reaching effect is the first legacy of mentoring.

The second legacy is found in the continuation of the mentoring practice. Simply put, those who were mentored become mentors once they are appropriately situated (Busch, 1985; Roche, 1979; Dalton et al., 1977). Some may ask why carrying on the practice of mentoring is so significant. Researchers, practitioners and recipients all agree that mentoring is an individually rewarding and career-enhancing life event which can and does have immediate and long-lasting effects for both the mentor and the protégé. Additionally, as previously stated, mentoring has a ripple effect which takes the benefits of mentoring far beyond the individual relationship.

The third legacy of mentoring is directly related to benefits experienced by organizations which have mentoring programs. These organizations flourish because their employees are invested in the organizations' culture and purpose. Further, the protégé views personal success and organizational success as inseparable; therefore, the protégé's gain is also the organization's gain. Mentoring more quickly develops employees with high potential, so their contributions to the organization come earlier and are highly visible because they have been sponsored and lead to success; corporate culture is more easily understood, accepted and passed on; company loyalty is increased; and lastly, mentoring promotes the acceptance of organizational norms (Gerstein, 1985).

The fourth legacy of mentoring is its leadership development. The development of leadership can be found in the way the mentor and later the protégé become involved in shaping the direction of the organization they work in and the profession they represent. This leadership is manifested in several ways.

When an individual is designated as a mentor, especially when the designation is formalized through a mentoring program, that individual is viewed differently by others and that individual's persona changes. Automatically, the mentor designation implies that the person holds valuable experience, knowledge and skill that he/she can communicate in such a way that the protégé will be immeasurably changed through contact with the mentor. The mentor, thus, becomes a leader, because the organization formally recognizes this person's abilities. Very few people are chosen to be mentors which increases even more the important leadership role of the mentor. This certainly is true for mentor school teachers as reported by Zimpher and Rieger (1988):

Although there may be multiple opportunities ultimately for a variety of leadership roles in the school, this charge to advance the development of colleagues through mentor leadership is a particular, honorific designation, one with considerable and uncommon responsibility.

The leadership role inherent in the act of mentoring is only one aspect of leadership development through mentoring. Mentors find administrative shortfalls through the process of mentoring. Whether the mentor relationship is formal or informal, the mentor is in a unique position to see the organization through the new employee's eyes. This fresh perspective may allow the mentor, an organizational veteran, to see the effects of inefficient systems; unclear directions; conflicting standards of performance; underfunded programs and projects; and undefined goals, purposes and objectives in a new light. As a result of this simultaneous "insider-outsider" view the mentor is in a unique position to initiate change. The mentor is already recognized by and in the organization, thus access to the policy-makers is relatively easy. The stature of the mentor also adds to the likelihood that the mentor will be heard by those who make the administrative decisions.

An example of how mentors can improve the organization can be seen in schools where teachers take increased responsibility for the school through mentoring. In teacher mentoring programs teachers learn more about how learning occurs, and how teachers can increase learning, and additionally they discover which of their colleagues are most successful; therefore, through collaboration schools become a real learning place for students (Bowers and Eberhart, 1988). As education leaders, politicians and parents lament the low academic achievement of today's youth, being able to turn a school into a real learning place is an invaluable contribution.

Another example of how mentors can improve their organizations can be found in academia. In the academic environment professors who mentor students report that mentoring gives them the incentive to stay on the cutting-edge of the profession (Busch, 1985). Professors who are on the cutting-edge are active in professional associations, bring in research money to the department and the university in the form of grants, publish, present papers and give lectures at national and international conferences. All of these activities give the department and the university prestige which goes a long way in ensuring growth and continued funding.

The fifth legacy is the community that develops in any profession as a result of mentoring. The community is sustained by its history and continually renewed through mentoring. Professions all have founders, famous scholars, epistemologies, philosophies, methodologies, theories, ethics and codes of behavior. All of this is shepherded by the gatekeepers who determine who gets access, who gets showcased and ultimately who gets promoted by the profession. Mentors play a very important role in the academy. Mentors not only instill the values and ethos of the profession in the protégé, but they are uniquely situated to identify new talent. The mentor can negotiate the gates being opened for the protégé. The profession benefits by the new talent, the academy sustains itself, camaraderie develops and a bond is formed among the mentor and protégé which continues into infinity.



as later the protégé becomes a mentor and so on. A type of kinship develops in the academy where generations of scholars can trace their roots to a common source where their world views were formed and passed on (Gehrke, 1988).

Harcastle (1988) suggests that through geometric progression our entire society will be enriched by this way of communicating and passing on the norms, ethics and knowledge of a certain profession. Harcastle agrees that this is an utopian view but one which should be nourished.

Chapter 2 focused on mentoring programs as they developed in business, education and medicine, specifically identifying some of the principles, problems and lessons uncovered during development. Attributes of mentoring programs in these professions alert judicial educators to some of the issues and problems the judicial system may confront when developing mentoring programs for judges. Mentoring programs for judges differ somewhat in that judges have constitutional and statutory responsibilities which must be taken into account before developing a mentoring program. Nonetheless, valuable information and insight can be gained by knowing how other professions have dealt with the uniqueness of their organizational/professional environments when developing their own mentoring programs.

Next, in Chapter 3, we provide an overview of the current state and degree of development of judicial mentoring. To do this, we report survey finding from a recent JERITT survey of all state judicial education organizations, and provide more in-depth profiles of four state-level judicial mentoring programs.

## **Chapter 3: Mentoring Programs in the Judiciary**

Most organized mentoring programs in the judiciary are for new limited and general jurisdiction judges and in some instances quasi-judicial officers. While there are many other positions in the judiciary for which mentoring programs could be beneficial, this chapter will focus on new-judge mentoring programs.

New-judge mentoring programs evolved as a way of orienting new judges to the bench. Individuals primarily prepare to be a judge through graduating from law school. Law schools train and educate their students to be litigators in an adversarial system. Law schools do not train their students to be finders-of-fact and impartial decision makers, which is what judges are sworn to be. So, judges go to the bench with an education, and usually experience, which does not equip them for the rigors of being a judge. Not only does being a judge require knowledge of the law, but it also requires that judges follow courtroom procedures, usually set forth in court rules, learn and apply the judicial code of ethics, control their courtrooms, direct their staff, implement or follow pre-existing caseload management procedures, follow the local and state court administration policies, cooperate with other judges and administrative personnel and most importantly, make decisions which affect many lives.

Judges hold one of those rare positions that when they enter the organization they enter it at the top. Judges, whether elected or appointed, are expected to become instant leaders. With this leadership role comes power, authority, responsibility, scrutiny and isolation.

New-judge mentoring programs attempt to address some if not all of these aspects of being a judge. Mentoring provides an immediate, comprehensive response to the responsibilities and pressures instantly experienced by new judges. Mentoring is usually only one part of socializing and inducting new judges into the judiciary. A pre-bench orientation and post-induction new judge seminar are also part of preparing a new judge for the execution of judicial responsibilities. Some if not all of these efforts are usually in place to aid new judges in learning their official duties and obligations.

This chapter reports findings from the 1992 JERITT judicial education survey. A portion of that survey was dedicated to uncovering basic information about new-judge mentoring programs in the states. Following the survey results are four profiles of mentoring programs from Arizona; Florida; New South Wales, Australia; and Ohio.



## **Mentoring Survey Results**

Mentoring efforts for new judges are usually developed by the state judicial educator with the help of a planning committee. Additionally, the judicial educator or designee also administers the program and monitors its success.

Judge-mentoring programs vary from state to state. Some programs are sophisticated in their designs while others aim at simply providing the new judge with a contact person who can answer his/her questions. Yet inherent in all of these programs is what is basic to mentoring and that is easing the protégé's (new judge) entry into the organization (court).

## **Specific Survey Findings**

The 1992 JERITT judicial education survey was mailed to state and national judicial educators in March 1992. Only state judicial educators were asked to complete the section in the survey relating to mentoring programs. The results presented here are based on 49 responses.

## **Mentoring Programs by Judge Type**

Out of the 49 valid responses, 20 judicial educators reported having no judicial mentoring program while 29 reported having some form of a new-judge mentoring program. Of the 29 that have programs, the majority indicated that they have new-judge mentoring programs for a wide variety of judge types. Among the number of respondents who reported having a mentoring program, 93.1% have programs for law-trained general jurisdiction judges and 65.5% have mentoring programs for law-trained limited jurisdiction judges. The rest of the findings for mentoring by judge type are in Table 1.

**Table 1**  
**Mentoring by Judge Type**

Judge Type	Frequency	Percent
General Jurisdiction (Law Trained)	27	93.1
Limited Jurisdiction (Law Trained)	19	65.5
Non-Law Trained Judges	8	27.6
Quasi-Judges	4	13.8
Appellate (Intermediate or Supreme Court)	2	6.9
Administrative Judges	1	3.4
Other	1	3.4

*Percents are based on valid responses; Valid responses: 29*

### **Judges Joining the Bench Per Year**

One of the factors which helps to determine the range of programming offered to new judges is the number of judges which join the bench in any given year. For example, new-judge mentoring programs may be accompanied by a pre-bench orientation seminar or a new-judge seminar following swearing in. The JERITT survey asked the respondents to report the number of new judges who join the bench in election years and in non-election years in their states. Table 2 shows the findings of number of judges which enter the judiciary for election years and non-election years.

**Table 2**  
**Judges Joining the Bench Per Year**

Number of Judges	Election Year		Non-Election Year	
	Frequency	Percent	Frequency	Percent
0 to 10	10	25.0	23	56.1
11 to 20	11	27.5	6	14.6
21 to 30	3	7.5	6	14.6
31 to 40	3	7.5	2	4.9
41 to 50	3	7.5	1	2.4
51 to 60	4	10.0	1	2.4
61 to 70	2	5.0	0	0.0
71 to 80	0	0.0	0	0.0
81 to 90	0	0.0	0	0.0
91 to 100	1	2.5	0	0.0
101 or More	3	7.5	2	4.9

*Percents are based on the valid responses*

*Election Year:*

*Valid responses: 40.*

*15,000*

*Mean 37.625*

*Median 20,000*

*Mode*

*Non-Election Year:*

*Valid responses: 41.*

*5,000*

*Mean 19.902*

*Median 8,000*

*Mode*

During election years with a mean of 37.6 judges entering the judiciary as opposed to nearly 20 on average in non-election years. More of a strain obviously is placed on the services and programs offered new judges following an election as there is also greater need for such services and programs.

### New-Judge Education and Orientation Formats for Election Years and Non-Election Years

The survey findings displayed in Table 3 indicate that during an election year 51.3% of the survey respondents offered a pre-bench orientation seminar, 85% offered a new-judge seminar following swearing in and 70% offered a mentoring program. These percentages are slightly higher than those reported for non-election year programming. For non-election years 47.5% of the respondents offered a pre-bench orientation seminar, 82.9% offered a new judge seminar following swearing in and 68.3% offered a mentoring program.

**Table 3**  
**New-Judge Education and Orientation Format by Election/Non-Election Year**

Program Format	Election Year		Non-Election Year	
	Frequency	Percent	Frequency	Percent
Pre-Bench Orientation Seminar	20	51.3	19	47.5
New-Judge Seminar Following Swearing In	34	85.0	34	82.9
Mentoring Program	28	70.0	28	68.3

Tables 4 and 5 categorize responses according to the number of new judges in election and non-election years. The findings from these tables indicate that the number of judges entering the judiciary in an election year or non-election year does not appear to have much impact on whether these three types of new-judge education and orientation programs are offered. That is, the propensity to offer mentoring and pre-bench programming is not affected by the number of new judges in the pool. The survey findings also suggest that regardless of number of new judges entering the judiciary and regardless of election year or non-election year, a new-judge seminar following swearing in generally will be offered.



**Table 4**  
**New-Judge Education and Orientation Format by Number of Judges**  
**in Election Year**

Number of New Judges			Pre-Bench Orientation	New-Judge Seminar Following Swearing In	Mentoring Program
0 - 10	No	Frequency	7	3	3
		Percent	70.0 %	30.0 %	30.0 %
	Yes	Frequency	3	7	7
		Percent	30.0 %	70.0 %	70.0 %
11 - 25	No	Frequency	5	2	3
		Percent	35.7 %	14.3 %	21.4 %
	Yes	Frequency	9	12	11
		Percent	64.3 %	85.7 %	78.6 %
26 - 50	No	Frequency	3	0	2
		Percent	50.0 %	0.0 %	33.3 %
	Yes	Frequency	3	6	4
		Percent	50.0 %	100.0 %	66.7 %
51 or More	No	Frequency	4	1	4
		Percent	44.4 %	10.0 %	40.0 %
	Yes	Frequency	5	9	6
		Percent	55.6 %	90.0 %	60.0 %

**Table 5**  
**New-Judge Education and Orientation Format by Number of Judges**  
**in Non-Election Year**

Number of New Judges			Pre-Bench Orientation	New-Judge Seminar Following Swearing In	Mentoring Program
0 - 10	No	Frequency	9	7	9
		Percent	41.0 %	30.0 %	39.1 %
	Yes	Frequency	13	16	14
		Percent	59.0 %	69.6 %	60.9 %
11 - 25	No	Frequency	7	0	2
		Percent	63.6 %	0.0 %	18.2 %
	Yes	Frequency	4	11	9
		Percent	36.4 %	100 %	81.8 %
26 - 50	No	Frequency	2	0	0
		Percent	50.0 %	0.0 %	0.0 %
	Yes	Frequency	2	4	4
		Percent	50.0 %	100.0 %	100 %
51 or More	No	Frequency	3	0	2
		Percent	100.0 %	0.0 %	66.7 %
	Yes	Frequency	0	3	1
		Percent	0.0 %	100.0 %	33.3 %

### Programs for New Judges in 1992

To obtain a snapshot of the kinds of programs offered for new judges in 1992, an election year, state judicial educators were asked what kind of program(s) they were planning to offer new judges in 1992 and following the election. Table 6 reports their responses.

**Table 6**  
**Programs for New Judges in 1992**

Program Format	Frequency	Valid Percent (%)
New-Judge Seminar Following Swearing In	39	83.0
A New-Judge Mentoring Program	32	68.1
Pre-Bench Orientation Seminar	22	47.8

*Percents are based on valid responses; Valid responses: 46*

These findings indicate that new-judge seminars following swearing in are the most popular way of educating and socializing new judges to the judiciary, but new-judge mentoring programs are also an important and frequently used vehicle in acclimating the new judge.

### Topics for New-Judge Education and Orientation by Format

To determine whether subject matter conveyed in mentoring programs differs from that provided through other new-judge orientation and education programs, the survey asked respondents to identify which formats were used to impart various subject matter to new judges. The results are in Table 7.

**Table 7**  
**Topics for New Judge Education and Orientation by Format**

Subject Matter	Pre-Bench Orientation Seminar		New-Judge Seminar Following Swearing In		Mentoring Program	
	#	%	#	%	#	%
(1) Judicial Conduct and Ethics	22	50.0	35	79.5	24	54.5
(2) Judicial Demeanor	19	43.2	28	63.6	23	52.3
(3) Contempt of Court	9	20.5	24	54.5	14	31.8
(4) DUI	9	20.5	25	56.8	9	20.5
(5) Family Law	11	25.0	26	59.1	8	18.2
(6) Domestic Violence	11	25.0	25	56.8	8	18.2
(7) Enforcement of Court Orders & Judgments	8	18.2	25	56.8	12	27.3
(8) Juvenile	12	27.3	31	70.5	12	27.3
(9) Probate and Guardianship	6	13.6	22	50.0	7	15.9
(10) Courtroom Communication	15	34.1	26	59.1	19	43.2
(11) Managing Pre-Trial Matters, including Discovery	12	27.3	29	65.9	11	25.0
(12) Motions	6	13.6	26	59.1	10	22.7
(13) Evidence	12	27.3	31	70.5	7	15.9
(14) Appeals & Post Conviction Issues	9	20.5	22	50.0	7	15.9
(15) Calendar & Trial Management	16	36.4	28	63.6	19	43.2
(16) Court, Community & Media Relations	12	27.3	23	52.3	13	29.5
(17) Closing Out a Law Practice	12	27.3	4	9.1	14	31.8
(18) Criminal Law Procedure	15	34.1	31	70.5	10	22.7
(19) General Civil Law and Procedure	13	29.5	31	70.5	10	22.7
(20) Race and Gender Bias	12	27.3	27	61.4	12	27.3
(21) Traffic	7	15.9	24	54.5	10	22.7
(22) Landlord—Tenant	5	11.4	19	43.2	8	18.2
(23) Small Claims	6	13.6	25	56.8	8	18.2
(24) Settlement/Mediation/Arbitration	7	15.9	19	38.8	11	25.0
(25) Jury Management	11	25.0	31	70.5	14	31.8
(26) Court Security	9	20.5	11	25.0	9	20.5
(27) Personnel Management	8	18.2	13	29.5	12	27.3
(28) Court Administration	12	27.3	17	38.6	15	34.1
(29) Personal/Professional Development	8	18.2	10	22.7	12	27.3
(30) Judicial Salaries/Benefits/Pensions	15	34.1	15	34.1	11	25.0
(31) Other	3	6.8	16	36.4	6	13.6

*Percents are based on valid responses; Valid responses: 44*



In reviewing the findings in Table 7, we identified the top one-third most frequently noted topics in each format. In some of the formats the same topics received the same percentage rating, thus slightly more than 10 topics are represented for pre-bench orientation seminar format and the mentoring program format. The top rated topics in each format are as follows:

#### **Pre-Bench Orientation Seminar**

1. Judicial Conduct and Ethics	50.0%
2. Judicial Demeanor	43.2%
3. Calendar and Trial Management	36.4%
4. Courtroom Communication	34.1%
5. Criminal Law Procedure	34.1%
6. Judicial Salaries/Benefits/Pensions	34.1%
7. General Civil Law and Procedure	29.5%
8. Juvenile	27.3%
9. Managing Pre-Trial Matters, including Discovery	27.3%
10. Evidence	27.3%
11. Court, Community and Media Relations	27.3%
12. Closing Out a Law Practice	27.3%
13. Race and Gender Bias	27.3%
14. Court Administration	27.3%

#### **New-Judge Seminar Following Swearing In**

1. Judicial Conduct and Ethics	79.5%
2. Juvenile	70.5%
3. Evidence	70.5%
4. Criminal Law Procedure	70.5%
5. General Civil Law and Procedure	70.5%
6. Jury Management	70.5%
7. Managing Pre-Trial Matters, including Discovery	65.9%
8. Judicial Demeanor	63.6%
9. Calendar and Trial Management	63.6%
10. Race and Gender Bias	61.4%

#### **Mentoring Program**

1. Judicial Conduct and Ethics	54.5%
2. Judicial Demeanor	52.3%
3. Courtroom Communication	43.2%
4. Calendar and Trial Management	43.2%
5. Court Administration	34.1%

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6. Contempt of Court	31.8%
7. Closing Out a Law Practice	31.8%
8. Jury Management	31.8%
9. Enforcement of Court Orders and Judgments	27.3%
10. Juvenile	27.3%
11. Race and Gender Bias	27.3%
12. Personnel Management	27.3%

Some comments can be made about the topics offered to new judges. First, judicial conduct and ethics is the highest rated topic for all three formats. This finding is not surprising given that new judges are immediately subject to a judicial code of ethics which differs from any ethical code they may have been subject to before becoming a judge. Second, judicial demeanor received the second highest rating for pre-bench orientation seminar and mentoring program, but is ranked eighth in new-judge seminar following swearing in. A review of the top third in each format shows that topics heavily oriented toward substantive and procedural law are more prevalent in the seminars, but not apparently dealt with much in the mentor programs. Topics relating to courtroom management issues are more prevalent for pre-bench orientation seminar and mentoring program formats. There is a great deal of cross-over among the lists and a thorough review of all 30 topics shows that each topic is at least a candidate for all three formats.

Among the three forms of new-judge education and orientation, the new-judge seminar following swearing in received the highest number of responses indicating that this type of program was most often used to convey subject matter to new judges. These results seem to demonstrate that no one program, on its own, is used to provide all the information, knowledge and education a new judge needs; therefore, these programs are seen as complimentary and part of a whole new-judge induction package by many judicial educators and judicial education organizations.

## **Methods of Mentoring**

The way in which subject matter is conveyed in mentoring programs can be important to the transmittal of information and to the success of the mentoring program. The mentoring process for new judges can involve a variety of methods. The respondents indicated that contact ranges from one-on-one meetings to attendance at new-judge seminars. Table 8 lists the methods of mentoring, from most used to least used, with face-to-face contact being the method of mentoring used most often. This finding is consistent with traditional views of mentoring which underscore the importance of direct contact for meaningful mentor and protégé relationships.

**Table 8**  
**Methods of Mentoring**

Methods	Frequency	Percent
Face to Face Contacts b/w Mentor and New Judge	25	92.6
Site Visits by New Judge	23	82.1
Phone Calls	21	77.8
Courtroom Observations	22	81.5
Site Visits by Mentor Judge	15	55.6
Attendance at New-Judge Seminars	14	51.9
Letters	12	44.4
Teleconferencing	4	14.8
Other	1	3.8

*Percents are based on valid responses; Valid responses: 27*

### **Mentoring Program Site Visits**

Site visits by new judges is the second most used method of mentoring at 82.1%. Site visits take place at a variety of places with courtrooms (other than the mentor-judge's courtroom) being the most frequent site visit. The survey respondents indicated that 88.5% of all site visits take place in a courtroom. Table 9 displays general findings on mentoring program site visits.

**Table 9**  
**Mentoring Program Site Visits**

Site to Visit	Frequency	Percent
Courtrooms Other Than the Mentor Judge's	23	88.5
State Court Administrative Office	14	53.8
Prisons/Correctional Facilities	12	46.2
Juvenile Detention Facilities	12	46.2
Mental Health Facilities	11	42.3
Law Enforcement Offices	8	30.8
Other	7	26.9
Forensic Sciences Laboratories	5	19.2

*Percents are based on valid responses; Valid responses: 26*



In summary, it is clear that mentoring programs are already popular educational vehicles in the judicial setting. Further, we know that the vast majority of mentoring programs currently in operation serve law-trained general jurisdiction judges followed by limited jurisdiction law-trained judges. We also know from the survey results that while judicial conduct and ethics is most frequently reported as mentoring program subject matter, much of the subject matter that is presented in other new-judge education and orientation formats is appropriate for mentoring programs as well.

Mentoring program subject matter is conveyed most frequently through face-to-face contact between mentor judge and new judge. Following face-to-face contact, site visits are the next most popular method of mentoring. The most frequent site visit is to courtrooms other than the mentor-judge's courtroom.

The survey results provide us with a basic understanding of how judicial mentoring is conducted and what subject matter is covered in mentoring programs. However, clearly, the success of the mentoring program is as much dependent on the mentor-judge as it is on process and content.

### **Mentor Selection Criteria**

Mentor selection, training and assignment are important to all mentoring programs. As explained earlier, the mentor is the first and most significant contact the protégé has with the organization and profession. Because of the importance of the mentor, the survey asked several questions about mentor-judge selection, training and assignment.

Table 10 profiles seven selection criteria and the importance of each criteria in the selection of mentor judges as rated by 28 of the 29 responding state judicial educators who reported having mentoring programs.

**Table 10**  
**Mentor Selection Criteria**

Importance Rating (rated from 1 = Not Used to 4 = Very Important)

Criteria for Selecting Mentor Judges	Importance					
	1 (%)	2 (%)	3 (%)	4 (%)	Mean	S.D.
1. Geographic Location	7.1	14.3	28.6	50.0	3.21	0.96
2. Type of Court in which He/She Sits	10.7	3.6	14.3	71.4	3.46	0.99
3. Reputation/Stature in the Judiciary	7.1	14.3	28.6	50.0	3.21	0.96
4. Docket Size	25.0	39.3	25.0	10.7	2.21	0.96
5. Commitment to Judicial Education	14.3	21.4	25.0	39.3	2.89	1.10
6. Member of Judicial Education Committees	70.4	18.5	7.4	3.7	1.44	0.80
7. Willingness to Serve as a Mentor Judge	3.6	7.1	21.4	67.9	3.54	0.79
8. Knowledge of Substantive Law	7.4	14.8	37.0	40.7	3.11	0.93
9. Knowledge of Procedural Law	7.4	7.4	40.7	44.4	3.22	0.89

*Percents are based on valid responses; Valid responses: 28*

Type of court in which the perspective mentor judge sits was rated as a very important selection criteria by 71.4% of respondents, followed by willingness to serve as a mentor judge (rated very important by 67.9%) and geographic location and reputation/stature in the judiciary (both rated very important by 50.0%). The least important selection criteria reported by the respondents was membership on a judicial education committee. Also an important and obvious selection criteria is the mentor-judge's willingness and availability to serve. Ninety-five percent of respondents reported having a sufficient number of mentor judges from which to choose.

## **Mentor Preparation and Utilization**

After selection, the next step is preparing the mentor for the responsibilities of mentoring. It is true that the mentor judge must know the appropriate subject matter and convey it with thoroughness. Perhaps more important, the mentor judge must be able to communicate to new judges the obligation, spirit, intent and reality of the judicial role as it affects the quality of justice, stature of the judiciary, litigants and the public. Mentor judges must know what is expected of them and if they accept the mentoring responsibility, they

must be prepared for the mentoring job. Therefore, training of mentors is an essential part of any new-judge mentoring program.

Of the respondents who indicated they had a new-judge mentoring program only 31.0% reported having a training program for mentor judges. Slightly more than half reported having a mentor-judge manual or guidebook. These findings suggest an unevenness in how mentors are being prepared across the states.

Mentors and mentoring programs are typically part of a larger organization plan for inducting new members into the organization. In new-judge mentoring programs this practice also holds true. As reported earlier, new-judge mentoring programs are usually accompanied by a pre-bench orientation seminar or a new-judge seminar following swearing in. Programmatically, this array of offerings provides the new judge with ample opportunity to prepare for his/her judicial responsibility; additionally, it provides several ways that the mentor judge can serve and be a part of the overall organizational effort to prepare and assist the new judge. Sixty-three percent of the respondents reported that their mentor judges were involved in either the pre-bench orientation seminar or new-judge seminar following swearing in. Survey results regarding mentor preparation and utilization are summarized in Table 11.

**Table 11**  
**Mentor Preparation and Utilization**

Preparation and Utilization	Frequency	Percent (%)	Valid Percent (%)
Have Training Programs for Mentor Judges	9	18.4	31.0
Have a Mentor Judge Manual or Guidebook	15	30.6	51.7
Mentor Judges Involved in Either the Pre-Bench or the New-Judge Seminars Offered to New Judges	17	34.7	63.0
Have a Sufficient Number of Mentor Judges for Mentoring Programs	21	42.9	95.5



## **Mentoring Programs: Profiles from Four State-Level Programs**

To demonstrate further how new judge mentoring programs can operate, we follow with four state-level, new-judge mentoring program profiles. The 1992 JERITT survey uncovered the existence of 29 state-level, new-judge mentoring programs. For reasons of space and utility, all 29 programs could not be described in detail in this monograph. We selected four programs for more detailed description in order to give an overview of the variety of mentoring programs currently in operation.

These four mentoring program profiles show variety in structure, format, procedure and administration. All four programs are well established and experienced enough in their operations that written documentation and descriptions of their procedures were readily available. The programs also were selected because they range from a highly integrated model where mentoring programs are linked formally with other new-judge programming, to a highly personal and decentralized model that more closely resembles the individual relationship building approach to mentoring.

While the survey results provide valuable skeletal information and demonstrate the increasing popularity of new-judge mentoring programs, the program profiles offer more substance about the design, development and administration of new-judge mentoring programs. Included in each profile is the following information: description of the program; development and administration of the program; role of the program, mentor-judge selection, training and assignment; description of the mentoring process; relationship among mentoring program, new-judge orientation and continuing education; future plans for the mentoring program; and the legacy of the mentoring program.

### **Arizona Mentoring Profile**

*Karen Waldrop, Director  
Education Services*

#### **Description of the Arizona State Judicial System**

Arizona has three levels of state courts: limited jurisdiction, superior and appellate courts. Limited jurisdiction courts include justices of the peace and municipal courts. The justices of the peace are elected and have limited jurisdiction over a geographical precinct. There are 83 justices of the peace precincts in Arizona. Municipal judges are appointed by the governing bodies of their respective municipalities and have limited jurisdiction within the boundaries of their respective cities. There are 123 municipal judges in Arizona. Limited jurisdiction courts include both law trained and non-law trained judges.

There is one superior court in Arizona and at least one superior court judge is located in each of the 15 counties. Superior court judges are required to be law trained. In the two

metropolitan counties, merit selection is the process by which judges are chosen. These judges are subject to a retention election every four years. In the other 13 counties superior court judges are elected by popular vote. There are 119 superior court judges.

Appellate courts include the Arizona Court of Appeals and the Arizona Supreme Court. The court of appeals judges and supreme court justices must be law trained and are chosen by merit selection. They are subject to a retention election every four years. There are 21 judges on the court of appeals and five justices on the supreme court. The supreme court has administrative supervision over all state courts.

Arizona has two metropolitan areas, Phoenix and Tucson. Approximately half of the state's population lives in the Phoenix area. Aside from the two counties in which Phoenix and Tucson are located, the other 13 counties are vast and sparsely populated with small cities, towns and settlements. Often many, many miles separate courts from one another, providing little systematic support for new judges in these outlying areas.

### **Development and Administration of the Judge Mentoring Program**

The first court-mandated orientation for new limited jurisdiction judges in Arizona was conducted in mid-1986. In 1987, the question of how to train new judges who came to the bench between offerings of the orientation program arose. How were they to receive immediate assistance? What about those judges who left orientation still unsure of themselves? How were they to get follow-up help? The answer was a mentor-judge program.

The state was divided into four geographical quadrants and in each quadrant two mentor judges were appointed by the chief justice: one municipal judge and one justice of the peace. These two judges were to work with new judges in their quadrant. Aside from the jurisdictional consideration, the selection of mentors was based more on their ability to interact positively with new judges than on any other single factor. The role of the mentor judge was to determine the needs of the new judge and work with him/her to meet those needs. Since 1987 the limited jurisdiction mentoring program has become more refined and more vital to the orientation process.

In 1990, it was decided that the state judiciary's movement toward a "unified court system" should be reflected in the orientation of new judges. Funding for "A Unified Orientation for Arizona Trial Court Judges" was sought and received from the State Justice Institute. Funding was to assist in the development of a general jurisdiction planning committee and implementation of curriculum development, faculty development, mentor training and evaluation of the orientation process and products for all new trial court judges in Arizona.

As of 1992, limited jurisdiction judges participate in a two-week orientation program and a three day follow-up occurring approximately four months later. The general



jurisdiction judges participate in a one-week orientation program. All new judges have a mentor judge assigned to him/her, from the appropriate jurisdiction's mentor program. The limited jurisdiction program is at present more organized and fruitful; therefore, is the focus of this profile.

Currently, limited jurisdiction mentor judges in Arizona now play an integral role in all aspects of new-judge orientation. They participate as discussion leaders at the initial new-judge orientation program, provide ongoing one-to-one mentoring for a period as long as agreed upon between the mentor and new judge and actively participate in the development of the curriculum for orientation of new limited jurisdiction judges.

There are currently numerous mentor judges and while geography still plays a role in mentor assignment, the original quadrant scheme has been replaced with a more complex system which includes consideration of court size, types of cases heard, caseload and mentor/new judge compatibility.

One unique component of this program is the mentor coordinator, a judge selected by the chair and co-chair of the orientation program to organize and administer the mentor-judge program and to disseminate information to the mentor judges. The coordinator also serves on the planning committee for the orientation program, providing the mentor perspective on the revision of written materials, the orientation format and session content. This individual must have had involvement at some level with the orientation program, but does not come from the ranks of the mentors. Since a major role of the coordinator is to promote teamwork, this avoids competition among mentors for the role of mentor coordinator.

### **The Role of the Mentoring Program**

The mentor-judge program is designed to fulfill the many needs of the new judge. Mentors must be willing to give of themselves in order to assist new judges through the orientation process. Mentors are a friend and role model after which the new judge can pattern his or her own behavior. Through the mentor process, new judges can develop their own skills and confidence level, while having a more experienced judge to consult regarding unfamiliar situations. The program provides new judges with: opportunities to visit/observe an experienced judge; a resource for information exchange; a mechanism to become integrated into the judicial system; and a guide to procedural consistency.

### **Mentor-Judge Selection**

The selection of mentors is a team effort. The education staff, the chair and co-chair of the orientation program and the mentor coordinator make recommendations to the chief justice who then appoints mentor judges. (See Appendix A).



The major selection criteria is the ability to interact positively with new judges. The one-on-one relationship which mentor judges need to establish with new judges requires that they be confidants, friends, advisors and teachers, not authority figures. Mentors must have demonstrated a commitment to judicial education and are considered to be of the highest caliber, as defined by their peers.

### **Mentor/New Judge Assignment and Duration**

There are currently 16 mentor judges with an average of 2 new judges assigned to each. Efforts are made to balance jurisdiction, size of court, type of court (urban and rural) and to provide for race, gender and ethnic diversity in selecting and assigning mentors. Upon notification of a new judge being appointed or elected, education services staff begin a process with each new judge, which includes consultation with the mentor coordinator and notification of mentor assignment to both new judge and mentor. The matching of mentors with new judges requires consideration of several factors. The matching is based on geographical location and size of court, the current caseload of the mentor judges and the personality and personal style of both the mentor judge and the new judge. The duration of the mentor program is generally one year. Although a specific mentor is assigned to each new judge, all mentor judges are available for consultation regarding areas in which they have expertise (this is one reason a sense of teamwork among mentors is essential).

### **Mentor-Judge Training**

Mentor-judge training involves teaching the mentors about facilitating and one-on-one teaching. The training is conducted by the mentor coordinator, education services staff and guest faculty depending on the subject matter being taught. (See Appendix B). Goals of the mentor-judge training program include:

1. To enhance the interpersonal skills of mentors
2. To define the role and responsibilities of mentor judges
3. To provide mentors with techniques and strategies to fulfill their role
4. To build rapport and a team spirit among mentors as a group
5. To assure consistency of information and process in mentoring
6. To integrate new mentor judges into the group

### **Description of Mentoring**

Given the unique nature of the relationship between the mentor and the new judge, the role of the mentor is very individualized depending on the individual needs of each new judge. Each new judge and mentor enter into a unique informal contract which proscribes the

nature of the relationship. However, the following represent the minimum responsibilities of the mentor:

- Mentors should **maintain contact** with new judges assigned to them during the December orientation conference and for several months following.
- Mentors should **initiate and maintain** contact with new judges assigned to them during the year, utilizing the "Arizona Limited Jurisdiction Courts Workbook" and the "Limited Jurisdiction Reference Manuals Vols. I & II" as tools to assist the new judges.
- Contact with new judges should be documented on the "new judge contact" form. (See Appendix C).
- At a time deemed appropriate by the mentor and the new judge, the mentor relationship may be concluded.

### **The Relationship Among Mentoring Program, New-Judge Orientation and Continuing Education**

In addition to one-on-one mentoring, the mentor judge also plays a significant role in the new-judge orientation and the follow-up seminar for limited jurisdiction judges.

#### *New-Judge Orientation*

Mentor judges (in numbers as needed) attend the entire new-judge orientation program, leading discussion groups, assisting faculty and building a rapport with the new judges. Discussion groups are formed as orientation begins. A mentor judge is assigned to each group. Every effort is made to include new judges in their assigned mentor's group. However, since not all mentors participate in every orientation, some judges in a given discussion group may not be assigned to the mentor for one-on-one mentoring. The mentor stays with that group throughout the two-week program. Since there are 52 topic areas, and at least as many faculty, the presence of the mentor judges provides a thread of continuity for the new judges as the faculty members change during the program.

During discussion group activity, the mentor asks participants in the group for questions, feedback, areas of confusion or concern related to the topics which have been presented in the preceding half-day. If there are issues raised by the group, the mentor discusses them and then formulates questions that she/he will ask the faculty member at the appropriate time. At the conclusion of the discussion time, each mentor presents to the large



group and the faculty member(s) issues raised by their respective groups. These issues are addressed and answered for the entire group by faculty for the appropriate topic.

Upon appointment, mentor judges are advised of their roles with respect to the new-judge orientation program. These include:

- Attend orientation conference as scheduled.
- Be on site during the conference 30 minutes prior to the first session to greet new judges.
- Be a role model.
- Work closely with assigned judge(s) during sessions, monitoring progress and helping them overcome any difficulties.
- Invite assigned judge(s) to lunch and/or dinner whenever possible.
- Conduct courtroom practice sessions and facilitate discussion groups as scheduled using the materials provided.
- Record questions and concerns expressed by judges to share with the planning committee, faculty and staff.
- Most of all have fun, relax, enjoy and be part of a new experience.

#### *Program Planning*

New-judge orientation: The mentors are invited to participate with the faculty who meet to plan the new-judge orientation program. This serves several purposes. Faculty become aware that mentors will be extensions of them, available for role play or as discussion group leaders. Mentors become aware of each faculty member's overall plan and the anticipated role for the participating mentors. A sense of "team" is developed which carries over to the actual orientation program. Thus, the role of the mentor judge is clearly defined as taking an active part in the planning and presentation of the formal orientation program.

Mentor workbook: A workbook was designed to assist the mentor judges in working with the new judges. It is comprised of questions and answers for each of the 52 topic sections of the orientation manuals. These questions are used to facilitate discussion for small groups, or they can be used in one-on-one training between a mentor and a single new judge. New judges receive a workbook with questions only, while the mentor version contains answers provided by faculty for each of the 52 sections.



**Follow-up seminar:** For the 3-day follow-up program, a survey of new judges is conducted by the mentor judges. (See Appendix D) This provides an opportunity for the mentors to discuss issues and problems with the new judges and assess their needs. Mentors complete a written form on each new judge, noting his/her input and suggestions for the follow-up. Mentors also submit suggestions after having completed the survey. The planning committee thus has a great deal more information from which to plan the follow-up agenda, which is unique from year to year.

One-on-one contact and training which takes place between a mentor and a new judge is documented on a "new judge contact" form (See appendix C). This documentation is provided to the mentor coordinator on a quarterly basis, at which time the progress of the new judge and his/her future needs are discussed.

### **Future Plans for the Mentoring Program**

The mentoring program for limited jurisdiction judges has been in place since 1987 and has been integrated into all aspects of new-judge orientation for limited jurisdiction judges. In 1990 a mentor-judge program was implemented for superior court judges. While it is not as fully developed as the program for limited jurisdiction judges, there are plans to base it on the same model. Meanwhile, the limited jurisdiction mentors are becoming even more instrumental in planning programs with faculty and the planning committee.

### **The Legacy of Judicial Mentoring**

Observations by the education services staff, planning committee members and others suggest that the mentor-judge program in Arizona has resulted in several positive effects for both the mentor judges and those who were mentored.

The mentor judges tend to be much more attentive to their demeanor and much more focused on their job as well as being more aware of their overall role in the judiciary and society as a whole. There is also an honor associated with appointment to the mentor program by the chief justice. The mentor-judge program has brought a group of individual judges together through a shared experience. They have become committed to making the orientation of new judges work. Those who are mentored appear to have a higher level of confidence, because they have a safety net in the form of a mentor to fall back on. They grow more confident in problem solving during the mentoring process and develop a more effective approach to judging as the process continues.

The mentor program serves as a literal lifeline for those who become judges and have little or no legal training and may know little about the judicial system. Even those who have

legal training and courtroom experience benefit from the mentoring process as they transition into the role of judge.

## **Florida Mentoring Profile**

*Blan Teagle, Staff Attorney*

*Legal Affairs & Education Division*

### **Description of the Florida State Judicial System**

The Florida State Courts System is administered by the Florida Supreme Court and the chief justice who is the chief administrative officer of the judicial branch of government. The chief justice administers a three tier judicial system consisting of county courts (limited jurisdiction trial courts), circuit courts (general jurisdiction trial courts), and appellate courts (district courts of appeal and the supreme court).

The county courts have general jurisdiction over actions at law in which the matter in controversy does not exceed \$15,000 exclusive of interest, costs and attorneys' fees. County courts have exclusive authority over traffic, small claims (to \$2,500), most landlord and tenant matters and misdemeanor criminal cases. They also have limited equitable jurisdiction. Each county judge is elected to a seat in one of Florida's 67 counties in a non-partisan race. County judges serve a term of four years. There are approximately 240 county court judges in the state.

Circuit courts have exclusive original jurisdiction in all actions at law not cognizable by the county courts (in addition to presiding in cases meeting their monetary jurisdiction, circuit courts preside over proceedings relating to probate, guardianship, domestic relations, juveniles, criminal felony and most cases in equity). Circuit courts also decide appeals from county court rulings and rulings of administrative bodies of local government. Their territorial jurisdiction is allotted among 20 judicial circuits. There are approximately 420 circuit judges in Florida.

Appellate courts include the district courts of appeal and the Florida Supreme Court. The district courts are Florida's intermediate appellate tribunals located in 5 geographic districts within the state. A chief judge for each district is chosen by a majority of the court. Three judges are required to sit on each case with the concurrence of two, mandatory to issue a decision. The district courts decide most appeals from circuit courts and many administrative law appeals from actions by the executive branch.

The Florida Supreme Court is the state's court of last resort. It sits at the capital, Tallahassee, and has statewide jurisdiction. There are seven justices of the state's highest court with the chief justice elected biennially by a majority of the court. Five justices constitute a quorum with the concurrence of four justices required for a decision. Oral arguments are heard by the court en banc for appeals involving capital cases, bond



validations, the validity of a state statute or provision of the Florida Constitution and actions of statewide agencies relating to public utilities. The court also has limited discretionary jurisdiction.

### **Development and Administration of the Judge Mentoring Program**

Florida has had a college for new judges since the early 1970s. In 1987, the Florida Supreme Court adopted a rule of judicial administration mandating continuing education requirements for all judges in the state judicial system. In addition to the minimum 30 credit hours each judge must complete every three years, the rule also addressed the Florida Judicial College. Every judge new to a level of trial court must complete the Florida Judicial College program in his or her first year of judicial service following selection to that level of court. This initiatory education requirement is in addition to the 30 hours of continuing education every Florida judge must earn.

In late 1989 the Florida Judicial College curriculum was substantially expanded and enhanced and the changes were instituted by administrative order of the chief justice. The programs included in the Florida Judicial College are designed to assist new judges by introducing them to common judicial problems and practical ways to address those problems. Also, the college experience is intended to provide participants with a greater understanding of how judicial decisions should be made and of the judge's role in the community and the court system.

The Florida Judicial College program represents a continuum of educational services which are provided to every judge new to the trial bench. Learning activities and objectives are carefully planned to provide an integrated, sequential training program. The dean of the Florida Judicial College assists the faculties to ensure the coordinated development of curricula for all college programs. The college curriculum includes: new judges' college, trial skills workshop, the art of judging course and the mentor program.



### **The Role of the Mentoring Program**

A mentor is assigned to assist and counsel each new judge. This ensures that each new judge receives appropriate guidance from other members of the judiciary. Immediately after a judge's selection, the mentor is available to help in the adjustment to life on the bench. The Florida Supreme Court has adopted a policy that in election years no judge new to the trial bench will be assigned to judicial duties for the first two weeks of service. This policy enables every judge to participate in supervised observation of court functions and judicial responsibilities, as well as the trial skills workshop and the art of judging course. Mentors have primary responsibility for assisting new judges in becoming familiar with local resources, policies and procedures. They discuss with new judges' topics such as closing a law practice, internal office procedures, state employment and travel policies, local judicial administrative matters and the role and responsibilities of the judicial assistant. Mentor support begins as soon as the new judge is selected and continues for the first year that a judge is on the bench.

### **Mentor-Judge Selection**

In 1990, the pilot year, 78 new judges were scheduled to take the bench in January. That was by far the largest number of persons with no prior judicial experience to begin serving all in the same month. A decision was made by the dean and the associate dean of the Florida Judicial College to appoint 78 mentors. The dean appointed a fellow judge as mentor program director and assigned one staff attorney and the court education program coordinator to assist the mentor-judge director in program development. At the outset, the staff attorney and the director targeted one judge in each circuit to serve as a resource person who would recommend prospective mentors. The resource person in each circuit was chosen through the following criteria:

- active involvement in judicial education either as an instructor or education committee member;
- at least 5 to 10 years experience as a judge in the circuit; and
- responsibilities in education substantial enough that the resource person would not likely be interested in serving as a mentor.

Each resource person was informed of the number of new judges in his or her circuit needing a mentor and then was asked to recommend that number of experienced judges to serve as mentors. The resource person was asked to apply the following criteria in making the recommendations:

- preferably 3 to 5 years on the bench (so that the judge would be experienced but would not have forgotten the difficulties in making the adjustment);

- well respected by judicial peers and the legal community both for legal ability and, more importantly, for organizational and interpersonal communication skills; and
- possibly, but not necessarily, involved in judicial education (should be a person who is enthusiastic and attentive to judicial education even if not a faculty or education committee member).

Once the list of prospects was compiled, the director and staff attorney consulted the chief judge in each of the 20 judicial circuits to receive the chief judge's "advice and consent." Any mentor not approved by the chief judge was then stricken, and the chief judge's replacement was substituted.

### **Mentor/New Judge Assignment and Duration**

After compiling the final list of 78 mentors, the director attempted to assign mentors to new judges based on what was known about divisional assignment and geographic location. Every attempt was made to ensure that new judges and mentors were located in the same courthouse. It was also important that limited jurisdiction judges mentored limited jurisdiction judges, general jurisdiction judges mentored general jurisdiction judges and, to the extent possible, that new judges assigned to a family, juvenile, civil, probate or criminal division were mentored by a judge who currently sits or had previously sat in that division.

For subsequent appointments, a list of the mentor pool (those 78 judges who attended training in 1990) has been circulated to each chief judge. When a new appointment or election occurs, the chief judge is asked to select one of the judges from the list to mentor the new judge. Over time, the chief judges have been given broad discretion in making appointments and are permitted to select mentors who have not received training. This evolution has been a necessary accommodation for several reasons.

First, of the 20 chief judges in 1990, approximately half have been replaced by newly appointed chiefs who had no role in initial selection. Some of these chief judges place great emphasis on docket and trial management skills which, although considered, were not heavily emphasized in 1990. The chief judges have requested the right to make different appointments based on management ability. Second, a few mentors were not especially responsive to the needs of their new judges and the chief judges, being in the same circuit, are in a better position to observe the relationships firsthand. Third, some new judges are not in the same courthouse or assigned to the same division as any of the mentors in the initial pool. For these reasons, the chief judges must have discretion to ameliorate perceived inadequacies in pairings.



### **Mentor-Judge Training**

In Florida, most mentors attend a full-day training program before serving. The first mentor training program was conducted in 1990. (See Appendix E) Its primary focus, along with that of the written materials, is on building the relationship and providing guidance without imposition on or domination of the new judge. The notebook of written materials which is given to mentors consists primarily of a checklist to be customized to suit local needs. This checklist provides the fundamental framework for substantive and procedural discussion, whereas the live training session emphasizes careful reflection on the art of judging, consideration of the mentor's perception of his or her role as a judge, and development of interpersonal communication skills with an emphasis on active listening rather than didactic pontificating.

Participants in mentor training are urged to consider whether they are activist or passivist judges, i.e., do they take an authoritative control position in the procedural flow of a trial or hearing or do they "let the lawyers try the case" interjecting as little as possible and sitting as the neutral arbiter. Faculty for mentor training stress the importance of sharing a philosophy of judging with the new judge without suggesting that the mentor's philosophy is a blueprint for the only successful foundation for a career as a distinguished jurist. Mentors are encouraged to consider the pros and cons of their own judicial styles and philosophies and to distinguish between what is mandatory and what is discretionary in judicial conduct.

While only one mentor training session has taken place in Florida, a follow-up, two-hour meeting with the mentor pool was conducted in 1991. Plans for 1992 training are in progress. One of the important aspects of Florida's training program is the balance struck between the need for some required topic coverage and much discretion necessarily left to the mentors to tailor the program to their own local systems. Trial court administrators' offices, though somewhat standard in function, vary in their procedures and fiscal capabilities from circuit to circuit. Chief judges have different administrative orders and local rules, and every circuit has a unique local judicial culture and attitude about considering the needs of others in scheduling and organizing, and about such matters as planning investitures, substitutions, vacations, protocols with clerks' offices and court administrators, etc. Some circuits have "duty" judges at night and on weekends. Some circuits receive supplemental funding from counties for additional staff support and have procedures for assignment of support staff. None of these matters is appropriate for supervision by the deans or the mentor program director. Therefore, an essential component of training was the "workshop session" during which judges from the same circuit met in small groups to customize their manuals. They then reported back on various ideas and recommendations they had included so that mentors from similarly sized and financed circuits might benefit from their suggestions.



Equally important were the communications and art of judging sessions. Participants brainstormed about difficult questions that might be asked by a new judge and then engaged in role playing exercises based on the scenarios. Afterward, they were critiqued by their small groups and received suggestions on alternative ways to deal with the questions. This practical approach gave each mentor an opportunity to put theory into practice before ever meeting with the new judge. Most of the mentors evaluated these sessions favorably.

### **Description of Mentoring**

The role of mentor must be very individualized to accommodate different personality types and learning styles of both new judges and mentors. All mentors are instructed to initiate a first meeting immediately upon their appointment. Usually this meeting will occur well before the new judge is sworn in. The mentors are asked to use the checklist and check off each item during the initial 1 to 2 conferences with the new judge.

Mentor program faculty have attempted to convey the need to strike a balance between the relaxed informality needed to establish rapport and free flowing dialogue with the requisite amount of formality needed to ensure that meetings take place and every important topic on the checklist is at least mentioned. Thus, the mentors are instructed to establish ground rules with the new judge about weekly or monthly scheduled conferences and then to establish that they are available for impromptu consultation as needed. Those who are considering mentoring new judges are asked at the outset to make a commitment to be interrupted for emergencies even during a trial or hearing. Judges unwilling to take an occasional 5 minute recess to accept a call from a new judge are discouraged from volunteering to serve.

Mentoring lasts for one full year, but no set meeting schedule is mandated after the first 6 months. Mentors are encouraged to meet with new judges once per week in the beginning. They are required to introduce new judges to other court officials and to arrange meetings with other officials; they are required to schedule observation time for the new judge; and they are encouraged, but not required, to continue meeting with the new judge for at least one scheduled monthly meeting throughout the 12 month program.

### **The Relationship Among the Mentoring Program, New Judge Orientation and Continuing Education**

The Florida mentor program does not actively involve mentors in the other components of the Florida Judicial College. The mentor judge plays his or her role almost exclusively in the home jurisdiction and in a one-on-one setting. There is some overlap between college faculty and mentors, but no conscious effort is made to achieve this overlap.

### **Future Plans for the Mentoring Program**

The Florida Judicial College has a new dean who has expressed a strong commitment to enhancing the mentor program. His goal for the coming year is to appoint 2 mentor program coordinators from each circuit to attend training this year. These coordinators would be a county judge and a circuit judge selected by the chief judge to administer the program in the local circuit and to serve a term of two years to coincide with the term of the chief judge. The coordinators would attend a training program planned and administered by the mentor program director and the staff attorney. Mentor coordinator training would differ from the 1990 program in that the coordinators would be taught how to select, teach and assign mentors to new judges. From an administrative standpoint, the director and staff attorney would then communicate directly only with the coordinators who would supervise all mentors at the local level.

The deans, program director and staff hope that handling the program in this decentralized manner will result in quicker and more well informed appointment decisions. Presumably, individual mentorships will be monitored more carefully as well. Chief judges in Florida have extensive administrative and managerial responsibilities as well as their own dockets to attend to. To expect them to take an active role in mentor selection on a regular basis is unfair and unrealistic. Nevertheless, chief judges have a keen interest in controlling the selection process. If they can appoint a coordinator in whom they have confidence, they can minimize their involvement while maintaining a commitment to and belief in the program. If the director and staff attorney deal only with the coordinators, they reduce substantial paperwork and telephone time and can be more certain that their communications are received and reviewed.

### **The Legacy of Judicial Mentoring**

The Florida mentor program, together with the art of judging and trial skills workshop programs, has enabled new judges to assume their duties with much more confidence and less guesswork. In the past, some new judges received adequate guidance upon taking the bench and others received virtually no guidance. Now all new judges are assured of assistance in adjusting to their new responsibilities and obligations.

The similarity of each new judge's initial education experience gives Florida more consistently prepared groups of new judges than it has ever had. In addition, year long support provided by mentors assures that new judges can continually improve their performance with assistance from their peers.



Florida's staff attorneys are frequently told by new judges that they do not know how they could have made the transition to the bench without the mentor program and other pre-bench education. As more judges experience the help provided by mentors, more will see this program as an indispensable part of Florida's judiciary education.

### **New South Wales, Australia Mentoring Profile\***

*Livingston Armytage, Education Director  
Judicial Commission, New South Wales*

#### **Description of the New South Wales Judicial System**

The Australian Constitution provides for a federal and state system of justice. Within Australia, New South Wales is the oldest and most populous state. The judicial system of New South Wales is based on the British common law approach and comprises six state courts which include supreme, industrial, land & environment, district, compensation and local courts.

The Judicial Commission of New South Wales was established in 1987 as an independent statutory body. A principal object of the commission is to organize and supervise an appropriate scheme for the continuing education and training of judicial officers. Judicial officers are defined as judges and magistrates and include masters who exercise judicial functions. The judicial commission is composed of the heads of jurisdiction of each court, with two lay members, who provide direction for the commission's professional staff to collaborate with and assist the courts' education committees to develop and conduct each court's education program.

The local court is the largest court in both New South Wales and Australia consisting of 128 magistrates. The court exercises criminal and civil jurisdictions and disposes of approximately 94% of the state's caseload by volume.

The appointment of new magistrates to the local court is on merit and is at the discretion of the attorney general acting on the recommendation of a selection panel which includes the chief magistrate. All appointees are legally qualified and possess extensive practical experience of legal practice (usually at least ten years) either in government service or from the private profession.

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\*The brief of the Judicial Commission of New South Wales relates to the state judiciary in New South Wales rather than to the Australian federal judiciary or, alternatively, the generic Australian position.



### **Development and Administration of the Judge Mentoring Program**

In recent years, about ten new magistrates are appointed annually. Since 1989, new appointees have participated in a formal orientation program. In 1991, a mentor scheme was introduced to supplement this structured program. This scheme is voluntary and operates in addition to the existing orientation activities which are conducted by the local courts' education committee.

### **The Role of the Mentoring Program**

The mentor scheme is designed to assist new appointees to the court by providing direct and informal access to the assistance of an experienced magistrate. On appointment, every new magistrate makes an immediate transition to the bench: this involves adjusting to some significant changes which may include possibly closing a law practice, becoming familiar with a new court and commencing to decide cases fairly, correctly and effectively. The mentor scheme is designed to assist the new appointee in meeting these important new responsibilities.

### *Framework of the Mentor Relationship*

In the past, the new appointee was often greeted by the head of jurisdiction and colleagues with the offer, "*If you have any problem, my door is always open.*" Of course, this offer was rarely taken up by the new appointee who did not want to become a nuisance or to appear stupid. To avoid this problem, a mentor scheme needs to clearly identify and appoint the parties to the new relationship. This is done by selecting an experienced and willing member of the court to assist the new appointee; and, by defining the purpose and scope of that relationship, any responsibilities which may flow to the mentor and the expectations which the new appointee may reasonably hold.

In our experience, although the relationship is "unstructured", both parties (mentor and appointee) need the support of a framework, at least initially, upon which to direct their attention. This framework is supplied by the suggested issues for discussion checklist (See Appendix F) which is supplied to both parties in a way which is intended to be indicative of the general nature of the proposed new relationship but also flexible and responsive to personal requirements.

### *Scope*

It is important to ensure that mentoring does NOT abrogate the decision-making responsibility of the new appointee. This is one of the greatest risks of a poorly supervised scheme. To avoid this danger, a number of steps have been taken:

1. All parties are briefed to this effect.
2. Substantive jurisdictional/legal content is excluded from the scope of the suggested issues for discussion which focus rather on providing administrative and interpersonal support.
3. The orientation program is designed to meet the substantive instructional needs of the new appointees, who are offered a structured orientation program involving residential seminars, full-day workshops and follow-up seminars which cover an extensive curriculum of substance, procedure, practice and skills.
4. The mentor relationship frequently evolves into an important basis for career-long peer group support; however, it is important not to impose this on unwilling or unsuited participants from the outset, but rather to permit it to develop of its own accord. Under circumstances where mutual trust and respect have evolved between individuals, doubtless the scope of the relationship will blossom into broader areas of discussion and consultation.

### **Mentor-Judge Selection**

Selection of mentors is at the discretion of the chief magistrate, as the head of jurisdiction. Selection is based on nominations made by the court's education committee, which is chaired by a deputy chief magistrate and comprises of both magistrates and professional education staff of the judicial commission.

On notification of a new magisterial appointment, the chief magistrate invites a senior magistrate to serve as the new magistrate's mentor.

Selection as mentor should take into account:

1. Experience of the mentor (between 5 and 10 years on the bench): the mentor should be familiar with the likely problems and, indeed, still remember the concerns of new appointees; and

2. Availability of the mentor, depending on case-loads, types of work undertaken, and proximity to the new appointee's court in order to facilitate ready consultation whenever required. It is helpful if the mentor is accessible at short notice throughout the day whenever problems arise.

### **Mentor/Appointee Assignment and Duration**

The commencement of appointment is as soon as possible and, ideally, commencing prior to assuming sitting duties. A briefing and a face-to-face introductory meeting of both parties are arranged by the education committee.

This introductory meeting is an informal face-to-face briefing of the new mentor once appointed. This briefing is intended to ensure that the mentor fully understands the purpose of the scheme, the nature of his/her role as mentor, the scope of the mentor-appointee relationship and the recommended approach to assisting the new appointee. The briefing meeting is supported by the mentor briefing document of the education director explaining: "your role as mentor" (see Appendix G) and the "suggested issues for discussion" document which is supplied to both parties. The duration period of mentoring extends for the first three months of appointment, subject to the wishes and needs of the appointee.

### **Mentor Training**

Other than the briefing provided for new mentors, further formal mentor training has not been developed in view of the deliberately non-structured nature of the mentor relationship and its supplementary role to the formal orientation program (where the faculty of magisterial instructors has been inducted with train-the-trainer accreditation).

### **Description of Mentoring**

#### *Responsibilities of Mentor*

This scheme is voluntary, informal and non-structured. As such, it is largely up to each mentor and new appointee to determine for themselves how they wish to operate. There are, however, several fundamental guidelines provided to the mentors:

*Some "Do's"* — The most important function of the mentor is to provide advice, and to answer the questions of the new appointee. The mentor should see his/her role as being a means to provide useful and relevant information to assist the appointee when required. Within this context, it is also important to promote a self-reliant outlook to judicial problem-solving on the part of the new appointee.



*Some "Don'ts"* — The mentor should *not* impugn the integrity of the judicial role by intruding into the decision-making process of the new magistrate. It is not the role of the mentor to tell the appointee what to decide; but rather to respond to any call for assistance in how to approach the task in question.

To assist mentors, a list of suggested issues for discussion is provided to both the new judge and the mentor. These are used by both parties to guide discussions and interactions. The major subject matter categories covered in these suggested issues are: relationship with others, books, materials and supplies (what to get, where and how to use), internal office procedures, handling court proceedings and administrative considerations.

### *The Mentor's Role*

The most important role of the mentor is to assist through providing advice. In assisting the new appointee, it is helpful for the mentor to:

- a. *Become familiar with the appointee's background:* this will assist in assessing his/her individual needs, strengths and weaknesses when commencing on a new career on the bench.
- b. *Adopt a three-step approach* (we have found most professionals learn best through observation and practice):
  1. *Demonstration:* encourage the new magistrate to actively observe a range of different hearings arranged by the chief magistrate's office as a part of the "*bench observation program*" during the first five days of appointment. This program consists of the new appointees being rotated around selected benches within the court to expose them to a number of the special jurisdictions which the court exercises, such as mental health and the children's court. The appointee joins the sitting magistrate and observes proceedings from the bench.
  2. *Explanation:* discuss and explain specific issues and problems before or after cases whenever necessary. The appointee may have a range of questions which it is important to answer.
  3. *Commentary & feedback:* provide an opportunity for discussion and evaluation of experience as it is gained by the new appointee. The purpose of giving feedback is to assist, solve problems and encourage improvement where needed. This feedback should be positive, objectively critical and supportive.
- c. *Consultation:* encourage the new judicial officer to call on the mentor whenever the need arises. The mentor should encourage regular contact with the appointee preferably through face-to-face meetings and/or regular telephone calls where

necessary. The mentor may find it useful to establish a pattern of meetings during the initial period.

- d. *Duration:* a new judicial officer will not get all the answers in the first week. It is recommended that a period of about three months be considered, subject to the wishes and needs of the appointee.

### **The Relationship Among Mentoring, Orientation Program and Continuing Education**

The chief magistrate of the local court has designated a minimum of five days of continuing judicial education each year for each member of the court. The local court's program of continuing judicial education generally comprises attendance at a three-day annual conference and two, one-day seminar workshops together with any ad hoc activities such as seminars on important new law or practice, computer training and so on, as the need arises.

For new magistrates, additional activities supplement this general program in the form of a formal orientation program. This program operates before and following appointment consisting of an intensive two-day "*pre-bench*" workshop focusing on essential judicial skills and courcraft techniques; followed by a five-day residential course about nine months after appointment. The course is experiential and highly participatory: using workshop, brainstorming and role play techniques, this course consolidates induction in judicial skill development, trial and caseload management, sentencing practice, conduct and ethics.

The mentor scheme operates in addition to the existing orientation activities which are conducted by the local court's education committee. It is a supplemental, rather than an alternative, to the existing education program and within this context, should be voluntary, informal and non-structured.

### **Future Plans for the Mentoring Program**

The judicial commission recently conducted a preliminary evaluation of the mentor scheme from its first participants. (See Appendix H) The responses of participants in the preliminary scheme were predominantly positive. However, a number of issues arose warranting consideration, in relation to which the education director has submitted recommendations for change, and assisted the chief magistrate in refining the scheme.

These recommendations aimed at curing a number of defects identified in the preliminary evaluation which, in essence, included:

- a. *Access to mentors* - Interestingly, analysis of quantitative responses disclosed that the mentors assessed the scheme as significantly more useful than the new appointees! Interpretation of the available qualitative data suggested this disparity arose mainly

through practical problems for new appointees in gaining access to their mentors *when they needed it*, that is, at any time on short notice. This inaccessibility was caused through a listing practice of new magistrates being allocated to circuit sittings for the purpose of generally exposing them to the diversity of bench experience (but, in the process, removing them from close proximity to their designated mentor).

The solution to this problem was to propose a modification to listing and sitting procedure to ensure (1) that new appointees were allocated to court complexes in the initial 3-month period which permitted them immediate access to their mentor; and (2) that in the 3-6 month period, they were returned from circuit sittings on a regular basis to their mentor's complex.

- b. *Selection of mentors* - Mentors should not be so senior that their experience of the problems confronting new appointees is forgotten or irrelevant through intervening change; it is envisaged that selection of members with between 5-10 years' experience is the ideal seniority. It is also recommended that new appointees be informally consulted prior to formal selection of mentors to ensure parties get on as well as possible.
- c. *Role of education committee* - To ensure the success of the mentor scheme, the supervisory education committee should adopt an active, although non-intrusive, role.
  - (i) *Lack of support* - It appears that in a number of instances, a lack of guidance, assistance or inclination has resulted in a new appointee going without the desired support. An informal feedback mechanism between the appointee and someone other than the mentor (perhaps on the education committee) is needed to rectify any deficiency at the time it is most needed — immediately, to permit rectification or even a swap in the extreme event of a possible personality clash.
  - (ii) *Variation and quality management* - The nature and quality of the mentoring relationship obviously vary significantly between members. This, in itself, is a good feature as it reinforces the informal and voluntary nature of the support which is offered; however, the interests of quality assurance would be better served by introducing additional frameworks within which the relationship is encouraged to operate — for example, to introduce and facilitate a practice of actual face-to-face meetings between appointee and mentor, a social aspect to the relationship such as involvement in the orientation program dinner and possibly a special mentor-appointee workshop.
- d. *Future scope of mentoring* - It remains open to review the experience as it is gathered in order to refine the scope of the assistance to be offered. Initially, substantive law was excluded from the scope of the mentor guideline documents.



However, some participants have commented that this exemption may be artificial and unhelpful; if it is decided that mentoring should be formally extended to substantive law and practice, then we will need to consider integrating mentors more closely into the formal orientation program, rather than operating independent of it, as initially designed.

### **The Legacy of Judicial Mentoring**

The commission is confident that the mentor scheme has the potential to offer considerable benefits to both the court and the new appointee, and is likely to become an important part of the orientation program for new appointees to the bench. Having conducted an evaluation of the first year of operation, it is already clear that new appointees have found mentoring to be useful and a valuable supplement to our structured orientation program.

Mentoring is a classic and fundamental means of professional induction (viz. articles of clerkship, bar readership, apprenticeships generally) and offers the benefits of an unstructured but evolved tradition: it is on-the-job, practical and the learning process is educationally soundly based on a model of explanation, demonstration, practice and appraisal. However, our experience to date reaffirms our initial hypothesis that judicial mentoring should play *an important but limited role* in the induction process. As a means of instruction, mentoring has a number of significant potential shortcomings which arise from the inherently unstructured nature of the relationship and approach to meeting learning needs. There are additional limitations imposed by the scheme depending on sitting magistrates also being consummate instructors, difficulties in ensuring quality assurance, and in practice, unavoidable constraints on access.

### **Ohio Mentoring Profile**

*Anne McNealey, Executive Director  
Ohio Judicial Conference*

### **Description of the Ohio Judicial System**

Ohio has three levels of state courts; municipal and county courts, common pleas courts and appellate courts which include the supreme court. All judges are required to be lawyers and are elected. Ohio does not have a unified system. Although the supreme court is often a leader and a resource, it does not have the authority, except by special rule-making power which it uses with discretion, to mandate to other courts and judges.

Municipal and county courts are created by the general assembly as provided in the revised code. When municipal courts exercise countywide jurisdiction, no county court is needed. A county court is needed if an area of a county is not served by a municipal court.

Subject matter of the municipal and county courts is nearly identical. Both have authority to conduct preliminary hearings in felony cases and both have limited civil jurisdiction. The municipal courts handle civil cases in which the amount of money in dispute does not exceed \$10,000. The municipal court judge is elected to a six-year term on a non-partisan judicial ballot and may serve either full or part time. A county court judge is elected to a six-year term on a non-partisan judicial ballot. All county court judges are part time. Municipal and county court judges must be attorneys. There are 256 municipal and county court judges.

The court of common pleas is the only trial court created by the Ohio Constitution. There is a court of common pleas in each of the 88 counties. The courts of common pleas have original jurisdiction in all criminal felony cases and original jurisdiction in all civil cases in which the amount in controversy is more than \$500. Courts of common pleas have appellate jurisdiction over the decisions of some state administrative agencies. Most courts of common pleas have specialized divisions created by statute to decide cases involving juveniles, the administration of estates and domestic relations matters. Only seven courts of common pleas have no specialized divisions. Common pleas judges are elected to a six-year term on a non-partisan ballot. A person must be an attorney with at least six years experience in the practice of law to be elected or appointed to the court. There are 355 common pleas court judges.

The courts of appeals are the intermediate legal appellate courts and their primary function is to hear appeals from the common pleas, municipal and county courts. Each case is heard and decided by a three-judge panel. The state is divided into twelve appellate districts, each of which is served by a court of appeals which sits in each of the counties in the district. The number of judges in each district depends on a variety of factors, including the district's population and the court's caseload. Each district has a minimum of three appellate judges. There are a total of 65 appellate judges.

There is one supreme court consisting of seven justices. This is the court of last resort in Ohio and most of its cases are appeals from the 12 district courts of appeals. The court may grant leave to appeal criminal cases from the courts of appeals and may direct any court of appeals to certify its record on civil cases that are found to be "cases of public or great general interest."

### **Development and Administration of the Judge Mentoring Program**

In 1987, Chief Justice Thomas Moyer and his staff identified a need for newly elected and appointed judges to be in contact with an experienced judge soon after the election or, when filling an unexpired term, after the appointment. Prior to that time judges had been offered a basic orientation in March after their election. Beginning in the late 1980's, newly elected judges were offered a one-day, new-judge orientation in December after the



November election. The mentor program was administered by supreme court staff who chose the mentors, contacted newly elected and appointed judges and determined whether they were interested in having a mentor. The program was voluntary for new judges.

In the fall of 1991 the mentor program became the responsibility of the Ohio Judicial Conference, a state entity in the judicial branch of government which is devoted to promoting the better administration of justice and has as its members all the judges in the state and the five judicial associations. The conference works closely with the supreme court.

Currently, the mentor committee of the conference administers the program with strong conference staff participation. The committee consists of 20 judges who volunteer to be involved in the program; they may or may not be mentors themselves. The chair and vice chair of the committee have been or are currently mentors. Upon the election or appointment of a new judge, conference staff contacts the new judge to see if there is an interest in having a mentor. Although not obligatory, very few new judges refuse.

### **The Role of the Mentoring Program**

The objectives of the mentor program are to:

1. Create awareness of the judicial role and qualities of a judge.
2. Assist judges to perceive themselves as neutral arbitrators rather than advocates in legal proceedings.
3. Provide resources during transition period from bar to bench and during advisees' initial six months on bench.
4. Encourage communication, comments, questions and observations.

The program focuses on communication, on-site observations, personal and community activity and resources the judges can use when they are new to the bench.  
(See Appendix I)

### **Mentor-Judge Selection**

Conference staff, in consultation with mentor committee members choose appropriate judges as mentors. Mentors are chosen with a desire to match size, type, proximity of courts and personal needs of the advisee. Judges who are known to be listeners and have the ability to interact positively with others are preferred. Mentor judges are generally required to have been in their positions for a minimum of two years.



Each mentor is placed with one advisee for a period of six months. Prior to the fall of 1991 more than 50 mentors were placed with advisees. There are currently 22 mentors and 22 advisees. It is anticipated that there will be approximately 75 mentors for the newly elected judges in the fall of 1992. Approximately one half of the mentors who have been chosen in the past will again be chosen to be mentors.

### **Mentor/New Judge Assignment and Duration**

Each mentor is placed with one advisee for a period of six months. Mentors and advisees are matched according to: 1) type of court, 2) size of court, 3) proximity of courts and 4) personal needs of the advisees, in that order. New judges in single judge courts will be paired with a single judge court of similar jurisdiction as close in proximity as possible. Advisees in multiple judge courts will be paired with a mentor in a multiple judge court. Proximity is then not as much of a consideration.

Mentors are never on the same court as the advisee. We believe that new judges will be helped by judges on their court as a matter of course. The mentor program is designed to match a new judge with a mentor who can give a broader perspective and can, when necessary, respond to issues which may be too sensitive for a new judge to ask of the judges on the same court.

### **Mentor-Judge Training**

Training for the mentors is conducted by phone, by written materials and prior to the new judge orientation in December. During this one day session the subjects covered are objectives of the mentor program, responsibility of the mentor, communication, on-site observation, resources available to the new judge, and the judicial role; qualities of the judge (See appendix J). Mentor judges and advisee judges also have the opportunity to meet during this training session. Ongoing training occurs at association meetings and is gained through experience.

### **Description of Mentoring**

The mentor, upon selection, is to contact the advisee within several days. Mentor and advisee are encouraged to talk at least once a week and to visit each other's courts when possible. The mentors and their advisees meet in early December during the second day of the new-judge orientation which is conducted by the Ohio Judicial College of the Supreme Court. Mentors meet prior to meeting with their advisees at which time they discuss the goals of the program and create ways to approach their responsibility.

Mentors and advisees meet again during association meetings which are scheduled throughout the year.

### **The Relationship Among Mentoring Program, New-Judge Orientation and Continuing Education**

The relationship of the mentor program with new-judge orientation consists primarily of the meetings between mentors and advisees on the second day of the new judges program.

### **Future Plans for the Mentoring Program**

The mentor program is expanding to include the establishment of a small cadre of highly respected and experienced judges who will intervene and counsel experienced judges when alerted to problems which may exist but which do not rise to the level of potential disciplinary action. In addition, the mentor committee is establishing a resource list of all judges and their particular areas of expertise. This list will be used by mentors and advisees. The program will continue to match mentor with advisee on an ongoing basis. Mentors will gain experience and the mentor committee will continue to evaluate each mentor.

### **The Legacy of Judicial Mentoring**

The following benefits have been observed: Both mentors and advisees learn from each other; mentors, as well as advisees, broaden their knowledge of the court system; advisees have an objective, friendly person to call on who can often answer the questions which they feel uncomfortable posing to judges in their own court; and the judicial system is strengthened in a way that it would not otherwise be in a non-unified system.

### **Mentoring Profiles Summarized**

In reviewing the relationship among the mentor program and other aspects of the continuing education programming, Arizona and to a lesser extent Ohio have found it beneficial to include mentors in varying roles in the new-judge orientation programs. In Arizona, the mentors act as discussion group leaders in the new-judge orientation. In Ohio, there is a formal meeting of mentors and advisees on the second day of the new judge program. It would appear that there are some strong advantages to having mentors involved formally with a structured new-judge program to either initiate a new relationship or further solidify an already existing relationship between the mentor and new judge.



Neither Florida nor New South Wales have formally joined their mentoring programs with other new-judge orientation and education efforts. In some cases, however, mentors may be faculty members for formal new-judge programming in both Florida and New South Wales. The basic philosophy of these two programs is that mentoring is an individualized experience that takes place on the job, so that the advice and assistance offered by the mentor judge is timely and can be put immediately into practice by the new judge. In this respect, Florida and New South Wales have more closely modeled the traditional, non-formalized mentor-protégé relationship described earlier in Chapter 1.

A unique feature of the Arizona and Florida programs is the involvement of judges in the overall administration of the program in addition to the education staff. In Arizona there is a mentor coordinator. The role of the coordinator is to organize and administer the mentor-judge program and to disseminate information to mentor judges. Florida's future plans include the appointment of two mentor program coordinators from each circuit. The mentor coordinators will attend a training program where they will learn how to select, teach and assign mentors to new judges. This will decentralize the mentor program to the local court level. New South Wales' new-judge mentoring program is already somewhat decentralized in that the chief magistrate of the local court handles the mentor/new judge pairing. The chief magistrate selects a senior magistrate who has been nominated by the court's education committee to serve as a mentor. Ohio uses Ohio Judicial Conference staff and mentor committee members to select and pair mentor judges with new judges.

There is a major theme which seems to be prevalent in the mentor programs reviewed here. It relates to the nature of the relationship between the mentor and new judge. The emphasis is on maintaining a balance between communicating formal content and information while still keeping the relationship on an informal and personal level. Since each mentor/new-judge relationship is unique, there is little formal structure which dictates the nature of the relationship and the parties are free to define that relationship.



**Table 12**  
**Mentoring Profiles Summarized**

	Arizona	Florida	New South Wales	Ohio
Year Established	1987	1990	1991	1991
Mentor Judge Selection Criteria	<p>Ability to interact positively with new judge</p> <p>Demonstrated commitment to judicial education</p> <p>High caliber judge as defined by peers</p>	<p>3-5 years on bench</p> <p>Well respected by judicial peers</p> <p>Enthusiastic and attentive to judicial education</p>	<p>5-10 years on bench</p> <p>Proximity to new judge</p> <p>Accessible on short notice</p>	<p>2 years on bench</p> <p>Good listener and ability to interact positively</p> <p>Size and type of court for matching</p>
Duration of Mentoring	Several months depending on needs of new judge	One year	3 months	One year
Formal Mentor Judge Training	Yes	Yes	No	Yes
Formal Relationship Among Mentor Program and New-Judge Orientation and Continuing Education	Yes	No	No	Limited

As suggested by the above table, organized formal mentoring programs are a very new phenomenon. One of the most recent developments in judicial mentoring programs is the evolution of formal mentor training. As indicated in the table and from the profiles Arizona, Florida and Ohio have developed formal training for mentors. The Arizona, Florida and Ohio programs are one day in length. While the content varies, there is strong emphasis in all three programs on developing and maintaining communication with new judges. The New South Wales program does not formally train its mentors, however, it does provide guidelines for the mentor to follow throughout the mentoring relationship.



## Chapter 4: Steps to Developing, Implementing and Evaluating a New-Judge Mentoring Program

Judicial educators who plan to develop and implement a formalized new-judge mentoring program should read carefully Chapters 1 through 3 of this monograph. Use the information contained in these chapters to focus efforts and resources and reduce the time expenditure inherent in the development and implementation of new programming. Chapters 1 and 2 provide information about mentoring as it has developed and flourished as a method of developing new professionals. Chapter 3 is particularly important to judicial educators as it provides data on how new-judge mentoring programs have developed thus far. The four new-judge mentoring profiles are essential reading as they provide a framework and substance which judicial educators can use when developing their own new-judge mentoring programs.

This chapter builds upon the previous three chapters and provides a six step approach to developing and implementing a new-judge mentoring program. Each step is accompanied by assessment forms, planning forms and checklists which provide the necessary tools for the completion of each step. Additionally, judicial educators are encouraged to use the *Judicial Education Needs Assessment and Program Evaluation: JERITT Monograph One* (Hudzik, 1991) when developing and evaluating their own new-judge mentoring programs. The steps contained within this chapter should be used as a guide to help judicial educators develop their own mentoring programs. Judicial educators are encouraged to adapt these steps to accommodate their own unique needs and judicial system environments.

### Step 1: Determine Need for a New-Judge Mentoring Program

- Get an accurate count of the new judges per year; know the new judges' jurisdictions and geographic locations (see: New-Judge Demographic Information Form)
- Survey sitting judges about what they experienced as new judges, and whether they believe a mentoring program would help acclimate new judges and reduce entry problems (see: Assessing What New Judges Need to Know Questionnaire).



- Assess preexisting new-judge orientation and education programs to determine whether a mentoring program would add necessary substance and skill development to the preexisting programs and services.

*If need is present, proceed to Step 2. If no need is present, either stop here or consider whether a more detailed analysis of need would suggest otherwise.*

### **Step 2: Determine Support for a New-Judge Mentoring Program**

- Write a mentoring program prospectus to be used for explaining the mentor program (see: New-Judge Mentoring Program Prospectus Planning Form).
- Canvass appellate and trial court judges, chief judges and court administrators (see: Assessing and Recording Support for the New-Judge Mentoring Program Form).
- Assess organizational administrative support from the supreme court and the state court administrative office (see: Assessing and Recording Support for the New-Judge Mentoring Program Form).
- Assess support of the affected state judges associations (see: Assessing and Recording Support for the New-Judge Mentoring Program Form).

*If support is present, proceed to Step 3. If no support is present, either stop here or consider whether an attempt should be made to build support.*

### **Step 3: Develop the New-Judge Mentoring Program**

- Assemble a planning committee to identify the functions, characteristics and duration of the mentoring process; establish mentor selection criteria and training; outline the boundaries in which the mentoring can occur; establish policies and procedures; and agree upon an evaluation process. (See: Candidates for Membership to the Planning Committee Recording Form; Checklist of Functions to be Included in the New-Judge Mentoring Program; Characteristics of the New-Judge Mentoring Program Checklist; Mentor Selection Criteria Form; and Mentor-Judge Training Topics Checklist)
- Establish time lines for the development and implementation of the program (see: Time Lines for Action Planning Form).

**Step 4: Develop Administrative Structure for the New-Judge Mentoring Program**

- Select administrative structure and personnel.
- Write mentoring instructions and develop appropriate forms.
- Develop procedure for identifying, selecting and approving mentors.
- Develop procedure for getting new judges in the program.
- Develop procedure for matching mentors and new judges.

(see for Step 4: Checklist for Developing the Mentoring Program Administrative Structure)

**Step 5: Market the New-Judge Mentoring Program**

- Develop an information packet on the soon to be implemented new-judge mentoring program and distribute to all courts (Refer to New-Judge Mentoring Program Prospectus Planning Form in Step 2 before developing the information packet).
- Give presentations about the new-judge mentoring program at chief judge meetings, court administrator meetings, judge association meetings, court administrator association meetings and judge and court administrator seminars.
- Inform judicial education committees about the content of the mentoring program and how it will contribute to preexisting programs and services for new judges.

(see for Step 5: Marketing Checklist)

**Step 6: Develop an Evaluation Plan**

- Evaluate the overall value of the mentoring experience to the new judge.
- Evaluate the performance of the mentor.
- Evaluate the value of the mentoring program to the court system.

(see for Step 6: Checklist for Developing an Evaluation Plan)

**Step 7: Make Adjustments to the New-Judge Mentoring Program Based on Evaluation Results.**

(see for Step 7: Checklist for Adjusting the Mentoring Program)



## **Step 1: Determine Need for a New-Judge Mentoring Program**

Aids to Assist in Completing Step 1

- **New-Judge Demographic Information Form**
- **Assessing What New Judges Need to Know Questionnaire**

## New-Judge Demographic Information Form

Instructions: Complete this form to identify the number, types and locations of new judges entering the court system. Use this information to determine potential participant group size and composition.

1. Number of judges who entered the judiciary in the last five years.

Year 1:    Election year    \_\_\_\_\_  
                  Non-Election year    \_\_\_\_\_

(Enter Year on Appropriate Line ↑)

	<b>Number of Judges</b>
Limited jurisdiction	_____
General jurisdiction	_____
Appellate (intermediate or supreme court)	_____
Administrative	_____
Quasi-judge (magistrate, referee, mediator, hearing officer)	_____
Non-law trained	_____
<i>Total for Year 1:</i>	=====

Year 2: Election year \_\_\_\_\_

Non-Election year \_\_\_\_\_

(Enter Year on Appropriate Line ↑)

**Number of Judges**

Limited jurisdiction \_\_\_\_\_

General jurisdiction \_\_\_\_\_

Appellate (intermediate or supreme court) \_\_\_\_\_

Administrative \_\_\_\_\_

Quasi-judge (magistrate, referee, mediator, hearing officer) \_\_\_\_\_

Non-law trained \_\_\_\_\_

*Total for Year 2:* \_\_\_\_\_

Year 3: Election year \_\_\_\_\_

Non-Election year \_\_\_\_\_

(Enter Year on Appropriate Line ↑)

**Number of Judges**

Limited jurisdiction \_\_\_\_\_

General jurisdiction \_\_\_\_\_

Appellate (intermediate or supreme court) \_\_\_\_\_

Administrative \_\_\_\_\_

Quasi-judge (magistrate, referee, mediator, hearing officer) \_\_\_\_\_

Non-law trained \_\_\_\_\_

*Total for Year 3:* \_\_\_\_\_



Year 4: Election year \_\_\_\_\_

Non-Election year \_\_\_\_\_

(Enter Year on Appropriate Line ↑)

**Number of Judges**

Limited jurisdiction \_\_\_\_\_

General jurisdiction \_\_\_\_\_

Appellate (intermediate or supreme court) \_\_\_\_\_

Administrative \_\_\_\_\_

Quasi-judges (magistrate, referee, mediator, hearing officer) \_\_\_\_\_

Non-law trained \_\_\_\_\_

*Total for Year 4:* \_\_\_\_\_

Year 5: Election year \_\_\_\_\_

Non-Election year \_\_\_\_\_

(Enter Year on Appropriate Line ↑)

**Number of Judges**

Limited jurisdiction \_\_\_\_\_

General jurisdiction \_\_\_\_\_

Appellate (intermediate or supreme court) \_\_\_\_\_

Administrative \_\_\_\_\_

Quasi-judges (magistrates, referees, mediators, hearing officers) \_\_\_\_\_

Non-law trained \_\_\_\_\_

*Total for Year 5:* \_\_\_\_\_

2. Number of new judges per county. (Duplicate this form as needed until you have collected this information for all new judges by geographic location and by type of judge.)

County Name	Type of Judge	Number of Judges

County Name	Type of Judge	Number of Judges

Notes:

### **Assessing What New Judges Need to Know Questionnaire**

Instructions: A sample of judges has been chosen to provide information and views which will help to develop a new-judge mentoring program in our state. Please complete the following questionnaire to help develop a mentoring program for new judges. Your input is important in our continuing effort to prepare new judges for the responsibilities that confront them once they are sworn in.

1. I am (✓)

- ☐ Chief judge
- ☐ Supervising judge
- ☐ Sitting judge with no court administrative or operational responsibilities

2. I am (✓)

- ☐ Limited jurisdiction judge
- ☐ General jurisdiction judge
- ☐ Appellate (intermediate or supreme court)
- ☐ Quasi-judge (magistrate, referee, mediator, hearing officer)

3. My court is located in a (✓)

- ☐ Rural area
- ☐ Urban area
- ☐ Suburban area

4. I hear (✓ as many as appropriate)

- ☐ Criminal cases
- ☐ Civil cases
- ☐ Domestic cases
- ☐ Juvenile cases
- ☐ Probate cases



- 
5. Please explain the biggest obstacles you confronted when coming to the bench.
6. What was the most helpful service you received upon joining the judiciary?
7. If you were asked to orient a new judge to the bench, what would you share with him/her?
8. Would you recommend implementing a mentoring program for new judges?

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

**If no, please explain:**

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9. If your answer to 8 is yes, please list all topics you believe should be presented in a mentoring program within the following areas:

Procedural Law

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Substantive Law

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State Court Rules

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---

Local Court Rules

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---

Judicial Ethics

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Court Administration

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Courtroom Management

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Transitioning to a Judgeship

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Verbal/Listening Skills

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---

---

Court Security

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---

---

Other

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---

---

Other

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10. Check (✓) the ways in which you believe a new judge should be mentored.

- ☐ On-site visits at new judge's court
- ☐ On-site visits at mentor's court
- ☐ Phone calls
- ☐ Meetings with each other outside of the court setting
- ☐ Visits to other trial courts and appellate courts  
(other than mentor judge and new judge court)
- ☐ Prisons/correctional facilities
- ☐ Forensic science laboratories
- ☐ Mental health facilities
- ☐ Juvenile detention facilities
- ☐ Law enforcement offices
- ☐ State court administrator office
- ☐ Community service programs
- ☐ Other \_\_\_\_\_
- ☐ Other \_\_\_\_\_

11. Additional comments:

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## **Step 2: Determine Support for a New-Judge Mentoring Program**

### **Aids to Assist in Completing Step 2**

- **New-Judge Mentoring Program Prospectus Planning Form**
- **Assessing and Recording Support for the New-Judge Mentoring Program Form**

### **New-Judge Mentoring Program Prospectus Planning Form**

Instructions: The judicial educator, working with a mentoring program planning committee, develops a prospectus of the new-judge mentoring program which includes the following items: Check (✓) each item when completed and record your ideas for each item in the space provided or on other pages.

- \_\_\_\_\_ Comprehensive description and plan
- \_\_\_\_\_ Administrative structure and program monitoring
- \_\_\_\_\_ Mission statement
- \_\_\_\_\_ Goals
- \_\_\_\_\_ Objectives
- \_\_\_\_\_ Mentoring process (functions and characteristics)
- \_\_\_\_\_ Mentor selection
- \_\_\_\_\_ Mentor training
- \_\_\_\_\_ Mentoring program subject matter
- \_\_\_\_\_ Program evaluation

### **Assessing and Recording Support for the New-Judge Mentoring Program Form**

Instructions: Using your prospectus, present the new-judge mentoring program to the groups listed below. Check (✓) each group once you have met with them and recorded their respective responses.

1. Supreme court justices
2. State court administrator
3. Judges association board and/or general membership
4. Chief judges council
5. Individual chief judges
6. Court administrators association and/or general membership
7. Judicial education policy board
8. Judicial education advisory committee



## **Step 3: Develop the New-Judge Mentoring Program**

### **Aids to Assist in Completing Step 3**

- **Candidates for Membership to the Planning Committee Recording Form**
- **Checklist of Functions to be Included in the New-Judge Mentoring Program**
- **Characteristics of the New-Judge Mentoring Program Checklist**
- **Mentor Selection Criteria Form**
- **Mentor Judge-Training Topics Checklist**
- **Time Lines for Action Planning Form**

### **Candidates for Membership to the Planning Committee Recording Form**

Instructions: Record below the name, address and phone number for each representative identified below. In the comment section, include the reasons why you selected this person and record what this person brings to the group which can either facilitate or hinder the planning process.

#### **1. Judges' Association Representative**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### **2. Chief Judges' Representative**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Court Administrators' Representative

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Judicial Education Policy Board Representative

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Judicial Education Advisory Committee Representative

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## 6. One General Jurisdiction Trial Court Judge

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_

## 7. One Limited Jurisdiction Trial Court Judge

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_

## 8. One Quasi-Judge

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_

9. One Appellate Judge

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. One Veteran (5+ years on the bench) Judge

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. One Judge with One Year or Less Time on the Bench

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 12. Chief Justice of the State Supreme Court (membership may be honorary)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 13. State Court Administrator (membership may be honorary)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Note:* Planning committee membership should reflect diversity in age, gender, race, geographic location and population density. In some circumstances, it is possible that one person can represent more than one of the above categories.



### Checklist of Functions to be Included in the New-Judge Mentoring Program

Instructions: When developing the scope of the mentoring program, check (✓) each mentoring program function as it is incorporated in the program plan. Record any comments or thoughts in the space provided for each item.

- \_\_\_ Acceptance/support/encouragement
- \_\_\_ Advice/guidance
- \_\_\_ Bypass bureaucracy/access to resources
- \_\_\_ Challenge/opportunity/"plum assignments"
- \_\_\_ Clarify values/clarify goals
- \_\_\_ Coaching
- \_\_\_ Information
- \_\_\_ Protection
- \_\_\_ Role model
- \_\_\_ Social status/reflected credit
- \_\_\_ Socialization/host and guide
- \_\_\_ Sponsorship-advocacy
- \_\_\_ Stimulate acquisition of knowledge
- \_\_\_ Training/instruction
- \_\_\_ Visibility/exposure

*Note:* This list is based on Jacobi's (1991) review of mentoring listed in full on pages 6-8.

### **Characteristics of the New-Judge Mentoring Program Checklist**

Instructions: When developing the scope of the mentoring program, check (✓) each mentoring program characteristic as it is incorporated in the program plan. Record any comments or thoughts in the space provided for each item.

- \_\_\_\_\_ The mentor is committed to the goals of the mentoring program
  
- \_\_\_\_\_ The mentor is a willing volunteer
  
- \_\_\_\_\_ The mentoring program eases the entry of the new judge to the bench
  
- \_\_\_\_\_ Respect between mentor and new judge is mutual
  
- \_\_\_\_\_ Communication is open, supportive and instructive
  
- \_\_\_\_\_ Mentor's expertise matches new judge needs
  
- \_\_\_\_\_ The organization supports the mentoring program

**Mentor Selection Criteria Form**

Instructions: Complete this form for each judge being considered as a mentor judge. Check (✓) each item as it is investigated or reviewed and record your comments in the space provided for each item.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

- \_\_\_\_\_ Willingness to serve
- \_\_\_\_\_ Geographic location
- \_\_\_\_\_ Type of court
- \_\_\_\_\_ Excellent reputation/stature
- \_\_\_\_\_ Docket size
- \_\_\_\_\_ Commitment to the judiciary
- \_\_\_\_\_ Knowledge of substantive law
- \_\_\_\_\_ Knowledge of procedural law
- \_\_\_\_\_ Engaging communication style
- \_\_\_\_\_ Reflective thinking
- \_\_\_\_\_ Openness
- \_\_\_\_\_ Holds high expectations



- ☐ Wisdom
- ☐ Change agent
- ☐ On cutting edge of profession
- ☐ Mastery of the "art of judging"
- ☐ Motivator
- ☐ Excellent teaching abilities
- ☐ Politically astute
- ☐ Excellent listener
- ☐ Excellent feedback skills
- ☐ Other \_\_\_\_\_

Would you recommend this judge to be a mentor at this time?

Yes \_\_\_\_\_ No \_\_\_\_\_

Comments:

### **Mentor-Judge Training Topics Checklist**

Instructions: Check (✓) each topic as it is incorporated in your mentor-judge training program.

- ☐ Overview of the mentoring program: description, policies and procedures
- ☐ Orientation to goals and objectives of the mentoring program
- ☐ Essentials of mentoring: attitude, behavior and beliefs of the mentor
- ☐ Verbal and non-verbal communication skills
- ☐ Methods of mentoring
- ☐ Requirements of the mentoring process
- ☐ Parameters for mentoring
- ☐ New judges' responsibilities
- ☐ Mentors' responsibilities
- ☐ Organization's responsibilities
- ☐ Review of the topics to be covered during the mentoring process
- ☐ Feedback: how to give and receive
- ☐ Evaluation: mentor, new judge and mentoring program
- ☐ Concluding the formal mentoring relationship







## **Step 4: Develop Administrative Structure for the New-Judge Mentoring Program**

Aid to Assist in Completing Step 4

- **Checklist for Developing the Mentoring Program Administrative Structure**

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### **Checklist for Developing the Mentoring Program Administrative Structure**

Instructions: Check (✓) each item after it has been completed. Record any relevant notes in the space provided for each item.

- \_\_\_ Select administrative structure
  
- \_\_\_ Select administrative personnel
  
- \_\_\_ Write administrative policies
  
- \_\_\_ Write procedures
  
- \_\_\_ Write mentoring instructions and develop appropriate forms
  
- \_\_\_ Develop procedure for identifying, selecting and approving mentors
  
- \_\_\_ Develop procedure for getting new judges in the mentoring program
  
- \_\_\_ Develop a mentoring guidebook for mentors and new judges



## **Step 5: Market the New-Judge Mentoring Program**

Aid to Assist in Completing Step 5

- **Marketing Checklist**

## **Marketing Checklist**

Instructions: Check (✓) each task when it is completed. Use the space provided to record thoughts and feedback from others.

- \_\_\_ 1. Develop an information packet
- \_\_\_ 2. Determine who and where the information packet should be sent
- \_\_\_ 3. Distribute the information packet
- \_\_\_ 4. Give presentations describing the mentoring program at
  - \_\_\_ Chief judge meetings
  - \_\_\_ Court administration meetings
  - \_\_\_ Judge association meetings
  - \_\_\_ Court administration association meetings
  - \_\_\_ Judge seminars
  - \_\_\_ Court administrator seminars
  - \_\_\_ Judicial education committees

## **Step 6: Develop an Evaluation Plan**

Aid to Assist in Completing Step 6

- **Checklist for Developing an Evaluation Plan**

### **Checklist for Developing an Evaluation Plan**

Instructions: Check (✓) each item when completed. Use the space provided to record your remarks.

- ☐ 1. Determine what you want to know about the mentoring program
  
- ☐ 2. Identify who can give you the information you want
  
- 3. Determine the best method(s) to get the information
  - ☐ One-on-one interviews
  - ☐ Qualitative evaluation
  - ☐ Quantitative evaluation
  - ☐ Summative evaluation
  - ☐ Formative evaluation
  
- 4. Develop the appropriate information collection tools and/or instruments
  - ☐ Disseminate the tools and/or instruments
  - ☐ Conduct interviews (if part of the evaluation plan)
  - ☐ Compile all information
  - ☐ Analyze the information
  
- ☐ 5. Disseminate the appropriate information to the appropriate parties or individuals



## **Step 7: Develop an Evaluation Plan**

Aid to Assist in Completing Step 7

- **Checklist for Adjusting the Mentoring Program**

### **Checklist for Adjusting the Mentoring Program**

Instructions: Check (✓) each item when completed. Use the space provided to record comments and thoughts about each item.

- \_\_\_ 1. Collect all available evaluative data on the program
- \_\_\_ 2. Review the data
- \_\_\_ 3. Summarize the data
- \_\_\_ 4. Write an informative report on the findings
- \_\_\_ 5. Distribute the findings to members of the mentoring program planning committee, chief justice and state court administrator
- \_\_\_ 6. Hold a meeting with the above to review the findings and suggest ways to improve the program
- \_\_\_ 7. Meet with all or selected members of the mentor judges, new judge participants, chief judges and court administrators to review the findings and obtain additional input or suggestions
- \_\_\_ 8. Make the necessary revisions to the mentoring program, based on the findings, subsequent comments and suggestions.
- \_\_\_ 9. Distribute to all judges the evaluation results and the revised mentoring program design



## Summary

Mentoring is an old and reliable way of preparing new professionals for the challenges ahead of them. A resurgence of interest in mentoring can be seen in business, medicine and education as the complexity of the workplace and diversity of the workforce continue to shape the direction of organizations and the performance and satisfaction of all organizational members.

Mentoring as a strategy to socialize and educate new professionals has not gone unnoticed by the judiciary. The 1992 JERITT survey of judicial educators found that twenty-nine states have some form of mentoring for new judges. New-judge mentoring program profiles from Arizona; Florida; New South Wales, Australia; and Ohio demonstrate that new-judge mentoring programs model the basic elements found in most professional mentoring relationships. That is senior members of the judiciary willingly take on the responsibility of developing, socializing and educating the newest members of the judiciary.

The process of mentoring in these programs captures the spirit of the individual, non-formalized mentoring relationships. The seasoned judge eases the entry and shortens the learning curve of the new judge by providing orientation and in-service training on job specific requirements, passing on the judicial culture, identifying and explaining the formal and informal court systems and explaining norms and requirements pertaining to judicial behavior and ethics.

New-judge mentoring programs, like other mentoring programs, differ from the non-formalized, individual mentoring relationships because they have specific objectives to be accomplished in a short period of time, usually one year. Mentoring relationships which develop among individuals are unstructured and may last several years and go through several stages. Mentoring programs are structured and mentor-protégé pairing is deliberate based on specific criteria with the intent of accomplishing the objectives of the program in a set time period. For example, new-judge mentoring programs use type of court the mentor judge presides over as the most important selection criteria.

The mentoring method most often used in these programs is face-to-face contact followed by site visits to other courtrooms. During mentoring, a variety of topics pertaining to the new judge's role and responsibility are covered. However, judicial ethics is the topic most often addressed.

New-judge mentoring programs are only one part of inducting, socializing and educating the new judge. Pre-bench orientation seminars and new-judge seminars following swearing in are also other options. In fact, new-judge seminars are the most



popular form, followed by mentoring programs. While new-judge seminars occur once, or at most twice, a year as a way of formally transmitting information, educating and welcoming the new judge to the state system mentoring programs provide the on-going support and education to new judges. Such programs also provide a forum for new judges from across the state to meet and engage in collegial exchange. Understanding that mentoring is part of a larger organizational approach to preparing and supporting the new judge, alerts judicial educators to the depth and breath of planning necessary prior to implementing a new-judge mentoring program.

New-judge mentoring programs should not only affect the mentor judge and the new judge, but it should also benefit the entire court and leave a legacy which can be felt and seen in the way individual judges carry out their responsibilities, and in the ways that courts operate and justice is served. A new-judge mentoring program which combines all that is best about mentoring and is thoughtfully developed and implemented will leave all parties enriched and committed to the work of the court.

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## Appendices

**Appendix A:** *Arizona Appointment Letter*

**Appendix B:** *Arizona Mentor Training Agenda*

**Appendix C:** *Arizona New Judge Contact Sheets*

**Appendix D:** *Arizona New Judge Survey*

**Appendix E:** *Florida Mentor Training Program Agenda*

**Appendix F:** *New South Wales Issues for Discussion*

**Appendix G:** *New South Wales Your Role as Mentor*

**Appendix H:** *New South Wales Your Feedback & Evaluation*

**Appendix I:** *Ohio Mentor Program Participation Letter*

*Ohio Mentor Program Orientation Agenda*

*Ohio Mentor Program Orientation Agenda with Notes*

*Ohio Mentor Program Orientation Follow-Up Notes*



September 21, 1990

Honorable  
Magistrate Court  
P.O. Box XXX  
City, ST Zip

Dear Judge \_\_\_\_\_:

Please accept this letter as your appointment to a mentor judge position for new limited jurisdiction judges.

Judges new to the bench in limited jurisdiction courts have a wide range of backgrounds and varying degrees of knowledge as to the judicial system. Mentor judges can assist these judges in their transition, provide assistance where necessary, help assure consistency in the courts and provide continuity in their orientation.

I am aware of the challenges of this position and the time required. Quality orientation is vital to the state court system and your role as a mentor judge will enhance that process.

Thank you for sharing your time and expertise with new judges.

Very truly yours,

Chief Justice



**MENTOR TRAINING  
AGENDA  
Thursday October 18, 1990  
Fountain Suites Hotel**

9:00 - 10:15	<b>One Minute Introduction</b> <b>NJO Overview/Background</b> <b>Expectations</b> <b>Assessment of New Judges</b> M. Trujillo, M. Traynor, S. Daniels
10:15 - 10:30	<b>BREAK</b>
10:30 - 11:45	<b>Teambuilding and Group Facilitation</b> Tony Lopez
11:45 - 12:00	<b>Meet Faculty</b>
12:00 - 1:00	<b>LUNCHEON</b>
1:00 - 2:00	<b>Teambuilding and Group Facilitation</b> (continued)
2:00 - 2:15	<b>BREAK</b>
2:15 - 3:30	<b>Teambuilding and Group Facilitation</b> (continued)
3:30 - 4:30	<b>Record Keeping</b> <b>Workbook Concept</b> <b>December Scheduling</b> M. Trujillo

10/11/90

### **NEW JUDGE CONTACT SHEETS**

**Mentors:**

- Please use the "New Judge Contact" sheets provided to note contacts made with your assigned judge(s).
- This record will assist in noting the progression of new judges during orientation.
- After their orientation period is complete (this time period is determined by you and the new judge), contact sheets are returned to the Education Services Division.

New Judge: \_\_\_\_\_  
Court: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_

COMPLETED BY (MENTOR): \_\_\_\_\_

[illegible]





Supreme Court  
State of Arizona

Administrative Office of the Courts

**MEMORANDUM**

TO: Mentor Judges

FROM:

DATE: February 8, 1991

RE: New Judge Survey

Here is the New Judge Survey Script to be conducted by each mentor judge. Please complete a survey script form on each new judge assigned to you. Several copies are enclosed; duplicate the form if necessary. Survey questions can be asked by phone or in person.

PLEASE MAIL COMPLETED FORMS TO EDUCATION SERVICES BY  
FEBRUARY 18TH.

If you have any questions give me a call at 253-5700. I look forward to seeing you in April.

1991 NEW JUDGE SURVEY SCRIPT

**PLEASE COMPLETE THIS FORM, PROVIDING INFORMATION GIVEN TO YOU BY NEW JUDGES. COMPLETE ONE FORM PER NEW JUDGE.**

NEW JUDGE: \_\_\_\_\_

MENTOR CONDUCTING SURVEY: \_\_\_\_\_

DATE COMPLETED: \_\_\_\_\_

**ASK THE NEW JUDGE: "WHAT DO YOU WANT ADDRESSED or DISCUSSED or PRESENTED DURING THE APRIL ORIENTATION SESSION?"**

**LIST RESPONSES:**

**IF THE NEW JUDGE DOES NOT IDENTIFY SEVERAL AREAS/TOPICS, ASK:**

**"WOULD YOU LIKE TO HAVE MORE INFORMATION ON..."**

"CIVIL PROCEDURE" \_\_\_\_\_ YES \_\_\_\_\_ NO

"CIVIL TRAFFIC" \_\_\_\_\_ YES \_\_\_\_\_ NO

"CRIMINAL PROCEDURE" \_\_\_\_\_ YES \_\_\_\_\_ NO

"PLEAS" \_\_\_\_\_ YES \_\_\_\_\_ NO

"CONDUCTING A TRIAL" \_\_\_\_\_ YES \_\_\_\_\_ NO

"CONDUCTING A CIVIL  
TRAFFIC HEARING" \_\_\_\_\_ YES \_\_\_\_\_ NO

"ANY OTHER SUBSTANTIVE AREA" \_\_\_\_\_ YES \_\_\_\_\_ NO

LIST AREA: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ASK THE NEW JUDGE:** "WOULD YOU GIVE ME THREE EXAMPLES OF HOW-TO OR ROLE PLAY SITUATIONS THAT YOU WOULD LIKE PRESENTED?"

LIST RESPONSES:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

**ASK:**

"CAN YOU BRING THESE ITEMS TO THE APRIL PROGRAM?"

"DESK COPY SET OF RULES" \_\_\_\_\_ YES \_\_\_\_\_ NO

"CRIMINAL CODE, ARS 13 & SUPPLEMENT" \_\_\_\_\_ YES \_\_\_\_\_ NO

"ARS 9A & SUPPLEMENT" \_\_\_\_\_ YES \_\_\_\_\_ NO

OR

"WEST'S GREEN BOOK" (WEST ARIZONA CRIMINAL LAW & RULES)

**LIST ANY COMMENTS YOU FEEL WOULD BE BENEFICIAL REGARDING THIS JUDGE'S NEEDS:**

---

## Mentor Training Program

---

Marriott at Tampa International Airport

November 2, 1990

### Agenda

- |               |   |
|---------------|---|
| 9:30 - 10:00  | Overview of Judicial College, Role of the Mentor<br><br>The Honorable Major B. Harding<br>Dean, Florida Judicial College<br>Circuit Judge, Fourth Judicial Circuit            |
| 10:00 - 10:30 | Brainstorming<br><br>The Honorable Major B. Harding<br><br>The Honorable Carolyn K. Fulmer<br>Circuit Judge, Tenth Judicial Circuit   |
| 10:30 - 10:50 | Manual Review   |
| 10:50 - 11:00 | Break   |
| 11:00 - 12:00 | What Kind of Judge are You?<br>(Assisting the New Judge in<br>Developing His/Her Judicial Philosophy)<br><br>The Honorable Rosemary Barkett<br>Justice, Florida Supreme Court |
| 12:00 - 1:00  | Lunch   |
| 1:00 - 2:50   | Communications Skills:<br>Providing Constructive Feedback<br><br>The Honorable Tom D. Capshaw<br>Federal Administrative Law Judge<br>Evansville, Indiana                      |
| 2:50 - 3:10   | Break   |
| 3:10 - 4:00   | Manual Preparation Workshop   |
| 4:00 - 4:30   | Questions and Answers<br><br>The Honorable Carolyn K. Fulmer  |
| 4:30 - 5:00   | Closing Remarks (Do's and Don'ts)   |



Judicial Commission of New South Wales  
Local Courts' Education Committee

*Some Suggested  
Issues for Discussion*

A. Relationship with Others	Any Comments
1. Court officers and other staff	
a. Introductions	
b. Who does what	
2. Crown law officers, DPP, police	
3. Private practitioners	
4. Former colleagues and/or clients	
5. Professional associations & clubs	
6. Judicial associations (ASMA, Magistrates' Institute, AIJA, Judicial Commission)	
7. Media	
B. Books, Materials & Supplies (What to get, where and how to use)	
1. Materials from Local Court (Local Court Handbook, Annual Reports, Chief Magistrates Circulars; Court Library)	
2. Materials from Judicial Commission of New South Wales (Benchbook, Judicial Officers Bulletin; Commission Library)	
3. Local publications (Acts, rules, guidelines, forms, checklists, cases, bulletins)	
4. Sentencing Information Service (SIS)	
5. Stationary and supplies	

**C. Internal Office Procedures**

1. Secretarial assistance
2. Personal calendar/diary; telephone system
3. Filing system
  - a. circulars/administrative material
  - b. correspondence: office/personal
4. Petty cash claims and vouchers

**D. Handling Court Proceedings**

1. Techniques for managing your diary
2. Maintaining the court file
  - a. bench sheets
  - b. your notes of hearing
3. Courtroom control — is this an issue?

**E. Administrative Considerations**

(Should there be confusion regarding the following, they may best be referred to the Chief Magistrate's office):

1. Keys, identity cards, passes, transport, parking
2. Remuneration and salary packaging
3. Leave entitlements

**F. Other Matters**

\*\*\*\*\*

Judicial Commission of New South Wales  
Local Courts' Education Committee  
Mentor Scheme

## Your Role As Mentor

Thank you for accepting the invitation of the Chief Magistrate to act as a mentor to a new magistrate. We hope that you find the following explanation useful in performing your new role.

### *Introduction*

The mentor scheme is a new and important addition to our orientation program. Its purpose is to assist new appointees to the court by providing direct and informal access to the assistance of an experienced magistrate.

Depending on the background of the appointee, he/she will need to make some major adjustments which may include closing a law practice, learning how to organize and efficiently manage a new court and, most importantly, commencing to decide cases fairly, correctly and effectively.

You, as mentor, can be of considerable assistance to the new magistrate in meeting these new responsibilities.

### *Some Suggested Guidelines*

The mentor scheme has a number of important features: it is *voluntary, informal and non-structured*. As such, it is largely up to each mentor and new appointee to determine for yourselves how you wish to operate. There are, however, several fundamental guidelines:

**"Do's"** The most important function of the mentor is to provide advice and to answer the questions of the new appointee. You should see your role as being a means to provide useful and relevant information to assist the appointee when required. Within this context, it is also important to promote a self-reliant outlook to judicial problem-solving on the part of the new appointee.

**"Don'ts"** The mentor should not intrude into the decision-making process of the new magistrate. It is not the role of a mentor to tell the appointee what to decide but rather how to approach the task in question.

To assist you, a list of some suggested issues are attached which may be relevant to any new appointee, and may be useful in ensuring that information is supplied to the appointee on a range of important matters. It is not intended to be exhaustive. A copy of these suggestions is also supplied to the new appointee.

### ***Your Role***

Your most important role is to assist through providing advice. In assisting the new appointee, you may find it helpful to:

- a. *familiarize yourself with his/her professional background*: this will assist you in assessing his/her individual needs, strengths and weaknesses when commencing on a new career on the bench.
- b. *adopt a three-step approach* (professionals learn best through observation and practice):
  1. *demonstration*: encourage the new magistrate to actively observe a range of different hearings arranged as a part of the "Bench Observation Program" by Chief Magistrate's office during the first five days of appointment.
  2. *explanation*: discuss and explain specific issues and problems before or after cases whenever necessary. The appointee may have a range of questions which it is important to answer.
  3. *commentary & feedback*: provide an opportunity for discussion and evaluation of experience as it is gained by the new appointee. Remember the purpose of giving feedback is to assist, solve problems and encourage improvement where needed. This feedback should be positive, objectively critical and supportive.
- c. *Consultation*: please encourage your new colleague to call on you whenever the need arises. You should encourage regular contact with the appointee preferably through face-to-face meetings and/or establish a pattern of meetings during the initial period.
- d. *Duration*: a new magistrate will not get all the answers in the first week. We recommend that a period of about three months be considered, subject to the wishes and needs of the appointee.

### ***Your Feedback***

The Judicial Commission of New South Wales, and the Education Committee of the Local Courts, welcomes your comments on the usefulness of this new scheme, its strengths and weaknesses and any suggested improvements.

### ***Queries?***

Should you have any queries about how this scheme should work, please contact the Chairman of the Education Committee at the Judicial Commission at any time.

We hope that your involvement is a satisfactory one, and that it will form the basis of a close and enjoyable relationship with a new professional colleague over the years.

Thank you for being involved in the new mentor scheme.



Judicial Commission of New South Wales  
Local Courts' Education Committee  
Mentor Scheme

## Your Feedback & Evaluation

The Judicial Commission of New South Wales, and the Education Committee of the Local Court, would appreciate your evaluation and feedback on the strengths and weaknesses of this scheme, so that it can continue to be improved in the future.

Both the mentor and the new appointee are asked to provide candid comments on the mentor scheme.

Please complete the following brief questionnaire and return it to the Judicial Commission:

a. **Your Name:**

.....

b. **Mentor/New Appointee** (*circle*)

c. **Assess the effectiveness of the mentor scheme** (*circle*):

*Totally Ineffective*

*Extremely Useful*



d. **Identify the strengths of the scheme:**

.....  
.....

e. **Identify the weakness of the scheme:**

.....  
.....

f. **Suggest any improvements:**

.....  
.....  
.....

**THANK YOU!**

Please Return To:

The Education Director,  
Judicial Commission of New South Wales

## The Supreme Court of Ohio

30 EAST BROAD STREET, COLUMBUS, OHIO 43266-0419

August 19, 1991

Honorable  
County Court  
P.O. Box XXX  
City, ST Zip

Dear Judge \_\_\_\_\_:

We are pleased you are participating in the 1990-1991 Mentor Program. Your mentor is Judge \_\_\_\_\_, County Court, P.O. Box XXX, City, ST Zip, Phone. Please forward your resume to Judge \_\_\_\_\_, and I will ask him to do likewise. We encourage you be in frequent contact.

The objectives of the Mentor Program are to:

1. Create awareness of the judicial role and qualities of a judge.
2. Assist judges to perceive themselves as neutral arbitrators rather than advocates in legal proceedings.
3. Provide resources to advisee during transition period from bar to bench and during advisee's initial six months on bench.
4. Encourage communication, comments, questions and observations.

The focus of the Mentor Program is on these areas:

1. Communication.
  - 1.1 Initiate call to advisee at a minimum of once a week.
  - 1.2 Emphasize that no question is considered a "foolish" one.
  - 1.3 Encourage two-way communication.
  - 1.4 Provide a broad experience by referring advisee to other judges; emphasize need to explore philosophies with judges who have varied viewpoints.
  - 1.5 Demonstrate thinking/problem-solving process by seeking advice/counsel of advisee.

- 1.6 Emphasize obligation to maintain relationships with employees of court, funding sources, other agencies, elected officials, media, local bar and public.
- 1.7 Demonstrate that each judge continues to learn the law.
- 1.8 Encourage advisee to avoid taking "bold" positions that cannot be supported.
- 1.9 Be alert to communication opportunities as needs present themselves.
- 1.10 Provide blend of substantive information and procedural information (example: robe purchase, open court, arraignments, management of jury trial, budget, personnel, and so forth).
- 1.11 Emphasize need for judge to be comfortable with own style and need to establish own identity.
- 1.12 Annual reports and materials from judges to public or staff can serve as models for new judges. Mentor programs mailing labels will be provided by supreme court to judges wishing to distribute information.
- 1.13 Discuss situations which occur related to professionalism, ethics and the appearance of impropriety.
- 1.14 Discuss judicial continuing education requirements.

## 2. Observation.

- 2.1 Encourage on-site observations (in several courts) of judicial work.
- 2.2 Encourage on-site observations (in several courts) of activities related to administrative responsibilities.
- 2.3 Offer to observe in advisee's court.
- 2.4 Emphasize judicial role.
  - 2.4.1 professional, social and personal.
  - 2.4.2 closing law practice.
  - 2.4.3 practical, legal and ethical limitations.
- 2.5 Discuss research strategies; mentor's role is to assist advisee to understand how to do research and make decisions, not to do this work for advisee.
- 2.6 Note that management of a court is analogous to running a business.
- 2.7 Advisees and mentors gain insights with observation experiences.
- 2.8 Encourage mentor and advisee's staff to communicate and to observe in one another's courts.

## 3. Personal/community activity.

- 3.1 Encourage advisees to keep life balanced with work, family and personal interests.
- 3.2 Discuss social relationships.
- 3.3 Discuss personal privacy issues (telephone listing, etc.).
- 3.4 Discuss community and political involvement.
- 3.5 Discuss business and investment relationships.

#### 4. Resources.

- 4.1 Encourage reading.
  - 4.1.1 State Trial Judges Book. American Bar Association.
  - 4.1.2 Trial Handbook for Ohio Lawyers. Richard Markus.
  - 4.1.3 Ohio Judges Resource Manual. Ohio Judicial Conference and Judicial College.
- 4.2 Encourage attendance at Judicial College courses.
- 4.3 Encourage membership and participation in Ohio judges' associations.
- 4.4 Encourage attendance at Ohio Judicial Conference annual meeting in September.
- 4.5 Encourage development of network with retired and sitting judges.

Enclosed you will find:

1. 1990-1991 Mentor Program directory.
2. New Judge Checklist (developed by Judge John Milligan).
3. "Qualities of a Judge or Surviving as a Political Eunuch" (Judge John Milligan's remarks delivered at the New Judge Orientation, December 13, 1990).
4. Disclosure statement (posted in Judge James Thierry's administrative area).
5. New Judge's Orientation (trial court model).
6. Resource Roster.
7. Supreme Court's "Finding Answers to Your Questions."
8. Guidelines for the Assignment of Judges.
9. Four articles.

A breakfast meeting has been scheduled for the mentors and advisees on Thursday, September 5, 1991, 7:30 - 8:45 AM at the Hyatt Hotel on Capitol Square. This will coincide with the Ohio Judicial Conference and provide an opportunity to discuss the first months (weeks!) on the bench. The majority of Mentor Program Teams have worked together since January, and we meet periodically to talk about issues of mutual interest. I hope you will join us. Please R.S.V.P. to \_\_\_\_\_, Supreme Court of \_\_\_\_\_, (123)456-7890.

Please do not hesitate to call; we are anxious to be helpful.

Sincerely yours,

Associate Director for Court Services



MENTOR PROGRAM ORIENTATION

Thursday, December 13, 1990  
10:00 AM - 4:00 PM  
Great Southern Hotel, Columbus

## Agenda

10:00 AM     Welcome

Chief Justice Thomas J. Moyer

Introductions

Objectives of Mentor Program

Discussion: Responsibilities of Mentor

Judge Thomas A. Swift, Probate Court, Trumbull County

Judge Mark K. Wiest, Court of Common Pleas, Wayne County

Ruth Ann Elmer, Administrative Assistant, Supreme Court

12:30 PM     Lunch with judges-elect

1:30 PM     "Judicial Role; Qualities of a Judge"

Judge John R. Milligan, Fifth District Court of Appeals

2:45 PM     Mentor and Judges-Elect Conference

## The Supreme Court of Ohio

### MENTOR PROGRAM ORIENTATION

DECEMBER 13, 1990

### AGENDA WITH NOTES

10:00 a.m. **Welcome (Swift, Moyer)**

Introduction of Chief Justice Moyer  
Agenda review

10:15 a.m. **Introductions (Swift)**

Introduce Judge Wiest  
Participants self-introduce

1. Name
  2. Court
  3. # Judges in division
  4. Years on bench
- Advantages to advisee if mentor has 12 months or 12 years of judicial experience

10:30 a.m. **Objectives of Mentor Program: (Swift, Wiest)**

1. Create awareness of the judicial role and qualities of a judge
2. Assist judges to perceive themselves as neutral arbitrators rather than advocates in legal proceedings
3. Provide resources to advisee during transition period from bar to bench and during advisee's initial six months on bench
4. Encourage communication, comments, questions and observations

10:40 a.m. **Discussion: Responsibility of Mentor (Swift, Wiest)**

"What do you see as your mentor role?"

Topics to be addressed through discussion:

1. Mentor can/will mold advisee's style; role model
2. Treat advisee with respect
3. Mentor will have support of Supreme Court

4. Term is six months; extend if both parties desire
5. Keep list of suggestions, criticisms, thoughts for mentor program revisions
6. Refer to other resources and judges as appropriate
7. Encourage advisee to seek education (sources)
8. Relationship issues related to judge-elect and former judge (retired? defeated?)
9. Communication
  1. Initiate call to advisee at a minimum of once a week
  2. Encourage questions (advisee may be reluctant to admit ignorance, insecurities)
  3. Emphasize that no question is considered a "foolish" one
  4. Encourage two-way communication
  5. Provide a broad experience by referring advisee to other judges; emphasize need to explore philosophies with judges who have varied viewpoints
  6. Demonstrate thinking/problem-solving process by seeking advice of advisee
  7. Emphasize obligation to maintain relationships with employees of court, funding sources, other agencies, elected officials, media, local bar and public
  8. Demonstrate that each judge continues to learn the law
  9. Encourage advisee to avoid taking "bold" positions that cannot be supported
  10. Be alert to communication opportunities as needs present themselves
  11. Provide blend of substantive information and procedural information (example: robe purchase; open court; management of jury trial; budget)
  12. Emphasize need for judge to be comfortable with own style and to establish own identity
  13. Annual reports and materials from judges to public or staff can serve as models for new judges. Mentor program mailing labels will be provided by Supreme Court to judges wishing to distribute information
  14. Discuss situations which occur related to professionalism and ethics

### 10.Observations

1. Encourage on-site observations (in several courts) of judicial work
2. Encourage on-site observations (in several courts) of activities related to administrative role including staff meetings
3. Offer to observe in advisee's court
4. Emphasize judicial role
  1. Professional, social and personal
  2. Closing law practice
  3. Practical, legal and ethical limitations
5. Discuss research strategies; mentor's role is to assist advisee to understand how to do research and make decisions, not to do this work for advisee
6. Note that management of a court is analogous to running a business
7. Advisees and Mentors gain insights with observation experiences

### 11.Resources

1. Encourage reading:  
State Trial Judges Book. American Bar Association.  
Trial Handbook for Ohio Lawyers. Richard Markus  
Ohio Judges Resource Manual. Ohio Judicial Conference and Ohio Judicial College
2. Encourage attendance at Ohio Judicial College courses and courses sponsored by national providers
3. Encourage membership and participation in the Ohio Common Pleas Judges Association
4. Encourage attendance at the Ohio Judicial Conference annual meeting
5. Encourage development of network with other judges

12:00 p.m. Summary of discussion points (**Swift, Wiest**)

Summarize discussion into topic areas (use above notes?)

12:30 p.m. Break; instruct to meet advisee at lunch (**Swift**)



12:30 p.m. Lunch with judges-elect

1:30 p.m. "Judicial Role; Qualities of a Judge" (**Milligan**)

2:45 p.m. Mentor and Judge-Elect Conference (**Swift, Wiest**)

Objectives for Mentor Program (see page 1)

Mentor-advisee team discussion (pairs or groups)

3:30 p.m. Closure comments (**Swift**)

MEMORANDUM

To 1990-1991 Mentor Program Participants  
(Mentors and Advisees)

From

Date December 20, 1990

Subj Follow-up notes, December 13, 1990  
Mentor Program Orientation

Again, thank you for your commitment to the Mentor Program. The significance of your interest cannot be overemphasized. As the mentors stated "We will each learn!" We appreciate your support and look forward to working with each of you!

1. Objectives of Mentor Program
  - 1.1 Create awareness of the judicial role and qualities of a judge.
  - 1.2 Assist judges to perceive themselves as neutral arbitrators rather than advocates in legal proceedings.
  - 1.3 Provide resources to advisee during transition period from bar to bench and during advisee's initial six months on bench.
  - 1.4 Encourage communication, comments, questions and observations.
2. Responsibilities agreed upon by mentors at Orientation
  - 2.1 Communication.
    - 2.1.1 Initiate call to advisee at a minimum of once a week.
    - 2.1.2 Emphasize that no question is considered a "foolish" one.
    - 2.1.3 Encourage two-way communication.
    - 2.1.4 Provide a broad experience by referring advisee to other judges; emphasize need to explore philosophies with judges who have varied viewpoints.
    - 2.1.5 Demonstrate thinking/problem-solving process by seeking advice/counsel of advisee.
    - 2.1.6 Emphasize obligation to maintain relationships with employees of court, funding sources, other agencies, elected officials, media, local bar and public.
    - 2.1.7 Demonstrate that each judge continues to learn the law.

- 2.1.8 Encourage advisee to avoid taking "bold" positions that cannot be supported.
- 2.1.9 Be alert to communication opportunities as needs present themselves.
- 2.1.10 Provide blend of substantive information and procedural information (example: robe purchase; open court; arraignments; management of jury trial; budget; personnel; and so forth).
- 2.1.11 Emphasize need for judge to be comfortable with own style and need to establish own identity.
- 2.1.12 Annual reports and materials from judges to public or staff can serve as models for new judges. Mentor programs mailing labels will be provided by supreme court to judges wishing to distribute information.
- 2.1.13 Discuss situations which occur related to professionalism, ethics, and the appearance of impropriety.
- 2.1.14 Discuss judicial continuing education requirements.
- 2.2 Observation.
  - 2.2.1 Encourage on-site observations (in several courts) of judicial work.
  - 2.2.2 Encourage on-site observations (in several courts) of activities related to administrative responsibilities.
  - 2.2.3 Offer to observe in advisee's court.
  - 2.2.4 Emphasize judicial role.
    - 2.2.4.1 Professional, social and personal.
    - 2.2.4.2 Closing law practice.
    - 2.2.4.3 Practical, legal and ethical limitations.
  - 2.2.5 Discuss research strategies; mentor's role is to assist advisee to understand how to do research and make decisions, not to do this work for advisee.
  - 2.2.6 Note that management of a court is analogous to running a business.
  - 2.2.7 Advisees and mentors gain insights with observation experiences.
  - 2.2.8 Encourage mentor and advisee's staff to communicate and to observe in one another's courts.
- 3. Personal
  - 3.1 Encourage advisees to keep life balanced with work, family and personal interests.
  - 3.2 Discuss social relationships.
  - 3.3 Discuss personal privacy issues (telephone listing, etc.).
  - 3.4 Discuss community and political involvement.
  - 3.5 Discuss business/investment relationships.

#### 4. Resources

##### 4.1 Encourage reading.

- 4.1.1 State Trial Judges Book. American Bar Association.
- 4.1.2 Trial Handbook for Ohio Lawyers. Richard Markus.
- 4.1.3 Ohio Judges Resource Manual. Ohio Judicial Conference and Judicial College.

##### 4.2 Encourage attendance at Judicial College courses.

##### 4.3 Encourage membership and participation in Ohio judges' associations.

##### 4.4 Encourage attendance at Ohio Judicial Conference annual meeting.

##### 4.5 Encourage development of network with retired and sitting judges.

#### 5. Resource Roster

Mentors, please review the enclosed draft, add topics and resource people's names, and return to me by January 11. A final copy will be mailed to the Mentor Program participants.

#### 6. Enclosures

##### 6.1 1990-1991 Mentor Program directory

##### 6.2 New Judge Checklist (developed by Judge John Milligan).

##### 6.3 "Qualities of a Judge or Surviving as a Political Eunuch" (Judge John Milligan's remarks delivered at the New Judge Orientation, December 13, 1990).

##### 6.4 Disclosure statement (posted in Judge James Thierry's administrative area).

##### 6.5 New Judge's Orientation (trial court schedule model).

##### 6.6 Resource Roster (draft).

##### 6.7 Job announcements (National Center for State Courts publication).

#### 7. Supreme Court Mentor Program contact

Please do not hesitate to call; we are anxious to be helpful.



