Judicial System Leadership Forum
BJA Focus Group: December 16-17, 2004
Final Report

• **BACKGROUND**

At the request of the Bureau of Justice Assistance (BJA), the Criminal Courts Technical Assistance Project (CCTAP) at American University convened a group of 30 individuals who had been prominent in judicial system improvement activities since the ‘70’s and ‘80’s to discuss the significance of these reforms and their relevance for addressing new challenges courts will face during the 21st century. The meeting discussions focused on:

(1) identifying the legacy of court improvement initiatives undertaken during the ‘70’s and ‘80’s, many of which were stimulated in large part by initiatives undertaken by the Law Enforcement Assistance Administration (LEAA) and its successor agency, the Bureau of Justice Assistance (BJA), and related lessons learned during the last half of the 20th century which need to be understood by emerging judicial system leaders; and

(2) delineating the challenges which court systems are facing as they enter the first several decades of the 21st century and for which the lessons of the reform experience of the 20th century may be important in developing an effective response.

The idea for the meeting was grounded on two underlying hypotheses:

• as courts enter the 21st century, the lessons learned and insights gained by individuals centrally involved in judicial system improvement during the past several decades can provide a valuable frame of reference for addressing the new challenges which the 21st century will bring, many of which are already evident; and

• with the judicial system reform leaders of the ‘70’s and ‘80’s leaving the field, it is important to assure that new and emerging leaders are reinforced in their understanding of where the field has been, where it is now, where it is going, and the special challenges of the present and future which will, in the opinion of the past generation of leaders, require an accurate perspective on past reform and strategies that were critical in achieving it.

It was hoped that the meeting discussions would result in the CCTAP’s being able to advise BJA regarding the desirability of a national conference and/or other national forum or initiative to address issues identified at the meeting and to recommend critical topics to address at a future national conference.
As the meeting discussion summary below reflects, attendees supported both the idea of (1) a national conference to bring attention to the critical issues facing state and local courts; and (2) other initiatives – before and after the conference -- that could begin development of collaborative discussions, working papers, and other resources to address the needs and issues presented by the court environment of the 21st century.

In preparing for the meeting, attendees were asked to consider the following questions:

- What is the greatest challenge you see facing the courts in the next 25 years?
- What is the most significant justice system improvement would you like to see accomplished in the next 25 years?
- What are the main lessons learned from the past 30 years of court reform work?
- What are the reforms that are most important to preserve?
- What are the advances most in danger of erosion? And why?

**SUMMARY OF MEETING DISCUSSIONS**

The following is a summary of the meeting discussions and the principal themes that emerged. The summary is organized along the following topic areas:

- Legacy of the justice system reform efforts of the ‘70’s and ‘80’s
- Accomplishments we need to preserve
- Current challenges courts are now facing
- Principal operational issues courts are currently addressing
- Where do we need to be going?
- Next Steps

A copy of the meeting agenda is attached.

*Note: Subsequent to the meeting, several attendees provided comments on issues they felt had been omitted from the meeting discussions, or minimally treated. Some attendees also observed that national events that took place subsequent to the meeting highlighted the concern expressed during the meeting regarding a growing atmosphere of troubling negativity toward the judiciary and the judicial system and a consensus among meeting attendees that the concept of an independent judiciary was under attack. These comments have been incorporated in this Summary.*

The meeting was opened with greetings from Elizabeth (Betsi) Griffith, Associate Deputy Director for Policy at BJA. She thanked the attendees in advance for sharing their perspective, wisdom and sense of responsibility for maintaining the momentum of the judicial system reforms they had been involved in developing, and indicated that BJA would take responsibility for maintaining the momentum of these initiatives. She looked forward to learning the history of judicial system reforms that had been stimulated by LEAA and BJA in the past, and to receive advice on strategies BJA should consider for the future.

She also indicated that BJA was currently in a transition stage and thanked Bud Hollis for developing the idea for the meeting. BJA, she explained, grew out of LEAA which had a strong primary focus on systemwide criminal justice planning. The Crime Act of 1994, however, split out a number of functions, resulting in the establishment of separate offices for Corrections, Community Oriented Police, and Drug Courts, for example. With these now merged back into BJA, there is now the opportunity for more comprehensive planning.
She stressed that BJA needs to provide leadership to the criminal justice system. What are the emerging issues? Systemic issues? Priorities that need to be addressed? And how can BJA promote the sharing of information with the field as well as filling gaps that develop? A Policy Division has been created within BJA to focus on planning functions; what priorities for the adjudication process should be addressed? What is the agenda for the future? She noted that there is a strong need to develop a strategic approach.

She indicated that the attendees at the meeting represent the field and what’s been happening. BJA needs their guidance as to where it should put its leadership. Even with a small investment of resources, BJA can be helpful in stimulating partnerships, curriculum development, perhaps a national conference. Where are BJA’s resources needed? Where is TA/Training needed?

Through the meeting discussions, BJA staff hoped to draw out priorities as well as gain historical perspective, both as to prior successes as well as mistakes.

The meeting discussion then turned to the agenda topics: What can we learn from the past 35 years of justice system improvement that can be applied to the next 35? What’s been accomplished? How? What are the next steps?

- **LEGACY OF THE JUSTICE SYSTEM REFORM EFFORTS OF THE ‘70's AND ‘80’s**

  - Initiatives generated by LEAA/BJA, both in their own right and in conjunction with other national organizations and state and local reform efforts, were a major catalyst for change in the judicial system
    - focus was initially on concept of efficiency – idea that introducing greater efficiency to the court process could promote a fairer system of justice
    - by looking at efficiency of the judicial process, were also able to look at qualitative issues, such as access to justice, due process, etc.
    - promoted development of many alternative approaches for justice system functions, including:
      - prosecutorial diversion alternatives
      - pretrial release alternatives
      - multiple case processing tracks so that justice system resources could be more appropriately applied to the needs of the cases being handled
      - sentencing alternatives
  - Among the specific knowledge base, skills, and experience developed during the ‘70’s and ‘80’s included:
    - growth of professional court administration
    - art and science of case management
    - comprehensive/interagency planning processes
    - systematic court budgeting/financial management
    - education/training programs for judges and court staff
    - recognition that court users aren’t limited to lawyers
    - sensitivity to diversity of court populations
    - application of technology to court/justice system functions
    - alternatives to conventional/traditional justice system/adjudication processes
    - the concept of differentiated case management – e.g., all cases should not be treated alike in
Specific accomplishments included:

- introduction of standards of performance and accountability for the judicial process, the management of the court system, and the administration of justice generally; reforms introduced included:
  - promoting greater certainty to the judicial process, including development of timeframes for case processing; expectations of tasks and milestones to be performed by each component in the judicial process at each stage of the proceeding, etc.;
  - developing qualitative standards of performance for each segment of the judicial process, including development and application of standards by various justice system serving organizations (ABA, NDAA, NLADA, etc.) relating to performance measures of their respective disciplines relevant to various aspects of the justice system process
  - reforms relating to the structure and organization of state and local courts, including:
    - introduction and implementation of the model of a unified state court structure and organization, including:
      - rules of governance
      - intermediate courts
      - statewide financing
      - statewide personnel systems
    - introduction of the concept and application of comprehensive justice system planning including:
      - comprehensive planning units to address system-wide issues affecting the administration of justice
      - multi-agency task forces to address common problems
    - introduction of more systematic development and management of jury systems and innovations in developing jury pools to promote greater citizen participation
    - development and application of caseflow management techniques to manage the caseload, including:
      - articulating anticipated timeframes for case processing
      - defining the concepts of “court delay” and “court backlog” and developing strategies to identify and address these problems
      - developing management information systems as a tool for monitoring the case process

ACCOMPLISHMENTS WE NEED TO PRESERVE

- Many qualitative reforms of recent times (problem solving courts, for example) are being built on the foundation developed by the reforms of the ’70’s and ’80’s (caseflow management, differentiated case management, pretrial release options, case dispositional alternatives, etc.)
Principles of the last 30 years are in many respects the foundation for court initiatives that are now emerging as well as standards that are developing (NACM “core competencies”, for example)

We need to convey to current judicial system leaders the principles and developments of the past as they relate and inform the developments and challenges of the present and future (see below).

- **CURRENT CHALLENGES COURTS ARE NOW FACING**
  - **General**
    - Maintaining competent court administration that proactively addresses justice system needs
      - the great challenge of a free society has been to maintain both social order and preserve individual liberty; a competent judicial system is the key to maintaining that balance; and competent court administration provides the framework for maintaining a competent judicial system and keeping that essential balance healthy
      - sense of tremendous progress but also frustration; many (though not all) felt we have plateaued if not actually slid backwards; in part, this sense may be due to the high turnover of judges and the sense that many of the new round of judges have little idea about past developments in court administration
      - concern that, despite the significant accomplishments of the ‘70’s and ‘80’s, there appears to be little institutional memory of the innovations that were introduced or institutionalization of changes that were begun.
      - There have been many developments in court administration (facilities, technology, etc.) but these are not intersecting with what judges do on a daily basis
      - There is real concern about how to sustain/spearhead improvement; how to promote continued innovation in the field of court administration
    - Preserving the independence of the judiciary and the integrity of and respect for the judicial process
      - judiciary needs to see itself as speaking with one voice – as speaking for the court system rather than as individual judges (note impact of perceived increased rate of turnover among judges and shorter periods of service)
      - judges need to see themselves as representing a branch of government rather than individual courts (note impact of drug court judges seeking independent funding sources for their drug court programs)
      - great concern regarding the impact of legislative and other inroads on judicial independence, including sentencing responsibility
    - Improving the public’s image of and trust in the courts and the justice system
      - concern about attacks on independence of judiciary
- concern about criticisms regarding “activist judges” and repercussions of this sentiment on the independence of the judicial branch

- Addressing the diversity of populations using the court services (e.g., differing cultural perspectives on the legal system/issues and the court process; many different languages, represented, etc.)

- Need to assure administration of justice is fair, not simply efficient; leadership and accountability are key

- Need to determine how to convey the knowledge that has been developed? make it part of normal business? How to avoid slipping back? Need to:
  - make better use of information and application to operations
  - design sound research that can then be applied to operations
  - determine how to sustain/spearhead improvement;
  - develop ways to promote innovation
  - define and develop research plans to evaluate traditional processes and innovations and make these a worthwhile part of the judicial process

**Specific**

- Need to develop strong, effective leadership of the judicial system both within the court and within the court system (internally and externally)
  - leadership of court systems and of individual courts is not being developed.
  - much is known in both public and private sectors about the selection and development of leadership abilities but this knowledge is not being reflected in the way courts are managed. The courts are bound by tradition and, sometimes vanity, in patterns that discourage the development of leaders to head court systems and courts.
  - the structure of court management also contributes to the problem of developing judicial leadership by maintaining hierarchical-directive concepts that have been abrogated in most other areas of management.

- Need to consider implications of method of selecting presiding judge on the judicial system’s leadership needs
  - challenges re developing judicial leadership may also require addressing method for selecting judicial leaders
  - need to seriously consider possible changes in way presiding judges are selected and way courts are governed; differences between judges leading judges vs. performing court management functions (i.e., caseflow management, data, budget, etc.)
  - judicial system doesn’t use normal personnel practices for selecting judicial leaders – generally use one of three alternative systems for determining the presiding judge (1) seniority; (2) voting by other judges; (3) appointment by higher authority (e.g., Supreme Court);
  - no idea of a job description; no specific training required or provided;
Need to define/develop consensus on the role of the presiding judge; What authority/training does the chief judge need to lead? And to be perceived as a leader by his/her peers?
- need to define what it means to be a leader—knowing how to supervise a court of equals – (e.g., not being a boss); leadership is contextual; getting people to do things they aren’t required to do.
- leadership function in any organization is very important to get the organization to function (services, audit, workflow, etc.); Leadership for the court system is critical to get people to do what they can’t be ordered to do.
- characteristics of effective leadership: ability to make an organization do what it’s supposed to do when the leader has little or no authority
- developing judicial leaders/providing training on judicial leadership:
  o how to get best chief judges to go to the judicial college?
  o how to get judges who can be the best chief judges to be interested in becoming judicial leaders
- what attributes/skills are needed to be an effective leader in judicial administration?
- what kind of training to give? What qualities to look for? (passion for justice? love of the law?
- must the chief judge also be a manager? (must respect management but does he/she need to actually manage?)

Need to define/develop consensus on the role of the Supreme Court re local court operations (policies, practices, etc.)

Need to determine how to work together to develop integrated/unified justice system (again, noted recent development of problem-solving courts, with separate funding streams, problem solving focuses on a group of defendants/persons with problems, rather than on the system as a whole; may promote competition among the disciplines for funds rather than collaboration)

Need to improve management and delivery of services by all segments of the criminal justice system
- public defender offices – only ½ states have organized indigent defense delivery systems
- courts now need to work with a host of new disciplines – social workers, mental health professionals, community resources, psychologists

Need to support/promote professional court management
- have knowledge to professionally manage justice system but have lost the institutional memory as to how to apply it (staff/judicial turnover; no clear sense of what the role of the chief judge should be and the role the court administrator should play (e.g., more than simply a project manager)
- need for training on professional court management (for judges as well as administrators)
no training on professional management is generally provided for non-court administrative positions
- no training on professional management skills/strategies for judges is generally provided
- legal education doesn’t prepare a judge for management;
- need information from other disciplines; good managers manage their environment

- Courts need to be able to adapt to changing times and needs
- Courts must make greater investment in research and open up to other disciplines (including social work)

**PRINCIPLE OPERATIONAL ISSUES COURTS ARE CURRENTLY FACING**

- Governance, organization and accountability are the key issues and the priorities (governance is weakest part of knowledge base—court governance practices aren’t transparent; we don’t really know how courts are governed)
- Broad strategic issues are the same: delay; importance of being aware of economic, social and other issues influencing/underlying litigation – but tactical decisions on how to address them may differ among courts, particularly among urban vs. smaller vs. rural courts
- Need to focus on preserving/promoting fair administration of justice
- Need to focus on quality of justice (adequacy/competence of counsel for indigents; proper use/education of jury; forensic evidence, etc.)
- Also need to focus on improving the image of the courts and the public confidence in them
- Importance of developing a “we” orientation – need to address: how to bring about change to make court system more focused on public than courts

**Specific Issues That Need to be Addressed**

- How Should Courts Be Managed?
  - perhaps think about courts being managed by court administrator and leave judges to judge – like city manager model
  - perhaps the role of the chief judge is being overstated – turn to city manager model and rely on court administration
  - perhaps need to give more focus on giving court administrators more guidance in how to manage
  - need to look at supervisory rules/authority of courts—Judicial College course on stress management and interrelationship with court administrators
Relationship of Presiding Judge/Court Administrator

- experience re presiding judge/court administrator relationship varies around the country and within courts; example given of one court administrator with 12 different presiding judges during the period of his employment -- most had no management experience but felt they had mandate to run the court so need to talk about more than just presiding judge/court administrator relationship -- need to talk about governance; how to move an enterprise (complex and changing constantly); judges leading judges – who don’t respond to authority

- large law firms now adapting modern management; courts can learn from their approaches

- very important that the court administrator have a seat at the table - probably one of the 5-10 critical elements that entail good court administrator/chief judge relationship;

- may be helpful to define basic set of behaviors and expectations

- while many recognize limitations of some presiding judges, also need to look at court administrators –not all oriented and educated to their role as partner with presiding judge

Education and Training: what is needed in terms of education in order to move forward?

- opportunities for providing a national perspective and interchange among jurisdictions have decreased; this national perspective has been a critical factor in promoting innovation and qualitative improvements in state and local courts

  o ICM brought in broad perspective: basic skills and research

  o much education now occurring at the state or local level and/or outside of the court context

  o many of the state judicial education systems have lost their national perspective. In the absence of adequate funding, they are becoming more and more dependent on internal expertise to teach their continuing judicial education course. When they do reach outside, it is for lectures on substantive courses that do not bring innovation to inbred systems.

- states now have education programs — but don’t provide national perspective

- need to determine how to educate? what forum? format? method?

- need to incorporate changes in education since ‘70’s in terms of orientation and audience

- in terms of justice system, need to look at how lawyers –who then become judges -- are educated

- specific type of training needed:
o training in management: organization management -theory of restoration; consensus building
o judges and court administrators also need to understand social work now and how probation workers/corrections officials think
o training that promotes creation of court manage environment that encourages creativity
o need to train court managers to be multidisciplinary; now to break out to community; interpret research

➢ Other operational issues

- personnel practices, including unionization

- facilities: need to build smaller, more accessible facilities

- cost of litigation

- technology: how to collaborate to make best use of technology?
  o how to apply technological developments to court processes?
  o how to take advantage of all that’s being developed (e.g. impact on paper files, court procedures, way court business is conducted and new issues that arise (e.g., security, confidentiality, training, turf vs. breaking down barriers, policy issues, etc.)
  o need to also address obsolete technology systems in many courts and justice agencies for which expensive investment in the past discourages consideration of change now

- building systemic commitment to reform which doesn’t presently exist
  o funding of many court programs through fees rather than appropriations
  o US spends more on developing court systems abroad than is spent for state court systems at home

- need to assure administration of justice is fair, not simply efficient

- increasing recognition of the importance of data for measuring what’s being done; ---
  o compiling data can influence judges’ behavior;
  o need to determine what are the significant indicators to be measured, what data should be compiled

- role of jury system:
  o not really an issue of jury nullification but really a question of whether the jury system works
  o a lot of experimentation with jury system (taking notes, asking questions etc.)

- is the adversary system an effective way to seek truth and/or resolve conflicts?

- need to look for ways to boost prestige of court management as a profession (Harvard Extension Sessions; accreditations; increased compensation, etc.);
- perception of increased turnover among judges, judicial staff and staff in other justice agencies:
  o is there more turnover? low salaries for DAs (and pds), huge educational loans to pay back, etc., seem to result in more turnover, less experienced attorneys handling serious cases, resulting in delays at all parts of the process
  o average age for judges is younger – anecdotally appear to move on to other positions, thereby contributing to the loss of any institutional memory.

- addressing recently recognized issues impacting the justice system
  o mental health and impact on the criminal justice system
  o family law and related issues (domestic violence, partnerships, etc.)
  o special issues for rural courts
  o ethnic fairness
  o self represented litigants
  o immigrant and non-English speakers in the judicial process

- impact of abuse/neglect cases on all aspects of the docket (criminal drug cases; dependency caseload; domestic relations; domestic violence, etc.)

- juvenile justice system: changing nature of cases (more serious) and litigants (long history of system contact; need for services, etc.)

- children in the adult system

- increasing need to collaborate with social services

➢ Relationships and Partnerships are more important than ever:
  - court administrator and judge
  - courthouse and other agencies
  - court and public
  - how to enhance partnerships at all levels
  - “we” vs. “they”: judges/court administrators; chief judge/appellate courts vs. trial court (sense appellate courts don’t understand trial court – in terms of case management, continuances, etc.)

- WHERE DO WE NEED TO BE GOING?
  ➢ Need to develop/institutionalize what was developed by LEAA/BJA for the future --- to institutionalize “normative” behavior
  ➢ Need to develop standards of performance for presiding judges
    - Ernie Friesen: 99% of problems facing the court system will be solved through strong effective leadership of the presiding judge
    - We need to institutionalize the concept of performance standards rather than rely on
“chance” for a dynamic leader

- Need to preserve/develop safeguards to be sure we don’t sacrifice fairness to expediency: speedy trial is important but need to be sure there is no coercion to achieve speedy trial or to sacrifice right to trial

- Need to determine how we can take the “pulse” of the justice system to measure the degree to which the administration of justice is fair?

- Need to reinfuse the court system with strong caseflow management framework and practices
  - focus attention, for example, on identifying whether a backlog is developing and, if so, reducing it
  - need to involve everyone (bar has some of the best ideas)

- Need to work to sustain improvements over time

- Judicial system leaders and administrators need to develop multi-disciplinary skills to proactively address whatever developments/changes occur in both the justice system and the communities it serves;

- Need to assure that useful/meaningful information is compiled that can highlight issues/problems

- Need to develop a goal setting process: vision of ideal system may differ among criminal justice system participants but generally the lists are similar, at least for the broad issues
  - need to bring everyone together to develop vision for the court – identify data needed to measure progress toward achieving that vision
  - need to get people together to focus on what courts are about
  - need to set the right expectations of what court should be doing; what’s expected of the court system, of judges, of litigants, etc.
  - need to figure out how to get bar invested in this process (also increasing rates of pro se litigation)
  - need to develop a simple specific plan/vision for the court system to which everyone agrees and which can serve as a blueprint for articulating performance expectations and standards for the judicial system and process;

- Intellectually sound research on the effectiveness of court practices need to be rigorously pursued
  - Need to revive research on comparative trends
  - Need to subject current “advocacy” research to thorough peer review; present efforts in this regard aren’t sufficiently broad to assure reliability in the results.

- Need to revive national TA and training to provide national perspective and promote cross fertilization among jurisdictions of innovative/promising practices and experiences
➢ Need to focus on addressing the issue of judicial leadership from multiple perspectives (see “Challenges” above)

➢ Need to focus on judge/court administrator relationship
  - still “us and they” re judges and court administrators; need to figure out way to talk about “we”; making justice system operations and improvement a joint venture;
  - need to also defined proper relationship and role for judges and administrators – adjudication vs. administration
  - need “we” to also include bringing in all allied agencies so that everyone is invested in what the court is trying to do;

➢ Need to move from judge–centered focus to public-centered focus

➢ Need to be sure next generation understands basic court administration – early intervention (diversion); alternative dispute resolution methods; caseflow management principles and strategies; etc. -- need to move this forward; otherwise it will be lost, particularly in light of turnover

➢ Need to develop body of literature that is geared to issues of the 21st century
  - resources now are from the last century
  - possible topics to consider include: mentoring; judicial performance evaluation; training on how to deal with legislative and funding bodies; issues covered in the NACM Core Competencies; impact of technology
  - where are tomorrow’s researchers and leaders coming from?

➢ Need to build commitment to justice
  - Regardless of where one stands on “problem solving” courts, the key is that those involved in their development are passionate about that approach – need to develop/build upon that same passion for justice in addressing the larger issues facing the court system, including the need for judicial system leadership
  - How to recapture passion for justice among those involved in the system?—most court employees view job as job—no special loyalty to “courts”, “justice”, etc.

➢ How to introduce innovation into a court system?

➢ Need to develop a view of the big picture of how/why courts operate and how pieces (caseflow management, problem solving courts, etc.) fit in to the big picture?

• **NEXT STEPS**

➢ Consensus of the group is that something needs to be done to rejuvenate both the capacity and mechanism to sustain the improvements of the ‘70’s and ‘80’s and to address the current issues facing courts (See “Current Challenges” and Principle Operational Issues” above.)

➢ Conducting a National Conference?
  - a national conference would be important to provide a starting point to raise consciousness and awareness to begin to address these issues (see “Current Challenges” and “Principle
Operational Issues” above) and to reinforce principles and knowledge base developed during the ’70’s and ’80’s guideposts (see “Legacy” above); could jump start attention to these issues

- need to take justice system perspective, not simply courts
- need to also address: how to bring about change to make court system more focused on public than courts
- focus needs to be on governance and organization and accountability: quality of justice in broad sense- think of broad agenda
- need to give attendees ways to get new ideas
- Attendees: should focus on emerging leaders, not necessarily chief justice, etc., from each state
- Format: should think creatively about conference; view thru web? Other distance learning modalities? etc.

➢ Preliminary Planning for the Conference

- before conducting conference, must develop agenda for action; conference can then plant/nurture seeds
- before national conference, need series of white papers; assessments; develop blue print-conference is important but also important to provide blueprint first
- planning for conference needs to be collaborative, with small working groups
  o need them to distill what we need to focus on and next steps -- to take a look at what comes out of this meeting and distill out the key ideas
  o need to come up with principles that can be tailored to the environment.
  o need a lot more focus for the conference but key issues are: governance, organization and accountability

➢ Consider also posting “best practices” or “promising practices” on a website

- need to establish a website that will promote technical assistance and mentoring for a wide range of problems
- need to have wide range of individuals and perspectives involved in determining what are “best practices”
  o may be preferable to lay out models rather than “best practices”
  o present models that will focus on improving leadership of justice system; organization and governance
- perhaps commission someone to document the models identified
- important to think about models that apply to different sized courts, not simply high volume courts (does one size fit all?)
- make sure issues important to rural justice aren’t overlooked

- need to make sure best practices/models apply to everyone, not just one group (judges)
- need to have outward as well as inward orientation
- need larger focus: justice system, not just courts
- include attention to research and technology
- need to include the intellectual foundation of the disciplines that need to be involved
- need to recognize that “court administration” will now entail more than court administrators
  - need to look beyond court and the environment in which the court is now operating in
  - need to recognize that court administrators are running organizations that entail more than dealing with legal issues (e.g., entail drawing on services of social workers, behavioral health specialists, etc.)

***************
Attachments:

**Attachment One: Recommendations/Issues**
(Documented on Flipchart by Ernie Friesen)

1. Technology
   A. Spread the word
   B. Gain acceptance

2. Case management
   A. Preserve progress
   B. Get the word to new judges

3. Coordinating Councils
   A. Increase/Refine/Provide research

4. Evaluation/Audit
   A. Adopt systems
   B. Factually accurate

5. Problem-Solving Courts
   A. Normalize
   B. Evaluate alternatives

6. Outreach to environments
   A. Organize support

7. Equal justice
   A. Support public defense
   B. Legal Aid
   C. Pro Se litigation

8. Good people
   A. Attract and keep good people
   B. Good pay
   C. Be sensitive to diversity

9. Organizing and Guiding/Governing
   A. Leadership development
   B. Maintenance
   C. Training
   D. Problem definition

10. Diversity/Users—Recognition

11. Research

12. Public Perception
   A. Models
B. Listening
C. Access

13. Environment for change
   A. Research
   B. Multi-cultural diversity
   C. Intergenerational discourse

14. Increase prestige of court management
   A. Accreditation
   B. Compensation

15. Seek foundation/government support

16. Best practices
   A. Create clearinghouse
   B. Publication

17. Support systems for court administration programs
   A. Mobility
   B. Resources
   C. Training
Attachment Two: Final Thoughts from Attendees

➢ On a National Conference

• Cait Clarke: Suggestion for a Model of Integrated Activities (using several modalities)
  o Small groups mixed together with each person bringing a prepared management challenge or leadership initiative
  o Set up website for mentoring, which encourages information exchange

• Ernie Friesen: Suggested Topics for Inclusion in a National Conference/Program
  o Case management leadership
  o Governance and organization
  o Coordinating councils
  o Equal justice
  o Research

• Greg Berman: Above 5 topics are not outward-thinking enough. Need more forward/varied thinking on leadership –Discussion of the Coro leadership program.

• Dan Becker: Suggestion for National Conference/Program
  o Invite 2-3 emerging leaders from each state.
  o People of the past would be instructors, not participants.
  o Involve program administrators, not just court administrators—incorporate emerging leaders and diverse perspectives. Need to give young leaders more opportunities to learn from the past and each other.
  o Need more outward thinking.

• Betsi Griffith: Need to place emphasis on local/state-level changes. Also need to remember the importance of judicial independence/balance.

➢ On the Next Steps

• Marshall Hartman:
  1. Assess priorities.
  2. What new institutions need to be set up to meet the priorities?
  3. Work with other agencies.

• Bob Yegge:
  1. Look at emerging leaders in legal profession and administrators in other fields.

• Greg Berman:
  1. Need for more flexible administrative tools—advocacy, social work, research.
  2. Supports Becker’s idea for a mentoring conference.

• Jim Swain:
  1. Developing a blueprint for equal justice is important.

• Dan Becker:
1. More discussion of work that’s relevant to the field—need to determine the best vehicle for challenging existing leaders and inspiring new ones.
2. Would choose governance and accountability as the most important issues to focus on for the next steps.

- Richard Hoffman:
  1. Likes the idea of a mentoring conference, but cautioned that we would need to be discrete in terms of goals and accomplishments.

- Sam Conti:
  1. Distinguish between best practices and models.
  2. Family court issues are important.
  3. Multi-jurisdictional practice—What are lawyers thinking? Open the door to civil practitioners.
  4. Build international relationships.

- Lori Sherrod:
  1. Equal justice—Consider input from diverse populations affected by decisions.

- Maureen Solomon:
  1. Come up with principles, more than models, which can be tailored to different environments.
  2. Use smaller working groups.

- Cait Clarke:
  1. Collaboration is very complex—Need to think through collaboration on different levels when thinking about future steps.

- Harvey Solomon:
  1. Need much more focus—Dan Becker should lead the charge.
  2. Need more collaboration for change.

- Bob Tobin:
  1. Governance is the weakest part of our knowledge. We need to work on governance; we mostly know structures.

- Caroline Cooper:
  1. Need to convey the big picture and the principles, and not get hung up on the elements.
  2. Need education.
  3. Conference would be an important early step to plant seeds—but also need to develop the framework for sustaining and adapting the ideas and concepts generated.

- Marcus Reinkensmeyer:
  1. Need for succession planning—Acceleration of change going on right now, and we need to re-energize the field.
  2. Conference is important, but publications are also important.
  3. Information sharing and technology.

- Larry Polansky:
1. Conference should be small, focused, and practical.

   - Richard Saks:
     1. Work with a small group to see if there’s a need for a conference and determine who would participate—rising stars, current crop of leaders, etc.

   - Ernie Friesen:
     1. Governance, organization, and accountability are priorities.
     2. Need to carefully word any programs or initiatives.

   - Gordy Griller:
     1. Governance and organization
     2. Think creatively about type of event/access.
     3. Sustain basics, spearhead improvement, risk innovation—How do you do these things?

   - Andrew Sonner:
     1. Information exchange through site visits to different jurisdictions.
     2. Assess existing programs/changes according to quality of justice standards.

   - Barry Mahoney:
     1. Task force, smaller groups working on broad topics and agendas
     2. Think collaboration—collaborative planning with outside agencies
     3. Governance and organization