Massachusetts Committee for Public Counsel Services

LEADERSHIP & MANAGEMENT TRAINING RECOMMENDATIONS

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INTRODUCTION

In October 2010, the Office of Justice Programs received a request for technical assistance from Josh Dohan, Director of the Youth Advocacy Department (YAD) of the Massachusetts Committee for Public Counsel Services (CPCS). Specifically, CPCS requested assistance in developing a blueprint and recommendations for long-term leadership and management development, and assistance in developing and delivering immediate leadership and management training for a new group of managers responsible for starting the new YAD department and other public defense leaders and managers. In response to this request, OJP assembled a team to conduct a “problem definition” assessment, which resulted in the development of this Leadership and Management Training Recommendations for the agency and a draft curriculum for a one-week Leadership & Management Training Institute (attached).

The purpose of this document is to memorialize the problem definition assessment made by the Office of Justice Program’s team, and the team’s leadership and management training recommendations. After first setting forth background information about the agency, this document sets forth the objectives of a leadership and management training plan; describes the leadership and training needs of the agency; sets forth recommendations for responding to these needs; and provides an overview of the objectives and substantive content for a one-week Leadership & Management Training Institute. Ultimately, this document is intended to provide a training blueprint for CPCS as it seeks to address its leadership and management training needs.

The development of this document has been informed by guidance, discussion, and input from the following team members: Catherine Beane, Principal Consultant for Beane Consulting; Bennett Brummer, former Miami-Dade (FL) Public Defender; Caroline Cooper, Associate Director of the Office of Justice Programs at American University; and Joe Trotter, Director of the Office of Justice Programs at American University. This document has also been informed by discussion and input from CPCS personnel, including: Nancy Baratta, Attorney in Charge of the Brocton CAFL office; Cathy Bennett, Adult Defender Training Director; Nancy Bennett, [affiliation/titles]; Erica Cushna, Juvenile Defender Trial Panel Director; Josh Dohan, Director of the Youth Advocacy Department; Christine Feichter, [affiliation/titles]; Amy Karp, CAFL Training Director; Ben Keehn, [affiliation/titles]; Els Knoppers, Director of Human Resources Management; and Wendy Wolf, YAD Training Director.

AGENCY BACKGROUND

CPCS is a statewide agency tasked with the provision of legal representation to indigent persons in criminal and civil court cases and administrative proceedings in which there is a right to counsel. Most representation is provided by approximately 3,000 private attorney strained and certified to accept appointments. Support for and supervision of these attorneys is provided by the Private Counsel Division (for criminal, juvenile delinquency and related matters), the Children and Family Law Division (CAFL) and the Mental Health Litigation Unit. The Public Defender Division has approximately 200 staff attorneys working in offices located across Massachusetts. Staff defenders provide representation to clients in Superior, District and
Juvenile Court criminal and delinquency proceedings. An additional 28 staff attorneys working in CAFL offices throughout the state represent clients in state intervention/child welfare cases.

Within CPCS, YAD in particular is at a moment of tremendous growth. In 2010, YAD transitioned from being a single office to a division within the state agency. This transition involved the assumption of broader and more expansive responsibilities, and YAD will be opening six (6) new offices in 2011. This growth and the opening of new offices provides a pivotal opportunity for the agency to develop and implement a training plan to address the leadership and management training needs of its new and existing office leaders, both within YAD and in other divisions of the agency.

PROBLEM DEFINITION:
CPCS LEADERSHIP & MANAGEMENT TRAINING NEEDS

In November and December 2010, members of the expert team convened by the American University Office of Justice Programs conducted a series of conference calls with Mr. Dohan and, subsequently, with a CPCS team convened by Mr. Dohan. The purpose of these discussions was to identify the parameters of CPCS’s leadership and management training needs, to develop recommendations for addressing those needs, and to provide technical assistance in developing a training curriculum for a one-week Leadership & Management Training Institute to be convened in February 2011. The training needs described in this section are a broad and exhaustive list of needs that were identified through the problem identification process, and the training plan that follows is responsive to the highest priorities identified through this process.

It is particularly important to note the very different supervision responsibilities and context for providing supervision that exist for CPCS employees and for those private bar advocates with whom CPCS contracts to provide supervision of the private bar. These differences highlight the need for CPCS to appropriately target/contextualize the delivery of training for the particular/specific context in which the supervisors deliver services, and impact their availability for leadership and management training.

Through the various conference calls and discussions, team members identified the following CPCS leadership and management training needs:

1. Leadership, management, and coaching training
   a. Audiences:
      i. Office heads and supervising attorneys from CPCS offices
         1. Each of 8 Youth Advocacy Division (YAD) offices (6 new offices)
         2. Adult Public Defender Division offices (Superior Court and District Court offices)
         3. Mental Health Unit
         4. CAFL Division (note: only office head, as there is no “#2 attorney” in the CAFL offices)
5. CPCS central administrative office
   ii. Juvenile Trial Panel Director and Senior Staff Attorney for each county/jurisdiction
   iii. Attorney and administrative supervisors

b. Objectives/Purpose:
   i. Professional development opportunity for CPCS and bar advocate leaders, supervisors, managers
   ii. Build internal agency training capacity by expanding the pool of trainers who can deliver training on leadership, management and coaching topics
   iii. Build sense of community among the leaders supervisors from the various units and divisions of CPCS

2. Leadership and coaching training for attorneys who have responsibilities for supervising, mentoring and/or coaching private bar counsel

a. Audiences:
   i. 15 juvenile Supervising Attorneys who provide 10 hours/week of supervision to private counsel
   ii. YAD Supervising Attorneys
   iii. District Court Bar Advocate Supervising Attorneys
   iv. CAFL regional coordinators

b. Objectives/Purpose
   i. Provide professional development
   ii. Provide guidance and clearly articulate expectations/standards re: implementation of these responsibilities (e.g., writing evaluations, court observation, Case file review) so that there is greater uniformity/consistency across divisions and across the state
   iii. Boost role of these attorneys to develop/coordinate training, be leader in the community in partnership with the attorneys running CPCS offices in their jurisdiction.

3. Coaching training

a. Audiences:
   i. Network of approximately 50 YAD mentors (Resource Attorneys) who support the development of new attorneys
   ii. CAFL mentors
   iii. District court mentors

b. Objectives/Purpose
   i. Provide professional development focused on coaching and feedback to improve the quality of the work performed by these mentors
4. “Train the trainer” capacity-building in the areas of leadership, management, cultural competency and coaching skills training (note: coaching contexts include supervision/management, employee development, and trial/appellate skills practice)

5. Cultural competency training
   a. ABA Model Curriculum
   b. Incorporate components into leadership, management, and coaching training OR separate training focused entirely on cultural competency
   c. Cultural competence in leadership and management context – NOT in context of client representation

6. Opening and leading a CPCS office – drawing on recent District Court and CAFL experiences with opening new offices. Topics may include:
   a. Mechanics, structure, how to get things done
   b. Developing organizational/unit culture
   c. Transitioning to leadership from supervisor or trial attorney positions
   d. Available resources (e.g., delegation; technology that agency can provide)
   e. Building and managing relationships with courts and private bar

7. Human resource and employment law issues
   a. ADA, FMLA, etc
   b. Have a local person who has done this in past
   c. Dealing w/ complaints – legal obligations
   d. CPCS personnel policies (e.g., sexual harassment)
   e. State ethics laws
   f. Interviewing and hiring
   g. Managing interns

8. On-going training re: substantive trial skills/procedure and how to do training in your office and in/for the county-level legal community
   a. “Train the trainer” component re: designing a training, basic principles/best practices for facilitation and presentation skills
   b. Development of skills/training modules
   c. Use of evaluations

9. Administrative assistants, social workers – social service advocates -- support staff training – something for AAs who will be running an office
   a. Training that new support staff need
   b. Supervision to get effective support from support staff
   c. Address the management and supervision needs of support staff personnel
TRAINING RECOMMENDATIONS

Based upon the problem definition discussions, the expert team convened by the American University Office of Justice Programs makes the following recommendations:

1. CPCS should develop and implement a comprehensive, agency-wide training plan that:
   a. Identifies key skills for every aspect of the agency (e.g., litigation skills in all practice areas; skills needed by support staff, investigators, social workers, operations personnel, and others; leadership, management, and supervision skills for employees and private assigned counsel leaders with such responsibilities);
   b. Integrates all types of training (e.g., policies and practices, including computer skills) for all types of staff (e.g., various types of support staff, not just lawyer), scaled from entry level to advanced training;
   c. Is coordinated with relevant job descriptions, such that each significant career ladder milestone has an attendant training component (e.g., every promotion that involves a significant change in role or skill; relevant training requirements are integrated into job descriptions and career paths for managers and leaders);
   d. Incorporates on-going leadership and management training as a priority for appropriate staff, and places equivalent importance on leadership and management training as on advocacy and litigation skills;
   e. Encourages staff with greater experience in a particular area to share that expertise with other staff in both formal and informal ways (e.g., featured speaker in a formal skills training event; brown-bag lunch discussion within an office);
   f. Optimizes access to training, including virtual access to training resources (e.g., replication of live training events through web access or DVDs); and
   g. Includes training components to enhance the cultural competency skills of leaders, supervisors, coaches, and mentors from CPCS offices and among private assigned counsel leaders.

2. CPCS should deliver on-going leadership and management training that supports the professional development of its leaders, supervisors, coaches, and mentors. These efforts may entail independent training events or the integration of training topics into other meetings/gatherings, and should include:
   a. A one-week Leadership & Management Institute for CPCS employees and private assigned counsel leaders who have supervisory responsibilities;
b. Quarterly convenings of leaders, supervisors, coaches and mentors to provide regular opportunities for peer-to-peer discussion and training on leadership and management topics;

c. County-level meetings between CPCS and private assigned counsel leaders to address local issues (e.g., skills training for the local defense bar; systemic issues affecting clients; outreach to the judiciary, prosecutors, and other criminal justice stakeholders); and

d. Regularly-scheduled introductory training for new leaders, managers, supervisors, and mentors (e.g., presentation of ½ to full-day workshops on coaching skills offered 2-3 times per year; repeating the Leadership & Management Institute annually or biennially).

THE CPCS LEADERSHIP & MANAGEMENT INSTITUTE

As a first step in implementing these recommendations, CPCS will convene a one-week “CPCS Leadership & Management Institute” from February 14 – 18, 2011. The expert team convened by the American University Office of Justice Programs has provided technical assistance to CPCS in designing this Institute, including participating in planning calls with a training team from CPCS; making recommendations regarding the design and substantive content of the Institute; and identifying existing training resources (e.g., PowerPoint presentations, background articles, hypotheticals, etc.) to support the Institute.

As part of the preparation for the Institute, appropriate presentation/facilitation instructions and training materials (PowerPoint, reference articles, hypotheticals, etc.) will be developed for each session of the Leadership & Management Institute to enable CPCS to offer the training sessions again in the future as new hires are made or circumstances allow other targeted audiences who may not be available in February to benefit from the training. CPCS plans to video-tape the plenary presentations so that the video presentations may be used in future training seminars, or as a means of delivering “distance learning” opportunities for the targeted audiences. The detailed curriculum can be found in the document entitled “CPCS Leadership & Management Institute Curriculum.”

**Objectives of the CPCS Leadership & Management Institute:**

1. Provide leadership and management training to CPCS leaders tasked with leading CPCS offices and divisions.

2. Provide leadership and supervision skills training to private assigned counsel leaders tasked with supervising, coaching and mentoring private counsel representing indigent clients.

3. Share an inspiring vision for the role and meaning of leadership in the delivery of public defense services in Massachusetts.
4. Promote the continued development of community, support and common mission among CPCS staff and private assigned counsel leaders providing criminal and juvenile defense, and child welfare and mental health advocacy services in Massachusetts.

5. Promote an organizational culture that values and professionalizes the important responsibilities of managers, supervisors, coaches and mentors.

6. Increase the capacity of CPCS to deliver leadership and management training so as to effectively respond to needs of leaders, supervisors, coaches and mentors within the agency, and to enhance the implementation of the CPCS Leadership & Management Training Plan.

**Overview of the Curriculum:**

<table>
<thead>
<tr>
<th>Theme:</th>
<th>DAY 1</th>
<th>DAYS 2 &amp; 3</th>
<th>DAYS 4 &amp; 5</th>
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<tbody>
<tr>
<td>Audience:</td>
<td>Train the Trainer</td>
<td>Leadership &amp; Supervision Skills</td>
<td>Leading an Office</td>
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<tr>
<td>Plenary presenters and small group facilitators for the Institute</td>
<td>Supervisors, attorneys in charge, and senior/more experienced attorneys from CPCS offices who have supervision and management responsibilities</td>
<td>CPCS staff leadership</td>
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<td>Private appointed counsel who have responsibilities for supervising, mentoring, and coaching private bar</td>
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<th>Objectives:</th>
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<tr>
<td>a. Prepare faculty (small group facilitators and plenary presenters) for implementing/delivering the Institute’s curriculum</td>
<td>a. Introduce and orient leaders/supervisors to the vision and values of the agency.</td>
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<td>b. Build CPCS training/trainer capacity</td>
<td>b. Present a vision of defender leadership that encompasses client-centeredness, community engagement, and both the internal and external dimensions of leadership.</td>
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<td></td>
<td>c. Discuss the roles and responsibilities of the various CPCS and private assigned counsel supervisors, mentors, and coaches.</td>
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<td>d. Build a shared sense of</td>
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<td>a. Provide an additional opportunity for application and practice of supervision, coaching, feedback, and conflict management skills in more challenging situations.</td>
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<td>b. Introduce and apply a theory and process for “leading change” as a leadership tool for developing and enhancing office and agency culture that is consistent with the vision and values of CPCS.</td>
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<td></td>
<td>c. Continue to develop/enhance a culture of support, client-centeredness, and excellence</td>
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community, support and common mission among CPCS and private assigned counsel leaders providing adult criminal, juvenile defense, child welfare, and mental health services in Massachusetts that will enhance collaboration between CPCS and private assigned counsel, and across the various CPCS divisions.

e. Introduce the “Leadership Practices Inventory” and the “Four Frames Methodology” as tools for enhancing individual leadership skills and resolving leadership challenges.

f. Provide instruction on how to provide effective supervision, coaching, and feedback (including small group work to practice these skills).

d. Orient participants to the responsibilities and challenges of leading a CPCS office or initiative.

e. Provide an opportunity for developing and receiving feedback from peers on action plans related to one’s leadership within the agency.

f. Reinforce a vision of defender leadership that encompasses client-centeredness, community engagement, and both the internal and external dimensions of leadership.

g. Continue to utilize the Four Frames as a tool for addressing leadership challenges.

<table>
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<tr>
<th>Session Topics will include:</th>
<th>• Adult Learning Theory &amp; Best Practices in Facilitation</th>
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<tr>
<td></td>
<td>• Review of the week’s curriculum (substantive content and facilitation instructions)</td>
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<td>• Facilitating Difficult Conversations: Brainstorming Strategies &amp; Practicing Techniques.</td>
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<td>• CPCS Values &amp; Vision</td>
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<td>• The Role of Leadership in Providing Public Counsel Services (keynote speaker)</td>
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<td></td>
<td>• The Four Frames Methodology (plenary and skills practice)</td>
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<td></td>
<td>• So What Does it Mean to be a Supervisor?</td>
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<td></td>
<td>• Coaching, Feedback &amp; Conflict Resolution: Critical Skills for Effective Supervisors</td>
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<td>• Skills Practice: Applying Coaching, Feedback &amp; Conflict Resolution Techniques</td>
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<td></td>
<td>• The Leadership Practices Inventory</td>
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|                             | • Effective Use of Agency Supervision & Evaluation Guidelines |
|                             | • Developing the Office/Agency Culture |
|                             | • Assuming the Leadership of Your Office: Tips and Strategies for Success |
|                             | • Developing Your Plan of Action (small group action planning, and presentations/feedback on action plans) |
**Themes/sessions to be covered as follow-up to Leadership & Management Institute:**

As a follow-up to the Leadership & Management Institute, CPCS should convene quarterly conference calls or in-person meetings of CPCS and private assigned counsel leaders in order to provide:

- A forum for building a sense of community and creating opportunities for peer-to-peer support and training (e.g., sharing successes, discussing challenges that have arisen, and brainstorming strategies for resolving issues); and
- Continued leadership and management training (re: both theory and skills).

In addition to any specific follow-up identified during the Institute, topics for additional training could include:

- Follow-up discussions to reinforce utilization of the Four Frames Methodology
- Facilitative Leadership
- Implementing COD Principles: Successes and Challenges
- Team Building (e.g., “True Colors” or similar exercises)
- Sustaining Ourselves as Leaders
- Opening a New Office
- The Youth Development Approach to Representing Juveniles
- Effective Supervision and Utilization of Support Staff
- Human Resource & Employment Law Issues

Finally, CPCS should explore opportunities for delivering the American Bar Association’s cultural competency curriculum, either by (1) convening a train-the-trainers program, (2) integrating units of the curriculum into existing training events (e.g., the quarterly meetings of CPCS and private assigned counsel leaders), and/or (3) convening a multi-day cultural competency training event.