Presentation Overview

- CORE®
  - Overview
  - Revision
  - Structure
  - Resources

- CURRICULUM
  - Design
  - Learning Objectives
  - Components
  - Resources
The Original Core

Purposes and Responsibilities of Courts

- Information Technology Management
- Caseflow Management
- Leadership
- Visioning and Strategic Planning
- Essential Components
- Education, Training, and Development
- Human Resource Management
- Resources Budget and Finance
- Court Community Communication
The Original Core

Foundation for National Training and Certification Programming

CERTIFIED COURT MANAGER
- Court Performance Standards: CourTools
- Fundamental Issues of Caseflow Management
- Managing Court Financial Resources
- Managing Human Resources
- Managing Technology Projects & Resources
- Purposes & Responsibilities of the Courts

CERTIFIED COURT EXECUTIVE
- Court Community Communication
- Education, Training & Development
- Essential Components
- High Performance Court Framework
- Leadership
- Visioning & Strategic Planning

JUDICIAL ADMINISTRATION NON-CREDIT CERTIFICATE
- The non-credit certificate is comprised of sixty contact hours of instruction plus a capstone experience based on the NACM core competencies. Successful completion is possible when students take courses in the following subject matter within five years from their start date.
Introduction

Open building bright floor State major the full creative class goldenbelt dimensions urban farm look exchange, dhcp man make state NY south point outlook wall scissors world flower quality glass street, sustainable press steel science and math steel park engage south street etc. Lady and engineer service station street goods supply any period street network, off the corner about fitting and quality deliver mag.

Featured Competency

Accountability and Performance Measurement

Thinking that the court is performing at its best and knowing it are two different things. Court leaders are accountable to both the judiciary and the public for a well-run court, which means that managers must be able to both effectively measure and manage performance. Skillful collection and analysis of performance information ensures that court managers no longer just think the court is performing well but are able to demonstrate it.

About NACM

The National Association for Court Management has over 1,700 members from the United States, Canada, Australia, and other countries. NACM is the largest organization of court management professionals in the world with members from all levels and types of courts.
Core Guide

THE CORE® IN PRACTICE
A Guide to Strengthen Court Professionals through Application, Use, and Implementation

Curriculum

Curriculum Caseflow and Workflow

This curriculum design is suitable for a broad audience including elected and appointed court managers and staff with court wide and departmental responsibilities as well as leadership judges from every jurisdiction and type of court. This content may be best suited for learners who have some experience in the courts. The best class composition is a mix of court managers and judges from similar jurisdictions and types of courts.

Caseflow Management is the process by which courts carry out their primary function of moving cases from filing to disposition. The management of caseflow is critical because it helps guarantee every litigant receives procedural due process and equal protection.

Workflow Management involves the coordination and support of all tasks, procedures, resources (human and other) necessary to guarantee the work of the court is conducted efficiently and is consistent with the court's purposes and responsibilities.

While Workflow Management includes Caseflow Management, it also includes all tasks and functions necessary for the court to operate as an organization.
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Mike Bridenback & Angie Smith
Accountability and Court Performance
Curriculum Writers

- TJ BeMent
- Cyril Miller & Kent Pankey
- Ray Billotte

Leadership
Strategic Planning
Court Governance
Curriculum Use

• **Knowledge, skills, & abilities to educate next generation of court leaders**
• **Professional development**
• **New staff orientation**
• **Additional needs identified by NACM Board:**
  - New & emerging trends
  - Basic information for entry-level staff
  - Detailed operational content for mid-level staff/management
  - High-level theory for leaders
Curriculum Design & Format

- Introduction
- Learning Objectives
- Use of curriculum
- NACM Core reference
- Target Audience

- Educational content
- Faculty resources
- Participant activities
- Special notes for faculty
- Bibliography
Activities

Faculty Resources

Faculty Resources are intended to be used as a guide for methodology, and purpose for each topic. Faculty Resources are a combination of resources referenced within the Educational Content and resources for widely known and recognized common practices in the U.S. and many other reference sources from around the world. These topics are listed as time-sensitive topics that faculty may want to update over time these examples with more recent dates. Applied caseflow management training may also demand the use of data sets from local courts or statewide jurisdictions.

Section One
Roscoe Pound, The Causes of Popular Dissatisfaction with the Administration of Justice
Revising Calendars
Section Two
- Time Standards for Court
- ADR Order
Section Three
- Decision-Making and Case Administration Principles
- Sample ADR Order
Section Four
- Case Management Principles
- Case Management Special Track Form
Section Five
- Differentiated Case Management
- Case Management System
Section Six
- Content-Mapping
- Maryland Circuit Court Case Management
- Case Management Special Track
- Court

Participant Activities
The participant activities are one of the most important parts of the curriculum design as they are designed to enable learners to determine the learning objectives. Also, participant activities provide tools to faculty to design, explain, and/or deliver the course content.

Sample Design

Bibliography

Bibliography

CORE Caseflow and Workflow, NACM website available at:
http://nacm.org/compendium/caseflow-and-workflow/

Department of Justice and Administrative Office of the U.S. Courts, Joint Working Group on Electronic Technology in the Criminal Justice System, Recommendations for Effectively Stored Information (Esi) Discovery Production at Federal Criminal Cases (2013), available at:

Differentiated Case Management Plans, available at the following links:
- Circuit Court for Howard County Civil Non-Domestic Case Management Plan
- Circuit Court for Montgomery County Criminal DCM Manual
- Circuit Court for Calvert County Differentiated Case Management Plan (at all case types)


National Center for State Courts, Principles for Judicial Administration (July 2012). Retrieved from:


http://ncsc.com/mss/courtmanagement/courtmanagement_1679_rec2/
COMPETENCIES:

- **Operations Management** – Janet Cornell
- **Leadership** – TJ BeMent
The Competency

Operations Management

Courts are complex organizations, which are comprised of an array of departments, units and functions that need to be maintained on an ongoing basis to support court operations. Although court leaders may not need to perform all of these various functions, organizational and management competencies should be developed to support whatever functions may be required.

Relevance

Court leaders must manage and support complex environments which are comprised of an array of departments, units and functions that need to be maintained on an ongoing basis to support court operations. The range and nature of these functions and activities varies significantly depending on court jurisdiction (e.g., appellate, general, limited, administrative), whether the court is federal, state, local or tribal, and the unique way(s) individual courts are organized and operate.

In addition to proficiency in the functional areas addressed in other Competencies, court leaders need to be prepared to deal with many other functions and services courts provide on a regular basis, both planned and at times unexpected. To do this, court leaders may need to support a wide range of services and activities that are essential to carrying out the functions and mission of most courts, recognizing that some functions may vary depending upon the jurisdiction of the court (e.g., jury management, records management, and evidence management).

The following is a list — certainly not exhaustive — of the range of essential court functions within the operations of the court that court leaders will likely manage and frequently perform:

Services Required by U.S. Constitution or Federal Regulations —

- Jury Functions — preparing annual master lists, summoning and notifying prospective jurors, scheduling and locating jurors for trials, handling requests for extensions and excuses, managing automated jury management systems, ensuring randomness in selection of jurors, processing payments, evaluating jury yield and utilizing and providing comfortable facilities for hosting jurors.
- Indigent Defense Services — either exercising primary appointment responsibility or limited responsibility for conflict counsel.
- Foreign Language Resources — consistent with statutes and federal limited English proficiency (LEP) requirements, including assigning interpreters, maintaining lists of qualified interpreters in multiple languages and implementing a Language Access plan.
- Making the Verbatim Record — making of the record of court proceedings is a core function of courts. The official record is not only the basis of appeals but also a means of reviewing at their transpires in the courtroom including their assignment, quality monitoring and preparation of transcripts. A valuable resource is NACM's 'The Making the Verbatim Record Guide'.
Operations Management

- Court leaders support complex functions
- The range and nature varies
- Differences in jurisdiction apply
- Some functions are outside court supervision
17 Elements

Operations Management Competency

SERVICES REQUIRED BY CONSTITUTION OR FEDERAL REGULATIONS
- Jury
- Indigent Defense*
- Foreign Language Access Services
- Making the Verbatim Record

PROGRAMS AND SPECIAL SERVICES
- Probation*
- Special Court Ordered Services*
- Alternative Dispute Resolution*
- Problem Solving/
- Specialty Dockets

ACCESS AND DIRECT SERVICES
- Court User Services*
- Access for Persons with Disabilities
- Courtroom Operations
- Records
- Filings, Fines, Fees, Collection, Exhibits*

INFRASTRUCTURE AND SUPPORT
- Information Technology*
- Continuity of Operations
- Facilities Management*
- Court Security*

NACM CORE®
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1. Identify learning needs for the competency.

2. Gain familiarity with elements of Operations Management.

3. Describe relationship of Operations Management elements to constitutional and due process requirements.

4. Ensure effective communication between a limited English proficient (LEP) person and court via a language access plan.

5. Create/produce a program plan for a Specialty Court, with program goals, objectives, partners, collaborators and measurable program outcomes.
6. Identify self-represented litigant needs and draft an SRL Policy.

7. Evaluate priority/critical court operations and list preliminary steps and actions for business continuity.


9. Identify the impact/relevance of other Core competencies in the Principle, Practice and Vision modules.

10. Construct a personal action plan, including a priority listing for court executive leadership.
## Organization of Content

### Introduction
1. High level content area for the high level grouping of elements

### KSAs
2. Desired knowledge, skills and abilities (KSAs)

### Challenges
3. Potential challenges and opportunities
Resources

- Faculty resources
- Activities
- Slides
- Bibliography
**Desired KSAs for Managing Indigent Defense Services**

- Understanding that the role of public defense services is the court goal for due process
- Familiarity with policies for the management of indigent defense services
- Conducting primary appointment of indigent defense services
- Utilizing appropriate review and assessment processes, forms and information to determine indigent
- Coordinating program oversight responsibility
- Provision of appropriate pay schedules
- Providing appointments in conflict situations
- Oversight of defense attorney budget and payments

**Typical Elements of a Contract for Public Defense Services**

- Court rules and policies on the appointment of indigent defense
- Listing of the types and nature of applicable cases or charges that qualify for quasi-indigent or indigent defendants
- Attorney qualification, licensing and credentialing required
- Determination of indemnification and other liability insurances
- Criteria for attorney conflict of interest
- Agreement for automatic appointment or with review/consultation
- Definition of representation services and tasks
- Details about acceptable maximum caseload composition and size
- Fees and fee schedules
- Criteria for fee adjustments or requests for extraordinary circumstances
- Expectations of personal appearances
- Notation of special circumstances and expectations (e.g., evaluation of competency, language needs)
- Delineation of who pays for costs, and at which point any are reimbursed by the court
## Courtroom Protocol Information

1. Instructing courtroom attendees and participants on expected behaviors
2. Calling the court to order
3. Providing information to the judge
4. Asking questions of, or for clarification with, the judge
5. Handling protocols for documents given to or received from the judge
6. Detailing documents desired by the judge
7. Using technology in the courtroom, and who is responsible
8. Identifying allowable times for the clerk to leave the courtroom
9. Documenting hearing information manually or into the court database
Activities

• Learning needs
• Operations Management relationship to due process
• Specialty court program plan and goals
• Self represented litigant draft policy
• Top 5 critical operations for draft COOP
• Operations Management performance measures
<table>
<thead>
<tr>
<th>Policy Regarding Self Represented Litigants (SRL)</th>
</tr>
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<tbody>
<tr>
<td><strong>Expectations, Services, and Needs of the Court's Self Represented Litigants</strong></td>
</tr>
<tr>
<td><strong>Purpose(s) and Outcome(s) of This Policy for SRL</strong></td>
</tr>
<tr>
<td><strong>Specific Policies and/or Procedures Needed in Support of Service to SRL (list)</strong></td>
</tr>
<tr>
<td><strong>Representatives and Work Groups Responsible for the Creation and Maintenance of the SRL Policy/Procedure</strong></td>
</tr>
</tbody>
</table>
Activity: Select Elements for Action

Working individually, attendees will review all the elements in the Operations Management competency, and will list their priority areas, and actions they will begin upon returning home.

- **SERVICES REQUIRED BY CONSTITUTION OR FEDERAL REGULATIONS**
  - Jury
  - Indigent Defense*
  - Foreign Language Access Services
  - Making the Verbatim Record

- **PROGRAMS AND SPECIAL SERVICES**
  - Probation*
  - Special Court Ordered Services*
  - Alternative Dispute Resolution*
  - Problem Solving/
    - Specialty Dockets

- **ACCESS AND DIRECT SERVICES**
  - Court User Services*
  - Access for Persons with Disabilities
  - Courtroom Operations
  - Records
  - Filings, Fines, Fees, Collection, Exhibits*

- **INFRASTRUCTURE AND SUPPORT**
  - Information Technology*
  - Continuity of Operations
  - Facilities Management*
  - Court Security*

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**Priority elements for actions, or implementation, in my court:**

**Actions I will take or begin upon returning to my court:**

**For any elements not directly under Court control (items with asterisks), I will begin the following actions:**
Operations Management & Other Competencies

- Principle
  - Public Trust and Confidence
  - Purposes and Responsibilities

- Practice
  - Caseflow/Workflow
  - Public Relations
  - Educational Development
  - Workforce Management
  - Ethics
  - Budget and Fiscal Management
  - Accountability and Court Performance

- Vision
  - Leadership
  - Strategic Planning
  - Court Governance

NACM CORE®
Leadership is an energetic process of creating a vision resulting in commitment to a common course and preferred future.

Relevance

Effective court managers/leaders create, implement, and nurture a clear and compelling vision for the court, bringing a strategic perspective to their work, while staying attuned to daily operations. The combination of leadership and proactive management enables the court to fulfill the public’s trust in the judiciary through service and adherence to the rule of law. The effective court leader is ultimately measured by the judiciary’s performance in the key areas: procedural due process, the protection of rights, transparency, accessibility, the stewardship of scarce resources, and the achievement of timely justice in individual cases. Effective court leadership delivers on these promises through a well-defined and fully operational governance structure.

This Competency focuses on the traits and behaviors effective court managers/leaders should demonstrate. At their core, great leaders turn ideas into reality and sustain them over time, independent of the leader.[3] Thus, great leaders exhibit behaviors that require skills described in detail in the other Core Competencies. Leaders are optimistic, positive change agents who focus on important strategic goals.[4] Leadership exists, when one or more persons engage others in such a way that leaders and followers raise one another to higher levels of motivation and morality.[5] Leaders are also visible, approachable, and model behavior courts need inside and outside of the organization. Court leaders, both judges and court executives, can achieve this result by working effectively in judicial executive teams.

A sound governance structure[6] establishes the legitimate authority for leadership to bring into action what needs to be accomplished and for the further development of trust between a central office and autonomous work units.[7] The governance structure needs to be clearly articulated so there is no confusion as to who has the responsibility and authority to lead. This is particularly important since the judicial branch works from a position of interdependence with others.[8]

[1] Link to Purposes and Responsibilities
[2] Link to Maintaining an Effective Court Governance Structure
[3] Cite to Warren Benito
[5] See also Maintaining an Effective Court Governance Structure
[6] Link to Ibid.
[7] A Case for Court Governance Principles (p.3)
Original vs. New Competency

Leadership

Leadership
Leadership

- Overview of Leadership
- Leadership Structures in the Courts
- Leadership Theories, Models & Styles
- Leadership Roles in the Courts
- Shared Leadership in the Courts
- Determining Your Own Style
# Curriculum Design

## Leadership

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4.5 The Visionary ............................................................................. 34
Learning Objectives

1. Compare and contrast management and leadership to demonstrate the importance of each

2. Understand the leadership importance of credibility, trust and ethical behaviors

3. Know the importance of good governance needed for effective court leadership

4. Understand and analyze the traits, habits and models of leadership

5. Design and foster an appropriate organizational culture that encourages and mobilizes change and engages staff
6. Promote effective communication, collaborative decision-making, and teamwork

7. Understand the importance of strategic management that embodies vision and purpose through planning and analysis

8. Utilize the tools necessary to support a high performance court

9. Determine the relationships and connections needed to be effective in an interdependent judicial system

10. Know the keys to promoting personal and organizational legitimacy through transparency and accountability
## Organization of Content

<table>
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<td>2. Desired knowledge, skills and abilities (KSAs)</td>
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<tr>
<td><strong>Challenges</strong></td>
<td>3. Potential challenges and opportunities</td>
</tr>
</tbody>
</table>
Leadership Roles in the Courts

- Innovator
- Motivator
- Communicator
- Collaborator

- Visionary
- Strategist
- Diagnostician
- Statesman
Resources

• Faculty resources
• Activities
• Slides
• Bibliography

Faculty Resources

Whether teaching a single session on leadership or a full week of intensive discussion, communicating all of this leadership curriculum material can be a complex topic. Further, leadership is a topic that is the subject of much thought and introspection, for there is no “one way” or “right way” to demonstrate leadership. As a result, an instructor should be familiar with his or her aspect of the personality and

Participant Activities

The participants the tools faculty defined in the training, co

Bibliography


NACM CORE®
**Resources**

**traits**
- Adaptable to situations
- Alert to social environment
- Ambitious and achievement-orientated
- Assertive
- Cooperative
- Decisive
- Dependable
- Dominant (desire to influence others)
- Energetic (high activity level)
- Persistent
- Self-confident
- Tolerant of stress
- Willing to assume responsibility

**Skills**
- Clever (intelligent)
- Conceptually skilled
- Creative
- Diplomatic and tactful
- Fluent in speaking
- Knowledgeable about group task
- Organized
- Persuasive
- Socially skilled

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**The Level 5 Hierarchy**

**Level 5 Executive**
Builds enduring greatness through a paradoxical blend of personal humility and professional will.

**Effective Leader**
Catalyzes commitment to and vigorous pursuit of a clear and compelling vision, stimulating higher performance standards.

**Competent Manager**
Organizes people and resources toward the effective and efficient pursuit of predetermined objectives.

**Contributing Team Member**
Contributes individual capabilities to the achievement of group objectives and works effectively with others in a group setting.

**Highly Capable Individual**
Makes productive contributions through talent, knowledge, skills, and good work habits.
Activities

- Leadership self-assessments
- Identifying leadership traits
- Leadership styles in practice
- Credibility in leadership
- Creating powerful leadership team relationships
- Developing a personal leadership development plan
Part 1 - Leadership Fundamentals Self-Assessment

Please take 15 minutes to read the Knowledge, Skills, Abilities, and Attitudes (KSAs) below and rank yourself in each category. 0 = no knowledge skill or ability in this category to 5 = highly expert, need no new training. The instructor will ask each person to identify their strongest KSA and the KSA which best reflects their highest learning need in leadership.

<table>
<thead>
<tr>
<th>Knowledge, Skills, Abilities, and Attitudes</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Ability to demonstrate integrity, trustworthiness, honesty, accountability, ethics, and integrity in one's action;</td>
<td>5</td>
</tr>
<tr>
<td>B Knowledge of one's limitations;</td>
<td>5</td>
</tr>
<tr>
<td>C Knowledge of codes of conduct including judicial and court manager codes in one's federal, state, and local jurisdiction; the National Association for Court Management Model Code of Conduct; the model code for court managers developed by the American Judicature Society, the ABA Canons of Judicial Ethics for Judges; and, the ABA Code of Professional Conduct for lawyers;</td>
<td>5</td>
</tr>
<tr>
<td>D Skill in clear, direct, and consistent communication;</td>
<td>5</td>
</tr>
<tr>
<td>E Ability to model desired behaviors;</td>
<td>5</td>
</tr>
<tr>
<td>F Knowledge of one's personal values, how ones values and personal style impact others who work in and around the courts, and how values and style set the culture and tone of the court;</td>
<td>5</td>
</tr>
<tr>
<td>G Ability to work with others to create a clear vision and sense of purpose for the court, its departments, and employees;</td>
<td>5</td>
</tr>
<tr>
<td>H Ability to communicate strategic intent, vision, and sense of purpose for the court which will plainly improve the performance of the court, and to establish and to execute action plans that reflect that vision;</td>
<td>5</td>
</tr>
<tr>
<td>I Ability to forecast future needs and conditions of the court and to think in the long term;</td>
<td>5</td>
</tr>
<tr>
<td>J Knowledge of the basis for the judiciary's assertions of judicial independence and inherent powers and their relationship to the ends of liberty, social order, due process, equal protection, and justice under law;</td>
<td>5</td>
</tr>
<tr>
<td>K Ability to create coalitions for effective routines and needed change;</td>
<td>5</td>
</tr>
<tr>
<td>L Ability to develop and foster system-wide cooperation including strong affirmative relationships between elected and appointed court leaders, the public and private bar, law enforcement agencies, and other private, local, and state based social service and Justice providers;</td>
<td>5</td>
</tr>
<tr>
<td>M Knowledge of the judicial executive team concept and its practical importance for acceptable court performance;</td>
<td>5</td>
</tr>
<tr>
<td>N Knowledge of information and data needs; national, state, and local databases; how to acquire needed information; how to analyze necessary data, and; how to use statistics, analytic staff, and reports;</td>
<td>5</td>
</tr>
<tr>
<td>O Skill in problem recognition and definition, diagnosis, analysis, and in finding alternative solutions; and</td>
<td>5</td>
</tr>
<tr>
<td>P Ability to use power, to make decisions, and to act decisively.</td>
<td>5</td>
</tr>
</tbody>
</table>
Activity Two: Are You Confident in Your Leaders?

Materials Needed: Flip chart or dry board to record ideas, marker, paper and pencil for each group. Copies of the National Study of Confidence in Leadership by the Harvard Kennedy School’s Center for Public Leadership and the National Center for State Courts’ The State of State Courts, A NCSC Public Opinion Survey.

Total Time Required: 30-45 minutes

Group Size: Class will work in groups of 5-6.

Instructions:

Each person should read the reports quietly for a few minutes. Then, in small groups, discuss the takeaways about public confidence in leadership and, by extension, confidence in government and the courts. Discuss the following in the groups:

- Why does leadership in these different sectors matter?
- Where do you think your courts would rank in the National Leadership Index?
- Does political orientation affect confidence in court leadership?
- What role does the public play in making leadership more effective?
- How do the results of the confidence survey compare to the public opinion survey? Where does leadership fit in?

Choose a scribe to note the group’s thoughts. Be prepared to list the consensus thoughts on a communal flip chart shared by the whole class.

Debrief:

Report out lessons learned to the whole class.

What themes have emerged?
Leadership

Principle
- Public Trust and Confidence
- Purposes and Responsibilities

Practice
- Caseflow/Workflow
- Operations Management
- Public Relations
- Educational Development
- Workforce Management
- Ethics
- Budget and Fiscal Management
- Accountability and Court Performance

Vision
- Strategic Planning
- Court Governance
Questions?
Suggestions?