

COURT MANAGER



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EDITOR PHILLIP KNOX
Principal, KSA Consulting Solutions, LLC
(480) 440-2088
philknox09@yahoo.com



MANAGING EDITOR CHARLES CAMPBELL
National Center for State Courts
300 Newport Ave., Williamsburg, VA 23185
(757) 259-1838, ccampbell@ncsc.org



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President's Message

SCOTT GRIFFITH

The first few months of the NACM presidency involve lots of travel. This travel has been rewarding and important, as it has given me an opportunity to both hear from and report to some of our key traditional partners, including the Conference of Chief Justices, the Conference of State Court Administrators, the National Association of State Judicial Educators, the American Judges Association, and the National Association of Presiding Judges and Court Executive Officers. We have been warmly welcomed at the meetings and other conferences of these groups, and for that I am very grateful—there is much we can offer them, and much we can learn from them as well.

The long-standing relationships NACM has with these traditional partner groups are important, and staying actively connected to them is essential; our interactions can help ensure that our interests — many of which overlap significantly — are integrated and that, to the degree it is appropriate and possible, they align. Our interactions can also promote a shared sense of priorities and create resolve and action around those issues needing attention. This can, in turn, lead to tangible improvements in the administration of justice.

Establishing and sustaining partnerships is a key element of NACM's governance model. Indeed, our new strategic plan makes reference to the importance of outreach and engagement, both within and outside of our traditional partner group, and the NACM National Agenda makes explicit reference to the value of partnerships as a way of enhancing the public's perception of the courts.

NACM's position is that outreach and engagement are also valuable to our profession generally. For example, partnership and collaboration are key values that reside in many of the competencies in our new Core, including those relating to accountability and court performance, caseload and workflow management, court governance, and the purposes and responsibilities of courts, to name a few. Further, it's hard to read the newly revised NACM publication *Court Administration: A Guide to the Profession* and not come away with the understanding that a system-wide approach to our work is one of our profession's abiding features.

Organizations, like courts, that are part of dynamic public systems can sometimes default to operating in isolation from those entities that can potentially add value to their work. While there are reasonable and understandable reasons for this, many court systems have figured out how to navigate the politics, culture, and related challenges associated with creating a culture in which collaboration is the norm and in which performance and accountability is enhanced as a result.

The passing from one year to the next provides a great opportunity not only to mark the successes achieved during the year just ending, but also to also recommit ourselves to the ideals that comprise the high calling of our profession. Please join me in committing to the idea that the broader and more robust our networks, the better we can deliver justice, and please consider NACM your ally in your efforts to do so.



Editor's Notes

PHILLIP KNOX

This issue of *Court Manager* provides us with five articles that any of us can find of great value. We open with a topic with which every student and instructor of court practices will be well aware.

Many of us fondly remember the nearly ancient video of Professor Ernest Friesen both figuratively and literally walking us through the halls of justice and listing the reasons for our work — *The Purposes of Courts*. Of course, we now have an updated video that although more visually close to our current time, theoretically and practically mirrors the lesson of years earlier.

Have we at some point with our colleagues, or even as an exercise in a NCSC ICM class, ventured to expand beyond what we were taught as the foundational reasons for our profession? Our good friend Kent Batty allows us that contemplation. In his own well-developed method of teaching, Mr. Batty provides to us lessons from the field and an opportunity to consider expansion of the purposes beyond what we have been previously taught. This exploration may possibly lead to expansion of our thinking as court professionals. In the end, this growth and education of us as court leaders further defines our purpose and the purposes of the courts we serve.

The successful operation of any court requires the presence of qualified, professional language interpreters and translators. Courts have, through necessity, devised some varying ways to provide continuity for these services. Generally speaking, these methods can be by way of direct employment as staff or through contracting services. Robert Joe Lee and Frances Hoerber have provided us with valuable data to address a key element for the successful delivery of this vital service — the appropriate and reasonable compensation of court interpreters. Some stark inequalities are highlighted in the study. The importance of properly addressing these in the court is profound as the competition for quality staff continues to grow from a number of different sectors.

In our next article, we learn of one court's response to emergency preparedness. Orange County (California) Superior Court has developed a special Emergency Response and Security Services (ERSS) unit. A key feature of the unit is to establish and maintain collaboration with other stakeholders to ensure security, safety, emergency management, emergency preparedness and compliance with ADA requirements. One foundational premise that supports the creation of and continuing need of the ERSS is that in the likelihood of a major emergency, trained court staff could be called upon as the first responders to the court's needs, as other professionals may be diverted elsewhere.

One of the most powerful drivers in the advancement of technology projects and innovation is conversation. Conversation among users and developers, conversations as to successful solutions, and design and implementation challenges all need to be explored. For a number of years that conversation has been directed and shaped by a group that may be largely unfamiliar to some. The Joint Technology Committee (JTC), with representation from several national bodies, state and local technologists, and the private-sector community, has supported courts. An inside look at the JTC helps to explain its goals and describe the structure and service delivery that has brought about a number of benefits for the court community.

Conversation continues as a principal feature in our final article. Through individual conversations and inquiry with seven past and current NACM board members, we learn of how those who arrive in leadership roles tracked into their positions. Life experiences for us all are unique, and the fork-in-the-road will present opportunities and risks. Maybe these stories are similar to your own, and quite possibly, the observations made here may lead you to better understand yourself and even take a different turn the next time an opportunity arises.



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It's Time to Expand the Traditional "Purposes of Courts"

Kent Batty

For more than 45 years, Dean Ernest Friesen has focused his considerable intellect and years of experience on the purposes of courts. Beginning in the early 1970s, in classes on court administration that he taught at the National Judicial College, he asked countless groups of judges and administrators what they thought the courts' principal purposes were. Over time he developed eight simple statements that remind all of us involved in the courts what our foundational principles are. I believe Friesen did so because he felt it was of utmost importance that those who work

in and with courts understand as clearly as possible the importance of the work of the courts and their role in society.

By now, the number of people exposed to these purposes must be in the hundreds of thousands. And certainly hundreds, if not thousands, of people in the field are using them as teaching devices. Friesen and many others like us hope that court leaders are using them routinely, at a minimum to explain the courts to the public, to support court programs, and to help justify court budgets to funding authorities.

"Friesen's Purposes," as many of us routinely refer to them, have been part of the lexicon of court administration since he first began promulgating them in the mid-1970s. Lo, these many years later, they still encapsulate quite well the basic roles or responsibilities of courts in today's society:

1. To do individual justice in individual cases
2. To appear to do justice in individual cases

3. To provide a final (previously, “a forum for the”) resolution of legal disputes
4. To protect against the arbitrary use of government power
5. To make a formal record of legal status
6. To deter criminal behavior
7. To help rehabilitate persons convicted of crime
8. To separate persons convicted of serious offenses from society

While this list continues to serve us well, the time has come to consider whether new purposes should be added to it. Indeed, the National Center for State Courts, in its Institute for Court Management course “Visioning and Strategic Planning,” lists Friesen’s purposes as “Results of Effective Performance” and then adds its own short list of additional results. It is also likely that, across the country, faculty who teach ICM’s “Purposes and Responsibilities of Courts” class have done their own embellishing of the original purposes as they fielded questions from participants and otherwise thought through the broadened roles courts perform today. Undoubtedly, many others working in the courts have thought the purposes could benefit from a review.

This essay is an effort to begin, in a formal way, to consider what additions, if any, should be made to Friesen’s original purposes. I’ve used the term *formal* advisedly. To be certain, I have my own suggestions for new role or purpose statements. The National Center, through the course content mentioned above, has put forward additional purposes (in the course materials as “results”). Others surely have formulated new purposes that

deserve consideration. What is missing thus far is a proper vetting process that would give the same broad support to any new concepts that Friesen’s years-long efforts accomplished for his (now our) “traditional” purposes. I am not aware that anyone has circulated widely new ideas for critical review, comment, and endorsement. This article is a first step toward such a process.

To begin, I offer my thoughts about the “results” promulgated in the ICM course.

To preserve order in society

This purpose strikes me as either an essential function of all of government or as the purview of law enforcement. Looked at broadly, preserving order is what governments do, not just the judicial branch: Without some form of governance, even dictatorial or primitive, it is unlikely that order can be preserved. Looked at more narrowly, it is law enforcement that preserves order in the streets, so to speak, or in our homes or places of business. Courts, through their orders, can certainly assist in the preservation of order, but they cannot achieve it of their own doing.

To reconcile relationships

It is arguable that this concept is encompassed in the original purposes, *to provide final resolution* and *to make a formal record*, but I see courts as providing the means or vehicle for reconciling relationships, not actually performing that role. They are different concepts. While courts can order the structure for certain relationships, courts do not actually reconcile them. That only comes from the individuals (or entities, I suppose) who are involved in such relationships. Reconciliation may also be a by-product of what courts do, but courts do not do the reconciling.

To protect those who cannot protect themselves

This idea is very close to a concept I am advancing below, which relates to the abusive use of power. However, this conceptualization, too, seems to fit best within the ambit of law enforcement: “To serve and to protect” is their most common motto. It also has application, at least putatively, to the concept of aiding children and families. But the difficulties that occur in families finally have been seen to have such broad-ranging societal impact and consequential impact on courts that we need a statement of purpose that more clearly addresses those issues.

Below are possible new purposes that I have formulated from my personal experiences. I have been fortunate to have taught ICM’s “Purposes and Responsibilities” course with Dean Friesen three times. That has helped immensely to focus my thinking about possible additions. I have also taught the course several more times and found that, when we come to the discussion of purposes, nearly every class comes up with the “but what about?” question. For example, “Where do these purposes encompass juvenile abuse and neglect cases?” And finally, after 40 years in this field, I have seen firsthand the broadening public expectations of courts, as well as the upsurge of certain societal trends or emphases that bring to the fore new possibilities for purposes.

Examples should illustrate what I mean. More than 45 years ago, when Friesen began his quest for a list of purposes, there were no therapeutic, specialty, or problem-solving courts in the United States. Dade County, Florida, is generally recognized as having established the first such court, its drug court, in 1989. The still-accelerating growth of specialty courts

since that time is undeniable, as courts have been pressed to find ways to deal with problems that other elements of society could not resolve. Yet there may be nothing in the traditional purposes that adequately covers the role of such courts.¹

In addition, in that era juvenile cases (both delinquency and dependency), their proceedings and impacts, seemed to be of limited concern nationally. To be sure, there were vocal advocates for improvements in the juvenile justice sector in the 1970s, but those cases were treated as the second-class citizens of the justice system. Indeed, until somewhat recently, the majority of judges tended to view an assignment to the juvenile bench as a task to be endured, not celebrated. But today we have many, many judges whose real passion is the juvenile system, believing that the juvenile bench is where one can do the most good for society. More importantly, the causes and effects of juvenile delinquency and the impact of high rates of detention on juveniles have become a significant focus of courts across the country. And the concern for and attention to cases of abuse and neglect and the impact on the lives of children, families, and society now occupies center stage in many jurisdictions, as should have been the case long ago.

Another example: One could argue that it was not until the early 1990s that we in the courts embraced the idea that courts needed to be fully accountable to the other branches and to the public for their functions and costs; that transparency was essential

to accountability; and that ivory towers could no longer be the courts' refuge. So, while accountability and transparency may not truly be a court purpose, there is nothing within the traditional purposes that could be stretched to include the concept that accountability to the public for use of resources is part of the fundamental purposes of courts.

Here then are my proposals for three additional purposes of courts.

To protect individuals and society from the abusive use of power

While I know that this purpose is quite close to Friesen's fourth purpose — *to protect against the arbitrary use of government power* — I propose this addition for its broader concept.

That original purpose was intended, in large part, to reflect the concerns of the Founding Fathers and their predecessors that history (especially European) showed that monarchies were very effective at exerting control over the lives of their subjects, for example, arbitrarily detaining them, controlling or manipulating the adjudicatory process, and creating laws with retroactive effect. History's answer to those abuses, going back at least to the Magna Carta, was the creation of concepts like *habeas corpus*, due process, and prohibition of *ex post facto* laws. Protecting the citizenry from the government was certainly a significant aspect of our revolution against England.

The most frequently cited example of the modern-day misuse of

government power has been the use of eminent domain to seize private property. Reflecting on more vivid examples, I would include such things as law enforcement's overreactions against peaceful demonstrations, to say nothing of discriminatory enforcement practices and the IRS's, the FBI's, or the NSA's overreach in targeting individuals, corporations, or segments of the population for selective scrutiny or enforcement. Clearly, we are well past the days when eminent-domain actions were the best example we could offer as possible abuses of government's power.

But there is no purpose among the original ones that captures the courts' role in protecting the public from the powerful segments, corporate entities, and individuals of the private sector. In today's world, I believe we need such a purpose statement. Under the potential abuse of power by the private sector, I would include corporate behaviors such as land grabs to secure oil, gas, water, or mining rights; actions that appear to disregard the public's safety, like the behaviors that produced the Love Canal fiasco or the Superfund sites that are still being fought over; basic corporate bullying of private individuals who cannot match corporate funds to support legal actions; and, most recently, predatory pricing practices for things like essential but rare medications.

To provide appropriate services to aid "at-risk" children and their families while safeguarding the community

This statement tries to capture in a short phrase, for consistency with the traditional purposes, the full spectrum

¹ It may be argued that they fall under the rehabilitative purpose, but that concept was not part of the original discussion of that purpose. Indeed, it could be said that, with mandatory sentencing laws and changes in societal views over the last five decades, the rehabilitative purpose has become deemphasized, overwhelmed by societal emphasis on punishment.

of the work of our juvenile courts and juvenile justice system. While it is hard to encapsulate the scope of juvenile court work in a succinct statement, there can be no doubt that, as recently as 25 years ago (maybe less), juvenile dependency and neglect, delinquency, and detention were still relatively modest blips on the radar screens of most court leaders. It is clear today that the focus on the issues of children and their families and how courts should deal with them has become far more intense than it was. We seem finally to have recognized that better alternatives for dealing with such problems result in less future involvement in the justice system. It is time to acknowledge the importance of what we do by giving that field its own “modern” purpose.

To demonstrate accountability for the effective, efficient use of public resources

I arrived at this purpose by working through the implications of the accountability/transparency concept on what courts should do. In teaching the purposes and responsibilities, I describe accountability and transparency as the means of demonstrating the court’s responsibility for its own operations and use of public resources. I further describe the three concepts—accountability, transparency, and responsibility—as essential to sustaining the independence of the court, forming a shield that protects that independence. But I struggled with a purpose statement, such as “to maintain the independence of the branch,” which really is a concept much different than those in the original purposes. Those “originals” really speak to outputs, if you will,

that courts provide to the public, while maintaining independence seems to be more about self-preservation. I believe that independence is a by-product of accomplishing all our purposes effectively and efficiently, but it is of such importance that it needs addressing.

It seems clear that it was not until the early 1990s that we in the courts broadly embraced the ideas that courts needed to be fully accountable for their effectiveness and efficiency to the other branches and to the public; that transparency was essential to accountability; and that ivory towers could no longer be the courts’ refuge. I cannot read into the original purposes anything that addresses this concept. So the above proposal attempts to capture the idea as the most basic building block supporting the independence of the branch.

So I offer these concepts for consideration as new purposes to be added to the eight we have from Ernie Friesen. My hope is that this article will start the discussion aimed to produce consensus around possible additions to those original purposes.²

I do not doubt that there are people reading this who strongly disagree with at least some of my perspective. But that’s okay. As firmly as I may hold to my conceptualizations, I am really just trying to stimulate informed discussion on an important topic for our field. We need to keep the purposes vivid and alive as courts try to meet the myriad challenges they face today. If we do not make an effort to update the traditional purposes, people may see

them as more and more distant from their understanding of what courts should be about today. If we lose focus on the foundation for independence, accountability, and responsibility that they provide, we may put the public’s trust and confidence at risk. We must avoid that consequence.

ABOUT THE AUTHOR

Kent Batty began his career in the courts working for the Colorado Judicial Department in 1975. Following a career that spanned more than 40 years, he retired from the Pima County (Arizona) Superior Court in September 2016.

² I want to thank Dean Friesen for sharing his thoughts on an early draft of this article and Gabe Goltz, of the Arizona Administrative Office of the Courts, for his comments on a later version. Both helped me develop my thoughts more thoroughly.



Interpreter Compensation in the Courts: A Descriptive Study

Robert Joe Lee and Francis W. Hoerber

Overview: The Framework of Interpreters' Compensation

It is indisputable that people cannot receive a fair hearing in court if they cannot understand what is being said or make themselves understood. Persons with limited English proficiency (LEP) who are involved in court proceedings must be provided a competent interpreter if they are to have access to the courts equal to that of English speakers. This is a matter of simple justice. It is also a matter of good court administration.

The Conference of State Court Administrators (COSCA 2007), the Conference of Chief Justices (CCJ 2008), and the American Bar Association (ABA 2012) have reached a consensus on the broad elements involved in implementing those principles. In addition, in recent years the U.S. Department of Justice (USDOJ) has vigorously implemented and enforced Executive Order 13166 issued by President Bill Clinton on August 11, 2000. This initiative asserts that providing adequate interpreting services for LEP individuals is an extension of the Civil Rights Act of 1964. USDOJ has

taken the position that the Act requires courts receiving federal assistance to provide interpreting services to LEP court users at no cost, regardless of case type or ability to pay (2010).

The costs of maintaining an adequate supply of qualified interpreters pose a significant challenge for the nation's courts. The factors driving the increasing costs include:

- the growing number of LEP persons appearing in the courts;
- the increasing volume and diversity of languages spoken by

LEP persons for which qualified interpreters must be found;

- the expansion of case types for which interpreting services are being provided; and
- the growing recognition that some current pay rates are inadequate to attract and maintain a sufficient pool of qualified interpreters.

Where does a court's director of human resources go to find data regarding career paths and compensation packages when creating new staff interpreter positions or evaluating the adequacy of compensation levels? Where do managers of court-interpreting services find detailed information about how other courts compensate contract interpreters so they can develop well-informed policies to attract and maintain an adequate pool of qualified contract interpreters? Where do bilingual individuals contemplating career options find information to evaluate the prospects for making a living and enjoying a rewarding career as a court interpreter?

This article addresses a heretofore neglected element that is central to the ability of court administrators to sustain the professional status of court interpreters: interpreter compensation. Its aim is to provide a comprehensive description of compensation practices in the courts of the United States, not prescribe or recommend what specific levels of compensation should be. It documents the ways the nation's courts compensate interpreters and reveals the wide range and diversity of practices. Using the time frame of July-December

2013, it provides a baseline of data that will establish a milestone in the evolution of the profession, support court administrators managing interpreting services, and make detailed information available to persons contemplating a career in the field.

This study focuses on the two types of spoken-language interpreters (sign-language interpreters are not included¹) for which courts develop policies regarding compensation. These are the interpreters who deliver the vast majority of interpreting services in the nation's trial courts. For purposes of consistency in this article they may be defined as follows:

- *Contract Interpreters:* These individuals are independent contractors, not employees, who are retained on an as-needed basis by a court for one or more specific proceedings or a specific period of time. They are paid a professional fee based on some unit of time and may be reimbursed for some out-of-pocket costs.
- *Staff Interpreters:* These are individuals who are full-time employees of the court system (part-time staff are not included in this study). Their employment is governed by the personnel regulations of the jurisdiction and their compensation typically includes base salary, as well as the dollar value of fringe benefits.

After describing the methodology followed in collecting and analyzing the data, a brief description is provided of the five types of courts included in the study. Then there are two sections of

findings, one for contract interpreters and another for staff interpreters. The study concludes with a discussion of the major findings and suggestions for how administrators may use the data.

This article is complemented by the authors' United States Court Interpreter Compensation Database (2014; referred to hereinafter as the Database), which has been posted at <http://www.courtinterpretingresearch.com>. The Database includes an introduction and tables arranged in chapters for each type of court. Each chapter is organized alphabetically by jurisdiction. This resource also provides many tables of aggregated as well as listed data, such as entry-level salary ranges ranked from highest to lowest, to permit ready access to more statistics than can be included in this article.

Data Collection

This study is based on data sought from all jurisdictions, not a sample of courts. First, all federal and state court administrative offices were contacted to determine whether they had any federal- or state-employed staff interpreters or policy regarding compensating contract interpreters as of December 31, 2013.² The officials initially contacted were a manager at the Administrative Office of the United States Courts (AOUSC) and each state's contact person identified in the directory of language-access-program managers maintained by the Language Access Services Section (LASS) at the National Center for State Courts (NCSC).

¹ The study also does not include ad hoc contract interpreters engaged outside any rate structure determined by court policies or interpreters who work through commercial agencies.

² The term "state" includes the District of Columbia and Puerto Rico.

Second, a concerted effort was made to identify every other court in the nation that had one or more staff interpreters as of the same date. Each state official mentioned above was asked to identify all levels of courts within their jurisdictions known to have staff interpreters employed at county and city/municipal levels. In addition, many county and city/municipal courts with staff interpreters unknown to state program managers were located by reviewing the websites of, or making phone calls to, courts located in areas with significant LEP populations. Each court below the state level that had any staff interpreters was also asked to provide any policy it might have with respect to contract interpreter compensation.

For respondents who had any kind of policy or guidance regarding contract-interpreter compensation, copies were collected and all features of compensation and reimbursement were identified and analyzed. As to staff interpreters, specific variables were requested. The first variable is the number of hours in the court's official workweek for full-time employees. To make valid comparisons of salary data, one must control for the number of hours. For example, an employee who earns \$50,000/year at 35 hours per week makes \$27.47/hour. However, an employee who is paid the same annual salary but works 40 hours per week is paid \$24.04/hour.

The second variable is job titles. Job titles are typically determined by classification and compensation units in a department of human

resources. While job titles per se are not necessarily tied to compensation, levels of job titles are indeed connected to compensation; any jurisdiction that has more than one level will pay more to interpreters in the higher levels.³ All job titles out of which employees deliver interpreting services were classified into one of four levels:

- trainee (interpreters who are not yet certified or who are in a probationary status);
- journeyman (interpreters who are certified at the basic or, in many jurisdictions, only level of certification);
- master (interpreters whose expertise has been tested at a level beyond that of journeyman); and
- manager (persons with additional duties beyond interpreting, such as coordinating contract interpreters, developing interpreting resources, or supervising staff interpreters).

The first three sets of titles are limited to delivering interpreting services, while the fourth adds a second set of duties, namely, coordinating, managing, or supervising the delivery of interpreting services. The first three levels are distinguished by levels of performance as determined by testing.

To calculate the total value of compensation, the cost of fringe benefits was collected. This can include matters such as employer contributions to an employee's pension, health insurance, various forms of leave time, and other benefits that have an economic cost to the employer.

The final variable is salary structure. In most instances, employees are paid within a range where there is a minimum and a maximum for each level of position. However, many jurisdictions do not have a range that includes a maximum; in others, there is no range with a minimum or a maximum — just the position's salary in a given fiscal year.

To generate salary information that would permit valid comparisons across disparate types of courts, the lowest minimum salary and, if any, the highest maximum salary for each level of position formed the basis of analysis. In addition, when a district had employees assigned to locations in different locality pay zones (e.g., in the U.S. District Courts [USDCs] of Arizona, California-Eastern, and Texas-Southern), the bottom of the range for the locality pay zone with the lowest starting salary and the top of the range for the locality pay zone with the highest salary at the top of the range were used. Finally, all compensation amounts were rounded to the nearest dollar.

Most respondents were contacted by email. Follow-up communications ensued when additional information or clarification was needed. A uniform format was used to create a page of data for each jurisdiction. Each respondent was sent his or her jurisdiction's page for verification.

The Diverse Courts that Use Interpreters

Given the diversity of the nation's court systems, this study groups courts into five types for purposes of analysis.

³ Accordingly, the findings regarding job titles themselves are not reported in this article, but are available in the Database. Likewise, collecting and analyzing staff interpreter job descriptions was beyond the scope of this study. However, the URLs for any job descriptions that were found to be available online are reported in the Database.



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1. Federal Courts

The Department of Program Services (DPS) of the Administrative Office of the United States Courts (AOUSC) provides general oversight of and support for the USDCs. In addition, the AOUSC also periodically issues a schedule of maximum fees the USDCs are authorized to pay contract interpreters.

Twenty of the 94 federal districts have one or more staff interpreters, who are employees of the clerk of court (AOUSC 2014, 29). Most of these courts provided partial or complete data regarding their staff interpreters. While the federal judiciary has issued salary ranges for its employees, the actual determination of the need for staff interpreters, the designation of their titles and pay ranges, and how they are organized and supervised are left up to each individual district. Requests for new positions, which follow established criteria used to document workload, originate in a particular district court and are submitted to the Committee on Judicial Resources of the Judicial Conference of the United States. “New staff interpreter positions are authorized by the Judicial Conference of the United States, upon recommendation of its Committee on Judicial Resources” (AOUSC 2011, §310.10.20) and are recruited and filled when Congress appropriates the corresponding funding.

2. State AOCs

Every court system in the United States has a central office that administers it. Most of them are called “administrative office of the courts” (AOC), but several have other titles such as office of court administration, office of the state courts administrator,

judicial department, office of the executive secretary, and so on. Forty-nine of the 50 state judiciaries, as well as the District of Columbia and the Commonwealth of Puerto Rico, provided partial or complete responses.

3. The Superior Court of California

In this study, the California judiciary is treated separately for three reasons. First, the California court system has the highest level of demand for interpreting services and spends the most on interpreting services: \$92,471,280 in FY2013-2014 (Judicial Council of California 2015, 1). Its sheer size relative to other state judiciaries warrants treating it separately.

Second, until 2000, the costs of the trial courts in California were the responsibility of the counties, and their employees were county employees. When the Trial Court Employment Protection and Governance Act passed in 2000, such employees ceased being county employees and were made employees of the trial courts of the Superior Court of California, which, although they are funded by the state legislature and the funds are channeled through the Judicial Council of California, does not make them state employees.⁴ This means there are 58 trial court systems, one for each of the state’s 58 counties, and they are designated “Superior Court of California, X County.” The only employees of the judicial branch who are state employees in the usual sense are staff of the supreme court, the appellate courts, and the California AOC. In essence, the California courts are like state courts in some respects and like county courts in others, but are actually neither.

Third, the Trial Court Interpreter Employment and Labor Relations Act, adopted in 2002, introduced a feature that pertains only to court interpreters. It established how conditions of employment of staff court interpreters are determined. Most (33) of the 58 trial court systems employ one or more staff interpreters. Data were obtained from the memoranda of understanding from each of the four regions, which accounts for 56 of the counties, as well as from the two counties that are not included in that collective-bargaining framework.

4. County Courts

These courts appear in those states where county courts are either the highest level of trial court or stand in addition to state-level trial courts. Thirty-eight such courts participated in the study and are distributed among a dozen states as follows: Arizona (5), Colorado (1), Florida (1), Georgia (1), Idaho (3), Illinois (7), Nevada (1), Pennsylvania (7), Tennessee (1), Texas (6), Washington (4), and Wisconsin (1).

5. City/Municipal Courts

Seventeen such courts were identified and are located in five states: Arizona (7), New Jersey (4), Ohio (2), Texas (3), and Washington (1). These courts are not included in this article since so few of them were found to meet the study’s criteria for inclusion, but the data collected from these courts are reported in the Database.

Compensation Policies for Contract Interpreters

Policies Regarding Compensation for Professional Services

Most jurisdictions have some kind of written policy on compensating contract interpreters. Both the AOUSC

⁴ See Soderborg 2011 for a very helpful discussion of this legislation.

Table A: Written Policy by Type of Court

Jurisdiction	Number of Courts for Each Type of Written Policy			
	Published Specific Rate Structure	Published Maximum Rates Courts May Not Exceed	Published Guidelines for Courts to Follow	Use Agencies Only
AOUSC/USDCs	1	0	0	0
States	22	4	4	3
California Superior Court	1	0	0	0
County	16	0	0	1
TOTALS	40	4	4	4

and the Judicial Council of California have a published policy, as do 28 other state judiciaries. Three other states (Illinois, Rhode Island, and Vermont) report they would be developing a policy soon, which would bring the total number of states with a policy to 32. At the county level, 16 of the 23 county courts responding have a policy.

There are four basic ways courts handle contract interpreter policies. The majority have promulgated a court-determined rate structure, the elements of which vary from jurisdiction to jurisdiction (see the next section). A few courts have taken one of three other approaches: publishing a *maximum rate* or *set of rates* that the trial courts may not exceed (Florida, Montana, Oklahoma, and Wyoming), providing *suggested rates* for courts to follow but which are not mandatory (Idaho, Nevada, and Virginia), and using agencies for all contract-interpreting needs instead of contracting directly with individual contract interpreters, in which case there is no need for rates (Arkansas, Connecticut, New Hampshire, and the 1st Judicial District of Pennsylvania). One court system (Missouri) has guidelines that

provide a framework for many aspects of purchasing services from contract interpreters, but it does not include any recommended rates. The specific types of written policies per type of court are depicted in Table A.

Jurisdictions structure rate policies in three different ways with respect to interpreter qualifications. First, the AOUSC, 23 states, the Superior Court of California, and four county courts have different rates *based on whether interpreters are or are not certified*, i.e., one rate for interpreters who are certified and another for uncertified interpreters. Second, most jurisdictions (the AOUSC, 22 states, the Superior Court of California, and 11 county courts) *pay contract interpreters in all languages the same*. However, six states and five counties have different rates based on the language interpreted. Finally, eight states and two county courts have differing rates depending on the interpreter's *certification level*, as most jurisdictions do not have more than one level of certification.

The next issue to consider is how rate policies structure the time for which contract interpreters are

compensated (Table B). The format taken by the largest number of courts is a *flat hourly rate*, with half of those 30 jurisdictions including a two-hour minimum and the other half no minimum number of hours that must be paid. The second largest set of courts follows the example set by the AOUSC, which provides two flat rates of compensation: half-day and full-day. A contract interpreter is paid the half-day rate for any amount of work less than half a day and the full-day rate for any amount of work above a half-day up to a full-day. Two jurisdictions prorate the minimum at *15-minute intervals* for time beyond the first hour (Arkansas) or for time beyond two hours (Pima County, Arizona).

All of the court systems that have promulgated rates have a rate for certified interpreters and most also have a rate for uncertified interpreters. All rate structures have been converted to hourly rates to permit comparisons. The range of compensation for certified interpreters across the four types of court systems is from a low of \$16/hour to a high of \$63/hour, an astonishing nearly fourfold difference. The range in rates for uncertified interpreters is equally extreme: \$10/hour to \$40/hour.

Policies as to Ancillary Aspects of Compensation

The rates cited in Table C are used for appearances by contract interpreters when delivering on-site interpreting services in the trial courts. These assume the normal workday or a portion thereof. Some jurisdictions have established additional rates for other dimensions of delivering professional services, which are listed in Table D according to descending order of frequency.

Table B: Rate Structures

Jurisdiction	Number of Jurisdictions by Type of Rate Structure			
	Hourly Rate with a Minimum # of Hours	Flat Hourly Rate with Hourly Increments & No Minimum # of Hours	Half-Day/ Full-Day	Hourly Rate with Increments of Less Than an Hour
AOUSC/USDCs	0	0	1	0
States	9	7	5	1
California Superior Court	0	0	1	0
County	6	8	2	1
Total	15	15	9	2

Table C: Hourly Rates Paid

Jurisdiction	Certified				Uncertified			
	Min	Max	Mean	Median	Min	Max	Mean	Median
AOUSC/USDCs	\$49	\$49	\$49	\$49	\$23	\$23	\$23	\$23
State	25	63	43	40	10	40	27	25
California Superior Court	35	35	35	35	22	22	22	22
County	16	50	37	35	23*	40	31	25

* On the face of it, this appears to be incorrect as the minimum rate for uncertified interpreters would be expected to be less than the minimum rate for certified interpreters. These numbers are accurate, and the cause of the seeming mistake is that the county with the \$16/hour rate for certified interpreters does not have a corresponding rate for uncertified interpreters.

Table D: Distribution of Policies for Ancillary Aspects of Compensation for Contract Interpreters

Item Compensated (Ranked from Most to Least Used)	Number of Jurisdictions Providing Compensation for the Item			
	AOUSC/USDCs	States	California Sup. Ct.	County
Cancellation policy (clarifies whether and, if so, how much, if any, compensation will be paid when interpreting assignments are canceled)	1	14	1	3
Travel time	1 ^a	12	0 ^b	3
Time worked beyond the normal workday or outside normal work hours	1	4	0 ^c	3
Telephone interpreting (delivering interpreting services by telephone)	0	2	0	3
Preparation time (time spent mastering specialized vocabulary or preparing for unique proceedings)	0	3	0	1
Extra compensation for working in more than one language in addition to English on the same day	0	1	1	1
Waiting time (time spent waiting at court before the case is called or between cases)	0	2	0	1

^a Compensation for travel time is provided only when traveling beyond the local commuting distance on the day before or the day after a contracted interpreting assignment.

^b But the policy allows interpreters and trial courts to negotiate travel time "in unusual circumstances."

^c The policy defines a "half-day session" to include a night session, but not for the continuation of an afternoon session.

Table E: Distribution of Policies for Reimbursement Among Jurisdictions

Item Compensated (Ranked from Most Frequently Appearing in Policies to Least Used)	Number of Jurisdictions Providing Compensation for the Item			
	AOUSC/ USDCs	States	California Sup. Ct.	County
Mileage	1	25	1	4
Per diem	1	13	0	1
Lodging	1	11	0	1
Public Transportation	1	8	0*	1
Parking	0	6	0	1
Tolls	0	1	0	1

* "Extraordinary travel costs such as airfare may be reimbursed only with advanced approval."

Table F: Distribution of Levels of Positions

Employing Jurisdiction	Number of Jurisdictions with Each Level			
	Trainee	Journeyman	Master	Manager
USDC*	0	13 districts	0	18 districts
State	4 states	18 states	2 states	13 states
California Superior Court	0	32 counties	0	5 counties
County	4 counties	31 counties	1 county	13 counties

* Districts with a single staff interpreter with responsibilities for coordinating the service are included under "Manager."

Reimbursement Policies for Interpreters' Expenses

Generally, some out-of-pocket expenses — costs attendant to delivering professional services—are reimbursed. In some courts, such reimbursements are negotiated on a case-by-case basis and are not specified in a written policy. But for those jurisdictions that have specified in writing what they do and do not cover, Table E identifies what they report. Again, these features are listed in descending order of use.

The item most frequently reimbursed is mileage, although the rates vary considerably from \$0.31/mile to \$0.565/mile, averaging \$0.51/mile. Most courts pay the rate set by the

U.S. General Services Administration (which was \$0.565/mile in 2013). Another common feature in several policies provides that mileage is payable only for those miles that exceed what is deemed to be an average commute (e.g., 60 miles round-trip for New Jersey and 50 miles round-trip for the USDC, New York Southern District).

With respect to provisions for per diem, lodging, and public transportation reimbursement, these typically involve situations where the contract interpreter must travel from a distance for a trial. The amounts eligible for reimbursement for per diems are usually fixed for each of three meals per day.

Compensation Policies for Staff Interpreters

States with Full-time Staff Interpreter Positions

At least one staff interpreter is employed in about 60 percent of states. States with staff interpreters tend to be those with substantial LEP populations. Thirteen states with the largest LEP populations have such positions. Indiana, Maryland, and Michigan, however, each of which has an LEP population exceeding 500,000 persons (Ryan 2011), have none. The states where there is not a single staff interpreter tend to have small LEP populations.

Table G: Percentage of Salary for Fringe

Employing Jurisdiction	Low	High	Mean	Median
USDC	26.00	36.25	35.68	36.25
State	15.86	73.57	37.33	34.32
California Superior Court	30.00	32.50	32.08	32.50
County	19.26	58.00	36.09	35.00

Position Levels

Career progression paths for staff interpreters are rare, with the only path to advancement in most jurisdictions being moving into a management position—and many jurisdictions do not even have a management position for interpreters (Table F). Only one court system (New Jersey) has all four levels.

Workweek

Three official workweeks are documented in the nation's courts: 40 hours (2,080 hours/year), 37.5 hours (1,950 hours/year), and 35 hours (1,820 hours/year). Over 70 percent of each of the five court types have a 40-hour week. The 35-hour workweek is the second most common, and the 37.5-hour workweek the least common.

Fringe Benefits

The vast majority of jurisdictions reporting how fringe benefits are calculated do so using a percentage of base salary. Hence, if a base salary is \$50,000 and fringe is 10 percent, the total cost to the employer and the total value to the employee for that position is \$55,000. Fringe benefits range widely across jurisdictions, but the means and medians are very similar.

The greatest ranges are among the states (from 15.86 percent in Oregon to 73.57 percent in Connecticut) and counties (19.26 percent to 58.00 percent). A few jurisdictions treat fringe as a flat dollar amount (e.g., \$15,000) instead of as a percentage and are, therefore, not included in Table G.

Salary Ranges

Information regarding the minimum and maximum of salary ranges is reported for two of the four types of positions: journeyman and manager. Data for the other two position types—trainee and master—are not reported here since there are so few such positions nationwide, although they are available in the Database. Salaries are reported in two ways: base salary without fringe benefits and base salary plus the dollar value of fringe benefits. Salaries for job titles that are not purely interpreter titles (i.e., dual titles and titles with no interpreting component in the title) are excluded from these analyses, except for a few for which it could be determined that they actually involved interpreting duties only; however, the salaries not used in these analyses may be found in the Database.

Most jurisdictions have salary ranges that include a minimum and a

maximum. The remaining jurisdictions, however, fall into three groups. First, the federal courts have a minimum and a maximum with eight steps in between, and the Oregon Judicial Department has nine steps in between, a structure that has been abandoned by several states (e.g., Colorado and New Jersey). Second, in California, two of the four regions have a base salary with two additional levels, whereas the other two regions and the two counties exempt from the collective-bargaining framework have only a base salary. The rest—mostly at the county level—have a single salary level representing what the employee is being paid that year.

Several factors present challenges to comparing salary data. The first is that requirements for staff interpreter positions vary considerably. In the USDCs, the entry-level position requires certification by the AOUSC through the Federal Court Interpreter Certification Exam (FCICE), which is the highest standard of all court-interpreter-certification exams. Jurisdictions that rely on the battery of exams provided by NCSC know that those tests are the same regardless of which state uses them, so that standard is the same across states. That standard is somewhat lower than the FCICE exam. At least

Table H: Salaries of Journeyman-Level Positions (without Fringe)

Employing Jurisdiction	Minimum Hourly Salary				Maximum Hourly Salary			
	Low	High	Mean	Median	Low	High	Mean	Median
USDC*	28	52	44	48	52	69	64	64
State	16	36	23	21	26	48	35	32
California Superior Court	32	35	34	34	35	36	36	36
County	15	29	22	21	24	38	31	32

Table I: Salaries of Journeyman-Level Positions (with Fringe)

Employing Jurisdiction	Minimum Hourly Salary				Maximum Hourly Salary			
	Low	High	Mean	Median	Low	High	Mean	Median
USDC	38	71	59	66	66	94	86	88
State	22	51	34	30	33	73	49	48
California Superior Court	43	47	45	45	47	48	47	47
County	21	45	30	28	31	53	41	41

Table J: Salaries of Manager Positions (without Fringe)

Employing Jurisdiction	Minimum Hourly Salary				Maximum Hourly Salary			
	Low	High	Mean	Median	Low	High	Mean	Median
USDC	46	64	54	54	60	75	69	70
State	21	51	30	27	32	66	45	41
California Superior Court	30	39	33	32	39	60	47	42
County	17	33	24	22	24	49	35	34

Table K: Salaries of Manager Positions (with Fringe)

Employing Jurisdiction	Minimum Hourly Salary				Maximum Hourly Salary			
	Low	High	Mean	Median	Low	High	Mean	Median
USDC	63	87	74	73	82	102	94	95
State	26	63	40	38	40	86	62	56
California Superior Court	39	50	43	42	51	78	61	55
County	25	48	33	32	34	61	48	50

one state (New York) uses its own exam, whose comparability to other exams has not been established, and Texas uses the same NCSC exams as most states but designates its levels at a lower threshold than the other states.

Another impediment is the use by several jurisdictions of dual titles, which are positions into which two separate and unrelated job descriptions are combined. These titles are used when a jurisdiction does not have enough workload to warrant a full-time interpreter but wants to have a full-time employee available when the need arises. Examples of such titles include interpreter/jury clerk, senior court interpreter/law librarian, interpreter/social worker, court interpreter/grand jury bailiff, assistant court clerk/interpreter, certified court interpreter/court bailiff. Salaries of such positions cannot be incorporated in analyses of staff interpreter salaries for two reasons: First, the amount of time such employees devote to interpreting is unknown, and, second, the two positions involved may be worth different rates of compensation (e.g., the interpreter may be valued at a professional level and the other position may be valued at a paraprofessional or even clerical level).

The last limiting factor in analyzing salaries of staff interpreters is that

some employees who interpret are in titles for non-interpreting positions. Examples include entry-level titles of deputy clerk, judicial assistant, clerk I (bilingual), and assistant court clerk, and a managerial title of court services supervisor 2. All such employees are credentialed court interpreters, but the interpreting function is not reflected in the job title.

The data reported in Tables H-K yield the following major findings:

1. The compensation of journeyman and managerial staff interpreters correlates with the level of government in which a position appears. The highest rates are paid in the federal courts, and the lowest rates are paid at the county level. The variation in the minimum salary (fringe benefits excluded) for journeyman-level positions across the five types of jurisdictions is \$14-\$24/hour at all levels, except for California where the range is only \$3/hour. When fringe benefits are included, the range for journeyman-level positions is even greater (again, except for California): \$16-\$33/hour.
2. The largest variation in minimum salaries within a category of courts appears in the USDCs: \$24/hour. This is due primarily to the fact that these courts employ journeyman-

level staff interpreters at several different grades.

3. The variation of the base salary (fringe benefits excluded) a journeyman-level court interpreter can make is \$5/hour to \$69/hour; with fringe benefits included, that variation is \$20/hour to \$94/hour.
4. The variation of the base salary (excluding fringe benefits) a managing court interpreter can make is \$17/hour to \$75/hour; with fringe benefits included, that range is \$25/hour to \$102/hour.⁵

Other Pay Factors

Two jurisdictions have additional interesting features regarding staff interpreter compensation. First, the federal judiciary's compensation program "consists of base pay plus a locality pay" (U.S. Courts 2016). In the Judicial Salary Plan, a percentage is assigned to metropolitan areas to reduce the differential impact of varying rates of cost of living. In 2013 that percentage adds to the base salary a low of 14.16 percent in seven of the districts with staff interpreters to a high of 35.15 percent in the Northern District of California (San Francisco).

Second, the New York State Unified Court System has two pertinent provisions. Two regions also receive "location pay." An additional \$3,696/year is paid to employees in the five

⁵ Data are not included for manager positions in Tables J and K because only six courts would have appeared in Table J and 4 in Table K.

boroughs of New York City, and \$1,848/year is paid to employees in seven high-cost counties near New York. In addition, New York pays longevity bonuses above and beyond base pay as follows: \$1,900 in the 20th year, \$2,000 in the 25th year, and \$2,100 in the 30th year.

Conclusions

This article details the nation's courts' compensation policies for contract and staff interpreters, revealing the considerable variation in compensation for both. The range of compensation for certified contract interpreters across the four types of court systems is \$16/hour to \$63/hour, and the range for journeyman staff interpreters is from \$15/hour to \$69/hour. While it is not surprising that there is a declining rate of compensation for substantially identical work down the hierarchy of the nation's court system from the federal through state to county courts, the lack of comparable rates of compensation and the great range of practices and policies within each level of court is striking. Other market forces being equal, it seems at least possible that such disparities result in advantages to higher-paying jurisdictions when competing for scarce interpreter resources and corresponding disadvantages for lower-paying jurisdictions. One might ask whether

these disparities affect the quality of service provided to LEP litigants if the best interpreters are drawn to the highest-paying jurisdictions while those less well qualified settle for the lower-paying jurisdictions.

The variation in interpreter compensation does not have to be as stark as it is. It is within the power of committed court managers to pay greater attention to the inequalities in interpreter compensation disclosed in this study by devising rational, jurisdiction-wide systems of compensation. It is likely that achieving such compensation reforms will require court administrators to engage judges and legislative bodies to allocate funding equitably.

Two of the court systems discussed in this paper—the U.S. District Courts and the Superior Court of California—demonstrate how different approaches result in different outcomes in compensation patterns. In the USDCs, there is no single, system-wide approach to setting the positions and compensation levels of interpreters performing substantially similar work. Individual district courts are permitted to devise their own interpreter-staffing plans. The result is widely disparate compensation of interpreters doing the same work in the same kind of courts. Even taking locality pay into

account, each USDC's free rein to plug interpreters doing the same work into disparate grades creates a situation of unequal compensation.

The Superior Court of California, on the other hand, has a complex but standardized system for compensating staff interpreters. This system was the result of court administrators confronting a combination of legislative initiatives and union organizing. The subsequent difficult negotiations resulted in a compensation system that is more evenhanded than many other courts and court systems. Achieving such a result, however, requires exercising significant managerial and political will.

Hopefully, this research effort provides data that will help court managers design and implement compensation practices that will enhance the judicial branch's ability to attract and retain competent interpreters so it can come closer to providing equal access for the nation's burgeoning LEP population. The anticipated results would include the following:

- a clear career path in a job band for staff interpreters with three levels—journeyman, master, and manager—and, if needed, the trainee level;
- ranges of compensation for staff interpreters within levels of courts that are less diverse, particularly

among jurisdictions that are geographically proximate to each other and are drawing on the same pool of applicants;

- levels of compensation for contract interpreters differentiated by level of certification at trainee, journeyman, and master levels;
- expansion of contract interpreter policies to include other aspects of compensation, especially for certain canceled assignments; and
- appropriate levels of reimbursement for out-of-pocket expenses incurred by contract interpreters.

Resources

Administrative Office of the United States Courts, Court Services Office (2014). *Federal Court Interpreter Orientation Manual and Glossary*. Washington, DC: Administrative Office of the United States Courts. Online at <http://www.uscourts.gov/file/federal-court-interpreter-orientation-manualpdf-0>.

— (2011). *Guide to Judiciary Policy*, Vol. 5, *Court Interpreting*. Washington, DC: Administrative Office of the United States Courts. Online at http://www.uscourts.gov/uscourts/FederalCourts/Publications/Guide_Vol05.pdf.

American Bar Association, Standing Committee on Legal Aid and Indigent Defendants (2012). *ABA Standards for Language Access in Courts*. Chicago: American Bar Association. Online at http://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_standards_for_language_access_proposal_authcheckdam.pdf.

Conference of Chief Justices (2008). “Resolution 7: In Support of Efforts to Ensure Adequate Court Interpretation Services.” Thirty-first midyear meeting, January 30. Online at <http://ccj.ncsc.org/~media/Microsites/Files/CCJ/Resolutions/01302008-In-Support-of-Efforts-to-Ensure-Adequate-Court-Interpretation-Services.ashx>.

Conference of State Court Administrators (2007). “White Paper on Court Interpretation: Fundamental to Access to Justice.” November. Online at <http://cosca.ncsc.org/~media/Microsites/Files/COSCA/Policy%20Papers/CourtInterpretation-FundamentalToAccessToJustice.ashx>.

“Improving Access to Services for Persons with Limited English Proficiency” (2000). Executive Order No. 13166, August 11; 65 *Federal Registry* 159 (August 16).

Judicial Council of California, Court Language Access Support Program (2105). “Trial Court Interpreters Program Expenditure Report for Fiscal Year 2013-2014: Report to the Legislature.” Judicial Council of California, San Francisco, February. Online at <http://www.courts.ca.gov/documents/tr-fy-2013-2014-Trial-Court-Interpreter-Expenditure.pdf>.

National Center for State Courts. “Language Access Programs by State.” Interactive map, Language Access Services Section. Online at <http://www.ncsc.org/Services-and-Experts/Areas-of-expertise/Language-access/Resources-for-Program-Managers/LAP-Map/Map.aspx>.

Ryan, C. (2013). *Language Use in the United States: 2011*. U.S. Department of Commerce, Economics and Statistics Administration, U.S. Census Bureau,

Washington, D.C., August. Online at <https://www.census.gov/prod/2013pubs/acs-22.pdf>.

Soderborg, R (2011). “Completing the Goals of Trial Court Alignment.” Legislative Analyst’s Office, Sacramento, Calif., September 28. Online at http://www.lao.ca.gov/reports/2011/crim/trial-court-realignment/Trial_Court_Realignment_092811.aspx.

Trial Court Employment Protection and Governance Act, 2000 Cal. Stat. 1010.

Trial Court Interpreter Employment and Labor Relations Act, 2002 Cal. Stat. 1047.

Lee, Robert Joe, and Francis W. Hoeber, eds. (2014). U.S. Court Interpreter Compensation Database. Court Interpreting Research, October. Online at <http://www.courtinterpretingresearch.com/compensation-database.html>.

U.S. Courts (2016). “Judicial Salary Plan Rates.” Online at <http://www.uscourts.gov/careers/compensation/judiciary-salary-plan-pay-rates>. Accessed on February 18, 2016.

U.S. Department of Justice, Civil Rights Division (2010). Letter to Chief Justices and State Court Administrators from Thomas E. Perez, Assistant Attorney General, August 16. Online at http://www.lep.gov/final_courts_ltr_081610.pdf.

Washington Administrative Office of the Courts (2013-15). “Washington State Judicial Branch 2013-2015 Biennial Budget Request Detailed Decision Package.” Online at [http://www.courts.wa.gov/content/Financial%20Services/documents/2013/DDP_ExpandInterpreterProgramFunding_R2.pdf#search=court interpreter reimbursement program](http://www.courts.wa.gov/content/Financial%20Services/documents/2013/DDP_ExpandInterpreterProgramFunding_R2.pdf#search=court%20interpreter%20reimbursement%20program).

ABOUT THE AUTHORS

Robert Joe Lee managed the language-access program of the New Jersey Judiciary from its inception in 1985 until retiring at the end of 2008. He was a cofounder of the Consortium for State Court Interpreter Certification, later renamed Consortium for Language Access in the Courts, serving on its Executive Committee and chairing its Technical Committee from its beginning in 1995 through 2008.

Francis W. Hoeber served as special assistant to the administrative director of the New Jersey courts and facilitated the New Jersey Supreme Court’s adoption of interpreting standards for all New Jersey courts. He currently works as a writer in Philadelphia.



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Courthouses tend to be one of the most highly visited government facilities. In addition to employees and judicial officers, courthouses are frequented by members of the public, jurors, and other justice partners who serve within the courthouse. In 2015

alone, the Orange County Superior Court had just over three million persons enter its facilities. The court, much like any other public or private entity, is not immune to emergency incidents. Residing in southern California, the Orange County courts face the typical natural hazards such

as earthquakes, fires, and floods. Man-made emergency incidents, including bomb threats, suspicious devices, active shooters, and acts of terrorism (physical and cyber), remain a constant threat to the court system. Forty percent of businesses do not reopen after a disaster, and another 25

percent fail within one year according to the Federal Emergency Management Agency (FEMA).¹ Although courthouses do not necessarily operate as private businesses, could they survive after a major disaster? Would the court have enough staff to ensure time-sensitive hearings are heard after such a disaster? In 2011 these questions were asked by the Orange County Superior Court. Like any public entity, the court sought to improve on its emergency preparedness, so when faced with these natural or man-made threats, it could keep its doors open for court hearings, filings, and other business.

Courthouses are unique in the large amount of professionally trained first responders on site when compared to other private or public facilities. Court security personnel are deployed throughout the courthouse, providing a variety of security services from courtroom bailiffs to weapons screening to detention services. Court security providers can vary across the nation and could comprise private contract agencies (with or without prior law-enforcement experience), the local sheriff's department, or a combination of the two. In Orange County, security is solely contracted through the Orange County Sheriff's Department. Though the sheriff's department is critical in responding and reacting to a variety of emergency incidents, court staff also need to be prepared to handle emergencies. Though the sheriff's department provides the initial defense and response to emergency incidents, what truly makes a court resilient is an entire court community, including staff, judges, and justice partners who are properly trained on how to respond to emergency incidents. The court's



Participants provide rescue for non-ambulatory victim in final simulation.

greatest resource has always been its staff. Without staff, the court could not function, and the judicial process on which our society relies would break down. The better the training employees receive, the more resilient the courthouse becomes.

Understanding the Need

The Emergency Response and Security Services (ERSS) unit of the Orange County Superior Court coordinates security, safety, emergency management, emergency preparedness, and Americans with Disabilities Act (ADA) compliance at all court facilities. In 2012 an initial survey was sent to court employees to understand their own safety and security concerns. Of those who responded (35 percent of all nonjudicial staff), the results showed that 79 percent of employees desired some form of emergency-preparedness training. Employees had been offered basic American Red Cross emergency-preparedness training but were seeking

more. Listening to someone lecture about preparedness was helpful, but staff were looking for hands-on training where they would be able to physically apply what they learned to hopefully save lives at work and at home.

The results of this survey demonstrated the desire for staff to get prepared. To that end, ERSS developed this hands-on training. When looking to develop emergency-preparedness training, ERSS sought not to just teach preparedness but also to empower employees to become active participants in their safety and security, both at home and at the courthouse. ERSS wanted to empower employees to take their own emergency preparedness seriously and to learn basic skills they could use to keep themselves safe in an emergency, as well as to assist other coworkers and members of the public if need be. Around the same time as the survey, the ERSS unit began revamping the court's emergency management

¹ Referenced from <http://www.fema.gov/protecting-your-businesses>, 2016.



First CERT graduation class for the court. The City of Seal Beach CERT team participated in the final disaster exercise by allowing the court to use their command vehicle.

structure and plans. This training would also serve as a venue for informing all levels of staff on what those plans contained and what aspects were pertinent and relevant to them.

Why CERT?

There are numerous emergency-preparedness-training programs. Some are offered through the American Red Cross (for example, Business Emergency Response Team—BERT), while most local police and fire agencies offer preparedness academies or simple presentations on how to become prepared. Ultimately, the court decided to use the national standard of FEMA's Community Emergency Response Team (CERT) training. The CERT concept was developed and implemented by the Los Angeles City Fire Department (LAFD) in 1985. The Whittier Narrows earthquake in 1987 underscored the area-wide threat of a major disaster in California. Further, it confirmed the need for training civilians to meet their immediate needs. CERT consists

of a 20-hour training with the goal of teaching ordinary citizens the basics of emergency preparedness and response. The rationale of CERT is that, in a major emergency, there simply are not enough professional responders to meet the needs of everyone. The training includes modules such as basic emergency preparedness, fire safety and suppression, disaster medical aid, medical triage, light search and rescue, incident command, disaster psychology, and terrorism awareness. There are currently over 2,600 registered CERT programs throughout the United States. When ERSS surveyed the court in 2012, 91 percent of survey respondents wanted to know how they should respond in an active-shooter incident at the courthouse. The topic of active-shooter preparedness and response was a key concern, so this curriculum was incorporated into the court's CERT program. The CERT training culminates in a full-scale disaster simulation at a courthouse with victims (using fake injuries and moulage) where

participants need to use management and response skills they have learned in their training to respond to a mass-casualty incident.

The court registered its program through FEMA and sent staff to appropriate training courses to conduct the training to FEMA standards. The court was fortunate that Orange County has a very active CERT community. In fact, Orange County contains the only CERT mutual-aid program between local municipalities in the nation. The court partnered with the Orange County CERT Mutual Aid Program (CMAP) to learn best practices on CERT training, identify resources within the county to assist with training, and borrow training supplies. The partnership with local CERT programs was the key element to the success of the court's CERT program. Subject-matter experts from law-enforcement and fire-department agencies assisted in the training development and served as guest instructors to teach

a majority of the CERT curriculum. Employees reported that they enjoyed hearing best practices from fire fighters, paramedics, law-enforcement officers, and psychologists on real incidents and what employees could expect.

Another benefit of teaching the CERT curriculum and registering the program with FEMA allowed for the court to receive emergency-response equipment and training aids through grants from the state of California. Backpacks with emergency supplies were distributed to court employees who graduated the 20-hour curriculum at no charge to the court. Using training equipment from local response agencies and finding volunteer speakers from these agencies helped keep a very low budget for the program.

The total cost for implementing the training (outside of staff time) was roughly \$300. After a few successful cohorts, the court invested in its own training equipment, such as a Bullex fire-training apparatus (\$6,000), medical triage/search-and-rescue gear (\$400), and rescue mannequins (\$800). Partnering with local emergency response agencies proved mutually beneficial, as these responders became aware of the court's emergency management structure, as well as response capabilities and physical layout of the court.

Selling and Implementing the Program

Implementing the court CERT program took over a year of development. For employees to be able to attend during work hours, it was critical that senior management not only support the program but also approve the curriculum as an official court course. The reality in an emergency situation is that a prepared employee

both at work and home is an employee who will be more likely to report to work after a disaster and will also be an employee who can be counted on in an emergency. The greater the number of prepared employees, the more likely the court will be able to ensure business continuity after an emergency. Presenting these benefits by attending various supervisor/manager meetings gave validity to the training program and the improved likelihood that supervisors would approve time off for employees who requested the training. The decision was made early in the program to allow justice partners and building tenants (for example, district attorney, probation, public defender) to attend the training. Although not court employees, these entities play a critical role in increasing the court's resilience and ensure the court is reflecting a whole-community concept in its attempt to increase resilience in the Orange County justice system.

The court CERT training program is broken down into five, four-hour training blocks as shown below.

Emergency Preparedness and Disaster Psychology

Identify what hazards (natural and man-made) could affect the court; develop an emergency plan for both work and home; identify materials needed for an emergency kit; understand initial steps to take in an emergency incident; understand the court's emergency management structure and response plan; review applicable court emergency plans; understand the trauma behind disasters both for the victim and responder; identify ways to provide basic mental-health care for victims during a disaster; and identify ways to cope when providing emergency response. This training block is taught by ERSS staff

and a psychologist with the Orange County Sheriff's Department-Regional Peer Support Group.

Disaster Medical Operations

Understand the difference between first-aid care in a disaster versus non-disaster setting; conduct medical triage, treat priority patients first, and perform head-to-toe assessments for injuries; understand the primary medical killers in a disaster; provide treatment for a variety of medical conditions; practice splinting and bandaging techniques; and organize and maintain a safe medical treatment area in an emergency. This training block is taught by the Orange County Fire Authority in Santa Ana.

Fire Safety and Search and Rescue

Understand the science behind fires and the multiple methods of extinguishing a fire; understand how to approach and extinguish small fires; extinguish a live fire using a fire extinguisher; conduct a building "size up" to determine if rescue is possible; understand basic structural assessment after an earthquake; use search-and-rescue skills to locate and extract wounded persons; identify safe and effective methods to carry a non-ambulatory person away from danger; and use common tools to leverage and move heavy objects when a person is trapped (aka, cribbing). This training block is taught by the Newport Beach Fire Department.

Terrorism Awareness, Active-Shooter Response, and the Incident Command System

Identify the role of a homeland security fusion center; understand the pre-incident indicators terrorist groups/individuals use; understand the history and trends in active-shooter response;

identify strategies and techniques to survive an active-shooter response in the courthouse; identify the mental-health impacts and treatment of those affected by active-shooter incidents; identify what the Incident Command System (ICS) is and how it is used during emergency incidents; and identify best practices when using ICS in a simulated emergency at the courthouse. This training block is taught by the Orange County Intelligence Assessment Center, Orange County Sheriff's Department—SWAT Unit, and ERSS.

Course Review and Disaster Simulation

Organize a class using ICS to provide response to a simulated earthquake; initiate rescue and medical care for victims trapped within a courthouse jury-assembly room; create scenario injects to test responders and command post personnel on what would be appropriate actions in this emergency; and perform class graduation. This simulation is conducted by ERSS staff. The court has also partnered with neighboring cities (e.g., City of Seal Beach) to use their command post for this final exercise.

What Does this Training Accomplish?

The court CERT training program has been a popular class since its inception. Since 2013, the court has graduated six cohorts, resulting in 140 prepared and trained court and justice-partner employees. At a time when the court budget was precarious, employees expressed gratitude that management provided training, which sought to prepare them not only at work, but at home, as well. Since the court taught the training to FEMA standards, participants are able to take their court CERT certification

and join local CERT programs in their community of residence to enhance and build upon their emergency-response skills. The Orange County Superior Court is the first courthouse in the nation to develop a CERT program. Through continued improvement and support, the court received the American Red Cross Disaster Preparedness Award in 2015 for the development and implementation of its court CERT program. Currently, the court runs a train-and-release program. This program provides the training to educate court staff so they are prepared to respond to emergencies at the courthouse and at home. There is no formal plan to mobilize a court CERT team following a disaster. Integrating CERT into the court's overall emergency planning is still being researched. and developing a formalized CERT program could be an option. One of the biggest requests ERSS hears from past graduates are ways to stay connected and continue learning. The practical skills they learn, such as conducting medical triage or performing search and rescue, are perishable skills. Joining their local CERT program where they live is an excellent way to maintain skills that they have learned. In addition, the Orange County Superior Court also integrates CERT graduates into disaster-simulation exercises and uses them to assist with other emergency-preparedness trainings or demonstrations.

What makes the program worthwhile is hearing graduates talk about how they used the skills they learned in real incidents. These situations have included assisting members of the public/fellow coworkers who are experiencing serious medical emergencies, assisting at the scene of a traffic accident before local responders arrived, and being able to provide

leadership in emergency situations at the court. Stories such as these show the true benefit of this training. In speaking with former graduates, a familiar word that is often mentioned is empowerment. The training has empowered graduates to take action, prepare themselves at work, prepare their families at home, and be that person who is willing to step up when professional responders are not available.

For more information regarding the Orange County Superior Court's CERT program, please contact Justin Mammen, emergency response and security services manager, jmammen@occourts.org. For more information on what CERT programs are and how to start a program, please visit the FEMA CERT homepage (<https://www.fema.gov/community-emergency-response-teams>).

ABOUT THE AUTHOR

Justin Mammen is emergency response and security services manager, Orange County Superior Court. He holds a master's degree in social work (MSW), is certified in emergency management (CEM), and is a master exercise practitioner (MEP).

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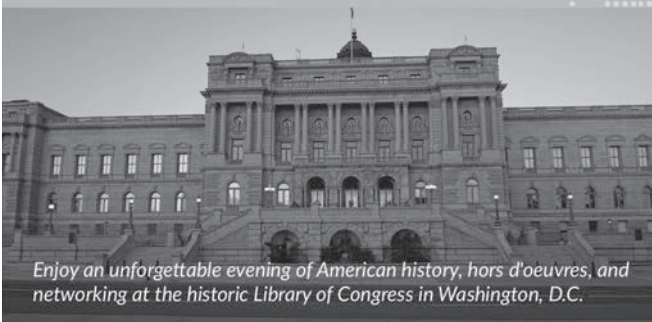
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Court Technology Talk — Understanding the Work of the Joint Technology Committee (JTC)

Danielle Fox and Jeffrey M. Tsunekawa

Court technology is recognized as an effective tool that can help improve judicial administration. However, while the identification and implementation of automated solutions to improve court operations and service delivery are becoming more prevalent, technology is still underutilized. The reasons for underutilization range from anxiety over the management of technology projects to the shift in culture frequently required for successful implementation of such projects.¹ Despite these reasons, the technology conversation within courts must continue. It is also important that, if necessary, courts shift their position in these conversations from one of observer to contributor and

preferably leader. When the requisite knowledge exists, courts are ultimately in the best position to identify and decide whether a proposed technology solution will enhance or impede their functions. As such, a level of technology capital must exist within the organization.

The pressure for court managers to incorporate technology as a means to offset budgetary shortfalls and improve their operations and service delivery underscores why technology knowledge is critical.² Without the requisite knowledge, the implementation of technology solutions will likely create additional challenges for the organization. Recognizing

that gaps exist in courts' technology assets, the Conference of State Court Administrators (COSCA) and National Association for Court Management (NACM), in collaboration with the Conference of Chief Justices (CCJ), National Center for State Courts (NCSC), local and state IT chiefs, and the vendor community, established the Joint Technology Committee (JTC). For the past 30 years, this committee has sought to further the discussion about court technology and support courts as they explore innovative ways to demonstrate their purposes and responsibilities.³ This article introduces readers to the JTC, including its members, goals, products, and communications strategy.

¹ National Association for Court Management, *A Guide to Technology Planning for Court Managers* (Williamsburg, VA: National Association for Court Management and National Center for State Courts, 2014).

² Chris Crawford, "Emerging Technology Trends that Will Transform Courts," in Carol R. Flango, Amy M. McDowell, Charles F. Campbell, and Neal B. Kauder (eds.), *Future Trends in State Courts 2011* (Williamsburg, VA: National Center for State Courts, 2011), pp. 19-22.

³ Tom Clarke, JTC video, <http://www.ncsc.org/About-us/Committees/Joint-Technology-Committee.aspx>.

Who Are JTC's Members?

The JTC consists of fourteen voting members appointed for three-year terms at staggered intervals by the COSCA president (five members), by the NACM president (five members), by the chair of Court Information Technology Officers Consortium, or CITOC (two members), and the NCSC president (two members). Presidents of COSCA and NACM each designate one of their appointed members as co-chairperson of JTC. The committee also has one *ex officio* nonvoting member appointed by the chair of the Integrated Justice Information Systems (IJIS) Institute Board of Directors.

JTC members meet in-person at least twice per year, while JTC leadership holds monthly conference calls.⁴ The leadership also conducts at least two face-to-face meetings per year in preparation for the in-person membership meetings held in conjunction with the COSCA midyear conference and the NACM annual conference. The meetings provide ongoing forums for the exchange of ideas and for continuing communications with members.⁵

What Are JTC's Goals?

As a court governance committee at the national level, JTC encourages courts to leverage technology to:

- Provide justice expeditiously, fairly and economically
- Interact with the public, justice organizations, employees, and the

private sector while balancing access, privacy and security

- Enhance access to justice
- Promote public trust and confidence⁶

In an effort to assist courts in achieving these goals, the committee advises court professionals on policies, programs, and activities that should be undertaken to improve business processes and practices. It develops technology standards and identifies ways that court processes and business practices have been improved through the use of those standards. Through its publications, webinars, and presentations, the committee informs and educates courts about technology solutions that are not only currently available but also on the horizon. Since courts are a member of the justice community and many of their systems and processes require a level of interconnectedness and interoperability, JTC promotes collaboration between the justice community and other stakeholders in developing and implementing effective technology solutions for state courts.⁷

How Are JTC's Subject Matter and Products Determined?

More than ever, technology is recognized as integral to court survival and used as a tool to demonstrate court performance. JTC members aim to produce products that respond to this relatively new and now fundamental approach to court management. Product and subject matter are determined by

the JTC leadership and may be based on established priorities defined in foundational documents; requests from constituent groups, including COSCA, NACM, NCSC, and CITOC; or current technology developments as identified by the court and vendor community. Discussions about technology topics are part of every midyear and annual JTC meeting. The committee strives to publish content on matters that are relevant and of practical significance to court professionals. There will likely be some topics that encourage courts to think about technology solutions that may not be on their lists of immediate strategic priorities. With access to technology experts, the committee believes that an aspect of its mission is to raise topics that assist courts in their planning and preparation for the next generation of court technology.

How Are JTC's Products Developed?

JTC uses the following three approaches to develop its work products.

Work Group: JTC engages practitioners, subject-matter experts, and others to conduct research, brainstorm ideas, and develop a resource bulletin or other product to provide guidance to the court community. The group will generally complete its work over a period of 6 to 12 months, with periodic conference calls and a possible face-to-face meeting (budget permitting).

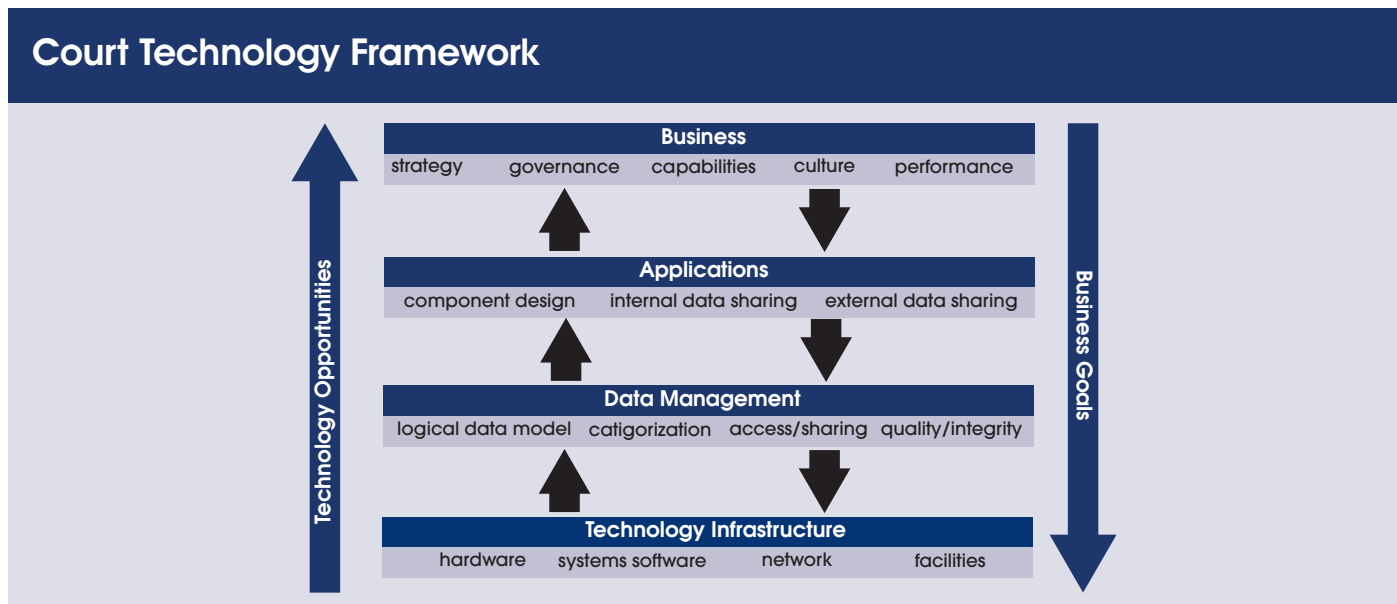
⁴ JTC leadership consists of the COSCA and NACM co-chairs, the chairperson of CITOC (or designee), the *ex officio* IJIS member, the NCSC chief information officer, and an NCSC principal court management consultant.

⁵ See JTC, "Communications Plan" (Draft 6.13.14), at <http://www.ncsc.org/About-us/Committees/Joint-Technology-Committee/~media/Files/PDF/About%20Us/Committees/JTC/JTCCommunicationsPlanDraft61314.ashx>.

⁶ JTC, "Vision, Mission and Goals," March 2003, at <http://www.ncsc.org/~media/Files/PDF/About%20Us/Committees/JTC/Vision%20Mission%20Goals.ashx>

⁷ JTC, "Memorandum of Understanding," July 12, 2015, at <http://www.ncsc.org/~media/Files/PDF/About%20Us/Committees/JTC/MOUs/JTC%20MOU%20rev%202015-7-13%20FINAL.ashx>.

Table 1: Practical Application of JTC Product



Why It Matters to Me?

Court Leadership Team (Administrative or Chief Judge, Court Administrator, Clerk of the Court)	Provides guidance and structure for how to approach court technology projects to ensure initiatives undertaken align with vision, mission, and goals of the court.
IT Staff	Defines a standard set of components, interfaces, and dependencies that support a comprehensive court IT environment.
Business Staff	Offers a road map for staff seeking to identify opportunities to reengineer business processes through the use of technology.
Court Organization	Encourages alignment across different offices and divisions within the organization in an effort to achieve defined business goals via technology solutions through application of sound project management practices.

Source: Information described herein was obtained from <http://www.ncsc.org/Services-and-Experts/Technology-tools/Court-Technology-Framework.aspx>.

Table 2: Access to JTC Product and Member Information

Description		Access
Social Media	Linked-In	Search for NACM or NCSC
	Facebook	Search for 4NACM
	Twitter	Search for NACMNET
Websites	NCSC	http://www.ncsc.org/About-us/Committees/Joint-Technology-Committee.aspx
	NACM	https://nacmnet.org/committee-corner.html
	Regional Court Professional Organizations	Mid-Atlantic Association for Court Management (MAACM, Resources section for members)

Focus Group: Similar to the work-group approach, this activity incorporates a more focused set of activities, including face-to-face brainstorming and a thorough vetting of ideas. Once complete, a paper or other product is developed within a few months of the meeting.

Quick Response: JTC may, on occasion, decide to quickly address or respond to a particular topic by appointing a small group (typically one to three individuals) to develop a position brief or short paper on the topic under consideration.

Regardless of approach, resulting work products are reviewed and approved by JTC membership. A great deal of discussion occurs to ensure that the products are relevant to the intended audience, which ranges from clerks (both managerial and nonmanagerial) to local and state court administrators, as well as magistrates and judges. Table 1 provides an example of how a JTC product could be useful or applicable to different court personnel. The application of a product's content will likely differ depending on the interests and needs of the reader and his or her court. For some, the product may serve as a tool to generate discussion on a topic that leadership would like to explore through a technology solution (e.g., "Implementing Judicial Tools"). For others, the product may offer points to consider when investigating whether a current business process, which already

supports an automated solution, should be retooled (e.g., "Using Technology to Improve Pretrial Release Decision-Making"). Additional applications of JTC products include:

- increasing court professionals' technology knowledge base;
- developing custom (court-specific) tools/templates;
- informing discussions with justice system partners; and
- producing technology standards (Jury Management, NIEM, etc.).

How Are JTC's Products Distributed?

While developing relevant products for a diverse audience is imperative to the JTC, it is equally important that the products are disseminated using a variety of formats (e.g., paper, webinar, in-person presentation) and through multiple media (social media, websites, and member networking). Table 2 provides information about where to receive information on JTC products. One comprehensive access point is the JTC website, which is maintained by NCSC. The website contains information about committee meetings, organizational documents, and working documents. The topic of product distribution and communication is a priority for the JTC. Members are committed to ensuring that the most appropriate avenues are used for product distribution and communication.

Readers are encouraged to contact any JTC member with their thoughts

on approaches to information sharing as well as work-product topic areas.⁸ Delivering relevant products that inform readers about viable technology solutions to efficiently and effectively manage court operations requires input from court leaders nationwide.

ABOUT THE AUTHORS

Danielle Fox is analyst, research and performance, Montgomery County Circuit Court, Rockville, Maryland.

Jeffrey Tsunekawa is judicial operations manager, Seattle Municipal Court.

ACKNOWLEDGMENTS

This document is a product of the Joint Technology Committee (JTC) established by the Conference of State Court Administrators (COSCA), the National Association for Court Management (NACM), and the National Center for State Courts (NCSC).

⁸ For a complete list of JTC members, please access the NCSC website link referenced in Table 2.



2016-2017 NACM Board of Directors
 Front row: Stephanie Hess, Vicky Carlson, Scott Griffith, Yolanda Lewis, and Paul DeLosh
 Back row: Dawn Palermo, Tracy (TJ) BeMent, Alyce Roberts, Greg Lambard, Alfred Degrafinreid,
 Jeff Chapple, Julie Dybas, Jeffrey Tsunekawa, and Kathryn Griffin. Not pictured: Hon. Kevin Burke

Leadership Pathways and Perspectives of Your NACM Officers

Janet G. Cornell

Have you ever wondered about the pathway taken by leaders toward their leadership role? And have you pondered how they got there? This article provides insights on the experiences and perspectives of recent and current NACM officers.¹ NACM officers were asked a series of questions to obtain details of their background, their views on being positioned for advancement, and their advice to others on how to prepare for advancement. Sincere appreciation is extended to the

NACM officers for providing a glimpse of their careers and perspectives on court leadership.² How intriguing and inspiring it was to receive and study their answers! Hopefully, this information will be inspirational and motivational for readers of this article.

This is a reprise, of sorts, from a prior article published in 2010 wherein active NACM colleagues offered their backgrounds and tips for success.³ In that article, six individuals offered their thoughts on similar questions to those in this article.

1. What was your first court job or position? And what led you to court management?
2. What educational credentials did you have when you began court employment, and what degrees or certifications do you now have?
3. What advancement or promotional techniques have you used to get ahead?
4. How have your court experiences prepared you for promotions?

¹ The NACM officer positions include president, president-elect, vice president, secretary/treasurer, and immediate past president.

² Thanks and acknowledgment is offered to Vicky Carlson, (court administrator, Scott County, Minnesota), Paul DeLosh (director of judicial services, Virginia), Scott Griffith (director of research and court services, Texas), Stephanie Hess (director of court services, Ohio), Yolanda Lewis (district court administrator, Georgia), Michele Oken (administrator, California), and David Slayton (administrative director, Texas) for sharing their backgrounds and perspectives.

³ See Janet G. Cornell, "Tips and Techniques for Climbing the Ladder of Success in Court Management," *Court Manager* 25, no. 2 (2010): 6-15.

5. What is a typical court management day like for you?
6. What was the best professional advice that you have received? (New since 2010.)
7. What advice would you offer to others in court leadership, or considering court leadership, at this time?

The current NACM respondents are Vicky Carlson, Paul DeLosh, Scott Griffith, Stephanie Hess, Yolanda Lewis, Michele Oken, and David Slayton. These individuals have either been, or are currently, in the NACM officer positions.

So, let's see what your officers shared about their paths to leadership. Perhaps you will see yourself in their experiences and observations of their progressions to leadership roles.

I like to reinvent myself — it's part of my job.

KARL LAGERFELD, GERMAN FASHION DESIGNER

Accept your "newbee" status and the work that comes with it.

THORIN KLOSOWSKI, LIFEHACKER.COM

What was your first court job/ position? And what led you to court management?

Vicky Carlson's first court job was as a student worker at age 16 and that soon led to a permanent, full-time position, which sparked her interest in courts and customer service. She knew,

from those early days, that she wanted to help improve the courts; it was interesting and challenging work, and there was never a dull moment.

Paul DeLosh indicated that his first position was court analyst in the state's management information (information technology) systems department. Among his responsibilities were training court personnel on use of the case management system and implementing advances in the use of technology in the courts.

Scott Griffith shared that his first court-related position was "outside looking in," working for several nonprofit organizations studying municipal government offices and programs. One of his first assignments was a study of jail use. Subsequently, he was involved in a series of felony-case-processing studies and a review of juvenile court practices, resulting in a judicial administrator position in a juvenile court.

Stephanie Hess's entry to the courts was via a mock-trial exercise for her government class, followed by work as an intern during two summer school breaks. Her first taste of the judicial system was working as a bailiff in a large general-jurisdiction court, and she decided to go to law school at night with a desire to work in court administration.

Yolanda Lewis said that her first court-related job was in a probation office in a community corrections center in Alabama. She studied criminal justice and later received a master's degree. After a move to Georgia, she worked as a strategic planner and was recruited for a position with the Georgia Administrative Office of the Courts.

Michele Oken's first court position was as a municipal court reporter. She worked in the Los Angeles Municipal Court for seven years, then worked in private industry for two-and-a-half years, and then returned to work in the Los Angeles Superior Court for eleven years before she embarked on a career in court management.

David Slayton's initial court-related position was as a deputy clerk filing documents in Lubbock, Texas. David noted that, coincidentally, the Texas Supreme Court mandated the use of electronic filing on the 14th anniversary of his first day of work as deputy clerk.

As was evident, these court leaders may not have initially sought top leadership roles and responsibilities. Their exposure to what courts do, and their direct work in and around courts, created strong interest in attaining higher-level positions. Similarly, in the 2010 article, the majority of those court leaders began their court leadership roles from pathways such as planners, researchers, clerks, and probation. Perhaps a lesson here is to realize that the place from which we first arrive in the courts may be just a starting point, and the future is "our oyster."

What educational credentials did you have when you began court employment, and what degrees or certifications do you now have?

Vicky Carlson was still in high school while obtaining dual college credit. **Paul DeLosh** had a bachelor of science in business administration. **Scott Griffith** had a bachelor's degree in history and a master's in public administration. **Stephanie Hess** had a bachelor's degree. **Yolanda Lewis** also

had a bachelor's degree, along with a master's in public administration. **Michele Oken** had graduated from a technical college and was state certified in court reporting, while **David Slayton** was still in college obtaining a bachelor's in political science.

An education isn't how much you have committed to memory, or even how much you know. It's being able to differentiate between what you do know and what you don't. It's knowing where to go to find out what you need to know, and it's knowing how to use the information you get.

WILLIAM FEATHER, PUBLISHER AND AUTHOR

Leadership does not simply happen. It can be taught, learned, developed. Those who influenced me . . . all contributed valuable elements to my philosophy.

RUDOLPH W. GIULIANI, POLITICIAN

As of this writing, **Vicky** had completed her bachelor's degree in public administration. **David** completed a master's of public administration. **Vicky**, along with **Paul**, **Scott**, and **David**, is a Fellow of the Institute for Court Management (ICM). **Michele**, **Stephanie**, and **Yolanda** completed the Certified Court Manager program with ICM. **Scott** and **Stephanie** completed law degrees, both while working in court positions. **Yolanda** also completed a Certificate of Court Management with Michigan State University (MSU) through the Georgia Council of Court

Administrators. **Michele** has continued course work toward ICM Certified Court Executive status.

Also similar to the prior article, those who become court leaders initially arrive in court positions with different "tool kits," and they come to appreciate and seek advanced education in court administration, the law, or public policy.

What advancement or promotional techniques have you used to get ahead?

Vicky stated her conviction that hard work is required. She was self-motivated to do a good job no matter what the job duty was. She tried to prioritize work, assisted co-workers with tasks, and kept her eyes on obtaining a higher level of education. **Vicky's** regrets? Not completing a master's degree, although becoming an ICM Fellow was helpful since the topics were pertinent to court management. Becoming involved in associations (NACM, the Minnesota Association for Court Management) led to higher learning and networking.

Paul asserted that advancement related to "relationships, relationships, relationships!" Treating people with respect, kindness, and regard for their position and the job they do helped to build trust and support. He noted that offering assistance and learning from others about their roles and responsibilities and "knowing when to step forward and step back" were key advancement techniques.

Scott shared his opinion that the most important trait is to have a service orientation and to be dutiful, loyal, and accountable, while realizing the work done in courts may have personal consequences for people who

come to courts. He noted that it helps to broaden connections and expand thinking by finding a community of like-minded colleagues. He noted that representatives from the media, legislature, academia, and community advocacy groups were helpful to him. Like **Vicky**, **Scott** spoke in support of belonging to a professional court association for networking, learning, and advancement opportunities.

Stephanie commented on the value of hard work and determination, citing her youth on a dairy farm in Ohio. Values from her youth translated to her education and her drive to finish law school while working full-time. She noted that in each position held, she strived to work hard, while simultaneously looking for ways to be more efficient, and to be mindful of how her work impacted the work of colleagues.

Yolanda noted the critical skill of being a good mediator. She commented on the importance of knowing when to take a stance on a specific issue, knowing which side of the issue to support, and being attuned to the needs or positions of all parties involved. She noted that courts are continually changing and that one's education is only foundational, asserting the need for leaders grow and change to be responsive to trends and issues in the field of court management.

Michele stated that it was important to always seize the opportunity to volunteer for projects, serve on special committees, facilitate meetings, and take advantage of all training opportunities. She also commented on the importance of having effective interpersonal skills.

David asserted that the most important thing was to just dig in and focus on making things better at whatever you do. David noted that if you are doing a good job, you will not have to “sell yourself.” Like others, he added that NACM and other professional development opportunities energized him to keep focused on making improvements.

My philosophy is that not only are you responsible for your life but doing the best at this moment puts you in the best place for the next moment.

OPRAH WINFREY, ACTRESS

Life is like a combination lock; your job is to find the right numbers, in the right order, so you can have anything you want.

BRIAN TRACY, AUTHOR AND SPEAKER

Advancement watchwords of this group of respondents: working hard, seizing opportunities, volunteering, seeking effective relationships, and managing conflicts. In 2010 respondents commented on striving for a strong work ethic, leveraging opportunities, volunteering, networking, using mentors or role models, and having national-level involvement.

How have your court experiences prepared you for promotions?

Vicky stated that her court employment provided her a variety of experiences from which to learn and build a

foundation for being prepared for promotional growth. They include building and remodeling courtrooms and facilities, providing weapons-screening operations, and working toward improvements in caseload management. Daily work with the public, colleagues, and system representatives also contributed to her preparation for promotions.

Paul observed that working in a court environment that allowed employees to challenge the process resulted in the chance to be an agent of change and to build trust and credibility from actions. Taking advantage of learning opportunities provides both personal growth and recognition of promotional potential.

Scott quickly attributed his preparation to being able to work for and with extraordinarily competent people who cared deeply for their work. He stated that these individuals, whether they knew it or not, have been mentors in one way or another, and he feels lucky to have worked with them. He also mentioned being alert to opportunities to learn and change the ways he did things. That coupled with showing interest, adaptability, a service commitment, and a willingness to undertake personal (and professional) growth prepared him for promotions and advancement.

Stephanie commented that a key event in her preparedness was her move from work in a single trial court to work at the Ohio Supreme Court. The result was the need to look at the judiciary through the lens of a system as a whole, rather than through the lens of one individual trial court. Prior work in

the single trial court provided her with grounding knowledge, readily needed in her work at the supreme court, and the ability to draw upon those skills when providing support anywhere in the court system.

Yolanda shared that her experiences in both the executive and judicial branches of government has prepared her to be thoughtful and deliberate in the way she approaches management, whereby she was prepared to implement high-level programs to support the judiciary. Yolanda also commented upon the need to be flexible and humble in your approach to service.

Michele noted that different experiences from her prior work units (court reporters, interpreter services, and court operations) each presented their own unique challenges. She learned to take on new assignments and responsibilities and to create her own version of “leading by example.” Involvement in associations provided additional experience and confidence to be an effective leader.

David observed that each and every experience prepared him. He asserted that he “went from the basement of the courts (literally) to the top of the state court administrative system.” Each of those experiences taught him how to be a better leader, how courts actually operate, and how to navigate the culture.

We have come to understand that despite all the planning, processes, controls, and governance, business is one big act of improvisation.

KELLY LEONARD AND TOM YORTON, AUTHORS, *YES, AND: HOW IMPROVISATION REVERSES “NO, BUT” THINKING AND IMPROVES CREATIVITY AND COLLABORATION* — LESSONS FROM THE SECOND CITY

In 2010 respondents commented on the importance of gaining broad experience, expanding skills through different assignments, and continual professional development. Having those skills, experiences, and ongoing development contributed to credibility and management competence.

What is a typical court management day like for you?

Uniformly, your officers stated “there is no typical day!” **Vicky, Paul, Scott, Stephanie,** and **David** asserted that no one day is like another. Day-to-day responsibilities may include managing operational and policy matters, resolving issues and “putting out fires,” and following up to ensure the operations are running smoothly. Typical days were described as arriving early, making the rounds, checking in and communicating, shuffling from meeting to meeting, and being both the fixer and the driver. **David** noted he usually has a plan, but that plan never happens as expected. **Paul** advised that it is important to begin each day with a purpose and have goals in mind, but roll with the flow as situations and events unfold. **Scott** noted the pleasure of this fascinating and very dynamic work because of its changeability.

And **Michele** shared that most days require the ability to resolve customer complaints and issues that arise throughout the day.

Relationships + Skills + Character x Hustle = Career Savings Account

JOHN ACUFF, AUTHOR, *DO OVER, RESCUE MONDAY, REINVENT YOUR WORK, AND NEVER GET STUCK*

What was the best professional advice that you have received?

Among the best professional advice were the following items (most will not come as a surprise to the reader).

Vicky: Toughen up and grow thicker skin.

Paul: Always be curious and willing to take risks while being confident yet humble. Always be able to answer three questions of those you lead—Where are we going? How will we get there? and What is my role?

Scott: Do not let the urgent take the place of the important.

Stephanie: (Realize) that there is nothing you can do that cannot be undone with another piece of paper.

Yolanda: Be comfortable with making the tough decision, and if you always do what’s right, you will always come out on the right side of right.

Michele: Be humble, be a good listener (to subordinates and colleagues), be fair, don’t jump to conclusions without weighing all options. Ensure you have the ability to think outside the box. And be able to say you are sorry.

David: Never do a halfway job.

Always be proud of the product you produce, even if no one notices. Just because we’ve always done it that way, doesn’t mean it isn’t incredibly stupid.

Knowledge comes but wisdom lingers.

ALFRED LORD TENNYSON, BRITISH POET

What advice would you offer to others in court leadership, or considering court leadership, at this time?

Vicky: This advice could apply to all positions in leadership. Don’t be so hard on yourself. And don’t take things too seriously. Realize that sometimes we are our own worst critic, and may be inclined to hash out in our minds all the things we could have or should have done better, whether it be public speaking, offering ideas, or making a decision. Try to let those thoughts go.

Paul: Be engaged, model and inspire. Our court system is ever changing with more demands on us, as well as opportunities to enhance or improve the system and services. Court leadership has an opportunity to drive the change and can do so by being passionate, human, and humble. Court leaders also have an opportunity to enhance the court through investment in education and professional development to benefit the individual, the court, and those we serve.

Scott: Familiarize yourself with the writings of the folks who have helped define the profession. Take the time to understand how the public views the work of the court. Use that understanding to aid in planning, communications, public relations, and advocating for and representing the branch.

Stephanie: It is an exciting time to be in court management. NACM has been very thoughtful in its creation of the new Core and has created a foundation for the discipline of court administration. Refer back to the foundational principles as we move forward.

Yolanda: Learn to be flexible and adaptable. Give yourself the ability to accept change. Mistakes will happen, plans will fail. When that happens, challenge yourself to grow. Having the right attitude when faced with a challenge is important to your ability to be objective, to refocus your efforts, and create a fair and accessible system for all people.

Michele: Be open to new challenges. Interact regularly with staff. Balance your work and personal life. Stay connected to the “outside world” (outside your own court and comfort zone) by attending NACM conferences for educational and networking opportunities.

David: It is really important to learn about the court system, not just your own job. Understanding why we do what we do is likely more important than understanding how to do the job. Dig in, ask questions,

read about the history and practice in the courts at large and in your particular court. Then think about how to accomplish that purpose in ways that make the system better.

Concluding Observations

This group of NACM respondents (and the prior 2010 group) had varying educational credentials when they first began work in courts and subsequently obtained higher education. Some had high-school diplomas. Some had advanced degrees. There was no set formula for attaining a role in court leadership.

Court leaders have found their way to leadership positions in variety of pathways. The NACM officers shared philosophies about keeping motivated and dealing with challenges. They provided insights on how best to prepare.

Having now reviewed comments from seven individuals in this round of interviews, and from the six individuals in 2010, a few themes emerge.

- You can indeed start anywhere and advance to an executive level.
- You should be willing to undertake new assignments or roles, work hard, take risks, and volunteer to get involved, all the while learning from all experiences.
- You must draw upon your inner drive, interest, and willingness for personal and professional growth and accomplishment.
- Your advancement will come from a variety of contributing influences: motivation, education, ongoing learning, experience and engagement.

- You will benefit from external and broader involvement—associations, mentors, and networking with colleagues.

Thanks to the NACM leaders who have been willing to share their background and perspectives. These NACM individuals have illustrated their passion and desire to be engaged and to be role models in the courts. Hopefully, it will both inform and motivate future leaders in our profession.

For those readers who may have interest in additional research on the topic of leadership, the author recommends *How to Become a Better Leader: Qualities that Make Great Leaders* (<https://www.verywell.com/ways-to-become-a-better-leader-2795324>):

1. Start by understanding your leadership style
2. Encourage creativity
3. Serve as a role model
4. Be passionate
5. Listen and communicate effectively
6. Have a positive attitude
7. Encourage people to make contributions
8. Motivate your followers
9. Offer rewards and recognition
10. Keep trying new things

ABOUT THE AUTHOR

Janet G. Cornell is a court administration consultant; jcornellaz@cox.net

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JURY+ Web Generation

The screenshot displays the 'Identify Juror - C002' page in the JURY+ Web Generation application. The interface includes a navigation menu on the left, a search section with fields for Name, Badge # (831638), Zip Code, and Birth Year, and a 'Limit To' section with radio buttons for 'Active Jurors Only', 'Summoned', 'Serving', and 'On Case'. Below the search is a 'Juror Activity History' table for juror C009, SALVATO, LINDSEY. The table has columns for Date, Time, Activity, and User. The activity history shows several entries from 2014 and 2015, including 'End Service', 'Classification Added', and 'Change Appearance'. A callout bubble on the right side of the screen states: 'Developed by the creators of JURY+ Next Generation!'.

Date	Time	Activity	User
02/02/2015	17:46:27	End Service	SJNGWS
02/03/2015	17:46:27	Classification Added	SJNGWS
08/26/2014	13:26:16	Change Appearance	JSIADM
06/23/2014	19:49:02	Change Appearance	JSIADM
03/19/2014	20:54:11	Summons Print	JSIADM
03/19/2014	20:37:53	Change Appearance	JSIADM
03/19/2014	20:16:58	Summons Print	JSIADM

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Jury News

PAULA HANNAFORD-AGOR AND GREG HURLEY

Racial Bias and the American Jury

There is no doubt that regular readers of *Court Manager* are fully aware of the seismic shift taking place in American society with respect to perceptions of racial injustice, especially in the criminal justice system. Policymakers and academics have known for decades that people of color are many times more likely to face criminal charges than whites and to be found guilty and sentenced more severely than whites. Over the past three years, however, public awareness of these facts has increased substantially, in part due to the eruption of widespread protests of disparate treatment of minorities by the police and prosecutors. State and federal courts are responsible both for protecting the procedural rights of criminal defendants and for entering judgments and imposing sentences on defendants who have been found guilty. Consequently, they have been drawn into extended conversations about the need to develop effective institutional safeguards against racial bias in the criminal justice system or risk being accused of complicity in perpetuating institutional injustice.

One area in which courts are having to confront this issue involves the legitimacy of procedural and evidentiary rules designed to preserve the finality of jury verdicts. Jury trials are the single most time-consuming and expensive events that take place in the court system. To ensure that resources are not wasted on endless appeals, overturned verdicts, and retrials, these rules are grounded in the principle that the Constitution guarantees a fair trial before an impartial jury, but not necessarily a perfect trial. Although irregularities will inevitably

occur, sufficient procedural protections exist to mitigate the severity of their impact, making it unnecessary to set aside jury verdicts except under the most egregious circumstances. Growing concerns about the presence of systematic racial bias in the criminal justice system are now bringing these types of rules into question. One example is a case now pending before the U.S. Supreme Court that challenges the legitimacy of the “no-impeachment rule,” a centuries-old policy that prohibits courts from considering juror testimony about the internal dynamics of jury deliberations in challenges to the validity of jury verdicts.

Peña-Rodriguez v. Colorado

In *Peña-Rodriguez v. Colorado*, the defendant was charged with a combination of felony and misdemeanor sexual-assault charges involving minors as victims. Following guilty verdicts on three misdemeanor charges and a mistrial on the felony charge, two of the jurors approached the defense attorney and reported that one of the jurors (Juror H.C.) repeatedly made racially charged statements about the defendant and the defendant’s alibi witness during jury deliberations. In affidavits, the jurors testified that the Juror H.C. said:

- “[The defendant] did it because he’s Mexican and Mexican men take whatever they want.”
- “[The defendant] was guilty because in [Juror H.C.’s] experience as an ex-law enforcement officer, Mexican men had a bravado that caused them to believe they could do whatever they wanted with women.”

Policymakers and academics have known for decades that **people of color** are many times more likely to face **criminal charges** than whites and to be found guilty and **sentenced more severely** than whites

- “Mexican men [are] physically controlling of women because they have a sense of entitlement and think they can ‘do whatever they want’ with women.”
- “Where [Juror H.C.] used to patrol, nine times out of ten Mexican men were guilty of being aggressive toward women and young girls.”
- “The alibi witness [wasn’t] credible because, among other things, he was ‘an illegal.’” (The witness had testified during trial that he was a legal resident of the United States.)

The defendant entered a posttrial motion for a new trial alleging that the juror’s statements deprived the defendant of his Sixth Amendment right to be tried by a fair and impartial jury.

In Colorado, evidentiary rules prohibit courts from considering juror testimony about the internal dynamics of jury deliberations in challenges to the validity of the verdict. This “no-impeachment rule” exists in almost every state and in the Federal Rules of Evidence.¹ As the Colorado Supreme Court explained in its decision to uphold the conviction, the policy is intended to protect the privacy of the internal deliberative process by discouraging attorneys from harassing jurors in attempts to uncover grounds for overturning the verdict. The earliest articulation of the rule took place in *Vaise v. Delaval* (1785), in which an English court disallowed juror testimony that the jury had decided the case through a game

of chance.² The U.S. Supreme Court has affirmed the general policy more recently in *Tanner v. United States*,³ in which a majority of the jurors drank alcohol or used drugs during trial and several slept through the afternoon proceedings, and in *Warger v. Shauers*,⁴ in which a juror revealed during deliberations in an automobile-tort case that her daughter had been involved in a car accident, a fact that would have resulted in her removal for cause if it had been disclosed during voir dire. The primary justification for the no-impeachment policy is twofold. First, the overall benefit of protecting the privacy of juror deliberations and preserving the finality of jury verdicts outweighs the potential for injustice in any individual case. Second, other opportunities to identify and remove jurors suspected of bias are available during the trial. For example, the parties can inquire about racial bias during voir dire, jurors can report instances of impermissible bias during trial or deliberations, court staff may observe or overhear biased statements and report them to the court, and the parties may obtain evidence other than juror testimony.

In briefs and oral argument before the U.S. Supreme Court, *Peña-Rodriguez* argued that racial bias is a uniquely insidious violation of the Sixth Amendment right to fair and impartial jury that justifies an exception to the no-impeachment rule. He noted that some states have already created an exception to the no-impeachment rule specifically to address the problem of racial bias during jury deliberations, and those states have not experienced widespread instances of juror harassment or unreasonable disruptions to the

¹ See FED. R. EVID. 606(b). A common exception to this rule is juror testimony about the impact of extraneous influences on the jury deliberations, including jury tampering and intimidation, as well as jury consideration of information that was not admitted as evidence at trial.

² *Vaise v. Delaval* (1785), 99 Eng. Rep. 944 (K.B.).

³ *Tanner v. United States*, 483 U.S. 107 (1987).

⁴ *Warger v. Shauer*, 135 S. Ct. 521 (2014).

criminal justice system. Finally, he claimed that the safeguards described in *Tanner* and *Warger* are ineffective at preventing the kind of racial bias exhibited in *Peña-Rodriguez* from occurring.

Following the oral arguments that took place on October 11, 2016, most legal commentators predicted that the U.S. Supreme Court would ultimately rule that the no-impeachment rule cannot bar juror testimony concerning racial bias during jury deliberations. All of the Supreme Court justices, and even the attorneys representing Colorado and the United States (which appeared as *amicus curiae* supporting Colorado), acknowledged that Juror H.C.'s statements were extraordinarily egregious examples of racial bias. The primary struggle for the justices appeared to be whether they could articulate an exception to the rule that limited the admissibility of juror testimony to instances of racial bias only. The defendant based his appeal on the Sixth Amendment, which does not differentiate between racial bias and other forms of bias, and the justices were clearly concerned that once an exception was permitted for racial bias, future cases would cause the exception to eventually swallow the rule.

Broader Implications of *Peña-Rodriguez*

The fact that the U.S. Supreme Court even granted certiorari in this case indicates that the ground has shifted considerably with respect to the sensitivity of state and federal courts to accusations that they routinely turn a blind eye to systematic racism in the criminal justice system. The narrow issue in *Peña-Rodriguez* about whether the Sixth Amendment requires an exception to the no-impeachment rule to address instances of racial bias in jury deliberations is simply one of dozens of related debates in legal circles about the most effective ways to eliminate racial bias in contemporary society. For more than half a century, courts have maintained that the Constitution requires a colorblind approach to adjudication in which a nondiscriminatory process is more important than minimizing the incidence of racially disproportionate outcomes. We see this debate playing out in cases involving admissions to higher education, funding for public schools, voting rights, employment policies, government procurement, and even the demographic composition of jury pools.

The U.S. Supreme Court may issue its opinion in *Peña-Rodriguez* before this column appears in print, but its ultimate decision is unlikely to be written broadly. The U.S. Supreme Court currently has only eight justices, most of whom recognize that the most productive strategy for avoiding 4-4 split decisions on contested matters is to decide cases on the narrowest possible grounds. But at least on the issue of race discrimination in the criminal justice system, the U.S. Supreme Court, as well as many other state and federal courts, appears willing to revisit longstanding procedural and evidentiary rules when those rules are at odds with the fundamental fairness courts must provide to criminal defendants, especially when those rules contribute to public perceptions of racial injustice in the criminal justice system. The eventual ruling in *Peña-Rodriguez* is important because a change in the law will affect the majority of states that have similar rules that are interpreted in similar ways.

ABOUT THE AUTHORS

Paula Hannaford-Agor is director of the Center for Jury Studies at the National Center for State Courts. Contact her at phannaford@ncsc.org.

Greg Hurley is a senior analyst with the Knowledge and Information Services of the National Center for State Courts. Contact him at ghurley@ncsc.org.



A Question of Ethics

PETER KIEFER

Real Problems in the Trenches

The Model Code of Conduct for Court Professionals has never been all that keen on folks who work multiple jobs when one job is for a court. For example, Canon 3.1 states, “The court is a court professional’s primary employment. A court professional shall avoid outside activities, including outside employment, business activities,... that reflect negatively upon the judicial branch and on one’s own professionalism.” Canon 1.2 says that a court professional shall “avoid improper influences from business, family, position, party, or person.”

The Model Code was developed in the context of court professionals who may periodically engage in independent projects, such as an outside consulting assignment, or of employees having to “make ends meet” by taking secondary weekend or evening jobs at a restaurant or store. This context can be seen in the commentary section, with the admonition against working in “certain” bars or taverns. The Code does not really envision court employees who have, 1) a part-time, but regular-status (permanent) job with a court and 2) have another part-time, regular-status job. In reality, it is not all that uncommon for folks to hold down two jobs in this manner, even with the “second” job being with another government agency, such as the police department.

The Scenario

April works as a courtroom clerk two days a week at the Central City Municipal Court. Judge Reynolds holds court in the city council chambers when the council is not in session. Three days a week she works across the hall answering calls and working the counter at the Central City Police Department. To her both jobs are vital to keeping the community safe. As is typical of many police departments, the Central City PD officers and staff are dedicated to what they do and have a mind-set that they are on the front line enforcing the law and keeping the community safe. This mind-set is manifest with the attitude of many officers that defendants are guilty once arrested; it is the court’s job to confirm the good work of the police. When a case is dismissed officers take it personally; to some, it is a motivator, and to others, it is evidence that the court does not understand the full dimensions of police work.

Although she struggles to keep both jobs separate, the influence of that law-enforcement attitude inevitably permeates her point of view and conflicts her allegiances. She can witness officers bringing in a defendant involved in a tragic incident or difficult arrest, and then see that same person in court a few days later. April is savvy enough to never utter anything, but even she admits it is difficult to maintain

that classic “deadpan” bureaucratic expression while treating litigants with nonjudgmental dignity. What makes matters worse is that the police department job pays better.

Both jobs combined give April full-time employment, health benefits from the city, and a paycheck that barely covers rent and food for her two boys. Although the police chief likes the job April does, there is not enough work to put her on 100 percent at the police station. Conversely, the court cannot employ her full-time either. Quitting one job or the other is out of the question. Judge Reynolds has counseled her about the “sour face” she displays toward many defendants. April promises to do better, but is not really worried. She is a good worker, and the other two part-time court employees privately feel the same way April does.

The Respondents

Maggie Hogland, clerk of the Municipal Court for the City of Manzanita, Oregon; the Honorable David V. Brewer, justice of the Oregon Supreme Court; Dr. Will Simmons, district court administrator for the Sixth Judicial District in McDonough, Georgia; Cheryl Stone, court administrator for the City of Eugene, Oregon, Municipal Court; and Julia C. Spear, staff attorney in the Office of the Judicial Court Administrator for the Louisiana Supreme Court, have all agreed to comment on the scenario.¹

Questions

How common is this type of working arrangement in the courts?

Cheryl Stone said this type of working arrangement is very common in smaller cities that have municipal, traffic, or other limited-jurisdiction courts. “There are several municipal courts that have similar situations like this in Oregon.”

Will Simmons reported that he knows fire fighters who also serve as police officers, but it is not common in his district that court employees serve in various or potentially conflicting offices. “I have experienced instances whereby family members (mother/daughter; father/son) work in different judicial offices

and witness how such influences, positively or negatively, impacts these individuals in their respective roles.”

Justice Brewer said it was not his experience that it was all that common.

Julia Spear responded that this sort of working arrangement had been described to her before, and that it was problematic in two situations. The first situation is when an employee is working for two justice system agencies. The second is when the court employee is supervised by someone with responsibility for local government finances, which could lead to the perception that the court’s role is primarily revenue collection.

Maggie Hogland said she was aware of cities where the court clerk enters citations in police information data systems, then walks across the hall to process those citations through the court’s computer system. Her city, however, does not have this issue. “Our city has a non-court employee do the data entry at the police station and then deliver the citations to the court clerk for processing through the city’s municipal court.”

How prevalent do you think this sort of “cross-over mind-set” is with court employees working multiple jobs?

Will Simmons thought that as we all develop understanding, knowledge, and experience of what we do professionally that he imagines the “cross-over mind-set” is very real.

Justice Brewer was unsure, but suspected that it is more common than it should be.

Cheryl agreed that this is a somewhat common occurrence. “Often, there is not a deep enough understanding of due process and the neutrality of the role of the court. Sometimes employees who have a background in law enforcement and come to work for the court full-time (no job-share situation) have difficulty with the same mind-set. In city government often the neutral role of the court is looked at as being unsupportive or unwilling to work with local law enforcement.”

¹ Justice Brewer responded to questions in this column depicting a scenario that can occur in municipal (or other limited-jurisdiction) courts where the functions are considered part of city or county government. State court system employees in the Oregon Judicial Department may not work for both the judicial branch and the executive branch simultaneously, even if part-time.

Julia also thought it is more prevalent particularly among those whose other job is with law enforcement. “A similar situation may occur in smaller courts, when the defendant is often personally known to the judge and court staff and may be prejudged.”

Maggie believed it is relatively prevalent in cities that fail to train court clerks in judicial policy and understanding. She perceives that non-court city employees are not expected to be held to the same ethics/moral standards. “I believe the cities fail the courts in not holding all their employees to the same ethics standard.”

Do employees working multiple jobs have any sort of effect on the courts where the employees work?

Justice Brewer envisions two potential problems: First, conflicts of interest and second, insufficient time, expertise, or both, absent proper training and workload restrictions, to properly perform the job.

It depends on the circumstance according to Will. “I know court professionals that are adjunct instructors at local community colleges. They tend to refer interns that are excited about an opportunity to learn. In these cases it’s no cost to the county and the court, in effect, impacts and trains the next generation of court leaders. That’s a positive thing.”

Cheryl Stone did not think it necessarily had an effect on courts. “It depends on the role of the individual, the type of job, and the mission of the organization.”

Maggie responded that trained court employees are highly regarded by employers outside the city and court for which they work, based upon the ethics standards they hold. “I do believe untrained court clerks who hold outside employment or two positions within a city (police/courts) can have an effect on a court. While they may unintentionally or intentionally make comments/statements, share information, or otherwise act unprofessional in any other employment, it can affect how a defendant or even law enforcement are treated not only by

the court but by other city staff and how the public views the court and/or city where that person is employed.”

What advice do we give individuals who live and work in this kind of situation?

Cheryl’s advice was to the organization and not to the individual. “If an employee is going to be shared in an organization they need to make sure the positions are not a conflict of interest.”

Will empathized with April in the scenario, who felt that she had to work both jobs to provide for her family. “My advice to her would be to focus and decide on where she wants her career to go within the judicial system. Allow me, if I were her manager, to assist with some training costs, join the state association, perhaps enroll in a certificate, associates, or bachelor degree program. All of which makes her a more attractive candidate for a higher position, full-time, and better pay.”

Julia would make sure April understands what is expected of her and the importance of her job. “Does she know that criminal defendants are considered innocent until proven guilty? Does she understand the court is an independent entity with the duty to protect the rights of the accused, regardless of the final outcome?”

Education on the purposes and responsibilities of courts and professionalism would be helpful for April. It might be helpful for the judge to make hearings more formal and court-like. “Information on those convicted and later found innocent might also be useful here, as April appears to struggle with the perception that all those arrested are guilty.”

Maggie pointed out that given the stress of this type of employment, there may be “back room” conversations a clerk has with a judge or law-enforcement officer, but that is where it needs to remain. “Each individual is entitled to ‘fair and equal treatment/justice for all,’ and the spoken and unspoken words and actions of a clerk should portray that. It’s about

ethics becoming an integral part of that employee. To some people it comes natural, to others it is learned.”

Justice Brewer advised that one must a) be conscious of actual and potential conflicts, b) fully disclose conflicts in decision making, and c) adopt a fair conflict-resolution process.

Do we need to take another look at NACM's existing Model Code of Conduct?

Will, Julia, and Cheryl all thought we need to revisit the Code and said that it will likely require some discussion. Will mentioned, “Life happens and people often find themselves in financial situations that require them to work multiple jobs. It doesn't make them a 'bad' judicial employee, neither should we promote or infer, in my opinion, a negative light on those that do.” Cheryl suggested we include language around protection of rights and avoiding conflict of interest. Julia suggested that we either add a section in Canon 2 or rewrite Canon 3 that specifically addresses government service “outside”the court.

Justice Brewer thought we probably need to revisit the Code. “I question whether, given structural and funding constraints, some courts can eliminate this problem altogether, but the ground rules in the preceding answer should be considered as part of any ethics protocol.”

Maggie thought the times may be changing, but the ethics of the court system should be carved in stone; equal justice must not change. Canon 3.1 is on point.

I want to thank Will Simmons, Julia Spear, Justice David Brewer, Maggie Hogland, and Cheryl Stone for their thoughts on this rarely addressed but very serious issue. Some employees must work multiple jobs, and the ethics implications are definitely worth exploring. Be sure to visit the NACM ethics web page at <http://nacmnet.org/ethics> to see previous ethics columns and to download educational ethics modules your court or state association could use to present ethics training in your state. If you have an ethical

issue you would like to discuss, if you have comments on this or any of the previous columns, please contact me at pkiefer@superiorcourt.maricopa.gov.

ABOUT THE AUTHOR

Peter C. Kiefer is the southeast regional court administrator for Maricopa Superior Court in Phoenix, Arizona. He has been questioning ethics for *Court Manager* since 1994.

IJIS Exchange

A COLUMN DEDICATED TO THE EXCHANGE OF IDEAS ON INFORMATION SHARING IN JUSTICE

Wayfaring for Court Managers

The court community is constantly buzzing with initiatives that are being implemented, researched, or queued up for consideration. At the same time, technology is changing so quickly that it seems obsolescence is always nipping at our heels, making it doubly difficult to be confident that our court is headed down the best path for sustainable progress. It is not easy to know who is doing what, how, and whether to climb onboard—or at least pay close attention. If this sounds familiar, help is here! This special *cut-out column* of IJIS Exchange can be used as a wayfaring solution to help guide you through the most onerous questions:

- What's the skinny on the latest technologies?
- Where can I find details about national court IT initiatives?
- Who will keep me informed?
- What funding is available to help pay for it?
- Is there a *Reader's Digest* version?

Four Steps to Stay Informed

There's a wealth of information out there about court initiatives, and it is easy to get overwhelmed or sidetracked while uncovering it all. We recommend boiling it down to the basics; you can always dig deeper if you just love adventure, but these sites are your lifeline should you get lost along the way (suggestion: consider bookmarking them or grab your scissors and cut out Figure 1).

1. Thought Leadership. There are several online resources with current insights on court IT. The National Center for State Courts (NCSC) should be a top source for information. Be sure to make good use of their site-search feature because just about everything you need to know is available or linkable. In fact, the work being done by the Joint Technology Committee (JTC) can be found within NCSC pages. Other great sources for technology projects are the Court Information Technology Officer's Consortium (CITOC) and the IJIS Institute (IJIS). Each of these organizations supply a steady stream of updates through their involvement with task forces, working groups, focus groups, white papers, and other

informational bulletins. The National Association for Court Management (NACM) has a wonderful resources page with links to conferences, webinars, white papers, and other useful artifacts. Be sure to check their site links below—many of them link back to one another, making it simple to navigate between them.

2. Peer Experiences. If you are looking for details on what your peers are doing with technology, there are several helpful sites you can visit. NCSC has a wealth of data available on their *State Court Organization* pages, including the specific case management systems used within trial courts across the country. Their user-friendly tables include sort-and-filter options that make drilling down quite simple. Another great source is *Courts Today*, where you can find articles and “product roundups” that cover the spectrum of technologies being implemented by courts. Use their search feature to find any topic of interest—or simply browse through past issues if preferred. And, of course, industry webinars and conferences are a wonderful way to stay abreast of what is happening nearby and across the world. All the organizations referenced above post links to webinars and to major technology-focused conferences, which is a fantastic way to stay informed about all aspects of technology implementations, delivered by the people who have planned, managed, migrated, and lived to tell the tale. Conference workshop slide decks and videos are typically available for the past several years. Several links below provide a guide through research on what other courts are doing.

3. Industry/Technologies. So, who supplies many of the technologies being implemented in courts? Sometimes, it is the court's own internal technology office, and in other instances, there is an industry supplier involved. Sometimes, it is a mix of both. NCSC maintains a vendor technology list on their site with quick links to their websites and product information. Another helpful resource is the *Guide to Technology Planning for Court Managers* that NACM published in 2014. While the guide does not specifically mention suppliers, it provides a thorough review of the steps to take to ensure the success of technology projects in a court. One of the newer resources is the “innovation incubator” known as

CourtHack. The inaugural CourtHack event was held in Salt Lake City in 2016 and is moving to New Brunswick in 2017. Some great/fresh technology ideas have emerged from CourtHack, so take a look at what their teams have come up with so far. Each of these resource links are provided below.

4. **Funding Opportunities.** It seems that there is never enough money to cover what needs to be accomplished, but a court's chances improve significantly by staying tuned in to grant opportunities from a variety of sources. The list we have provided (see Figure 1) should help courts get started on their search for funding to support technology initiatives.

Join the Team

One of the best ways to be in-the-know is to get involved with your court committees. Whether you work for a government agency or in private industry, we make it easy to join ICAC:

Visit <https://ijis.site-ym.com/?page=Membership>

Email membership@ijis.org with the subject line "I want to join ICAC."

Exchanging Ideas

If there's something you'd like to see covered in an upcoming IJIS Exchange, let us know!

Email sue.humphreys@courtview.com with your suggestion.

Figure 1: Handy Cutout Resource Links





Holding People Accountable

Interview conducted and edited by Matthew Kleiman

Courtside Conversation

RENEE DANSER

Background

District Court Administrator, 43rd Judicial District of Pennsylvania
General-Jurisdiction trial court—one main courthouse (6 judges and 3 senior judges)
Limited-Jurisdiction magisterial district court—10 locations (10 magisterial district judges)
Total staff—170
Court budget—\$12,036,348
NACM member since 2012
ICM Fellow—2013

How did you get started in court administration?

After law school I took several short-term law clerk positions. My final stop was with the presiding judge of the family court in Pittsburgh. Since he kept a full calendar, he brought me on specifically to manage the administrative functions of the court. One of my first responsibilities was creating our one-judge/one-family concept. My introduction to court administration was a baptism by fire. From it I learned a lot about organizational politics and dealing with different departments, and also how a court actually operates.

I was fortunate to have some mentors in my organization who gave me the opportunity to go through the ICM Fellows program. And doing that really shaped my desire to remain in court administration. It showed me that this was something that was very interesting to me and something that I thought I could really do and excel at. I had the opportunity when the judge I was working for was elected to the appellate bench to go with him and be a law clerk on the appellate court. But, instead, I stayed in the family court for a while in Pittsburgh, and then moved to my current court where I am now.

What are some of the big lessons you learned about change management?

Never underestimate the amount of internal buy-in that is needed for an extensive transformation. You can have all the external buy-in in the world, and one person inside of the organization that is not interested in the change can derail the progress. Successful change comes from gaining the respect and understanding from people inside of the organization. This can be done by explaining why you're doing what you're doing. And, sometimes, you really do need to start from the very beginning of the explanation. I go to great lengths to explain the progression of how we got to this change, where we started, where we're going, and why we made those decisions on the way.

How would you describe your management style?

I hold people accountable. Once we have a decision on a change or how we're going to go forward in any given situation, I try to be very clear about what tasks are assigned, to whom, and when and why. And then I follow up with them. Making sure that they are doing what is expected of them, but also being available to answer questions and explain why. I think that this is something that has really helped me as a younger court manager who is managing people who are often older than me.

Being younger, it is important for me to gain and maintain credibility. Gaining credibility has come by ensuring that my staff are confident that I know what I'm talking about, that I am willing to work through challenges with them, and ask and allow them to ask me questions as we go. If I don't know the answer, we discover the answers together.

Where do you find sources or inspiration for new ideas for your court?

I am somebody who reads everything that comes across my desk. I am not an administrator who looks to maintain the existing process. I'm always looking to change and improve. And if I think something is a good idea, sounds intriguing or interesting, or even has a spark of something that could possibly be adapted, I immediately share it with my colleagues and ask them to try to figure out how we can incorporate it into our process.

What are some of the attributes that you think make a great court manager or administrator?

I think adaptability and being able to roll with the punches is very important. And, oftentimes, common sense is king in this job. I think sometimes we get mired in details and forget that the best decision may simply be what makes sense.

How are you able to effectively work with your judges?

I believe my job is to provide my presiding judge and the rest of the judges on my bench all of the information that they need to make a good decision about any project they are working on. I will always take a position on what I believe is the best route. And no matter what decision is made on any given project, you need to implement what is decided by your bench. But only after you're convinced and assured that you've given them every pro and con of every option available to them.

As a relatively new court administrator, what have been some of the biggest surprises for you being in that position?

I think the hardest part of this job is personnel management. That has produced for me some of the greatest surprises and the greatest successes. I think that there are days where things occur and you just sit back and wonder how on Earth did we get to this spot. I can't even fathom how this person thought this was something we should be doing.

Where do you find joy in your work?

I think personnel management is the hardest part of this job. But it also one of the most rewarding tasks. If you put in the time with people you see the positive results. It is often through adversity that you develop strong relationships and you get to see positive change in people. It is quite rewarding to know that you've helped them become more professional and successful in their job. If you succeed, it is no longer, "Oh I have to go to work today" for them. It's more like, "I enjoy going to work today." Being able to be a part of this growth and transformation in my staff makes me feel really good.

How you would define a well-run or a high-performing court?

I think a high-performing court is a court where staff understand what their responsibilities and roles are and execute them with general precision. And the court is perceived by the public as trustful. In this situation, the public can go to a courthouse and expect that their case or their issue will be resolved in a fair and timely fashion. A high-performing court is not all about disposition rates, but instead is defined by the perception of those who are using it.

What advice do you have for new court administrators across the country?

Stay humble and be patient. You may not rise to the top, or your project may not be a success right away. But be patient and be confident in your decisions. If you are confident that you've done the right thing, eventually you will get to the end where you're supposed to be.

ABOUT THE EDITOR

Matthew Kleiman is a principal court research consultant with the National Center for State Courts.



Management Musings

GIUSEPPE M. FAZARI

Tea, Water, Wine (in that order)

Time is elusive. There is no creating what we sometimes fail to remember is a finite resource; and as if to complicate it even further, its end is uncertain. It is fleeting and often escapes our control, particularly when the range of activities occupying our daily schedules is varied and time-consuming. In the bustling courthouse, the manager may find herself wondering like Dr. Seuss: “How did it get so late so soon?” Indeed, time is a perishable commodity distinct from other organic products because it cannot be vacuum sealed, frozen, grown, or covered with plastic wrap to prolong its life. It is a nonrenewable resource, and like minerals and fossil fuels, once it’s used, it’s gone. It can however, be “stored” in the sense that we can reserve a portion of our calendar today, tomorrow, next week, etc., for a specific task or project.

Five hundred twenty-five thousand six hundred — the number of minutes in an ordinary calendar year and the quantity of which is questioned in the hit musical *Rent*. The lyrics question how to quantify the value of a year. The concluding chorus (and the answer to this question) is perhaps not all that relevant to work life in the courts, but the central query is; that is, are you making the most of your time? In their book, *First Things First*, Covey and associates discuss time management in a nontraditional manner that does not focus on to-do lists, task prioritization, calendars, and appointments. Instead, the premise of the book addresses a principle-centered approach to time management, drawing distinctions between the “clock” and the “compass.” The clock symbolizes how we manage our time — appointments, schedules, and short- and long-term goals. The compass symbolizes vision, values, principles, and conscience. It represents what we believe is important and how we lead our lives. They posited that individuals experience problems when the clock and compass are misaligned; that being, when how we spend our time is not commensurate with what we believe

is important. To say that maintaining this synchronization is challenging would be an understatement because for most, the chasm, however large or small, between the two is ever present. The authors described these driving forces in the minute (but very important) differences between the urgent and important. For many, the urgent — the day-to-day activity involving routine work, “crises,” and “putting out fires” — continually drives out the important. The hours accumulate into days, which amass into weeks, months, and eventually years. At time’s end, one’s regular and consistent inattention to this critical distinction between the urgent and important will leave her with little, if any, value for all the time that was expended—or a poor ROI (return on investment), if you will.

“Good morning all,” I acknowledged as I briskly walked passed the reception area and toward my office. My mind was racing with a last-minute report I needed to review for a two o’clock meeting. As I settled into my chair, I tapped my mouse to log-in, when my assistant knocked.

“Actually good afternoon,” she corrected.

“Is it that late?” I asked glancing at my digital desk clock, which read 12:04 PM.

“I know you’re busy, but I just wanted to make sure you got my email about this week’s security committee meeting that was changed.”

“I’m sure I did, but remind me again.”

“The sheriff called and said the audit report that we’re waiting on is delayed and won’t be done—he said another week, but

the way he was talking, I wouldn't expect it for at least two. Until the committee receives the report and everyone has an opportunity to review it, he didn't see the point and decided to postpone the meeting. Also, the two o'clock this afternoon was pushed back to four."

"That means I'm here to at least six, and I really needed to get out of here on time today."

"Don't you have your friend's wedding rehearsal and dinner tonight?"

"I do. That's why I need to get out of here by 5:30 at the latest."

"You have three phone messages. One from the overseas vendor selling the software you're not interested in so you can ignore that. Judge Samuels called and is waiting on your feedback from last week's foreclosure seminar?"

"Yes — he asked me about the speaker, and I told him I'd email him my thoughts."

"Well, he said that he didn't want to schedule the next seminar until he heard from you and registration for outside counsel is going to have to start soon if it's going to be offered. The other message was from Toni. She said it wasn't urgent — just touching base."

"Shoot — I forgot to call her back last week."

"Well, get on the horn and call her back. I'd hate to think where you'd be without her," she said.

"I know you're joking, but there's a lot of truth to that. Could you get me the seminar file — where did I put my notes?"

"Oh — you thought I was joking?" she ribbed. "The file's on your desk, and I've updated the calendar, so you're pretty much freed up until four."

"Thanks Ava."

I searched for the phone message reception sent to my cell phone, tapped on the number they left, and as the phone connected, I began skimming the 19 unread email messages sitting in my inbox from the morning.

It didn't ring more than once when Toni picked up, "Hello Mr. President."

"Mr. President?" I asked quizzically.

"At this point, I think it's easier getting in touch with the leader of the free world than you."

"I'm sorry Toni, it's been a hectic couple of weeks. I meant to call you back, but time got away from me."

"It's been more than that. I haven't seen you at the gym for a couple of months."

"Tell me about it. What a waste of money that membership is turning out to be."

"Anyway, stop reading your email for a second and calendar me in for lunch later this week. I'll come downtown, and we can eat at *Rosen's*."

"Sounds good, give me a minute here," I responded, as I glanced at the week's calendar on the computer and found a small 12:15 to 1:00 window. "How about this Thursday, 12:15?"

"Perfect. See you then."

"Hey Toni, before you go, how'd you know that I was reading my email just now?"

"A little bird told me. Don't worry about it — I'm not offended by playing second fiddle to your inbox," she teased.

"Thanks Toni — see you Thursday."

As I walked into *Rosen's*, an eat-in delicatessen more aptly characterized as an institution in this neck of the woods, it was buzzing with the lunch crowd from both the courthouse and neighboring businesses. I weaved through the entry where a dozen or so people were waiting at the cold-cut display counter for their numbers to be called. As I excused myself through the group, I spotted Toni at a tiny table in the rear corner of the dine-in area. The table's circumference looked like it could barely fit one plate of the overstuffed sandwiches this place was known for, let alone two. Toni noticed me and slowly raised her hand halfway to ensure that I saw her through the wait staff taking orders from the tightly packed tables.

"Well this is cozy," an obvious remark about our table placement, which proved to also be uneven as I sat down and rested my arms. It's all the same I thought as the place had all the charm expected in a 60-year-old establishment.

Toni moved the salt and pepper shakers from the center of the table against the wall to make room on the table and said, "I got your text and ordered you the turkey and Swiss on rye. I'm getting the chicken salad on whole wheat. They don't have much of a tea selection as you know, so I ordered us two cups of the lemon peel black tea, which is not bad." The waiter

made his way over with the tea when Toni recalibrated the spacing and asked, “Can you take these? We’re not going to use them,” and handed him the condiment shakers.

“Sure,” he responded.

“And please bring me the check at the same time the sandwiches come out.”

“Not a problem,” agreed the waiter.

“Great — thank you.”

“You are the queen of efficiency, Toni,” I mentioned as I thumbed through some pending email on my phone.

“I don’t know about that, but I’m going to enjoy chatting with you over lunch, so the first thing you need to do for me is not look at your phone for the next 28 minutes.”

“I may go into neurogenic shock, but you have my word,” I joked as I placed the phone into the breast pocket of my suit jacket hanging on the back of my chair.

“Thank you.”

“You know, this reminds me of what Sister Rudbeckia used to drill into my third-grade class.”

“Like the flower?” she asked taking the first sip of her tea.

“As a matter of fact, her last name was spelled exactly like it. But she’d always say, especially when we were acting inappropriately, which was most of the time, ‘there’s a time and place for everything.’”

“Simple, but sage counsel that will last a lifetime. And following it in a purposeful way will make all the difference in your life.”

“You mean how productive you are,” I clarified bringing my tea beneath my nose to take in the lemon aroma.

“Yes, but there’s more to it than just being productive. It’s about committing time for everything, but being judicious in how much time you devote to that person, problem, project, or whatever. It’s about taking ownership of how you spend your time so that you’re investing it in a way that takes you in the direction you have set for your life. For instance, if your work is the only thing that really matters to you, then you should spend your entire waking day in the office and not nurture your relationships or take time to travel, learn a new subject, read a book, etc.” she commented with a grin.

“Are you *trying* to tell me something?”

“You know me better than that — I never try to tell you anything. I just tell it.”

“Are you telling me then, that I’m spending too much time at the office?” I asked.

“I’m not because I can’t answer that — only you can. I know a great deal about the people and experiences you cherish. I know how hard you’ve worked and how far you’ve come, but you’re the only one who truthfully knows whether you’re investing enough time in everything that will help you achieve the balanced life you’ve always sought.”

I nodded my head and instantly felt a deep sense of failure knowing that while I was thriving in the career space of my life, it was whittling away — creating an imbalance — in other areas. Ironically, these other facets, albeit less tangible, had greater value to me in the grand scheme of things — and she knew that.

Toni sensed that she struck a chord, gave me a gentle, reassuring smile, and said, “Look, I’m not suggesting you quit your job or not commit the time to the profession you enjoy so that you can get home earlier to watch more TV because as you know ...” she tailed off waiting for me to finish what she’s said a myriad of times.

“Successful people don’t watch a lot of TV,” I replied.

“Right. What I’m saying is to be conscious to not neglect any one aspect of your life at the expense of the others. Maintain the right balance. It’s not really that different than what you drink daily.”

“What do you mean?” I asked.

“Well, what did you drink yesterday?” she asked.

“What I drink almost every day — tea in the morning, water through the afternoon, and a glass of wine with my dinner,” I replied.

“Exactly.”

“I don’t get it,” I said confounded by the ostensible analogy.

“As much as you enjoy that regimen of drinks, what if I restricted your diet to only one of them? How diverse would your taste experiences be if it was nothing but water every day, every meal on every occasion? Or let’s say I restrict it to the one I think is most akin to television — wine. How long would you last?”

“Not long at all,” I conceded chuckling at the parallel.

“And if I allowed you to have all three drinks, but instead required you to have them at irregular times — say wine in the morning and a highly caffeinated tea, like English Breakfast, at night — what would happen?”

“I don’t think I’d last too long under that scenario either.”

“Neither would I and that’s the point. A life well-lived requires that you balance all the things that are important to you — or as Sister Rudbeckia would say, ‘Remember that there’s a time and place for everything.’”

In accordance with the two dimensions of the “urgent” and “important,” Covey and associates identified the following four quadrants in which time is spent and can be divided:

Quadrant I — things that are both urgent and important wherein individuals are compelled to manage critical issues without delay. Spending time in this quadrant is obligatory.

Quadrant II — activity that is important but not urgent and is referred to as the “quadrant of quality.” This is reserved for long-term planning and time to empower ourselves and others, widen our perspective, and enhance our skill set.

Quadrant III — urgent but not important. It is called the “quadrant of deception” because it embodies the multitude of distractions and interruptions that we engage in under the pretense that everything “urgent” must also be important.

Quadrant IV — things that are neither urgent nor important. This is the “quadrant of wasteful” activity, such as mindless and trivial escapes.

Toni would concur with the authors who submitted that to put “first things first,” we must learn to live in Quadrants I and II and restrict our time in III and IV. How do we know what is truly important so as to not get duped into thinking we are in Quadrant I when we are, in fact, in III? The authors denoted four basic human needs that encompass the important aspects of our life: to live, to love, to learn, and to leave a legacy. These needs overlap and correspond to our physical, social, mental, and spiritual well-being. To meet these needs, which ultimately determine our quality of life, we must pursue those needs in accord with our personal mission, vision, and principles. William Penn once said, “Time is what we want most, but what, alas! we use worst,” and therefore to avoid this common practice, it is important (and urgent) to identify our roles in life (responsibilities, relationships, and areas of contribution). Once identified, we must select Quadrant II goals for each role and schedule time on a weekly

basis to generate a positive impact in each of these areas. After Quadrant II goals are in place, the remaining schedule could then be filled with activities associated with the other quadrants. Each day should begin with us previewing it so that we can prioritize the things that warrant the most important use of our time, not just the most urgent. Now that my schedule is coming to a close this week, I am hopeful that sharing Toni’s insight on time and coupling it with some relevant literature has been a good use of my time, and if it has, it will have accomplished one of my Quadrant II goals.

And those are just some of my musings on management.

ABOUT THE AUTHOR

Giuseppe M. Fazari is a consultant with Ijoma & Associates Court Management Consultants. Contact him at fazarigm@aol.com

NACM NEW MEMBERS — September-November 2016

A

NEFERTETE AMON-RA

Administrative Coordinator
Fulton County Juvenile Court
395 Pryor St., Ste. 1093
Atlanta, GA 30312
(404) 613-4589
Fax: (404) 613-4589
neferteteamonra@gmail.com

DOUGLAS ARNOLD

Assistant Chief Deputy
Clerk of the Circuit Court for
Anne Arundel County
8 Church Cir.
Annapolis, MD 21401
(410) 222-1436
Fax: (410) 222-1395
douglas.arnold@aacounty.org

B

JESSICA BASINGER

Collections and Revenue Manager
Oregon Judicial Dept.
Business and Fiscal Services Div.
1163 State St.
Salem, OR 97301
(503) 986-5601
Fax: (503) 986-5856
jessica.c.basinger@ojd.state.or.us

BOBBI BAUMANN

Court Supervisor
Clackamas County Court
807 Main St.
Oregon City, OR 97045
(503) 722-6116
Bobbi.Baumann@ojd.state.or.us

CHRISTIE M. BECKER-MARKOVICH

Administrator
12th Judicial Circuit Treatment Courts
104 W. Main St., Ste. G
Warrenton, MO 63383
(636) 456-7136
Fax: (636) 456-0605
christie.becker-markovich@courts.mo.gov

VIRGINIA BERMUDEZ

Court Services Supervisor
Scottsdale City Court
3700 N. 75th St.
Scottsdale, AZ 85251
(480) 312-2760
Fax: (480) 312-2764
vbermudez@scottsdaleaz.gov

DEBRA A. BROWNLEE

Court Supervisor
Clackamas County Court
807 Main St.
Oregon City, OR 97045
(503) 722-6117
Fax: (503) 650-8947
Debra.A.Brownlee@ojd.state.or.us

C

SARAH CALLEGARI

Court Operations Supervisor
Oregon Judicial Dept.
1100 NW Bond St.
Bend, OR 97701
(541) 317-4772
sarah.callegari@ojd.state.or.us

TAMMY CHANCE

P.O. Box 12869
Salem, OR 97309
(503) 588-5368
Tammy.J.Chance@ojd.state.or.us

ANGELA R. CURTIS

Trial Court Administrator
7th District, Oregon Judicial Dept.
309 State St.
Hood River, OR 97031-2093
(541) 386-3465
angie.r.curtis@ojd.state.or.us

D

LINDSEY K. DETWEILER

Assistant Legal Counsel
Oregon Judicial Dept.
Legal Counsel Div.
1163 State St.
Salem, OR 97301
(503) 986-5500
Fax: (503) 986-5722
lindsey.k.detweiler@ojd.state.or.us

MARK J. DONATELLI

Court Administrator
Fairborn Municipal Court
1148 Kauffman Ave.
Fairborn, OH 45324
(937) 318-1351
mark.donatelli@ci.fairborn.oh.us

JILL DORSEY

Deputy Chief Administrative Officer
King County District Court
516 Third Ave., Rm. 1034
Seattle, WA 98104
(206) 205-2820
Fax: (206) 296-0596
jill.dorsey@kingcounty.gov

F

JENIFER FISHER

Court Supervisor
Clackamas County Court
807 Main St.
Oregon City, OR 97045
(503) 655-8504
Jenifer.B.Fisher@ojd.state.or.us

MIKE FABER

P.O. Box 12869
Salem, OR 97309
(503) 588-5368
Mike.R.Faber@ojd.state.or.us

NANCY FRAIRE

Court Services Supervisor
Scottsdale City Court
3700 N. 75th St.
Scottsdale, AZ 85251
(480) 312-3091
Fax: (480) 312-2764
nfraire@scottsdaleaz.gov

G

JAMES GIORDANA

OJD Analyst 4
Oregon Judicial Dept./Business
and Fiscal Svcs. Div.
1163 State St.
Salem, OR 97301
(503) 986-5937
Fax: (503) 986-5856
james.giordano@ojd.state.or.us

H

CYNTHIA HADDAD

P.O. Box 12869
Salem, OR 97309
(503) 588-5368
Cynthia.D.Haddad@ojd.state.or.us

MITZI HEALY

P.O. Box 12869
Salem, OR 97309
(503) 588-5368
Mitzi.Healy@ojd.state.or.us

ROBIN L. HUNTING

Court Supervisor
Clackamas County Court
807 Main St.
Oregon City, OR 97045
(503) 722-6100
Robin.L.Hunting@ojd.state.or.us

SUSAN HURT

100 High St. NE
Salem, OR 97301
(503) 588-5368
Fax: (503) 588-5368
Susan.D.Hurt@ojd.state.or.us

J**MS. LATRICE C. JOHNSON**

Court Administrator
Coppell Municipal Court
130 Town Center Blvd.
Coppell, TX 75019
(972) 304-3651
Fax: (972) 304-3639
ljohnson@coppelltx.gov

K**ALAN L. KING**

Probate Judge
Jefferson County Probate Court
716 Richard Arrington Jr. Blvd. N.
Rm. 120
Birmingham, AL 35203
(205) 325-5203
Fax: (205) 214-4056
kinga@jccal.org

ROBERT A. KLEKER

Trial Court Administrator
Jackson County Circuit Court
Justice Bldg.
100 S. Oakdale Ave.
Medford, OR 97501-3127
(541) 776-7171
Fax: (541) 776-7057
robert.kleker@ojd.state.or.us

CLAYTON KNIPP

Court Services Supervisor
Office of the State Courts Administrator
2112 Industrial Dr.
Jefferson City, MO 65110
(573) 230-6772
Fax: (573) 522-5961
clayton.knipp@courts.mo.gov

AMY M. KNUTSEN

Judicial Specialist
Poulsbo Municipal Court
200 NE Moe St.
Poulsbo, WA 98370
(360) 394-9763
Fax: (360) 779-1584
aknutson@cityofpoulsbo.com

L**DEBBIE L. LITTLE**

Oregon Judicial Dept. Supervisor
Oregon Judicial Dept.
Clatsop Circuit Court
P.O. Box 835
Astoria, OR 97103
(503) 325-8555
Fax: (503) 325-8555
debbie.little@ojd.state.or.us

MARITZA LOPEZ

Manager
13th Judicial Circuit Court
401 N. Jefferson St., Rm. 415
Tampa, FL 33602
(813) 272-5931
Fax: (813) 301-3790
ortizm@fljud13.org

M**SHAFI MANNAN**

Court Services Supervisor
Scottsdale City Court
3700 N. 75th St.
Scottsdale, AZ 85251
(480) 312-7755
Fax: (480) 312-2764
amannan@scottsdaleaz.gov

LISA MARX

Administrative Analyst
Oregon Judicial Dept.
Deschutes County Courthouse
1100 NW Bond St.
Bend, OR 97703
(541) 317-4772
Fax: (541) 317-4771
lisa.marx@ojd.state.or.us

AMANDA MCCARTER

P.O. Box 12869
Salem, OR 97309
(503) 588-5368
Amanda.M.McCarter@ojd.state.or.us

KELLY L. MILLS

Program Manager
Oregon Judicial Dept.
4280 Pullman Ave. SE
Salem, OR 97302
(503) 986-7004
kelly.mills@ojd.state.or.us

N**TERESA NARANJO**

Court Administrator
West Wendover Municipal Court/
Eastline Justice Court
P.O. Box 2300
West Wendover, NV 89883
(775) 664-2305
Fax: (775) 664-2979
tnaranjo@elkocountynv.net

CHRISTA LYNN NEAL

Court Operations Supervisor
Deschutes County Circuit Court
1164 NW Bond St.
Bend, OR 97703
(541) 317-4786
Fax: (541) 317-4786
christa.neal@ojd.state.or.us

ELIZABETH T. NORTH

Deputy Probate Judge
Jefferson County Probate Court
1801 - 3rd Ave. N., Rm. 101
Bessemer, AL 35020
(205) 602-4115
northe@jccal.org

P**MELISSA PARKER**

Court Supervisor
Clackamas County Court
807 Main St.
Oregon City, OR 97045
(503) 722-6118
Fax: (503) 650-8919
Melissa.A.Parker@ojd.state.or.us

KIMBERLY A. F. PIECHOWIAK

Domestic Violence Training Attorney
Texas Office of Court Administration
205 W. 14th St., Ste. 600
Austin, TX 78701
(512) 936-6390
Fax: (512) 463-1648
kim.piechowiak@txcourts.gov

Q**TINA M. QUALLS**

Civil Court Supervisor
Jackson County Circuit Court
Justice Bldg.
100 S. Oakdale Ave.
Medford, OR 97501-3127
(541) 776-7171
Fax: (541) 776-7057
tina.qualls@ojd.state.or.us

NACM NEW MEMBERS

R

CARLENE REDMOND

Judicial Program Administrator
Juvenile Court of Cobb County
32 Waddell St.
Marietta, GA 30090
(770) 528-2286
Fax: (770) 528-2213
carlene.redmond@cobbcounty.org

AMANDA REID

Staff Attorney
Jefferson County Probate Court
716 Arrington Blvd. N., Ste. 120
Birmingham, AL 35205
(205) 325-5203
reida@jccal.org

ANDREA RILEY

Analyst
Marion County Circuit Court
100 High St. NE
Salem, OR 97301
(503) 584-4765
Fax: (503) 584-4765
Andrea.L.Riley@ojd.state.or.us

S

BONNIE R. SAVAGE

Trial Court Administrator
Lincoln County Circuit Court
P.O. Box 100
Newport, OR 97365
(541) 574-8801
Fax: (541) 265-7561
bonnie.savage@ojd.state.or.us

BARBARA SCHAFER

Family Court Administrator
Bexar County
100 Dolorosa, 3rd Fl.
San Antonio, TX 78205
(210) 335-2959
Fax: (210) 335-2843
bschafer@bexar.org

CARMEN SCHUETZ

P.O. Box 12869
Salem, OR 97309
(503) 588-5368
Carmen.L.Schuetz@ojd.state.or.us

NICOLE M. SNYDER

Assistant Civil Division Manager
Superior Court of NJ, Camden Vicinage
101 S. Fifth St.
Camden, NJ 08103
(856) 379-2200
Fax: (856) 379-2253
nicole.snyder@njcourts.gov

ANNE M. STEIN

Court Division Supervisor
Denver County Court
503 S. Pennsylvania St.
Denver, CO 80209
(720) 865-7863
Fax: (720) 865-8250
anne.stein@denvercountycourt.org

CATHERINE SUSMAN

Assistant Legal Counsel
Oregon Judicial Dept.
Legal Counsel Div.
1163 State St.
Salem, OR 97301
(503) 986-5500
Fax: (503) 986-5722
catherine.susman@ojd.state.or.us

T

ERIN ANGELINE TELLEZ

Court Clerk Supervisor
North Las Vegas Municipal Court
2332 Las Vegas Blvd. N., #100
North Las Vegas, NV 89030
(702) 633-1130
Fax: (702) 633-2483
telleze@cityofnorthlasvegas.com

LISA M. THOMPSON

Court Administrator
St. Charles City Municipal Court
1781 Zumbel Rd.
St. Charles, MO 63303
(636) 896-1592
Fax: (636) 940-4607
lisa.thompson@stcharlescitymo.gov

KRISTEN TREBIL

Court Administrator
1st Carver
604 E. 4th St.
Carver, MN 55318
kristen.trebil@courts.state.mn.us

W

STARLYN B. WHITE

Court Supervisor
Jackson County Circuit Court
Justice Bldg.
100 S. Oakdale Ave.
Medford, OR 97501-3127
(541) 776-7171
Fax: (541) 776-7057
starlyn.b.white@ojd.state.or.us

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Tom C. Clark State Court Building
205 West 14th Street, Suite 600
Austin, TX 78701
(512) 463-1629 Fax: (512) 463-1648
scott@nacmnet.org

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Paul DeLosh
Director of Judicial Services
Supreme Court of Virginia
100 North 9th Street
Richmond, VA 23219
(804) 786-1730 Fax: (804) 371-5034
paul@nacmnet.org

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Fifth Judicial District
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(404) 612-4529 Fax: (404) 612-5368
yolanda@nacmnet.org

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stephanie@nacmnet.org

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Court Administrator
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200 Fourth Avenue West
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(952) 496-8207
vicky@nacmnet.org

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Tracy J. BeMent
District Court Administrator
10th Judicial District
P.O. Box 1392
Athens, GA 30603
(706) 613-3173 Fax: (706) 613-3174
tj@nacmnet.org

DIRECTOR 2015-18

Kathryn Griffin
Court Administrator
St. Joseph County Circuit/Probate Court
P. O. Box 189
Centerville, MI 49032
(269) 467-5595 Fax: (269) 467-5558
kathryn@nacmnet.org

DIRECTOR 2014-17

Kevin Burke
Judge
Hennepin County District Court
404 Family Justice Center
110 S. 4th Street
Minneapolis, MN 55401
(612) 348-4389 Fax: (612) 596-7332
judgeksb@nacmnet.org

DIRECTOR 2016-19

Greg Lambard
Chief Probation Officer
New Jersey Superior Court
Burlington Vicinage
50 Rancocas Road
Mount Holly, NJ 08060
(609) 518-2504
greg@nacmnet.org

DIRECTOR 2015-18

Jeff Chapple
Court Administrator
O'Fallon Missouri Municipal Court
100 North Main Street
O'Fallon, MO 63366
(636) 379-5514 Fax: (636) 379-5415
jeff@nacmnet.org

DIRECTOR 2015-18

Dawn Palermo
Judicial Administrator
Jefferson Parish Juvenile Court
P.O. Box 1900
Harvey, LA 70059
(504) 367-3500 Fax: (504) 227-0707
dawn@nacmnet.org

DIRECTOR 2016-17

Alfred Degrafinreid
Chief Administrative Officer
Office of the Criminal Court Clerk
Metropolitan Nashville and Davidson County
408 2nd Avenue North, Suite 2120
Nashville, TN 37201
(615) 862-5663
alfred@nacmnet.org

DIRECTOR 2016-19

Alyce Roberts
Special Projects Coordinator
Alaska Court System
820 W. Fourth Avenue
Anchorage, AK 99501
(907) 264-0889
alyce@nacmnet.org

DIRECTOR 2016-19

Julie Dybas
Court Administrator
Scottsdale City Court
3700 N. 75th Street
Scottsdale, AZ 85251
(480) 312-9244
julie@nacmnet.org

DIRECTOR 2016-19

Jeffrey Tsunekawa
Judicial Operations Manager
Seattle Municipal Court
600 Fifth Avenue/P.O. Box 34987
Seattle, WA 98124
(206) 898-7200
jeffrey@nacmnet.org

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