



## Looking Ahead to Annual Conference

The 2006 NACM Midyear was held in Colorado Springs, Colorado, at the elegant Broadmoor Hotel January 30 through February, and it was a resounding success, both educationally and socially. There were 250 participants, including a record number of leadership judges, an outstanding faculty, and vendors. Participants enjoyed the substantive program, which focused on the Court Executive Leadership Team.

The 2006 NACM Annual Conference will be held in Fort Lauderdale, Florida, July 9-13. The theme is leadership of the nation's trial courts and the justice systems and communities in which trial courts are embedded. Over five days participants will be engaged by three keynote addresses and 37 workshops concerning leadership challenge in general as well as the leadership challenge presented by carefully selected and diverse substantive issues.

The Monday conference keynote (*Leading and Pacing Others and Having Fun Doing It*), to be delivered by the entertaining and substantive speaker, Brian

Blasko, will be followed up by two Blasko-led workshops. The Monday keynote and follow-up workshops are complemented by four workshops on Monday, Tuesday, and Wednesday led by Dan Straub that will offer Michigan State University credits on the NACM Leadership Core Competency Curriculum Guidelines (CCCGs).

The four MSU Leadership CCCGs workshops are one of seven multi-day themes and workshops, including:

- Security and Emergency Preparedness—Steve Steadman, Policy Studies Inc.; Timm Flautsko, NCSC; and Judy Cramer, Fulton County
- Court Interpreters—William Hewitt, NCSC
- Cultural Competency—Diane Burbie, ASPIRE GROUP
- Families in Court—NCSC
- Self-Represented Litigants—John Greacen and the Network on Self Represented Litigation
- The Media and Media Relations—National Judicial College and Chief Judge James Bodiford and Judge Adele Grubbs from Cobb County, Georgia

The current Florida chief justice, Barbara Pariente, will present the Tuesday keynote *Families in Court: Issues and Answers*. Dr. Will Miller, a very funny and insightful

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### A Word From Your Editor:

With this issue, the editorship passes to me from Andra Motyka. We wish Andra well with her next challenge, the *Court Manager*, a publication that continues to serve NACM well. *Court Communi qué* is about you, the practitioner, strategies that work, and how we can become better court managers. I encourage you to contribute relatively brief news items and articles with ideas that can quickly be put into practice. Please share what you have learned, so we can share it with your colleagues through the *Communi qué*.

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## Topic of New Mini Guide ANNOUNCED

**A**t the 2006 NACM Midyear Conference held in Colorado Springs, Colorado, in late January, the officers approved the following topic for the next NACM mini guide: Making the Verbatim Record of Court Proceedings. The guide will address the use of both court reporters and electronic recording technologies to capture the court record.

NACM mini guides highlight best practices found in the court community. To date, 10 have been produced, and a complete list is available on the Web site – [www.nacmnet.org](http://www.nacmnet.org). A mini guide on the topic of disaster recovery is currently being finalized and will be sent to each member later this year.

Each mini guide is developed by a committee that solicits ideas and materials from NACM members and drafts the guide. NACM is currently seeking members who would be interested in joining the current mini guide committee to help develop the new guide. If you are interested, contact Marcus Reinkensmeyer at [mreinken@superiorcourt.maricopa.gov](mailto:mreinken@superiorcourt.maricopa.gov) or (602) 506-3190. ♦



## CONGRATULATIONS TO THIS COURT MANAGER

**Debra Olsen** has been appointed southeast regional court administrator in Maricopa County. She previously served with the Arizona Supreme Court as administrative services manager in adult probation services. Her new position includes administrative functions in both the superior and justice courts. ♦

## MEMBERSHIP UPDATE

**A**s of December 31, 2005, NACM membership was 2,500 strong. The top states for new members include California and Colorado, each with 29. Congratulations to Paul DeLosh, director of technical assistance for the Supreme Court of Virginia, for earning the Membership Incentive Program Award for the first six months of the award year. Paul recruited eight new NACM members, earning a \$1,000 travel reimbursement award for the NACM midyear conference in Colorado Springs, Colorado.

Don't forget to renew your NACM membership, and if you know of someone who would enjoy the benefits, recommend a member today! Regular membership in NACM is open to anyone who works in a court or government setting serving as clerk of court, court administrator, or in any court management, court education, court research or judicial officer capacity. Additional membership categories include associate (consultant or vendor), student, honorary, retired, and sustaining members.

The 2005-06 Membership Incentive Program Award provides expense reimbursement for the annual and midyear conferences for recruiting new members. For details, please see:

<http://www.nacmnet.org/MembershipIncentiveProgram.html>.

You can obtain more membership information by contacting NACM: National Association for Court Management, c/o NCSC, 300 Newport Avenue, Williamsburg, VA 23185-4147, Attention: Administrative Services, or call (757) 259-1841. You can also visit the NACM Web site at [www.nacmnet.org](http://www.nacmnet.org). ♦

# FORGET “STATISTICALLY SIGNIFICANT”

By Ingo Keilitz

In his 1996 book, *Keeping Score: Using the Right Metrics to Drive World-Class Performance* (Quality Resources, a Division of Kraus Productivity Organization Ltd.), Mark Graham Brown delivered a practical common-sense guide on how to develop and use performance measures as tools for world-class performance. In his latest book, *Get It, Set It, Move It, Prove It: 60 Ways to Get Results in Your Organization* (Productivity Press, 2004), he puts a sharper point on some of the issues he raised in his earlier book.

Forget “statistically significant” when assessing organizational performance, he writes in Chapter 49. Distinguishing between organizational performance measurement and science, he states that the concept of statistical significance is critically important for science to rule out that the differences between the experimental and control groups are due to the independent variable and not to chance. For example, scientific researchers may be focused on whether the differences in lowered cholesterol levels between an experimental group who received a new cholesterol drug and a control group who got a placebo are statistically different from chance occurrence. Managers of organizations are less concerned with doing research and proving things. Instead, they are concerned mostly with good performance.

In a previous post [from the author’s blog site: <http://made2measure.blogspot.com>] (see *The Difference Between Performance Measurement and Research*, October 7, 2005), I wrote that the differences between performance measurement and scientific research are like the differences between the process and the data interpretation rules you use to monitor your “driving” performance as you check the gauges on your car dashboard and that of your state department of motor vehicles (DMV) commissioning a scientific study of cell phone use and driving patterns throughout your state. The DMV, of course, would be concerned about whether accidents involving cell phone users versus

non-users are statistically different from chance alone. But would you be concerned about whether your check of your gas gauge or speedometer revealed a statistically significant difference in the level or speed compared to that of your previous check?

Like what we pay attention to while driving our cars, court managers are interested in performance trends. What is the current performance level compared to established upper and lower “controls” (e.g., performance targets, objectives, benchmarks and tolerance levels)? What does performance look like over time? Is it better, worse, or flat? How much variability is there?

When assessing various strategies, programs, or services, it is important to show that they produce good, practical results, whether they are statistically significant or not. A new service (e.g., a “greeter” at the front door of the courthouse) may be associated with a statistically significant performance improvement (e.g., a 3 percent increase in court user satisfaction), but a court manager still needs to determine whether the effort is worth the cost.

Performance measurement is the process of measuring a court’s accomplishments (outcomes), work and service levels (output), and its resources (inputs). It is done on a regular and continuous basis. Scientific research, on the other hand, is done to prove things, to discover factual truth, to test models, and to develop theories to increase our knowledge and understanding about human behavior and social phenomena. Performance measurement and scientific research are vastly different in their purposes, functions, uses, the way they are funded and structured, and in their data interpretation rules.

The concept of statistical significance is just not helpful in tracking and evaluating organizational performance. As Mark Graham Brown points out, statistical significance is for scientists, not for business managers.

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## A Review of the NACM 2006 Midyear CONTINUED FROM PAGE 1

speaker, is the Thursday keynote speaker on *Leadership, Stress, and Refrigerator Rights*.

Other workshops will deal with diverse topics at the core of trial courts and on their many boundaries, including Court Web Pages: Best of Breed; Intermediary Court Organizations; Drug Courts; Victims in Court; Court Reporters: Fair and Balanced;

Judicial Branch Leadership and Management Providers and Programs; the NCSC CourTools; and How to Deal With the Legislature, among others.

Join us in Fort Lauderdale for education, networking, the sun, beach and ocean, and a full social program! ◆

# NACM NATIONAL AGENDA ON THE COURT MANAGEMENT PROFESSION 2005-2010

## OVERVIEW

As a leading voice for those managing courts both in the United States and abroad, the National Association for Court Management has a responsibility to speak out for court improvement and to lead the way toward better justice and exemplary public service. To that end, the NACM officers and board announce a National Agenda on the Court Management Profession 2005-2010.

The agenda promotes the enhancement of court management in limited, specialized, and general jurisdiction trial courts and supports strong, independent, impartial judiciaries worldwide. The agenda has six interwoven components:

- **Professional Court Management Education: Two Levels**
- **Funding of State Court Systems and Trial Courts**
- **Caseflow Management Improvements**
- **Public Perceptions of the Courts and Community Collaboration**
- **Judiciary, Executive, and Legislative Relationships**
- **Court System and Trial Court Governance**

## THE PROCESS OF BUILDING THE NACM NATIONAL AGENDA

The NACM agenda reflects the collective views of the NACM members and is the direct result of a two-year, 13-step process that engaged NACM colleagues and others before, during, and after the 2004 and 2005 NACM Midyear and Annual Conferences.<sup>1</sup>

NACM began in late 2003 with a call for ideas and workshop topics in the *Court Communiqué* and *Court Manager*. The request was for help in identifying and defining the issues and relationships that should shape NACM's future. An initial list of topics was then discussed, evaluated, and refined by two focus groups at the 2004 NACM Annual Conference in Grapevine, Texas.

A pre-conference gathering of state association presidents representing 14 states at the yearly NACM Leadership Seminar resulted in an initial list of 28 subjects, which were prioritized.

Based on the work at the NACM Leadership Seminar, the list was expanded to 34 and ranked during a Past Presidents Chat led by Zelda DeBoyes four days later during the NACM 2004 Annual Conference.

Following refinement of the results from the 2004 NACM Annual Conference, there was extensive review

at the 2005 NACM Midyear Conference in Biloxi, Mississippi, through plenary presentations, workshops, and surveys. The process was then carried into the 2005 NACM Annual Conference via a pre-conference briefing paper<sup>2</sup> and another round of workshops and surveys. At its fall 2005 meeting in Fort Lauderdale, Florida, the NACM officers and board settled on a six-topic NACM National Agenda to guide the educational, policy, and research activities of the association over the next five years.

Work on the agenda also included an evaluation of other national meetings and the announced plans of key judicial improvement groups including the National Center for State Courts, the American Bar Association, the American Judicature Society, the National Judicial College, the Conference of State Court Administrators, the National Association of State Judicial Educators, and the U.S. Department of Justice.<sup>3</sup>

## THE SIX PRIORITIES BRIEFLY DEFINED

### 1. Professional Court Management Education: Two Levels

*Level I Definition:* Effective delivery of professional, adult judicial branch education by national, regional, state, and trial court providers for leadership judges, court managers, and senior staff focused by the 10 NACM Core Competencies.

*Level II Definition:* College-level educational programs with bachelors or masters degree academic rigor training students in the art and science of managing courts and conferring on graduates a recognized certificate or degree of distinction.

### 2. Funding of State Court Systems and Trial Courts

*Definition:* Proven and promising strategies and techniques to maximize appropriations through high-quality governance, accountability, wise use of tax dollars, and ingenuity in doing business in new, cost-effective ways.

### 3. Caseflow Management Improvements

*Definition:* Building upon well-digested and reliable research and experience and help court leaders

<sup>2</sup> See Note 1 *supra* and the pre-2005 NACM Annual Conference briefing paper prepared by Geoff Gallas and Gordon Griller, "Toward a NACM National Agenda: From Critique to Consensus to Action."

<sup>3</sup> For more detail, see the Appendices to the Gallas/Griller paper, note 2 *infra*.

<sup>1</sup> These activities and the NACM National Agenda will be more completely described in an upcoming issue of *Court Manager*.

improve caseflow management through creative, impartial, independent, just, and timely case processing and resolution.

#### 4. **Public Perceptions of the Courts and Community Collaboration**

*Definition:* Increase public understanding of and satisfaction with the courts by connecting with the community in meaningful, informative ways, demystifying the judicial branch, and enhancing public trust and confidence.

#### 5. **Judiciary, Executive, and Legislative Relationships**

*Definition:* Promoting proven methods and techniques to establish and maintain healthy, effective, and mutually respectful relationships among the three branches of government at the state and local level.

#### 6. **Court System and Trial Court Governance**

*Definition:* Organizing, leading, and governing the judicial branch to achieve effectiveness through a team environment and smooth, respectful, healthy operations (includes Trial Court Leadership Teams, AOC and Trial Court Relationships, Succession Planning, Organizational Development and Wellness, and Justice System Relationships).

### **WHERE WE GO FROM HERE 2005-2010**

There are a number of pathways (means) to realizing our agenda. They require NACM to lead by example and to take some calculated risks in:

- Partnering with others;
- Building intellectual capital; and,
- Planning a high-impact 4<sup>th</sup> National Symposium on Court Management at the time and place of the 2010 NACM Annual Conference.

The NACM officer who will lead this effort from now until 2010 when he will be the NACM past president is Marcus Reinkensmeyer, our current

secretary/treasurer and, until very recently, editor of *Court Manager*.

A critical step will involve reaching out to other organizations and inviting their participation in shaping and implementing the NACM National Agenda. Prime candidates include, but are not limited to, the National Center for State Courts and its Institute for Court Management; the Conference of Chief Justices; the Conference of State Court Administrators; the National Judicial College; the American Judges Association; the U.S. Department of Justice; and the National Association of State Judicial Educators.

As NACM moves toward the 4<sup>th</sup> National Symposium on Court Management, we will build intellectual capital through briefing papers to be published in *Court Manager* and elsewhere concerning each of the six programmatic areas. A first round of papers – no longer than 10 single-spaced pages – will define the terrain, review what we already know and have accomplished, and, most importantly, outline how we can advance the profession.

Work on the NACM National Agenda on the Court Management Profession will culminate at the 4<sup>th</sup> National Symposium on Court Management to be held at the 2010 NACM Annual Conference. The first three national symposia – held in San Diego in 1981, Phoenix in 1990, and Atlanta in 2000 – included papers from retained researchers and consultants as well as other contributions submitted in response to a call for papers, which were included in published conference proceedings. We will continue that tradition, but we want to add value and new perspectives rather than merely replicate and repeat established understandings.

With this announcement, we invite and encourage your feedback on our plans, your ideas about the substance of the NACM National Agenda, the proposed process from this point forward, and, most important, your interest in becoming involved.

Please communicate with us through email to our consultant, Geoff Gallas, at [gsgallas@aol.com](mailto:gsgallas@aol.com). ♦

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## **NOMINATIONS DUE FOR NACM JUSTICE ACHIEVEMENT AWARD**

**T**he National Association for Court Management is currently accepting nominations for the Justice Achievement Award. NACM established the award in 1988 to publicly recognize courts and related organizations for meritorious projects and exemplary accomplishments that enhance the administration of justice.

The 2005 Justice Achievement Award was presented to the Second Judicial District, Minnesota, for its Integrated Arraignment Court Facility. Two additional projects received honorable mentions. This year's win-

ners will be honored at the NACM annual conference in Ft. Lauderdale, Florida, and featured in the conference issue of *Court Manager*.

Nominations may be submitted by any person, court, related agency, or organization. All nominations will be given equal consideration, regardless of jurisdiction, size of court, or geographic location.

Deadline for submissions is Monday, April 17. Go to the NACM Web site – [www.nacmnet.org](http://www.nacmnet.org) – for detailed instructions on how to apply. ♦

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