

Court Express



NATIONAL ASSOCIATION FOR COURT MANAGEMENT

SPRING 2012

VOL. 14, NO. 2

Join us in *Orlando*

By Kelly Steele

The conference theme is “Promoting Improved Court Leadership and Governance,” and when you come to this conference you will learn practical steps you can take toward court improvement focusing on the areas of governance, leadership, and trust.

We have an excellent slate of keynote speakers to engage with our membership:

- **Robert Andringa** will be speaking to the development of principles and policies for an effective organization.
- **Walter Natemeyer** will provide insight on leading your court to high performance.
- **Stephen M.R. Covey**, compelling speaker and *New York Times* best-selling author, will speak about the *Speed of Trust* courtesy of sponsors FACT and CourtView; as an attendee you will also receive a free copy of Covey’s latest book, *Smart Trust*.

Education sessions are planned on topics such as governance principles, court funding, implicit bias, tribal

Are you ready for five days packed with networking, idea sharing, and informative workshops?

The National Association for Court Management is hosting its annual conference in sunny Orlando, Florida, July 15 - 19, 2012.



courts, high-profile case management, and video technology.

In addition to the educational component of the conference, we will provide many opportunities for networking, including the President’s Reception, the First-time Attendees Reception, and Early Career Professionals Reception, and a social event at the House of Blues Orlando. On Wednesday, the Annual Fun Run/Walk will be held at the beautiful Hilton Bonnet Creek Resort (advance registration is encouraged), and the annual silent auction will be held in the Exhibit Show area.

The conference hotel is only minutes away from the Disney World Resort, Universal’s Islands of Adventure, Sea World, and other attractions. Discount tickets to Disney, Universal, and Sea World are available to conference-goers for purchase by July 9. Finally, families can enjoy a tour of Winter Park on Tuesday that includes a relaxing boat ride and time to stroll the quaint brick streets of Winter Park, with its art galleries, boutiques, and famous Charles Hosmer Morse

Museum of American Art. Register for the tour by July 9.

Are you ready for five days packed with networking, idea sharing, and informative workshops? Join us in Orlando. Register now!



Let's Connect

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-  Find us on LinkedIn
-  Follow us on Twitter

Court Management and the **Age of Mastery**

By Peter Coolsen and Jeanine Tucker

Recently, one of us was talking with a university colleague about the frustrations of trying to master Photoshop, the gold standard for creating or “harvesting” images in the new world of digital photography. Our friend was sympathetic, but stated that learning Photoshop was a very complex, ever-changing venture, which would require continual learning; she further stated that, in her opinion, the age of mastery has passed. She suggested that while at one time one could move through a professional cycle from apprentice to journeyman to master, this was not likely to occur during an era of such rapid change.

This comment got us thinking about court management and about the frustration of keeping up with the pace of change in our own field. It may be that these days there are two ways of looking at the concept of “mastery.” As our friend suggested, it may be unrealistic to think we can master any complex subject when it constantly changes. Or perhaps, as we prefer to think of it, the nature of mastery has changed from a situation in which one acquires a highly developed skill or knowledge of a particular area, to one in which virtuosity or mastery

is more about the process of managing change itself. We suspect that in highly complex organizations like state courts, mastery will require the development of a “new set of management skills.” Malcolm Gladwell gives us one example of this in his best-selling book *Blink* when he suggests that professionals at the height of their game engage in a process called “thin slicing” in which their use of both analytic skills (conscious) and intuitive skills (unconscious) allows them to make good decisions based on a relatively small amount of information.

This issue of *Court Express* touches on mastery of court management in a number of ways. The article on reengineering the NACM core competencies expresses our interest in updating court management knowledge and skills to allow us to function in “the new normal.” The article on health care reform is an example of the fundamental impact of societal changes on the courts and the need for court managers to be aware of and prepare for these changes. Finally, the newly formed NACM Retirement Subcommittee, announced in this issue of *Court Express*, indicates the desire of NACM to maximize the skills

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and knowledge mastered by retiring NACM members who are willing to pass on their expertise by mentoring younger colleagues.

Perhaps, in the end, the age of mastery and virtuosity has not passed, but has only taken on a new face. This is the face upon which NACM seeks to focus in order to help guide members through their own personal and professional journey toward mastery.

Court Express is published quarterly by the National Association for Court Management. Opinions expressed and procedures explained in the articles are not necessarily those of the association. The association encourages submission of material that will interest or benefit its members. Address correspondence to:

James Peter Coolsen

Editor

Court Administrator
Criminal Division
Circuit Court of Cook County
Chicago, Illinois
Tel: (773) 674-3385
peter.coolsen@cookcountyil.gov



Peter Coolsen

Jeanine Tucker

Editor

Court Operations Manager
Superior Court of California,
Stanislaus County
Modesto, California
Tel: (209) 236-7810
Jeanine.tucker@stanct.org



Jeanine Tucker

State Court Implications of the Supreme Court Decision on HEALTH CARE REFORM

By Peter Coolsen and Maureen McDonnell

Two years ago, the U.S. Congress enacted the Patient Protection and Affordable Health Care Act. Important aspects of this sweeping health care reform legislation are already in effect, with additional major components taking effect in January 2014.

Since its passage, state governments, insurance providers, hospitals, physicians, and mental health and substance abuse treatment agencies across the country have been actively preparing for implementation.

As most people know, the Patient Protection and Affordable Health Care Act has not been without controversy. Republican presidential candidates have vowed to repeal the law and, in the last week of March 2012, the Supreme Court of the United States heard oral arguments in a case challenging the constitutionality of the law's minimum-coverage provision known as the "individual mandate." Twenty-six states were represented in the case. The Supreme Court will issue their ruling on the Health Care Act in late June 2012. There are a number of possible outcomes to their deliberations including: 1) upholding the constitutionality of the act and paving the way for its implementation in less than two years, 2) striking down the individual mandate provision of the act, or 3) finding the entire law to be unconstitutional.

Even with this uncertainty, health care reform planning continues at the federal, state and local levels, where community health care systems are undergoing dramatic changes. It is important for court leaders to understand these changes as their impact on the courts are likely to be significant.

Much of the change impacting the state court system will occur in the criminal courts through the expansion of Medicaid coverage for low-income adults, regardless of disability. In the past, very limited funding has been available for substance abuse, mental



health, and medical treatment for indigent people. This problem has been exacerbated for low-income individuals with mental illness and substance abuse problems entering the criminal justice system, a population which has often been marginalized in the greater community. Only a small proportion of these individuals are covered by private insurance or Medicaid. Under health care reform, their access to treatment would be greatly expanded through nearly universal eligibility for insurance coverage.

In the past, the options for criminal court judges have been very limited when it comes to finding adequate treatment resources for defendants with substance abuse and mental health problems. This is true whether or not the defendant is in a regular court or a specialty drug court, as community resources have not been able to keep up with the need. As a result, care is available for only a limited number of people, and often there are long waiting lists to begin treatment. If the legislation is upheld, for judges who hear misdemeanor and/or felony

cases, nearly everyone who appears in court will likely be eligible for health insurance, whether through the Medicaid program or subsidized premiums through health insurance exchanges. This substantially broadens the options for judges regarding defendants with untreated substance use disorders and co-occurring mental health conditions.

In this era of great pressure on state and county budgets and dwindling health and human service resources, the expansion of health insurance, through national health reform, creates a tremendous opportunity to address untreated substance use and psychiatric disorders among people under justice supervision. Dramatic gains in public safety and public health are possible, along with potential reductions in public expenditures for incarceration. As we await the opinion of the Supreme Court on the Patient Protection and Affordable Health Care Act, this would be a good time for court leaders to encourage a dialogue about the various options at the disposal of the Supreme Court and what the implications might be for state courts. In essence, by anticipating the future now, state courts have the opportunity to influence it and, hopefully, to help form significantly better outcomes for those individuals entering the criminal justice system with substance abuse and mental health problems.

Peter Coolsen is court administrator, Criminal Division, Circuit Court of Cook County, Illinois. Maureen McDonnell is director of Business and Health Care Strategy Development, TASC.

ECP SEEKS DONATIONS for Silent Auction

By Vicky Carlson

The Early Career Professionals (ECPs) of NACM will hold their third annual silent auction at this year's NACM Annual Conference in July. Not only does ECP need bidders at the conference, they need donations!

Bring a new or gently used item to the NACM Annual Conference in Orlando to donate to the silent auction, and your tax deductible donation will benefit A Place for Children, operated by the Children's Home Society (CHS) of Florida.

The mission of CHS is "Embracing Children. Inspiring Lives." Founded in 1902 to meet the needs of orphaned children, CHS has evolved to provide a continuum of care for children and families struggling with many challenges. Sixteen local programs serve more than 9,400 children each year in Central Florida. One of these programs is A Place for Children (APFC), a licensed drop-in center located in the Orange County courthouse in downtown Orlando. APFC is a fun and special daycare designed to keep

children from being exposed to the often harsh realities of court business. All funds raised by NACM at the silent auction will be used to fund A Place for Children.

WHEN: Wednesday July 18, 2012, 1 – 4 p.m.

Winners will be announced at 4 p.m. You do not need to be present to win.

WHERE: Outside the NACM Vendor/Exhibit Show

DETAILS: Contact Vicky Carlson if you have any questions: vicky.carlson@courts.state.mn.us. Donations may be dropped off at the NACM conference registration or welcome desk beginning Sunday, July 15. If you plan to donate, please email a completed commitment form to Vicky.

NACM Midyear Call for Proposals

By David Slayton

In support of its 2013 Midyear Conference, NACM has issued a Call for Proposals and Concept Paper. This procedure will be used to assist the Conference Development Committee in identifying sessions for the 2013 Midyear Conference. (A separate call for proposals will do the same for the 2013 Annual Conference.) If you know someone who would be interested in presenting on a topic related to the concept paper, please forward this message to them.

The response due date is June 15. Responses should be submitted to nacm@nacmnet.org.

If you have any questions on this procedure, the Call for Proposals, or the Concept Paper, contact david@nacmnet.org.

David Slayton is NACM vice president and Conference Development Committee co-chair

 UNIVERSITY OF DENVER

University of Denver Law Offers Discount for Court Employees

The Master of Science in Legal Administration Program (MSLA) at the University of Denver Sturm College of Law is pleased to announce a 15 percent tuition discount for all federal, state, and local court employees. This discount will apply to all students applying to the MSLA program in 2012 and 2013.

Since 1972, the MSLA program has educated students on the management and operations of courts, law firms, and legal organizations. The MSLA program

is flexible for the working professional, with courses offered both online and in the evenings on campus. Students may attend full-time and complete the program in one year or opt for the part-time Executive Option and complete the program in two to four years.

For more information about the tuition discount and the MSLA program, contact Hope Kentnor, program director, at (303) 871-6308 or msla@law.du.edu or visit the MSLA website.

Website Update

By Will Simmons

Missed the NACM Midyear Conference in Minnesota? If so, you're in luck! We recorded the keynotes and workshops and you can view them in the Members Only section of the website.

View Core Competencies video modules on Caseflow Management, Information Technology Management, Resources, Budget & Finance, and Human Resource Management. Visit the Core Competencies page of your NACM website. These videos are great resources for court managers, and court staff.

The Court Administrator: A Guide and Manual is now available to members in the Members Only section of the website. This NACM foundational publication provides an in depth understanding of court administration, including qualifications and professional standards.

Register today for the 2012 Annual Conference in Orlando, Florida, through the NACM website! Visit the Upcoming Conferences page for details and conference agenda.

Stay connected and follow NACM on Facebook, Twitter, and LinkedIn today! Gain access to NACM social media forums on the NACM homepage.

Want to become more involved with NACM? The Membership Opportunities page serves as a resource for you to learn about volunteer opportunities, webinars, mentoring, educational training, and much more!

Contact Will Simmons (wsimmons@6th-jadga.com) if you are interested in becoming a member of the Website Subcommittee.

NCSC Hosts Procedural Fairness Website & Blog

A new procedural fairness website dedicated to promoting the implementation of procedural fairness within the nation's justice systems is being co-sponsored by the National Center for State Courts (NCSC). Founded by Judge Kevin Burke, district judge, Hennepin County (Minnesota) District Court; Judge Steve Leben, Kansas Court of Appeals; Professor Tom Tyler, Yale Law School, and NCSC, the site contains procedural fairness theory, research, resources, and more. There is also a procedural fairness blog, with NCSC researcher David Rottman as its lead blogger. The founders hope the website and blog will help bridge the gap between academic research on the subject of procedural fairness and actual practice.

Register today for the 2012 Annual Conference in Orlando, Florida, through the NACM website!

Mark Your Calendar

2012

JUNE 8, 2012

Declaration of Candidacy for 2012-2013 Board due

JULY 15-19, 2012

NACM 2012 Annual Conference
Hilton Orlando Bonnet Creek
14100 Bonnet Creek Resort La.
Orlando, Florida
(888) 353-2013

Room Rate: \$159 per night for reservations made by June 22, 2012

2013

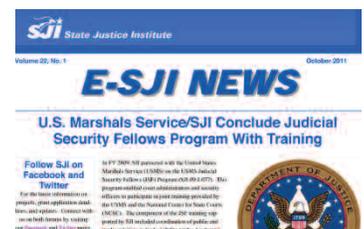
FEBRUARY 5-7, 2013

NACM 2012 Midyear Conference
Westin Bonaventure Hotel and Suites
404 S. Figueroa St., Los Angeles, CA
(213) 624-1000
Room Rate: \$179 per night single/
double occupancy
for reservations
made by Jan. 18,
2013



Get Your SJI News

The monthly E-SJI News provides information on SJI-funded grants to state courts, court associations, and court support organizations. It also includes the latest news on SJI activities and information on SJI initiatives that are improving the administration of justice in state courts. SJI continues to support NACM and its mission. Read the current issue here!



Join the NACM Leadership Team



The National Association for Court Management (NACM) encourages members to declare their candidacy for open board and officer positions. Come and join the NACM leadership team!

The Nominations Committee is responsible for presenting nominations for officers and directors of the association at the annual meeting. We encourage any and all qualified candidates to complete and submit a Declaration of Candidacy form by **June 8**. The form is available on the NACM website under Latest News and from Association Services of the National Center for State Courts to each member entitled to vote and hold office as defined in the NACM Bylaws, Article II, Members Section 2, Voting Rights.

In 2012, candidates will be accepted for the following positions:

- President Elect
- Vice President
- Secretary/Treasurer
- Large Court Director
- Small Court Director
- At Large (2) Director

The Nominations Committee, recognizing the diversity of NACM's membership and the need for the board to represent that diversity, will use, in part, the following criteria to evaluate candidates:

- Number and type of years of court-related experience;
- Number of years of membership in NACM;
- Extent of involvement with NACM committees, activities, and projects;
- Specific criteria based on the position for which the candidate has declared their candidacy, i.e., Urban Director, Small Court Director, etc.; and
- Ability to attend board meetings and otherwise fully participate in board activities.

MILESTONES



David Slayton, NACM vice president, was appointed by the Texas Supreme Court to be the administrative director (state court administrator) of the Texas Office of Court Administration. David assumed his new position May 7.



After serving the Superior Court of Arizona in Maricopa County for more than 20 years, **Marcus Reinkensmeyer**, superior court administrator, retired May 18. He served the court with distinction, while simultaneously advancing the profession of court administration and serving the profession on the national scene, including as a NACM president.



Washington State Court Administrator **Jeff Hall** has accepted the position of trial court administrator for the Deschutes County Circuit Court in Bend, Oregon. Hall has worked in the Washington Court System for 21 years and has served as state court administrator since 2008. His resignation will be effective June 30.

Please send your milestones to lgomez@ncsc.org.

NACM Dual Membership Partners

NACM is pleased to have the following state associations as dual membership partners:

- Michigan Association of Circuit Court Administrators
- Michigan Court Administrators Association
- National Conference of Bankruptcy Clerks
- Ohio Association for Court Administration

To find out more about how you can benefit from the Dual Membership Partnership, visit the NACM website.

NACM Looks to Reengineer the Core Competencies

By Stephanie Hess

The National Association for Court Management has embarked on a long-term project to update its Core Competencies. These 10 Core Competencies, as identified by NACM, are areas in which court administration professionals should have acceptable levels of knowledge, skills, and abilities (KSAs) in order to be successful administrators.

Since the Core Competencies' inception in the early 1990s, much has changed, advanced, and evolved in the field of court administration. As a result, NACM has identified the need to revise the core competencies to ensure their continued relevance and use to the nation's courts. It is anticipated that the revised core competencies will include or expand on a variety of topics which may include, but are not limited to:

1. Increased use of technology in the courts;
2. Enhanced communication mediums such as Facebook, Twitter, etc.;
3. Advent and growth of problem-solving courts;
4. An expanded review of a court administrator's ethical obligations;
5. Court security in light of increasing violence towards judges and court staff; and
6. Court performance management and analysis.

Through a grant funded by the State Justice Institute, NACM has contracted with The Justice Management Institute and the American University, School of Public Affairs to serve as the project managers for



the revision. The project will proceed in three segments:

- (1) A review of the overall structure, content, organization, and format of the existing competencies from a general, "global" perspective;
- (2) A review of the substantive adequacy of each of the existing competencies by subject matter experts, including identification of areas for revision and enhancement to address the current state of knowledge and issues courts are now addressing; and
- (3) Input from NACM members and managing judges (the intended audience of the existing Core Competencies) regarding the utility of the existing Core Competencies – the degree to which they are used and accessed – and suggestions for making them more valuable to NACM members and presiding/managing judges.

If you are interested in serving as a volunteer for the Core Competencies Revision project, please contact Stephanie Hess at Stephanie@nacm-net.org.

MEMBERSHIP ZONE



You Aren't Thinking of RETIRING Are You?

By Ken Kallman

Now, more than ever, NACM wants to emphasize the value members provide to courts and court leaders. This includes members making plans to retire as court professionals.

The newly formed Retirement Subcommittee wants to hear from you if you have plans to retire as a court professional. What can NACM do to keep you actively engaged in the advancement of court management? What services and planning aids can NACM provide to assist with your retirement plans? Contact Paul DeLosh, Membership Services Committee chair: pdelosh@courts.state.va.us.

We've said it before. NACM needs your expertise and experience to help effectively deal with the difficult issues courts face today. More importantly, we need your support to advance an environment that attracts AND mentors future leaders. The Membership Services Committee, on behalf of NACM, encourages your continued support and involvement as retired members. Learn more about NACM's one-on-one Mentor Program as well as the NACM/American University Mentor partnership. Please invite past members to visit our website and encourage them to sign up for their membership today.